

INCORPORATED TOWN OF
NORTH JUDSON
INDIANA 46366

Inc. Town of North Judson's Town Council
Regular Meeting Minutes

June 4, 2018 – 6:30 p.m.

The North Judson Town Council met in Regular Session at the North Judson Town Hall, 310 Lane Street., North Judson, IN on the above date and time with the following present: Council President Hoppe, Vice-President Rowe and Council Members Brown and Felchuk were able to attend. Town Superintendent Horstmann, Town Marshal Fisher, Clerk-Treasurer Rowe and Town Attorney Schramm were able to attend.

The Pledge of Allegiance was recited.

Council President Hoppe asked for approval of the agenda. Council Member Brown moved to approve the agenda. Council Vice-President Rowe seconded the motion, and all council members present concurred.

Council President Hoppe asked for approval of the minutes from the Regular Meeting on 5/21/2018. Council Vice-President Rowe moved to approve the agenda. Council Member Brown seconded the motion, and all council members present concurred.

Council President Hoppe asked for approval of the memorandum from the Executive Session on 5/21/2018. Council Vice-President Rowe moved to approve the agenda. Council Member Brown seconded the motion, and all council members present concurred.

Council President Hoppe asked for approval of the minutes from the Special Meeting on 6/4/2018. Council Vice-President Rowe moved to approve the agenda. Council Member Brown seconded the motion, and all council members present concurred.

Public Presentation:

No Public Presentations

Old Business:

Town of North Judson Ordinance No. 2018-05 – Ordinance Vacating a Public Alley – Third Reading
Council Member Felchuk moved to accept the 2nd Reading of Town of North Judson Ordinance No. 2018-05 – Ordinance Vacating a Public Alley by title. Council Member Brown seconded the motion and all members present concurred.

Council Member Felchuk moved to accept the Third Reading of and adopt the Town of North Judson Ordinance No. 2018-05 – Ordinance Vacating a Public Alley. Council Member Brown seconded the motion and all members present concurred.

New Business:

Roland Houin - Fourway Computer Products/N.I.T.Line – Water Tower Use & Internet Expansion and Upgrades

Houin presented Council Members with an update on his company, Fourway Computer Products, Inc., taking over N.I.T.Line and how they're desirous of updating their current technological infrastructure on the Town's water tower, remove abandoned or obsolete equipment, and also expanding their use to include the Town's west water tower as well under a new lease or the existing lease with the Town. Clerk-Treasurer Rowe received and provided Council Members with a copy of the general lease agreement which Fourway utilizes with other municipalities. Council Vice-President Rowe suggested letting Town Attorney Schramm take a look at the agreement before making a decision. Town Superintendent Horstmann suggested making the upgrades before the upcoming water project so that if any modifications are made it happens before the work to revitalize both towers takes place. Town Resident Tim Cummins commented that in the agreement or a separate document the Town be released from liability for the upcoming work being done during the water project. Council President Hoppe declared the matter tabled until Attorney Schramm can examine the document and specifics of the potential agreement contained therein.

Recognition of Guests

Marsha Horstmann, Jacque Ryan, Alan Chesek, Roland Houin Teena Hittle – nothing to present before the Town Council.

Betty Chesek advised the Council that the issue she had to present had been discussed prior to the meeting, and that the cleanup of overgrown trees in a particular area of downtown will be handled before the Mint Festival.

Josephine Flory of 110 E. Talmer Ave. was told her parking place along Talmer Ave. would be taken away and since there's no other place to park, and she suffers from several health issues, she was concerned. Town Marshal Fisher let her know that she has nothing to worry and that she's free to continue to park in the spot she's always parked.

Donna Osborne wished to address the Town's golf cart ordinance and petition to Council to allow for the operation of her John Deere 'Gator' in Town. Osborne noted that their family uses the 'Gator' for business (real estate) as a means to check properties and also in their volunteer efforts during the Mint Festival, and for upkeep, beautification and refuse collection along the Erie Trail on the east side of Town. Osborne asked that the Council revise the ordinance to include the type of vehicle which she owns. In past years Osborne's vehicle had been permitted and she conveyed how vital an asset it is to their business and other community efforts. Town Marshal Fisher let the Council know that a permit was initially granted but pulled not long after due to the fact that the 'Gator' violates the specifics of the ordinance. Fisher let the Council know that it's her opinion that the change to the ordinance would not impact the safety of our roadways, and residents in the Town; if the Town's laws aren't obeyed the operator of the vehicle will be ticketed. Council Vice-President Rowe noted that the decision to allow only 'golf carts' was made last summer and that the county's loosening of the regulations to allow all utility-type vehicles was made just this year (January 2018). Until it's been demonstrated that they will not have a negative impact on the Town's roadways, the Council's decision and current ordinances on the topic of what's allowed in Town will remain. Rowe and other Council Members noted that they would be interested in the documents and details Osborne brought to the

