

**Albion Town Council**  
**Tuesday, December 11, 2018, 6:00 pm**  
**Albion Municipal Building**  
**211 East Park Drive, Albion, IN, 46701**

**CALL TO ORDER:** Town Council President Vicki Jellison called the meeting to order at 6:00 pm. The Pledge of Allegiance was recited.

**ATTENDANCE:** Vicki Jellison, President  
Chris Magnuson, Vice-President  
Don Shultz, Member  
Max Weber, Member  
John Morr, Member

**OTHERS:** Carol A. Selby, Clerk-Treasurer  
Stefen Wynn, Town Manager  
Steven Clouse, Town Attorney  
Matt Getts, KPC  
Kevin Kelly, Our Hometown News  
Scott Cole, Police Dept  
Terry Forker, Water/Wastewater Depts  
Aaron McGinnis, Water/Wastewater Depts  
Casey Myers, Park/Cemetery Depts  
Brian Stimpson, Street/Cemetery Depts  
Sharon Leitch  
Darold Smolinske

**APPROVAL OF MINUTES:** Minutes from the meeting on November 27, 2018 were approved. Motion made by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays.

**ANNOUNCEMENTS:**

1. **“Christmas in the Village”** – Council members thanked all town departments in addition to volunteers, for their help with the event held on December 7, 2018. It was reported turnout was great, and there were over 30 entries in the Christmas Light Parade. Traffic in the parade staging area was heavier than desired due to a basketball game held at Central Noble School. It was noted parade organizers will need to plan accordingly for future events.

2. **Streetlight poles** – Seventeen (17) poles are expected to be delivered from Lightmart tomorrow. The poles are replacements for rusting streetlight poles.

3. **Council member Max Weber recognized** – Weber was recognized for his four years of service as a member of the Albion Town Council, and presented with a desk clock. Weber did not seek re-election to the council. He won the election for Noble County Sheriff and will begin his term as Sheriff in January 2019. Weber was thanked

for his leadership skills and willingness to help out; from serving on various town committees, to riding in a bucket truck to decorate the Christmas tree on courthouse square. Weber thanked council members for their service and encouraged others to run for office. He said it's been a great learning experience, and while council members may not have always agreed, they all care about the town and want to see it thrive and grow. Darold Smolinske will fill Weber's vacated seat beginning January 1, 2019. At the same time, Jellison will begin her third term on the council.

**OPEN DISCUSSION: NONE**

**OLD BUSINESS:**

**Streetlight poles** – Weber said there are several wooden poles around town and suggested incorporating them into a replacement plan. Stimpson said in his opinion, galvanized poles are the best option to withstand oxidation. It was noted AEP will no longer be servicing the town's streetlights. Wynn said he ordered LED lights in varying colors and brightness in order to decide what best suits the town's needs.

**NEW BUSINESS:**

**1. Consideration of Town Attorney Agreement**

Magnuson motioned to approve continuing to utilize the services of Eberhard, Weimer, Clouse & Glick, P.C for the town's legal representation for 2019 as outlined in their letter dated December 4, 2018. Seconded by Weber, carried 5 Ayes, 0 Nays.

**2. Approval of Interlocal Agreement with Noble County for Spillman Software**

Town Marshal Scott Cole provided an explanation of charges associated with the Spillman Public Safety System which went live October 18, 2018. He reported that initially the County was going to be responsible for approximately 60% of the maintenance cost, with other participating agencies responsible for 40% of the cost. However, in an effort to spread costs more proportionately over all participating agencies, that amount changed to approximately 52% for the County and 48% for other agencies. This decreased the County's burden and increased the annual maintenance amount for other participating agencies.

Similarly, the initial plan presented to council provided the first year of maintenance free with second-year maintenance estimated at \$3561. At that time, subsequent years' maintenance would be subject to unspecified annual increases. Then, during negotiations with Spillman, the County was able to lock in a plan that would provide seven years of annual maintenance for all participating agencies, providing the fees were paid up front. As such, the Town's portion for maintenance is \$30,388. The amount of \$31,368 for the Town's share of License & Implementation costs remains the same as previously estimated bringing the Town's total responsibility to \$61,756 payable in two installments, one in 2018 and one in 2019. The proposed interlocal agreement between the Town of Albion and Noble County, specifies the cost and outlines the terms for use of the Spillman Public Safety System through 2025. Cole reported Newel Cusick, representing Spillman Technologies, told him that on year eight (2026), the increase would not exceed the maximum contracted cap of 4%.

