



Council Meeting April 26th, 2023

Attendees: Jim Winkler, Dean Smith, Austin Turner, MacKenzie Taylor, Vernon Miller, John Veenstra, Larry Randolph, Robert Roa, Steve Ecker, Pierceton, Rebecca, Kathy, and Dale Sark.

Dean called the meeting to order at 5:00pm

Dean made a motion to approve the meeting minutes from April 12, 2023. Jim Winkler seconded the motion. Upon voice vote the minutes were unanimously approved.

New Business: Pulver was going to start on Friday but with the rain we've had, it's delayed them again. So now, it'll be maybe Wednesday or Thursday of next week and they will start on Oak Street. I am meeting with Nate Friday in regards to the parking lot and alley. Rick estimated it would probably be close to \$50,000 to have the alley and parking lot done. MacKenzie suggested pulling the parking lot quote. Rick said he would bring the quotes to look over for the next meeting.

Rick asked Robert if Ray has talked with Vickie Becker from the Prosecutors Office. Rick said, she would more than likely make a pledge towards the cameras. He also suggested speaking with someone from Community Foundations of Elkhart County. Robert said he would let Ray know and try to have something for the next meeting.

Ben said, if we could get the concrete millings that would be great, we'd take everything and they can dump it in the park. Rick said he would look into it and get back with us.

Park: Pierceton Sark is the Eagle Scout that will be remodeling Eagle Park as a part of his scout project. He handed the council members a couple of different sheets that detailed the plans, time line, and quotes. He expressed to the council, if we order the mulch sooner rather than later, we will get a 10% discount. The council and Pierceton suggested going with the rubber parking bumpers for the parking lot. The Eagle Scout also presented Dean with a form he needed to sign, so Pierceton would be able to begin work on the project.

There was some discussion about where to keep the mulch. Ben said, it would be okay to keep it at the water plant, Dale said, it will come in on skids and he would be willing to move this to the playground himself.

The playset will be a larger wooden ship. The ship has some trapeze bars, and fireman's pole, seating in the underneath part of the ship, a tube slide, and a rock wall on the side. There's a quote on there to have the playset stained. Pierceton said he hasn't purchased that yet. He said, a year later if he has enough money in his scout account, he will come back and pay for it to be

stained. The playset should be delivered by trailer in 5-7 weeks. The Sark's will notify the Town when it is coming.

It was asked by the council how this will be paid for. MacKenzie stated, the Bickle Donation money.

Dale stated, Ozinga is willing to give a nice discount for concrete. Instead of paying \$200.00 a yard he is getting it for \$100.00 a yard. Kathy mentioned, one nice thing about this project is we are trying to stay local with everything we are doing.

The council approved the expenses that will so be made towards the Eagle Park project.

MacKenzie and Kathy Sark will make arrangements for the Town to be invoiced on these items.

Dale offered assistance in removing the stone from the swing area. Ben said he could tape off the area for him.

Ben told the council he got quotes to have the 8 trees and stumps removed for \$3,800. Jim approved of this during a meeting with Ben in regards to Eagle Park. The fence posts will be coming out for \$1,200. Ben has another quote for fencing, at first, he thought a black 4-foot galvanized fence would look nice, but now things it may look to much like a prison. The fence would be about \$14,000 to go with that style. Vernon has a quote from a gentleman that would make a five board two rail fence. That style would be \$4,000 and it would hold up better. Dean said he doesn't have a problem with the less expensive fencing. Dean made a motion to approve the expense on the cheaper fence. Austin Turner seconded the motion. Upon voice vote it was unanimously approved.

Ben said he spoke with Kenny Jones today and he said he would like to put in a small playground. I'm assuming the north east side of the football field where there's more space. This is in regards to safety concerns of parents with children, so the kids aren't in the road, on the sledding hill, or walking so far over to the big playground. The children can be easily supervised by their parents. The 5th man club already has a family lined up to give a generous donation to put towards a new playground. Kenny will try to do other fundraising on top of this donation. They also receive a part of the entry fees when they do have games. Ben said, they want to make it look nice and will get mulch, flowers, and a score board in the vicinity so it doesn't look redneckery. Ben said he doesn't know the cost of what this will be yet. So, in theory, if the TIF is supposed to be spent on the property adjacent to the TIF area this would meet the requirements and I'll ask the RDC if there are any funds that could be put towards this project. I'll look at the numbers in Enhancing Millersburg too. Jim said, that's not a bad idea, but I would like to see some money go towards enhancement and repairs of what we already have/need up there. Larry stated, the fencing needs a lot of maintenance on the one diamond. Vernon said, I discovered some wire in the maintenance building and I could try to clamp it. Vernon said, it's coming up from the bottom side. Jim said, back in the day we used to lock those gates to keep out other softball/baseball players and they'd jump the fence, or break the locks. They damaged the fencing. I've had to go out there many times and kick kids off of the field. Vernon told the council he fixed the bench seat near the park. The council thanked him.

