

# Public Hearing and Common Council Meeting: Budget Approval, Environmental Monitoring, Council Operations

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Budget Approval Environmental Monitoring Council Operations

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## Meeting Information

- Date & Time: 2024-10-22 6:00pm
- Location: Town Hall
- Attendees: Public Hearing: Renee Collier, Marcus King, Kevin Ward, Linda Allen, Pam Brown, Amy LaOrange, David Kurth, Chris White, Doug Reed, Jim Bolen, Mike Hill, Ken Smith, Rebecca Trent, Lee Trippett, and Pam Hiner.
- Attendees: Common Council Meeting: Renee Collier, Marcus King, Kevin Ward, Linda Allen, Pam Brown, Amy LaOrange, Lee Trippett, David Kurth, Chris White, Doug Reed, Mike Hill, Rebecca Trent, Ken Smith, Jim Bolen, Pam Hiner and Terry Allen.

## Public Hearing Notes

### 1. Budget approval and environmental monitoring

The Meeting was brought to order by Council President Pam Brown at 6:00pm

- Pledge of Allegiance
- The meeting began with the Pledge of Allegiance.
- Second Reading of the 2025 Budget
- The second reading of the 2025 budget Ordinance # 2024-7 was conducted. Ordinance 2024-7 Ordinance for Appropriation and Tax Rates in the amount of \$357,100 was accepted as read by a vote of 5 Ayes to 0 Nays with the motion to approve being given by CVP LaOrange and followed with a second by CM Allen.

Meeting Adjourned- 6:09pm

Motion to adjourn was given by CVP LaOrange. Second was, CP Brown Motion carried by a vote of 5 Ayes to 0 Nays.

## Common Council Meeting Notes

The meeting was brought to order by CP Brown at 6:12pm

- **Park Budget Discussion**  
Discussion on the park budget, including wages and fuel costs, and its importance to the town. What should the park be required to pay and what we need to move to be paid out of town funds.
  - **Discussion on Council Member Conduct**  
Discussion on Council Member Conduct and the advice from attorneys regarding the platform for discussion. TA Rebecca Trent informed the Council that all discussion on this can be handled in a common council meeting or a special business meeting.
  - **Guest Presentation on Monitoring Laws**  
Chris White from AECLLC, previously known as American Environmental Corporation LLC, discussed the monitoring laws and the detection of petroleum constituents at the co-op site.
- ## 2. Environmental Monitoring and Compliance

- **Contamination and Cleanup**  
Discussion on the contamination found at the Co-Op gas station and bulk plant, the types of contaminants (Benzene, Naphthalene, cPAHs, Methylnaphthalene, PAHs, VOCs and Trimethylbenzene and the cleanup process.
- **Monitoring Wells Installation**  
Details on the installation of monitoring wells, including the process, timeline, and equipment used. The monitoring and cleanup will start after TA Trent updates the agreement to include the testing of the town well. The monitoring will take place over the next two to three years with samples being pulled and tested four times per year.
- **Drinking Water Testing**  
A motion to add Drinking Water Testing to the monitoring agreement to check for contaminants was made by CVP LaOrange and seconded by CM King. Motion carried by a vote of 5 Ayes to 0 Nays
- **Public Notification**  
Discussion on how to notify the public about the water Copper and Lead reporting and testing violation (missed date) results ended with the public being notified through the Consumer Confidence Report and other methods as required. Also the town will be hand delivering a notice to all residents and businesses and will place a notice at the Co-Op, Post Office and on the Town Hall door. Street and Utility Superintendent will be put as the contact person on the flyers.

- **IDEM Compliance**  
Ensuring compliance with IDEM regulations for water testing and public notification.
- **Vogel Appraisal**  
Council discussed the appraisal fee for the building on the corner of SR 43 and W Main Street. Communication with Greg Vogel regarding the \$800 fee and the possibility of a free appraisal to the town in the future.

### 3. Town Property and Service Contracts

- **Legion Building Purchase**  
The purchasing of the Legion building was discussed, including appraisal, potential repairs, and grant funding. Following the discussion a motion was made by CVP LaOrange to purchase the Legion Building for \$1.00 with the second coming from CM Allen. Motion carried by a vote of 4 Ayes to 1 Nay with the Nay coming from CM King.
- **Fire Department Contract**  
Discussion on the fire department contract, including costs, equipment, and maintenance was had with Fire Chief Mike Hill who is requesting \$20,000.00 for 2025 and \$25,000.00 for 2026 to cover maintenance, insurance and equipment fees. FC Hill states the fire department needs new turnout gear. The council will review and vote on this at the November 12, 2024 meeting.
- **Trash Contract**  
Discussion on the trash contract, including bids and service terms, was had with CP Brown letting us know she will be sending the bid information out to the council and the clerk to review before the November 12, 2024 meeting where we will vote on the contract.