meeting detailing the minimal top-speed of her 'Gator', which is similar to that of golf carts currently allowed in Town, in potentially deciding whether or not to change the ordinance in the future. Resident Larry Wickert mentioned that some municipalities determine what's allowed based on top-speed or other specifics, and to seek those out in deciding what potential changes to make to the ordinance. Fisher conveyed the fact that in the past permits had possibly been given out regardless of whether or not it was an ordinance-defined golf cart or a larger utility vehicle not allowed under the ordinance currently in place. Town Council President Hoppe also let interested parties know that with a new ordinance officer in place the Town is working to enforce the codes and ordinances the Town has, included in that is enforcing the golf cart ordinance. After Osborne's continued insistence, Council Member Felchuk noted that the ordinance will not be changed or amended in one meeting. The Town Council would want to gather as much information, insight, and perspective from Town Attorney Schramm before any changes would be made to the relevant ordinance.

Peggy Bohac wanted to thank the Fire Department, Police Department, and Town Superintendent Marshal Horstmann for their help with the Prairie Trails Club Color Run recently.

Tim Rhodes, Cemetery Caretaker, was in attendance and Clerk-Treasurer Rowe mentioned that Rhodes wanted to attend a meeting to get any thoughts or feedback from the Council in regards to the work performed so far. Hoppe had received some compliments from several residents regarding the state of Highland Cemetery. Given the recent wet then dry conditions, Rhodes noted that staying ahead of the quick growth over a short period of time was a challenge. Council President Hoppe let Rhodes know that he's free to spray weed killer along the north end of Highland to maintain that area. Council Vice-President Rowe mentioned the resident feedback regarding the central area of Pioneer Cemetery. Clerk-Treasurer Rowe noted that what's been planted but not landscaped at Pioneer was the subject of most complaints and it's not exactly clear who's in charge of maintaining that area. The path up to the top of Pioneer was also an area which was scrutinized as the tree removal recently left the roadway uneven and unsafe for elderly attendees to navigate. Council Member Brown asked Town Superintendent Horstmann what it would take to add some gravel. Horstmann said he would take a look. Vice President Rowe noted that when he was a kid he would mow the family's grave plots routinely and people are more than welcome to take care of their plots as they see fit.

George Paulsen asked the Council why they only pulled his golf cart permit and not the other similar one in Town. Council Vice-President Rowe let him know that the cart he's referring to is an E-Z-Go Golf Cart that's been modified slightly but it's still technically a golf cart. Permits were pulled because the carts were in violation of the ordinance. Council Members noted that they'll be getting more information and considering possible changes in the future.

Larry Wickert presented the Starke County Economic Development Foundations monthly report to Council Members, and mentioned the upcoming Stellar Communities meeting happening. They would need a decision whether or not the Town, county, and Knox would be interested in working together to try and pursue the State's Stellar Communities program.

Brenda Vlach posed questions to Marshal Fisher regarding whether or not there are special permits for golf carts. Vlach mentioned how the police and officials use utility vehicles during Mint Festival and she wants that permit. Council Members and Fisher noted that Special Permits are issued for only that weekend and do not extend any further period of time beyond that timeframe. Peggy Bohac spoke about the uses for the vehicles over the festival weekend.

Department Reports:

School Board – Town Representative Akers:

Akers noted that at the last meeting the Wellness Plan, Technology Plan, Strategic & Accountability Plans, Non-Certified Handbook Revisions, Certified Handbook Revisions, Elementary/Middle/High School Handbook Revisions. They accepted information from Umbaugh and bond counsel. Superintendent Zupin provided upcoming notable dates. Projects are moving along and should be completed by beginning of the year. President Hoppe noted the compliments she's received about the new sign.

Building Inspector – Building Inspector Abrams: Not Present

Code Enforcement Officer - Joe Leszek:

Leszek has had a busy few weeks. 26 warnings have turned into 7 tickets; others have complied. Mostly they've been 24 hour warnings, some 48. Resident Nick Radtke asked if the Town does the mowing. Leszek noted that yes, the Town's employees mow the properties and a lien is placed on the property.

Unsafe Building Hearing Authority – Not Present

Board of Zoning Appeals – Not Present

Planning Commission – Not Present

Railroad Advisory Committee – Council President Hoppe:

Still looking into hiring someone to inspect the bridges across the Kankakee River.

Park Board – Nick Radtke:

Radtke noted one salary issue they would like discussed. Clerk-Treasurer Rowe let the Council know that the last time the pay for the Park Caretaker and Part-Time help had been raised was in 2013. The budget was increased year over year but not reflected in the ordinance year after year. The Council will be looking into that and making a decision.

