

## Minutes of Regular Meeting, September 13, 2004

The Town Council of the Town of Warren met Monday, September 13, 2004, for a Regular Meeting at Assembly Hall, Council meeting room, 131 N. Wayne Street, in accordance with the rules of this Town Council and applicable law.

Those present were: Council Members, Bill Cartwright, Ron Neff, David Scheib and Harold Jones; Clerk-Treasurer, Marilyn Morrison; Employees, Curt Day and Dennis Spitler; Others, Warren Weekly Reporter, Huntington Herald Press Reporter, Joe McIntire, Scott Canady, and Roxanne Surfus.

President Jones called the meeting to order at 6:30 p.m..

President Jones announced the opening of a scheduled and duly noted public hearing on Ordinance 2004-9, an Ordinance amending Town Code by establishment of a customer deposit charge in the wastewater department and an electric connection charge. Calling for public input and hearing none, the hearing was closed.

Minutes of the Regular Meeting of August 23<sup>rd</sup> were approved as submitted.

Roxanne Surfus requested explanation as to why the alley in front of her property had not been paved as the sewer project had extended to that area. Following discussion, President Jones advised that Utility Manager Day would investigate the situation for inclusion in a planned spring paving project. Surfus also requested that a pile of stone be removed adjacent to her property, apparently placed there by the sewer contractor. Day will work to remedy the situation.

Joe McIntire, Scout Cabin Road, requested that Council ban burning at the site of the Scout Cabin. While the Town has ownership of the building, it is not within Town boundary so does not fall under Town Code. Following discussion, it was consensus of Council that signs be placed on the property indicating 'no dumping' and 'no burning' and that Town employees monitor the situation.

President Jones reviewed the only quote received for replacement of the heating and cooling system at Assembly Hall from Warren Service and Supply and as follows: Option 1, \$8781.00 and Option 2, \$9601.00. Scott Canady, representing the firm, reviewed the options as presented and detailed the plan to upgrade the system. Following further discussion and upon recommendation of Utility Manager Day, Jones moved, seconded by Cartwright, to accept the quote of \$9601 for Option 2. The motion was approved unanimously. Work will be scheduled for the week of September 20<sup>th</sup>.

Neff moved, seconded by Scheib, adoption of Ordinance 2004-9 as presented in the public hearing. The motion was approved unanimously.

Morrison reported that square footage (footprint) of all commercial buildings and of ten homes within the Town has been ascertained by use of the Huntington County GIS system. The next step will be development of spread sheets which will be used in developing a proposed rate for the Stormwater Utility. Day and employees will be measuring parking lots also as part of the process. In addition, ordinances which can be used as models in the establishment of a Stormwater Utility are being requested from cities and towns which currently have the utility in place.

Morrison and Day reported on the status of the tuck pointing and brick repair on the Pulse Building (Assembly Hall). Discussion was held on the status of work on the rear of the building as additional work would be necessary. Neff moved, seconded Scheib, that both areas in question be repaired but that no other work would be done at this time. The motion was approved unanimously.

Morrison reported that work continues with Greg Guerrettaz on the amendment of the ten year capital improvement plan and that all documents have been submitted. Guerrettaz had indicated the procedure would be completed by the end of October.

Morrison submitted a document based on the Huntington City nuisance control plan which had been adapted for use by the Town. The policy had not been submitted as an ordinance but as a review document. President Jones requested members be prepared at the next regular meeting to discuss and further amend, if necessary.

Morrison and Day had met with Alan Hammersly of Butler Fairman Engineering and Joanne Green of CBA, landscape architect, in regard to resubmission of a grant to INDOT for participation in the federal roadway enhancement program. Further information will be forthcoming from both firms as the

process continues. However, suggested was that replacement of the downtown sidewalks be planned for 2005 with Town funds as grant application will be early 2005, award of grants will be late 2005, and monies would not be received until late 2006 or early 2007. Greg Guerrettaz was also in attendance at the meeting and will be listing sidewalk replacement in the capital improvement plan to see if it would be feasible.

Day and Morrison reported that work with INDOT on establishment of an unofficial detour through Town as SR 218 will be closed for thirty five days for culvert replacement had been completed and the proposal is being submitted for discussion. Day also reported that a water main may need to be lowered as part of the project. Following discussion, Cartwright moved, seconded by Neff, to approve the unofficial detour route as proposed by Morrison and Day and to execute a Letter of Understanding as required by INDOT. The motion was approved unanimously. The project is to begin October 11<sup>th</sup>.

Day reviewed a quote in the amount of \$3570 from Basic Wildlife Removal of Huntington for pigeon removal and installation of netting in specified areas to eliminate future nesting. The process would last approximately one month. Pulse Opera House representatives would be notified of the plan for consideration. Following further discussion, Jones moved, seconded by Neff, to accept the quote of \$3570 pending approval of certain sections by the Pulse Opera House Board. The motion was approved unanimously.

