



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

July 16, 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, Young and Felchuk were able to attend. 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 Member Young seconded the motion, and all council members present concurred.

Council President Hoppe asked for approval of the minutes from the Regular Meeting on 7/2/2018. Council Vice-President Rowe moved to approve those minutes. Council Member Brown seconded the motion, and all council members present concurred.

**Public Presentation:**

**ONI Risk Partners – Mike Loveless & Alex Dickman: Property & Liability Insurance**

Representatives from ONI Risk Partners presented the Council with information on their Public Entity Program which caters to small and mid-size municipalities' property and liability insurance. First, ONI will conduct a deep dive analysis of the Town's current policy to establish a clear picture of any gaps in coverage or to identify and recommend any areas which our policy could be strengthened or changed in order to make sure the Town has the proper coverage in the event of an accident or incident. Mr. Loveless & Dickman were present to answer any questions that the Council might have. Council Member Felchuk inquired as to how much in liability coverage could be offered for officers and directors, and the cost, to which the representatives answered \$5 million. ONI also offers Workman's Compensation which not many carriers can offer as part of their overall policy. Council Member Felchuk also asked about the cost of the initial analysis which will be conducted at no cost to the Town. After the deep dive analysis ONI will be able to compare our current policy with what they would be able to offer the Town when our policy expires at the beginning of the year. Loveless and Dickman noted that there is a 90-120 day lead time to conduct the analysis.

Council Member Felchuk moved to allow ONI Risk Partners to analyze our current policy and produce a quote for the Town's 2019 property and liability insurance policy. Council Member Young seconded the motion and all members present concurred.

### **Judson Pack Property Zoning & Location Dispute – Don Ward & Gus Curran**

Don Ward & Gus Curran, former and current owners of the property formerly home to Judson Pack, have been working to establish a zoning variance from Single Family Residential to Industrial at said property. The problem is that the Town has the property line established to indicate that the property in question resides in the Town of North Judson but Starke County, specifically the Auditors and Recorders Offices, have that land as still residing in the county. Council Member Felchuk asked Town Attorney Schramm if we could propose a resolution or motion to say that the Town does not claim that the property in question was not a part of the annexation of the school, which took place in the mid-1990's but was never established with the county. Town Attorney Schramm advised the Council that if there is no ordinance or resolution outlining the inclusion of that property into the Town then the property is not annexed into the Town. In obtaining the zoning variance, Schramm advised that given what we've been able to establish, the property is not within the Town's corporate boundary, it would be up to the Starke County Board of Zoning Appeals to grant the zoning variance. Schramm offered to draft a declaration, pending a Council vote on the matter, to state that, based upon the findings of representatives for the Town of North Judson, the property in question is declared to not be located in the Town of North Judson but in Starke County.

Council Member Felchuck made motion that, based upon the Town's findings and the information presented, the property in question at 502 Garfield St., North Judson, IN 46366 - legally described as: A tract of land commencing 1297 ½ feet south and 24 rods east of the northwest corner of the Northeast Quarter of Section 20, Township 32 North, Range 3 West of the 2nd P.M.; thence south 40 rods; thence east 8 rods; thence north 40 rods; thence west 8 rods to the place of beginning; containing 2 acres, more or less – is declared to not be within the corporate boundaries of the Incorporated Town of North Judson, and therefore was never annexed as it applies to Starke County zoning. Council Vice-President Rowe seconded the motion and all members present concurred.

Council Vice-President Rowe moved to grant Council President Hoppe the authorization to sign the declaration approved and set forth by the Town Council of the Town of North Judson on July 16, 2018 which states the property in question at 502 Garfield St., North Judson, IN 46366 is not within the corporate boundaries of the Incorporated Town of North Judson. Council Member Felchuk seconded the motion and all members present concurred.

### **Old Business:**

#### **Fourway Computer Products, INC (formerly N.I.T.Line) – Lease Agreement for Water Tower Usage/Expansion/Upgrades**

Town Attorney Schramm advised the Council that the proposed Lease Agreement brought forth by Fourway Computer Products to allow for their paid usage, expansion to utilize space on the Town's west water tower, and upgrades of the equipment located on the Town's west and downtown water towers has been amended as requested previously

Council Member Brown made a motion to accept the proposed real estate agreement by Fourway Computer Products. Council Member Young seconded the motion and all members present concurred.