Police Dept- Town Marshal Fisher:

The the corner of Hwy 10 and Hwy 39 has been addressed with Fisher painting lines up to which they're allowed to park. Chalkin' With the Cops was a success and the kids enjoyed the event. K-9 Officer 'Jimmy' was there and Fisher is overwhelmed with his demeanor and ability to get narcotics off the streets. Recently had a training at the station with three other departments attending. Instructor from Valpo University complimented the remodel. Fisher will get info on the golf cart issue to the Council.

Fire Dept – Chief Leszek – Not Present

Recently attended Little Lights Preschool and the Memorial Day Parade. Also helped out with and want to thank Peggy and Donna for their invite to the recent Color Run; the firemen really enjoyed it. The stone wall monument and flag pole at the station is complete and there's been some good feedback about it. The Starke County Community Foundation present the department with a \$5700 grant which will be used for 25 pairs of new boots, and still waiting to hear back about the \$3500 grant from Starke United which, if awarded, will be used for equipment. Coming up is the annual Fish Fry at 4:30pm on June 9th. Last month

the potential for new Fire Department was discussed and quotes and images were received from Steindler Signs. The quote was for \$12,136.61 and other quotes will be sought; will also be looking at all avenues for funding between the department, the Town and the Township. 16 calls the last four days so want to remind people to be safe and aware of all surroundings. Peggy Bohac appreciated the department's assistance recently with an individual who went down at the Memorial Day parade due to the heat.

Utilities – Town Superintendent Horstmann: 4 June 2018 Utility Dept. Report

1. I would like to present **P.O. 1462** to Eurofins Eaton for \$1,165.00 for our Annual IDEM required Water testing.
2. Cleaned up wood shavings in Highland Cemetery. We did get all of the stump holes filled in with black dirt.
3. Continued to work on manhole risers for paving of roads. Road paving for this year is complete. I would like to present **P.O. numbers 1460 and 1461** to Boyd Asphalt. 1460 is for \$800.00 to pave over the road cut on Weninger St. which the board approved at the last meeting. 1461 is for \$183,472.31 for all of the road paving that was completed. We received the amount of \$125,094.75 from the state in the Community Crossing Grant. The Town has to pay \$59,177.56 which most of that was incumbered from last years budget. The roads list for next year has been sent out to contractors for quotes. As soon as we get those back I can finish the grant paperwork for another Community Crossing Grant.
4. I got word back from Extreme Contractors that they can't quote the sewer repair job by the Railroad Museum do to work load. Still waiting on G.E. Marshall, who I talked to last Wednesday May 30th. As of now JD Excavating is the only contractor that has actually given us a Quote for the repairs.
5. Starting on Mint fest preps. Building new barricades, spraying weeds in the downtown area, sidewalks along Hwy 10 and 39, and checking over the manifolds for supplying water to venders.
6. Installed 20 water meters and repaired the broken wiring that was giving a fault code on 10 others.
7. I would like to present **P.O. number 1463** to Fleis and Vandenbrink for \$1,451.83 Preliminary Engineering work on the Phase 2 ADA Project.
8. I would like to present **P.O. number 1464** to Republic Services for \$2,863.78 for picking up hauling, dumping and delivering sludge dumpsters at the WWTP.
9. I would like to present **P.O. number 1465** to Flow Technics for \$2,700.00 for the Town's annual inspection and maintenance agreement. This includes an inspection of all of our lift stations and pump stations at the WWTP, plus a 10% discount for repair parts.
10. Spent two days making our monthly pass through town picking up brush.
11. Spent two and a half days conducting various locates.
12. I got the quote from B. L. Anderson on replacing the control panel which is obsolete at the WWTP. As I reported to the board back on 7 May 2018 (The CPU that controls the raw pumps at the WWTP malfunctioned Wednesday night causing us to bypass. I have been in communication with our rep from BL Anderson and he has diagnosed it that the CPU needs to be replaced. They are not making those units anymore and there is not any way to repair it. He is going to get us a quote for replacing it.) how the WWTP pumps did not switch from normal operation to floats enable when we got a heavy rain fall which caused us to bypass. When the wet well level gets to a certain level the pumps shut off and the controller switches to floats enable so all 3 pumps run

at full speed. The pumps shut off but did not restart. I would like to present **P.O. number 1466** to B.L. Anderson for \$27,800 for a new control panel to operate the WWTP wet well pumps.

13. I have contacted Boyd Asphalt about painting the diagonal parking lines by Fingerhut's. Have not heard back from them with a quote. I have not had a chance to talk to Town Marshal Fisher on her opinion on how far out the cars will be into the traffic lane. If the board does vote on it and approves it we can paint the lines.

