

# TOWN COUNCIL MEETING MINUTES

108 E Randolph ST., LaPaz, IN 46537

SEPTEMBER 14, 2023 6:00 PM

## Council Members

Roger Ecker, Pres.

Ryan Young, Vice

Cathy Welch

**Council Members present:** Roger Ecker, Ryan Young, Cathy Welch

**Council Members absent** – none

Town Clerk- Treasurer – present

Town Attorney – present

**Call to order** – meeting started at 6:04PM

**Attendance:** Steve Stacy, Roger Christner, Doug Horner, Pam Fleck, Becky Cormican, Luke Romine, Brad Romine, Mike Reese, Ben Smedley, Greg Hilderbrand, Ross Hagen, Kevin Berger, Tony Wagner.

**Approval of minutes** Ecker made a motion to approve the minutes as written for Council Meeting on August 10<sup>th</sup> and the Executive Meeting held on August 30, 2023. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion Carried 3-0.

**New Business:** Bid opening for the LaPaz Park project: The town received 4 sealed bid packets. Attorney Wagner opened the bids and read the amounts to the public.

	<i>Base Bid</i>	<i>Alternate 1</i>	<i>Alternate 2 (Deduct)</i>
<i>Premium Concrete Services</i>	\$ 348,396.00	\$ 10,800.00	\$ 17,200.00
<i>Thomas Excavating</i>	\$ 374,131.00	\$ 15,160.00	\$ 16,352.00
<i>R. Yoder Construction, Inc.</i>	\$ 452,935.00	\$ 33,295.00	\$ 15,934.00
<i>Brown &amp; Brown General Contractors, Inc.</i>	\$ 305,600.00	\$ 21,900.00	\$ 8,500.00

Contact information:

Brown & Brown General Contractors – Brad Romine, brad@bbgc.us

R Yoder Construction – Brad Yoder, brad@ryoderconstruction.com

Thomas Excavating – Jason Young, jason@thomas-excavating.com

Premium Services – Rob Becker, rbecker@premiumservices.group

President Ecker made a motion to give all 4 bid packets to Mike Reese of Troyer Group for advisement on making sure all the documentation was in order to process. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

**Salary Ordinance:** The clerk presented the 2024 Salary Ordinance to the Council. The new ordinance had a 3% raise across the board for everyone except the clerk position and the police officer position. Ecker made a motion to approve the 2024 Salary Ordinance. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

**Contract Approval:** Contract with PPR, Shannon McLeod for her work on the Park Project Grant through the Stellar Group. The total for the contract was \$19,875 of which was Environmental \$ 3000.00, Administration \$11,875.00 and Labor \$ 5,000.00. Ecker made the motion to approve the amount of \$19,875.00. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

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**Old Business:** sewer rate study: Ross Hagen of Baker-Tilly presented the sewer rate study that was completed to the council. He gave the recommendations to have a minimum of \$67,053.00 in the operating and maintenance fund. Estimated annual cash operating disbursements \$226,521.00. On pages 4 & 5 were the estimated operating disbursements in each category. Total estimated capital improvements over the next 5 years were \$146,500.00 with a yearly average of \$29,300.00. Total annual revenue requirements needed \$254,800.00. total annual revenue \$274,500.00. Receipts available for additional capital and unforeseen contingency are \$19,700.00. Average residential monthly sewer bill \$40.80. At this time Baker-Tilly did not recommend a rate increase for the sewer bill. He did propose moving the funds to distribute the money allocated to the debt service to other components of the bill since the town debt was paid in full. The last page of the report showed a comparison of where LaPaz rates were in towns of similar size. LaPaz was in the middle of nine other towns. The clerk asked Ross to send a copy of the new rate ordinance to the town attorney to insert his verbiage for sewer shut offs and new customer deposits. Ecker wanted to discuss the findings at the October meeting.

Park security: Bob Stout was unable to attend at the last minute.

Building Inspector: the clerk spoke with Steve Howard regarding inspections of the properties the council requested at the August meeting. Regarding the building at 815 South Michigan Street concerning the one entrance door. Mr. Howard stated that there was no violation of the building code of this size of building. He did not get back with the clerk on the inspection of 115 South Michigan Street, the site of the old Pat's Bar or the inspection of the house at 317 Vandalia Street. Attorney Wagner discussed having a 3-person hearing board for unsafe buildings such as a town property owner, realtor, or contractor.

Time Capsule: Ecker has been waiting for photos taken of the 150-year festival from the Marshall County Historical Society, Lions Club, and others to put in the time capsule. Ecker made the motion to put off the burial of the time capsule till the town sets the new stone at the park so it can be found in the future. Young seconded the motion. Roll call: Welch-aye, Ecker-aye. Young-aye. Motion carried 3-0.