### **New Business:**

#### **Town of North Judson Ordinance No. 2018-10: Additional Appropriation – Local Road & Bridges/Community Crossing Grant**

The First Reading of Ordinance No. 2018-10: Additional Appropriation – Local Road & Bridges, Community Crossing Grant – was conducted. Council Member Felchuk moved to accept the first reading. Council Member Brown seconded the motion and all members present concurred.

**Town of North Judson Ordinance No. 2018-11 – Waterworks Bond Ordinance**

Town Attorney Schramm noted that the Town's Corporate Bond Counsel, pending the passage of Ordinances No. 2018-11 & 2018-12, will be publishing the necessary public notices associated with said passage in order to further along the Town's work to secure water and sewer bonds related to both upcoming projects.

The First Reading of Ordinance No. 2018-11 – Waterworks Bond Ordinance was conducted. Council Member Brown moved to accept the first reading. Council Member Young seconded the motion and all members present concurred.

Council Member Brown moved to suspend the Second and Third Readings and officially adopt Town of North Judson Ordinance No. 2018-11 – Waterworks Bond Ordinance. Council Member Young seconded the motion and all members present concurred.

**Town of North Judson Ordinance No. 2018-12 – Sewage Works Bond Ordinance**

The First Reading of Ordinance No. 2018-12 – Sewage Works Bond Ordinance was conducted. Council Member Brown moved to accept the first reading. Council Member Young seconded the motion and all members present concurred.

Council Member Brown moved to suspend the Second and Third Readings and officially adopt Town of North Judson Ordinance No. 2018-12 – Sewage Works Bond Ordinance. Council Member Young seconded the motion and all members present concurred.

**Recognition of Guests**

Alan Chesak, Kim Kapp -- nothing to present before the Town Council.

Betty Chesak noted the brush cleaned up around the downtown drinking water fountain and that it spurred the nearby property owner to clean up their brush in that area. Chesak was going to inquire about the landscaping and planting of flowers around the Town's entrance signs but someone had planted them recently. Chesak conveyed her thanks for that work to whomever performed the work.

Jacque Ryan inquired about the Town's USDA Loan for the water and wastewater disposal projects.

Donna Henry informed the Council and officials that the post-Mint Festival meeting will be held Thursday, July 19<sup>th</sup> at the Public Library at 6:30pm.

Peggy Bohac applauded the Police Department's recent slip and slide event as the most fun and laughter she's seen in a long while.

Teena Hittle echoed Bohac's acknowledgement of the Police Department in saying that the slip and slide event was a blast for her and her kids.

## **Department Reports:**

**School Board** – Town Representative Akers: Not Present

**Building Inspector** – Building Inspector Abrams: Not Present

**Code Enforcement Officer** - Joe Leszek:

Leszek noted that seven warnings had been written over the last two weeks and three tickets have been issued as a follow-up to unresolved issues. Council Member Felchuk noted the mowing of a property that has been overgrown and dilapidated all year. Betty Chesak inquired if Leszek was the person working to clean up the business at Hwy. 10 & Hwy. 39. Town Marshal Fisher and Leszek noted some of the efforts they've made to clean the area. Chesak asked what the deterrent is for someone who doesn't mow their grass or follow similar ordinances. Leszek noted the warning and ticketing process for Chesak.

Town Marshal Fisher spoke about working to get with Town Attorney Schramm about strengthening the Town's ability to enforce ordinances in a more meaningful, significant way to handle issues. Town Attorney Schramm advised to get outstanding fines and violations filed and set for the same day as small claims in order to get the process started to collect what's owed to the Town through small claims court. Council Member Brown noted that if it was worth writing a ticket it's worth working to collect the fine through the courts. Receiving a judgment through the court system would have a more significant impact on those with outstanding fines who have neglected to pay the Town for their violations, especially when it comes to wage garnishment or impacting credit scores of residents.

**Unsafe Building Hearing Authority** – Not Present

**Board of Zoning Appeals** – Marv Peters

A meeting scheduled for July 10<sup>th</sup> has been cancelled and will be rescheduled.