Ben said, the other thing with Kenny and he asked me about this. He said he called a woman in regards to farmer's day. He didn't say which woman he talked to. He told her, the 5th man club wants to help with farmers day. Their concession stand will be open and just wanted to double check that it wouldn't interfere and she told Kenny that he cannot have his concession stand open. Ben said, I told Kenny he can have it open. Kenny also volunteered to help with fireworks and picking up the trash afterwards. Steve had the same thing happen to him when he wanted to cook and sell food. He was told he couldn't do it. It was suggested to get the members of friends of the park here at the next meeting so we can have a discussion about farmer's day. It's not okay for them to monopolized off of our property, equipment, workers, and so forth. Last year, they tried charging for the softball tournament, we never charge them to rent out the park for farmer's day. They have our maintenance workers go to Nappanee and pick up a trailer and take it back. We have to set up things for the parade for them. Then, last year trash was left in the park and on the road. Which the Town received a lot of complaints about. Then when I said something to someone about all of the trash, they replied, well it's only the three of us. We rent a street sweeper to come in and sweep the streets before the event. In the past they used to make a monetary donation or donate a piece of equipment and that hasn't happened in years. Everyone is in favor of having friends of the park here at the next meeting to discuss plans so we're all on the same page. A contract will also be drawn up and made for both parties to sign after the May 10th meeting.

Water: Ben started by telling the council that we will be receiving a bill from Haskins in regards to 195 Maple Street. The homeowner told me that his well was drying up and would like to connect to our utilities. Haskins came out to tap the water main. We found a curb stop that I didn't know was there. Luckily for him, there was an easier and less expensive way to get him connected. Unfortunately, we will be getting a bill for this.

Dean asked Ben, how was the training? Ben said, it was good. Something we need to start preparing for is the lead and copper rules. You can't have lead in your drinking water. So, when I've done old service lines some have a lead goose neck and we replace it. New rules coming out and I have no inventory of every house in town. I do know Timber Valley shouldn't have any lead. If there is a house that has or had lead in the line, the town is responsible to replace it from the water main to the house. One town sent out a survey kit instructing homeowners how to tell if they have copper/lead pipes and then they can relay the information to us so we have it inventoried.

Wastewater: Everything was going well. We have a septic hauler; I think he is your nephew (speaking to Dean). We allow him to dump and we keep track and invoice him every month. I saw him Monday and he was dumping and everything was fine. Then, I went in yesterday and something upset the plant. It had a very strong odor. The treatment part of it, the foam was greasy and dark which is an indication of something being wrong. So, I wasted a lot of sludge into the reed beds. I told Tina to waste again tonight and get the solids out of there. Just so you know, there will probably be some violations. I will report it to IDEM. Dean asked, do you want

me to contact him? Ben said, no, Tina smelled it right away and called him and let him know he couldn't dump there until we get things straightened out.

Maintenance: Matt talked with Jim on the phone. Matt expressed to Jim that they will be getting a quote for cameras at the maintenance shop, theirs are starting to go out. They will be going through Bontrager Security so our cameras will all be tied in by the same company. Matt will present this at the next council meeting. He is having a medical procedure tomorrow.

Marshal: Robert started by telling the Council he gave Rhonda Adam's another ticket for her dog running loose. The dental office has complained a number of times to the PD.

We are working on getting the second speed monitor to work.

The semi-pro football team has begun and they are playing every Tuesday and Saturday. They would like to have a security presence there on Saturday's. I told him I'd try to help and get a reserve officer to work as well.

The SWAT was called into Town as you know on Sunday. The individual was arrested on 3 or 4 different charges. It sounds like it was a drawn-out situation with when it initially started and ended. We will be doing area checks surrounding that house.

Jim asked, what is going on with the reserve officers? How many do you have? Robert replied, 4. Robert told the council Kyle does detective work for us. Jim asked, is there anyone on there that is not pulling their weight? If so, we need to get rid of them. Austin said, I only ever see you and Ray. Jim asked, do we have any reserves that can patrol by themselves? If not, we need to get them there. Robert said, I will work on this for you.

Clerk Treasurer: MacKenzie provided the council members with March Bank Reconciliation. It's reconciled and has been looked over by Suzy Bass. The council approved and signed off on the bank rec.

MacKenzie asked for permission to advertise for the town wide garage sales. MacKenzie told the council she plans on running this a couple of times at the lowest cost. All council members gave their approval for MacKenzie to run this advertisement.

MacKenzie told the council and attendees that everyone is welcome and invited to attend a Back-to-School Bash meeting on May 10th at 4pm.

Ordinance 2023-02 was introduced and read to turn Elm Street and Jefferson Street into a four way stop. Jim made a motion to waive the second reading. Dean seconded the motion to waive the second reading. Upon voice vote it was approved to waive the second reading of Ordinance

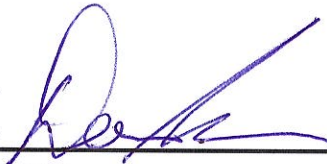
2023-02. Dean made a motion to adopt Ordinance 2023-02. Austin seconded the motion to adopt Ordinance 2023-02. Upon voice vote Ordinance 2023-02 was adopted and unanimously approved.

MacKenzie presented the council with the amended golf cart ordinance. The only change is this ordinance is to waive the registration fee. Jim made a motion to waive the second reading of the amended golf cart ordinance. Austin seconded the motion. Upon voice vote it was unanimously approved to waive the second reading of the amended golf cart ordinance. Dean made a motion to approve the amended golf cart ordinance. Jim seconded the motion. Upon voice vote it was unanimously approved to adopt and approve the amended golf cart ordinance.

Dean made a motion to pay bills. Austin seconded the motion to pay bills. Dean made a motion to approve bills. Austin seconded the motion to approve bills. Upon voice vote it was unanimously approved.

Dean made a motion to adjourn. Jim seconded the motion to adjourn. Upon voice vote it was unanimously approved to adjourn.

X



Dean Smith
Counci President

X



MacKenzie Taylor
Clerk Treasurer