Morrison reviewed the situation at 111 and 115 North Wayne Street, as owner Charlie Cox has not made lateral connection to the newly installed sanitary system. Notification had been forwarded to Cox that removal of the properties from the sewer system had been scheduled. An attorney for Cox had responded that Cox would not proceed with installation of a lateral due to legal and financial considerations related to the properties. Municipal attorneys Bendall and Hartburg, or any other representative of the firm would not be able to assist the Town in the matter. Recommended was that Martin Seifert of Haller & Colvin, P.C., an attorney specializing in bankruptcy law, be contacted. Submitted was a letter from that firm to confirm terms and conditions under which Seifert could act as counsel on the Town's behalf. Following review, Neff moved, seconded by Cartwright, that the terms and conditions as set forth be accepted. The motion was approved unanimously.

Day reported that a vacant house at 319 N. Matilda would be removed from the wastewater system on Tuesday, September 14<sup>th</sup>. It will be the second property at which owners have failed to reconnect to the new system and the second to be removed from service. The Cox property would remain the only one requiring attention at this time.

Submitted was Change Order #2, Phase I of the E&B Paving Project in the amount of \$6,759.78. Cartwright moved, seconded by Scheib, acceptance of the Change Order as presented. The motion was carried unanimously. Submitted was invoice #2, final payment for Phase I of the paving project and release of retainage in the amount of \$16,458.90. Jones moved, seconded by Neff, payment of the invoice as submitted. Submitted was Change Order #2, Phase II of the E&B Paving Project as reduction in the amount of \$4,692.56. Neff moved, seconded by Cartwright, acceptance of the Change Order as presented. Submitted was Invoice #2, Phase II of the paving project in the amount of \$10,709.23 including release of retainage. Jones moved, seconded by Scheib, payment of invoice #2, Phase II as submitted. The motion was approved unanimously. All payments and approvals based on engineer's recommendation. Submitted for consideration was final payment to Schnelker Engineering in the amount of \$1,404.60 for Phase II and \$3333.38 for Phase I in accordance with the engineering contract. Jones moved, seconded by Scheib, payment of the engineering invoices. The motion was approved unanimously.

Morrison and Day notified Council that Crazy D's had submitted a request for calculation of charges to connect to the municipal water system. The matter had been submitted to the Financial Consultant for calculation of the connection fee, subject to Council approval of the Crazy D request. Following discussion, by consensus, Members approved the request for connection and Morrison was directed to proceed to work with the truck stop, town employees, and town professional advisors to facilitate the request.

Minutes of Regular Meeting of September 13, 2004 continued

Morrison requested Council consider a maintenance agreement for the two Laser printers as hourly rate for service would be over \$100. Only one entity, Print Shop of Bluffton, had submitted a quote, it being in the amount of \$295 annually per machine. Following discussion, Neff moved, seconded by Scheib, to accept the quote. The motion was approved unanimously.

Discussed was a request from the Warren Area Chamber of Commerce for closure of SR 5 from Third Street to First Street for the Scarecrow Festival Parade on October 29<sup>th</sup>. The closure request was approved by consensus with a letter of notification to INDOT to be forwarded by Morrison.

Introduced and read in full was Ordinance 2004-10, an ordinance to amend ordinance 1992-14 regulating certain planning and zoning controls.

Jeff McCoy, local scout leader, in written communication, notified Council that Warren had once again offered to be the site of the October 15-17<sup>th</sup> Scouting Jamboree for area units. Approximately 125 scouts would be participating, along with leaders. The Scout Cabin area would be used along with Tower Park as a back-up. As the theme is "Scouting Olympics", use of grounds is also being requested from school officials. Further details will be submitted as soon as available. Requested was not only approval of sites but the general support of town employees and the use of a portion of the downtown for hiking. By consensus, Council gave general approval to the request and commended McCoy and others for the rise in interest in scouting in the Warren area.

Morrison submitted the August financial report.

Day reviewed the August Utility/Street report. A request for Larry Poulson to attend the annual Indiana Municipal Electric Association workshop on October 6<sup>th</sup> and 7<sup>th</sup> was approved by consensus.

The Park Board had scheduled the Fall walk-through of Tower Park for Saturday, September 25<sup>th</sup> at 9:00 a.m., weather permitting. Rob Williams, Warren Baseball Association, asked permission to place a small storage shed at Tower Park for the Association's lawn mower and other small items. The shed is to be placed in an unused area as detailed to Council. Council concurred with the request. October 11<sup>th</sup> will be the last regularly scheduled Park Board meeting for the year.

Due to Morrison's attendance at the Indiana Association of Cities and Towns Annual Conference and Jones' plans to be out of state in addition to the possibility that an additional member may not be available for the September 27<sup>th</sup> meeting of Council, by consensus, the meeting was cancelled. A Special Meeting, if necessary, will be called as the next Regular Meeting of Council is scheduled for be October 11<sup>th</sup>.

Neff moved, seconded by Scheib, approval of accounts payable vouchers as follows:

Electric	324-363	\$ 95,318.65
Water	323-374	\$ 22,365.61
Wastewater	262-306	\$177,663.80
Sanitation	28-30	\$ 6,921.16
General	457-516	\$154,830.65

The motion was approved unanimously.

There being no further business to come before Council, the meeting was adjourned.

Submitted By \_\_\_\_\_ Clerk-  
Marilyn Morrison Treasurer

Approved by Town Council:

\_\_\_\_\_ as President \_\_\_\_\_ as Member  
Harold Jones Bill Cartwright

\_\_\_\_\_ as Member \_\_\_\_\_ as Member  
Ron Neff David Scheib