**Planning Commission** – Not Present

**Railroad Advisory Committee** – Council President Hoppe:

Hoppe noted that it was time for the weeds to be sprayed along the Town's railroad and that there was one company in the state, located in New Haven, Indiana, who was certified to spray in the state. Their bid price was \$1365.00 along the tracks, and \$292.50 for the grounds of the Hoosier Valley Railroad Museum. This is necessary to prevent possible fires along the railroad. Hoppe also notified the Council that the Kankakee River Bridge inspection work will be carried out as there has been an inspector identified who will complete the inspection.

Council Member Felchuk moved to pay P.O. 1484 in the amount of \$1657.50 to G & T Services, Inc. for railroad herbicide vegetation management for 2018. Council Vice-President Rowe seconded the motion and all members present concurred.

**Park Board** – Nick Radtke: Not Present

**Police Dept**- Town Marshal Fisher:

Marshal Fisher informed the Council that the department is looking to upgrade their technological infrastructure related to reports and storage in the coming weeks. Glock is conducting a "buy-back" program

for the service weapons which are currently around 20 years old. The department will possibly be transitioning back to the 9mm as is the trend lately and the ammo is cheaper. As a part of the program, the department will trade in their older model weapons and purchase new ones at a cost of \$110.00. Research has shown that the department's current models, .357 caliber pistols, are higher powered and the projectile travels a lot further. The 9mm would eliminate some of the risk in that regard.

Fisher spoke about the bubble slip and slide event, and noted the water, equipment and bubble donations from Bass Lake Fire Department and the Town's Volunteer Fire Department. Fisher highlighted what a success the event was and that Town Attorney Schramm drew up a waiver to eliminate some of the liability risk involved with the event. Betty Chesak noted that it would be extremely valuable to work to get events and positive news and happenings like this into the local papers in order to show the community what good things are happening. Fisher noted that pictures and videos have been shared on social media which garnered a great response, and Peggy Bohac was in attendance taking pictures which helps a great deal when there is an article that ends up being included on WKVI's website, in The Leader or in The Market. Donna Henry voiced her thankfulness for the positive articles regarding North Judson visible on the cover of The Leader and elsewhere.

**Fire Dept** – Chief Leszek –

Leszek noted that, after their recent meeting, the Fire Department is willing to donate \$3500.00 towards any new department signage which the Town chooses to pursue.

Leszek thanked Marshal Fisher for hosting and letting the Fire Department be a part of the recently held (slip and slide) community event. Jason Berry resigned his position with the department in good standing and they've got three to four applicants with experience looking to get on the force. Leszek highlighted how seriously the Fire Department takes training and that every member is trained, eventually, to the same level as most full-time departments. He also noted that all members are first responder trained and they have two full-time paramedics on staff as well which they're looking to expand in pushing members to pursue training. Keaton Leszek is taking an EMT course at the Monticello Fire Department and Leszek wanted to note that and thank members taking the initiative to keep working towards expanding their capabilities, and continuing to grow the professional mentality the department carries.

Leszek mentioned the compliments he's received regarding the Town's fire hydrants, thanked the NJSP FFA for their work to paint those fire hydrants, and thanked Clerk-Treasurer Rowe for taking the lead on that initiative.

Council Member Felchuk, on behalf of the Council, thanked Leszek and all the firefighters for their work to garner the reputation they carry in the county.

Council Vice-President Rowe inquired about the remaining cost the Town would incur, minus the department's allocation of \$3500.00 in funds, relating to the new signage, and whether or not we would be able to come up with said funds. Clerk-Treasurer Rowe mentioned that if there were other fundraising initiatives it would make it more plausible, and that he would be coming up with a 5-year capital expenses plan which would make the project less detrimental to this year's budget.

**Utilities** – Town Superintendent Horstmann: Not Present

Utility Report read by Council Vice-President Rowe (attached).