Council Member Brown expressed his thoughts on the \$27,800 expense at the WWTP and asked how it's possible that there's no alternative source from which we could purchase the same item. Horstmann noted that with B.L. Anderson designing the system, we're stuck using them as a supplier. The Town is also two generations behind as far as system updates and upgrades are concerned. Council Member Felchuk inquired as to what the cost of a whole new system would be; Horstmann mentioned that the cost could be around \$150,000.00.

Council Vice-President Rowe asked Horstmann when they would be out grading alleys to which Horstmann replied soon. After Mint Fest, they'll be starting on one side of Town and working throughout. Council Member Brown asked if we should bring some more black dirt at the cemetery and Horstmann mentioned that he hasn't had a chance to take a look, but he'll head out there to refill any stump holes which have settled.

Council Member Felchuk made a motion to pay in full **P.O. 1462** to Eurofins Eaton for \$1,165.00, **P.O. numbers 1460 and 1461** to Boyd Asphalt. **1460** is for \$800.00 to pave over the road cut on Weninger St. which the board approved at the last meeting. **1461** is for \$183,472.31, **P.O. number 1463** to Fleis and Vandenbrink for \$1,451.83, **P.O. number 1464** to Republic Services for \$2,863.78, **P.O. number 1465** to Flow Technics for \$2,700.00, **P.O. number 1466** to B.L. Anderson for \$27,800. Council Member Brown seconded the motion and all members present concurred.

Clerk/Water Department - Clerk-Treasurer Rowe presented the following:

Rowe informed the Council that Marie Buivis stopped in and would be interested in speaking with the Council in regards to selling land adjacent to Highland in order to add more graves. The size of the land she initially spoke about offering the Town would be equivalent to adding one section. Rowe also mentioned some complaints received recently. Francis Moore called to mention his stone might've been bumped by a mower. Rowe will be inquiring about the state of the stone and Caretaker Rhodes will take a look to see if they'll be able to move back. Rowe met with Steve and Kathleen Lucas from the Prairie Trail Club to lay out the US 35 Bike Trail/US Discovery Trail positioning. Will be meeting with Horstmann on the topic to give the Lucas' approval to give their final approval to OTEs to print the signs.

Rowe asked the Council for a motion to allow the Town to deposit funds into the new Combined General Account with First Farmers Bank & Trust to get the ongoing transition from First National Bank of Monterey to FFBT.

Council Member Felchuk made the motion to allow for the initial deposit to open the Town's new Combined General Account with FFBT. Council Member Brown seconded the motion and all members present concurred.

Rowe updated the Council on his findings regarding creating new emails for Council Members and a new website for the Town. Rowe will be speaking with Brian Pinson who provided some initial questions regarding what the Town will be looking for in order to gauge costs and necessities as far as the website capabilities.

Rowe touched on the fee schedule in regards to updating the sewer and water tap fees. With Town Attorney Schramm not in attendance, Rowe will be bringing more specifics and a possible resolution or amendment at the next meeting.

Legal Updates-- Town Attorney Schramm:
Not present.

Additional Business Deemed Necessary by Council:

Council Vice-President Rowe mentioned the 'Old Skating Rink' so we have to think of something to do with the unused piece of property including a potential splash pad. Park Board Member Radtke said the Park Board is more than willing to help in any way but their budget doesn't allow for any large expenditures like a splash pad. Horstmann noted that Knox is pumping a million gallons per month and it's created all kinds of issues for them. Rowe noted that ours wouldn't be nearly to Knox's scale but something should be done going forward. Council Member Brown would be open to the idea of a splash pad or some development in that area. Rowe pushed the Council and Radtke to keep thinking about it and come up with potential ideas. Radtke spoke about similar communities putting in splash pads and they make it a community effort where fundraising events are involved.

Vice-President Rowe also brought up the possibility of placing a Town sign board at the intersection of Hwy. 39 and Hwy. 10 near the roundhouse. Rowe noted it's the perfect location for a light-up sign board and it's something we should build into the budget for 2019. In that area we could do a one-sided sign to help keep costs down as well.

Betty Chesak asked who's in charge of the old rest stop east of Town. Peggy Bohac let Chesak know that the grass is cut today.

Claims for Payment – Clerk-Treasurer Rowe presented the Claims for Payment packet for APV's totaling \$203,749.54. Council Vice-President Rowe made a motion to approve APV's date range 5/22/2018 – 6/4/2018. Council Brown seconded the motion, and all council members present concurred.

Council Member Jane Ellen Felchuk moved for adjournment, Council Vice-President John Rowe seconded the motion and all council members present concurred.

Meeting adjourned at 8:25 P.M.

Next regular scheduled meeting – Monday, June 18, 2018 at 6:30 PM.

Attest:



Wendy J. Hoppe, Council President



Andrew Rowe, Clerk-Treasurer