### 4. Operational and Financial Planning for town Utility Departments

- **Wastewater Treatment Plant Repairs**  
Discussion on the necessary repairs and upgrades for the wastewater treatment plant. It was decided that S&U Superintendent Reed will create drawings and take bids for the repairs.
- **Groundwater Cleanup**  
Discussion on the potential groundwater cleanup and the associated permits and costs. There was some opposition to permitting AECLLC, previously known as American Environmental Corporation LLC, to discharge surface water and if we do allow, we need to establish a rate for the wastewater discharge.
- **Rainy Day Fund Ordinance**  
Discussion on the need for a rainy-day fund ordinance as per Indiana code. TA Trent will check files to confirm if an ordinance for the fund exists.

- **Electric and Water Meters**  
Update on the installation of new electric and water meters and the need for additional supplies.

## 5. Town Operations and Financial Management

- **Fire Ban and Raised Fire Pits**  
Discussion on the current fire ban and whether raised fire pits with propane are allowed. Grills are ok but no open fire pits.  
Discussion on whether to sow grass seed now or wait until spring.  
Decided that the seed should be sown before winter hits.
- **Sinkholes and Street Repairs**  
Discussion on sinkholes at specific intersections and the need for cold patch repairs. TE Smith said that F&K should be contacted to come fix the sink holes in the road. S&U Superintendent Reed will get bagged cold patch for the streets.
- **Utility Board Membership**  
Discussion on the need to appoint a third member to the utility board since CM King resigned his position on the board. It was decided to add CM Trippett to the board which now makes the board comprised of CP Brown, CM Trippett and CT Collier.
- **Policy for Late Payments**  
Discussion on creating policies for handling late payments and utility board decisions.
- **Old Accounts Write-off**  
Discussion on writing off old delinquent accounts. Old accounts are to be written off as bad debt but still part of the TRECS program.

## 6. Operational and financial issues, event planning, and public safety concerns.

- **Tire Service Charge**  
Discussion about a \$36 charge by Pom's Tire Service for putting air in a tractor tire and replacing a valve stem.
- **Bank One Claims**  
Motion to pay Bank One claims dated 10-22-2024 for \$46,938.08 was made by CVP LaOrange, seconded by CM Allen and passed by a vote of 5 Ayes to 0 Nays.
- **Council Meeting Minutes**  
Motion to accept the council meeting minutes from October 8th, 2024 was made by CVP LaOrange. Seconded by CM Allen and passed by a vote of 4 Ayes to 0 Nays with CM Trippett abstaining due to not be present at the October 8, 2024 meeting.
- **Electronic Funds Policy**  
CT Collier read Ordinance # 2024-8 AUTHORIZING THE TRANSFER OF

FUNDS FROM THE WINDMILL ACCOUNT TO THE WATER OPERATING ACCOUNT to get the Water Operating Fund out of the red. Motion to pass the Ordinance was given by CVP LaOrange and Seconded by CM Allen. Ordinance 2027-8 passed by a vote of 5 Ayes to 0 Nays.

- **Carol White RMC Billing Issue**  
Issue with Carroll White RMC overcharging for a service initially quoted at \$400 but billed at \$747.60. It is decided that we start requiring all quotes to be in written or typed form.
- **Audit Costs**  
Discussion about the audit fees totaling \$15,000, broken down by water, wastewater, and electric. CT Collier will get these paid next week.
- **Dog and Cat Issues**  
TM Bolen Police Update included dog-related issues and ticketing.
- **Halloween Event**  
Discussion about Halloween event planning, including trunk or treat and candy distribution.
- **Park Restrooms**  
Restrooms at the park have been shut down for the season.
- **New County EMA Director**  
Announcement by Fire Chief Mike Hill that he is now the new County EMA Director and that he will remain on the Volunteer Fire Department part-time until January and then will need to resign to take his new position with the County.
- **Musty Smell in Bathrooms**  
Discussion about a musty smell coming from the drains in the bathrooms and potential solutions.
- **Gas Leak**  
Discussion about a gas leak near a residence and the school, with NIPSCO involved in the repair. NIPSCO reports that it is a small leak so it is not an emergency, and they will get to it when they have time in their schedule.