## 16 July 2018 Utility Dept. Report

1. I would like to request the board approve raising Kim up full pay and benefits as of the 24<sup>th</sup> of July. She will have been with the town one year and she is doing an excellent job.
2. I have contacted other contractors for the sewer line replacement job by the Railroad Museum.
3. Have been working on the solar aerator out at the pond. The timer is not working and had to order a replacement. Cleaned out the box that was infested with ants. Placed some ant traps in the box.
4. Replaced a couple of panels off the inner ring on the clarifier with plastic ones so we can use the removed ones as a sample I am looking into getting new ones made from aluminum. I have a quote from Wagner's in Valpo and I am getting one from Kankakee Steel in Teft. Still looking for other fabricators. We cannot do them due to we are not able to bend the radius in that thick of metal.
5. Common Wealth surveyors are coming back to get elevation reading on the inlet pipes at the pond. We went into the pond with waders on and located the pipes on the east and west end of the pond which were under water. The center pipe is about a foot out of the water. We painted arrows where the pipes are.
6. Finished replacing street sign with ones on hand. Have sent a list for quote on other signs needed.
7. Have started grading alleys. We started in the area of the Norwayne's and will be working west.
8. Rebuilt the fire hydrant at the fire station.
9. Pulled number 3 RAW pump at the WWTP due to it tripping its breaker. There wasn't anything clogging it so we changed it out with our spare pump. Flow Technics will be checking it out electrically.
10. Had to change out the batteries on the backhoe. When we removed the door and the batteries most of the bottom was rusted out. We removed the battery box, cut out fabricated a new bottom for the box and welded in new metal. Reinstalled the box and installed new batteries.
11. Sent letters to residents that have brush overhanging alleys and roads.

Council Vice-President Rowe moved to increase utility employee Kim Kapp's pay when she reaches her one-year anniversary on July 24, 2018. Council Member Felchuk seconded the motion and all members present concurred. (No specific dollar figure was expressed in motion)

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

Clerk-Treasurer Rowe presented P.O. 1482 to T.J.'s Lawn Care for \$4500.00 for Mowings 3, 4, and 5; PO 1483 to H.J. Umbaugh for \$1376.25 various services rendered.

Council Member Felchuk made a motion to pay P.O. 1482 to T.J.'s Lawn Care for \$4500.00 for Mowings 3, 4, and 5; PO 1483 to H.J. Umbaugh for \$1376.25 various services rendered. Council Member Brown seconded the motion and all members present concurred.

Clerk Treasurer Rowe informed the Council about the fire hydrant painting initiative and thanked FFA teacher Emily Duvall for gathering 30 students to help the efforts, the fire department for rinsing the hydrants off in the days leading up to July 3<sup>rd</sup> and Peggy Bohac for coming out to take pictures at the school, and around Town.

Rowe spoke about his meeting with Umbaugh to put together the 2019 Budget Form 1's, and how he will be working to put together a 5-year capital expense plan, including expenses like squad cars, utility trucks, or fire department signage, in order to get out in front of larger expenses that could negatively impact the budget otherwise. Council Member Felchuk noted that the Town had one of those in the past and that it's valuable in terms of upgrading the Town's assets. Rowe mentioned Eric Walsh's comments that the Town was the first one with which they've met and the first to submit their Form 1's so we're staying out in front of the process. Felchuk also asked about funding for the Comprehensive Plan related to the Stellar Communities initiative to which Rowe noted the next meeting on August 15<sup>th</sup>.

Clerk-Treasurer Rowe informed the Council about the information distributed to Council Members about the testing which was recently performed at the Town Hall by Everdry Waterproofing. An assessment was performed for free after Rowe met with the company when they had a booth set up at this year's Mint Festival and quotes were provided related to the deterioration of the walls and infrastructure in the Town Hall's basement. Council Member Brown inquired about the buildings tuck point work to which Clerk-Treasurer Rowe mentioned that he hadn't had any further discussions with Town Superintendent Horstmann who maintains the Town's properties.

**Legal Updates**– Town Attorney Schramm:

**Additional Business Deemed Necessary by Council:**

Don Ward thanked the Council for their quick work on the declaration they requested to solve the property issue at 502 Garfield St., and inquired, and was informed, about the process going forward.

**Claims for Payment** – Clerk-Treasurer Rowe presented the Claims for Payment packet for APV's totaling \$84,421.06. Council Member Brown made a motion to approve APV's date range 7/2/2018 – 7/16/2018. Council Member Young 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 7:50 P.M.

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

Attest:



Wendy J. Hoppe, Common President



Andrew Rowe, Clerk-Treasurer