LaPaz Commons: Kevin Berger starting the infrastructure on the inside of the homes. Waiting for the installation of the garage doors since they have had the theft of 5 interior doors. He is working with the Plymouth School Building trades to do some work on the project. He will present the landscaping design at the October meeting. It will be a natural landscape.

MVH: The council received compliments for the upkeep of the weeds along the bridge and Michigan Street. Christner stated that the manhole cover needs replaced at the corner of Michigan Street and First Road on the west side. He will reach out again to the state about the hole in front of Speedway Station. Leave pickup will begin in October. Christner is to look into the problems in the alley running north to south between Randolph Street and South Street regarding trash pickup and manhole problems.

Sewer: Steve Stacy reported he had checked with several firms for cost on tank pumping. Creed was the lowest in cost even with their rate increase and had the manpower to take care of the town. Research on the mapping for the lines in town, Seiler from Indianapolis who Bourbon and he has worked with in the past, quoted \$2912.00 for the equipment, program installation and training. The ERSI would be estimated at \$550.00. There will be a yearly subscription will be under \$1000.00. Ecker made a motion to approve to go forth with cost of \$2912.00 the Mapping Program, installation, equipment, and maintenance subscription from Seiler. Young seconded the motion. Rollcall: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0. Plow quote: A quote from Ferguson was the only one received. Last year's model Boss V Plow was in stock for \$7440.00. He did not have a price on the light package yet. Ecker made the motion to go with Ferguson's price because they have always given the town good service in the past even with emergency repairs

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Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

Sewer Continued: Tractor quotes. The current tractor is 32 years old; the bucket has separated again, gears are grinding. Steve received 3 quotes for a replacement. The first quote is from Plevna Massey Ferguson dealer in Nappanee. The tractor with no belly mower, only a finish mower was \$27,450.00. With no belly mower would be a hardship in doing the mowing at the plant. The second quote was from Burnips Equipment in Wyatt. It was a New Holland tractor with a belly mower for \$40,500.00. The third quote was from John Deere in Plymouth. The tractor with an auto connect mower deck was \$33,000.00 less a trade in of \$7000.00 for the old tractor leaving the price at \$26,000.00. Steve recommended the council to go with the John Deere even though it was \$5000.00 more than the Massey Ferguson Tractor. Reasons being, the John Deere the town has lasted 32 years and still has trade in value, has the belly mower deck needed, Plymouth is great for service and parts, and will hold its value as being a John Deere. The dealer also stated for municipalities they give 20% off on any Stihl products. Ecker made a motion to go with the John Deere Tractor for \$26,000.00 with the trade in of our old tractor. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0. Cost of Shut offs: Labor cost would be 4-5 hours, parts \$200.00, the rental cost of an excavator around \$1000.00. Attorney Wagner took the information under advisement. Stacy also said he is working on updating the pumping schedule.

Patron comments: Pam Fleck was concerned about the \$10.00 fee on the yard sale. Ecker explained why the council set a yard sale ordinance to stop continuous yard sales as a commercial enterprise. The fee covers the labor in issuing permits, and an officer checking yard sales for permits. He did state the town will possibly have a town wide sale with out a permit fee each year.

Attorney Update: Junk Vehicle Ordinance Update. The current ordinance is outdated as far as towing charge. Communities no longer enter towing contracts. All towing costs will go to the consumer as well as storage fee as per the Indiana state IC codes. Ecker made a motion to pass Ordinance 2023-07 on all three readings with the new changes in verbiage regarding storge fees. Young seconded the motion. Roll call: Ecker-aye, Yong-aye, Welch-aye. Motion carried 3-0.

Financials: Ecker made a motion to approve APV's for august 11<sup>th</sup> – September 14, 2023, # 4352 – 4402 in the amount of \$4100,220.67. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

Clerk Update: 17 Delinquent letters sent for sewer. Saturday October 7<sup>th</sup> will be the town fall clean up day. APEX will start picking up at 6:00 am. The town received a \$75,000.00 park donation from Marshall County and the Stellar Group. Trick or Treat for Halloween will be Tuesday October 31<sup>st</sup> from 5:00 - & 7:00 pm.

Adjournment: Ecker made a motion to adjourn. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0. Meeting adjourned at 7:15 PM

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Roger Ecker, Council President

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date

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Ryan Young, Vice-President

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date

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Cathy Welch, Council Member

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date

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Attested: Lorraine Dove, Clerk-Treasurer

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date