Clerk-Treasurer Carol Selby said she had prepared the first payment of \$30,878 for approval at tonight’s meeting and would like to pay the second installment in January. Council members Don Shultz and John Morr preferred waiting to make the payment until December 2019 to allow interest to accrue on the balance which is in an interest-bearing checking account. Selby explained the payment is a reimbursement to the County which is paying Spillman on the Town’s behalf. She said the funds have been appropriated, and she would like to satisfy the debt to the County as soon as possible, in addition to making sure the funds aren’t spent elsewhere. After discussion, Weber motioned to approve the Interlocal Agreement and allow for payment in two installments- one in December 2018 and the second installment in January 2019, seconded by Magnuson, carried 4 Ayes, 1 Nay per Morr.

**3. Approval of INDOT Community Crossings Grant Agreements**

Council acknowledged approval of the Local Roads and Bridges Matching Grant Agreements between the Indiana Department of Transportation and the Town of Albion for the following projects. The agreements were signed by Town Council President Vicki Jellison and delivered to INDOT for final execution. The projects include:

- a.) **Village Drive: from Taylor Lane to Albion Road** – Concrete Pavement Restoration. Des. No. 1802174. Maximum Grant Amount: \$212,129.06. (Based off of 75% of Fleis & Vandenbrink project estimate of \$247,558).
- b.) **W Main Street: from York St to W Town Limit, (750’ E of Village Dr)** HMA Overlay, Preventative Maintenance. Des. No. 1802344. Maximum Grant Amount: \$185,668.50. (Based off of 75% of Fleis & Vandenbrink eligible project estimate of \$282,838.75).

**4. Consideration of Quotes for W Main/Weeks Street Resurfacing Project**

As recommended by the Paving Committee, Council voted to approve the lowest most responsive and responsible bid from Pulver Asphalt Paving, Inc for the W Main Street/Weeks Street Resurfacing Project in the amount of \$313,974.87 (price includes Alternate Projects 1, 2, & 3). Motion made by Magnuson, seconded by Weber, carried 5 Ayes, 0 Nays. It was noted all contractors received the same bid specifications prepared by design engineers Fleis & Vandenbrink whose estimate for the project was \$247,558 (not including alternate projects). The Paving Committee held a public meeting on December 4, 2018 to open and review bids. Each contractor was found to have submitted the required information. Bids were verified for accuracy, and differences between high and low bidders were attributed to some contractors paying Davis-Bacon wages, and costs for hiring subcontractors. The following bids were received:

Pulver Asphalt Paving, Inc.	\$313,974.87
Niblock Excavating, Inc.	\$456,477.00
API Construction Corp.	\$624,924.00
Brooks Construction Co., Inc.	\$649,617.00
Reith-Riley Construction Co., Inc.	\$707,940.53
E&B Paving Inc.	\$774,003.53

The Town has been awarded a Local Roads and Bridges 75%/25% Matching Grant (aka Community Crossings Grant) in the amount of \$185,668.50 toward the eligible portion of the project. The Town is responsible for the balance of \$128,306.37. Street MVH, CEDIT, TIF #1, and Cemetery funds are allocated for the Town's share. Alternate Projects not eligible for grant funding include:

- Alternate #1 – Sidewalk on Oak Street
- Alternate #2 – Cemetery Drive Approach Widening
- Alternate #3 – Piping to Pond (storm water drainage outfall)

Park/Cemetery Superintendent Casey Myers said he is concerned about traffic at Valley View Park ball diamonds during the project. Wynn said a preconstruction meeting will be held in January to present the project to the public, and discuss concerns so the contractor may take them into consideration.

**5. Selection of Design Engineer for converting a Lift Station to Gravity Fed Sewer**

Wynn reported the WWTP committee (Don Shultz, Max Weber, Stefen Wynn, Terry Forker, Aaron McGinnis, Bryce Sheckler) received three responses and one declination to a request for qualifications for an engineer for design work to convert the existing lift station located off of State Road 9/N Orange Street near Parker Hannifin Corporation to a gravity fed sewer system. He reported the committee used Qualifications-Based Selection (QBS) to score respondents as indicated below.

DLZ Indiana, LLC	107
Wessler Engineering	101
Fleis & Vandenbrink	101
Triad Associates, Inc.	Declined

After discussion, Council voted to proceed negotiations with the highest scored engineer, DLZ Indiana, LLC. Motion made by Shultz, seconded by Weber, carried 5 Ayes, 0 Nays.

**6. Consideration of Town Manager Contract**

A majority of councilmembers voted to approve a 2-year contract with Stefen A. B. Wynn for the town manager position. Motion made by Magnuson, seconded by Shultz, carried 4 Ayes, 1 Abstention per Morr.