## 7. Council Meeting Management and Administrative Issues

- **Vogel Appraisal Issue**  
Discussion about the Vogel appraisal, including misunderstandings about approval and payment after the Council voted to not go through with purchasing the building at the corner of SR 43 and West Main St., and whether to file a claim in small claims court.
- **Council Conduct**  
Discussion about the conduct of council members during meetings, specifically addressing an incident involving the council president on September 24th.
- **Special Meeting Scheduling**  
Debate on whether to schedule a special meeting to discuss unresolved

issues or to continue the current meeting. Council could not come up with a date that worked so it was decided to discuss this in the current meeting. The discussion then continued with CP Brown stating that she adjourned the meeting due to disruptive behavior and lack of progress. CMI King stated that CP Brown is Biased to the bar uptown where she works and Bias to the S&U Superintendent and that she has issues with wanting to control everything. It was also brought up by CMI Trippet that her allowing Main St. to remain closed after the published re-opening time so the bar could have their band perform on the sidewalk and fans to sit in the street and drink and watch the performance showed a definite Bias to the bar and it's owners. The failure to apply for a street and sidewalk grant was also brought up as was CP Brown allowing the S&U Superintendent to hire an employee then promote him to full time when his job description only allows him to help the council in hiring employees and the council was not informed of anything until after the employee was hired. There was discussion on CP Brown having a meeting with town employees, which was supposed to be an actual disciplinary meeting with the S&U Superintendent, to go past regular clock out time and one of the employees ended up getting overtime pay due to her running over. CP Brown had stated that it was the Deputy Clerk's fault in a previous meeting and CT Collier brought this up as it was not the fault of the Clerk's Office as it was what was reported on the employees time card.

#### • **Agenda Items**

Review of various agenda items including AC at the Town Hall and that is running fine as of now. Meter updates were given by S&U Superintendent Reed, he informed the Council that all but one electric meter is in place and that one will be put in place as soon as it is built. CT Collier stated that there are still some items that needed to be turned in for clerk's files. The need to get the salary ordinance, and personnel policies completed and voted on was discussed.

#### • **Debit Card Issue**

Discussion about the possession and responsibility of a debit card, including state law requirements and bonding. All debit/credit cards are to be kept in the safe here at the town hall and checked out when needed and returned with the receipt upon return to work. The only exception to that is the Town Marshall's Card and there are separate rules for this.

### 8. Council Operations and Governance Issues and the need for

#### improved communication and trust.

#### • **Cancelled Meetings in July 2023**

Discussion about the cancellation of meetings in July 2023 due to various personal reasons and its impact on the town. CP Brown and CVP LaOrange acknowledged that this was a mistake, but it was agreed that it did not significantly affect the town.

- Next meeting on November 12, 2024 to discuss fire department contract and trash contracts.
- Doug to create drawings and take bids for wastewater treatment plant repairs.
- Establish a rate for wastewater discharge for groundwater cleanup.
- Investigate the existence of a rainy day fund ordinance.
- Complete the updates to policies and procedures by the end of the year.
- Establish better communication methods among council members.

## Next Arrangements

- **Trust Issues**  
Addressing the trust issues among council members and the need to move forward and work together.
- **Favoritism and Use of Town Resources**  
Concerns about favoritism and the use of town resources for private businesses, specifically the bar. Acknowledged as an issue but, no clear resolution was reached.
- **Policies and Procedures**  
Discussion on the delay in updating policies and procedures, including the employee handbook and salary structure. It was agreed to have the updates completed by the end of the year.
- **Work Orders and Communication**  
Issues with the implementation of a new work order system and lack of communication between council members and staff. It was agreed that better communication was needed and that existing systems should be utilized.
- **Confidence Vote for Council President**  
A motion for a confidence vote, which displays a lack of confidence, in the council president's abilities was made by CM King seconded by CM Allen and was passed by a vote of 3 Ayes to 2 Nays with the two Nays coming from CP Brown and CVP LaOrange.
- **Future Communication and Collaboration**  
Discussion on how to improve communication and collaboration among council members moving forward. Agreed that better communication methods need to be established.

Council Meeting Minutes for October 8, 2024

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RKC

Clerk Treasurer

Frank S Brown

Council President

Amy Goldberger

Council Vice President

Maurice

Council Member

Jim Allen

Council Member

Joe Impell

Council Member

Signed this 12 day of November, 2024

Yay or Nay Abstain

Yay or Nay Abstain

Yay or Nay Abstain

Yay or Nay Abstain

Yay or Nay Abstain