**7. Approval of Rainy-Day Transfer Resolution No. 2018-18**

Council voted to approve Resolution No. 2018-18, A Resolution Transferring 2018 Appropriations from the General Fund into the Rainy-Day Fund. Motion made by Magnuson, seconded by Shultz, carried 5 Ayes, 0 Nays. The resolution allows for the transfer of \$20,000 in unexpended Fire Department funds to the Rainy-Day Fund. The funds are earmarked for fire department vehicles and equipment.

## **8. Elected Official Nepotism & Conflict of Interest Compliance Forms**

As required per HEA-1005 entitled Nepotism; Conflict of Interest (IC 36-1-20.2 and IC 36-1-21) all six of the town's elected officials (Vicki E. Jellison, Christina K. Magnuson, John D. Morr, Don Shultz, Max Weber, and Carol A. Selby) submitted written certification to the town council president that they have not violated the nepotism and conflict of interest policies identified in Resolution 2012-07. The forms will be retained in the Town Hall office for review by the State Board of Accounts.

### **DEPARTMENT HEADS:**

#### **Park/Cemetery Depts**

Superintendent Myers reported the Cemetery committee has been reviewing fees and regulations and expects to bring proposed changes to the council early next year. Removal of trees near the entrance of the cemetery will be discussed in a future department head meeting. Removal of some of the trees is necessary for installation of a sign for Rose Hill Cemetery. Myers thanked all those that helped put up Christmas lights and decorations. Noble County Surveyor Randy Sexton is developing a plan to address erosion along Croft Ditch in Hidden Diamonds Park. The park board is considering installation of netting at the baseball diamonds to help prevent foul balls from entering the playground area at Hidden Diamonds Park.

#### **Street/Cemetery Depts**

Pickup of bulk leaves ended on December 6, 2018. Superintendent Stimpson answered questions from Magnuson regarding the leaf pickup process, and procedure for dealing with complaints regarding damage to lawns, etc during leaf pickup and snowplowing. Stimpson said when it's feasible, they take care of those areas right away. Otherwise, they wait until Spring to repair damage. Streets have been salted three times so far this season. There are several streetlight poles slated to receive powder coating and installation of electrical receptacles. Drain pipes were installed and connected to downspouts on the north side of the Albion Municipal Building. Sidewalk replacement at the main entrance is still pending. It was noted the Village Drive Patching Project went well. Stimpson said he was very pleased with the work done by Pulver Asphalt Paving. Fill work and seeding will take place when weather permits, presumably next year. The department plans to build a frame for the Albion amenities sign located at the entrance to Chain O' Lakes State Park. Magnuson said she requested that Wynn leave the Central Noble Banners up throughout the winter.

#### **Water/Wastewater Depts**

Superintendent Forker reported installation of the diffusion system at the wastewater ponds is nearing completion. The contractor is getting ready to mount equipment onto the posts. The project is progressing and on schedule so far. A fire hydrant was hit at the corner of E South and First Streets. Forker said a decision needs to be made as to whether or not it is replaced, or eliminated. The topic will be discussed during the next department head meeting so as to gather input from the Fire Chief. Forker reported he has ordered more meters. Inventory on radio reads is getting low and he anticipates approaching council in January to purchase more. The pump for the lift station near

Parker Hannifin has been ordered. A sewer tap was done this week on State Road 8/East Main Street. A resident on East Main Street recently discovered they were not hooked to the town's sewer system and instead had a septic system. The tap was completed in preparation for the resident to connect to the town's system.

**APPROVAL OF ACCOUNTS PAYABLE & PAYROLL VOUCHERS:**

After discussion, Shultz motioned to approve Payroll and Accounts Payable Vouchers as of December 6, 2018 and December 11, 2018, seconded by Magnuson, carried 5 Ayes, 0 Nays, submitted and reviewed, attested by Carol A. Selby.

**ADJOURNMENT:** There being no further business to be brought before the council in regular session, Weber motioned to adjourn the meeting at 7:26 pm, seconded by Shultz, carried 5 Ayes, 0 Nays. The next regularly scheduled meeting is to be held on January 8, 2019 at 6:00 pm, at the Albion Municipal Building, 211 East Park Drive, Albion, IN.

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VICKI E. JELLISON, PRESIDENT

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CHRISTINA K. MAGNUSON, VICE-PRESIDENT

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JOHN D. MORR, MEMBER

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DONALD J. SHULTZ, MEMBER

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DAROLD SMOLINSKE, MEMBER

ATTEST: \_\_\_\_\_  
CAROL A. SELBY, CLERK-TREASURER