



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

October 1, 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 Councilmembers Brown, Young and Felchuk were able to attend. Town Superintendent Horstmann and Clerk-Treasurer Rowe were able to attend.

The Pledge of Allegiance was recited.

Council President Hoppe asked for approval of the agenda. Councilmember Brown moved to approve the agenda. Councilmember Young seconded the motion, and all council members present concurred.

Council President Hoppe asked for approval of the minutes from the Regular Meeting on 9/17/2018. Council Vice-President Rowe moved to approve those minutes. Councilmember Brown seconded the motion, and all council members present concurred.

Public Presentation:

Larry Wickert – Starke County Economic Development Foundation Monthly Update

Wickert distributed monthly reports to Councilmembers and welcomed any questions or comments that he would be able to address. He notified the Council that the organization, along with OCRA, will be hosting an "Asset Mapping Workshop" at the Knox Community Center on October 9th from 6:00pm – 8:30pm which will include community leaders from various sectors invited to convene and work together to identify and utilize any and all assets our Stellar Communities "Region" has to offer when planning and presenting before the Stellar Committee in 2019.

Old Business:

Norwayne Field Splash Pad – Continuing Discussion w/ Bill Smith from Vortex Aquatic Systems

Continued discussion was held on the topic of the Norwayne Field Splash Pad. Updated plans were received from Bill Smith at Vortex Aquatics Inc. detailing 21 water fixtures at 69gpm at a cost of around \$60,000.00. Bill Smith was on-hand to, first, describe the design put forth by Vortex which fits within the Town's budget and available space, and second, address various questions, comments, and concerns brought forth by Councilmembers, Town officials, residents in attendance. Questions pertaining to drainage specifics, water and energy costs, Town infrastructure capabilities, operating times, on/off mechanics, and the potential dynamics regarding maintenance on a daily to yearly basis. Clerk-Treasurer Rowe mentioned his cursory and on-going pursuit of potential grants to offset costs related to the project, and also the need for restroom facilities and the high likelihood for potentially yet unforeseen expenses which the Town may incur near the location of the proposed project and Norwayne Field as well. Rowe noted that the 2019 budget has

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\$60,000.00 built in for a capital expense, like the splash pad, but there may be costs incurred in other areas for which some of those dollars may be necessary. Further discussion was held and the Council asked Smith to submit further proposals to the Town including splash pad designs with less water features and lower cost quotations. A design with cost quotations of \$40,000.00 and \$50,000.00 was requested which the Council and Town officials could then analyze and consider before final design selections would be made.

Town of North Judson Ordinance No. 2018-11: 2019 Budget Appropriations & Tax Rates – Second Reading, Adoption

The second reading of Ordinance No. 2018-11 was held.

Council Vice-President Rowe made a motion accept the second reading of Ordinance No. 2018-11. Councilmember Felchuk seconded the motion and all members present concurred.

Councilmember Felchuk made a motion to adopt Town of North Judson Ordinance No. 2018-11: 2019 Budget Appropriations & Tax Rates. Councilmember Brown seconded the motion and all members present concurred.

New Business:

Handicap Sign Request – Vicinity of 203 E. Arlington Ave.

Clerk-Treasurer Rowe addressed Councilmembers regarding a recent request he received for handicap signage to be placed along Arlington Ave., in the area around 203 E. Arlington. Councilmember Felchuk asked Town Superintendent Horstmann if we had any on-hand, to which Horstmann noted that, no, they would need to be ordered and that three signs would need to be erected.

Council Vice-President Rowe made a motion to direct Town Superintendent Horstmann to carry out the purchase and implementation of new handicap signs in Vicinity of 203 E. Arlington Ave. Councilmember Felchuk seconded the motion and all members present concurred.

Recognition of Guests

Jacque Ryan, Marsha Horstmann, Peggy Bohac, Marv Peters – nothing to present before the Town Council.

Scott Pajor – Thanked the Council and Town officials for recently resuming the practice of publishing approved meeting minutes to Facebook.

Donna Henry – Informed and encouraged Councilmembers and those in attendance to attend a “Meet the Candidates” event hosted at the Knox Community Center by the Starke County Chamber of Commerce on Wednesday, October 3rd at 6:00pm.

Carol Silhavy – Spoke to the Council about things she’s noticed around Town, including specifics like signage and abandoned items in storefronts left behind by the owners of vacant properties. Silhavy voiced her opinion that there should be some rules in place to improve the look of our downtown area. Clerk-Treasurer Rowe mentioned that it’s hard to make someone care enough to clean-up and improve their storefront especially when their property is either not a functioning, profitable business or owned by the tenant. C/T Rowe let Silhavy know that he would be getting with Code Enforcement Officer Leszek, who encouraged the Council to look at what’s possible as far as beautification-type codes, to see what codes the Town might have in place to enforce in this regard. Council Vice-President Rowe noted that we should be reaching out to the property owners of dilapidated storefronts as it’s their building which needs addressed. Silhavy then mentioned that the Pioneer Cemetery fence along Hwy. 10 is covered in rust and in desperate

need of, at the least, a new coat of paint. C/T Rowe noted this might be something on which the Town could work with NJSP Schools' FFA program and students as a community service project in the spring of 2019.

Betty Chesek – Echoed Silhavy's sentiments in there being a need to address the beautification of the Town, and specifically the downtown area.

Steve Ransom – Voiced his frustration at the numerous dogs both untagged and running at large at or near 212 Leslie St. Ransom detailed multiple instances of run-ins and potentially dangerous interactions that he and his neighbors have had with the dogs and residents at that address, and also noted that the resident has a number of dogs potentially above the Town-allowed maximum of four dogs per residence. Discussion was held on how to deal with the issue and officials encouraged Ransom to call immediately every time he sees a dog running loose and provide any pictures or video he might have of such occurrences. Ransom also mentioned a residence at the end of Leslie St. where the owner has dilapidated boats, jet skis, and other items spread throughout the property.

Department Reports:

School Board – Town Representative Akers: Not Present

Building Inspector – Building Inspector Jeff Abrams:

Abrams let the Council know he's written one permit recently. Councilmember Brown asked if there has been any further work at 214 Lane St. (Timm), to which Abrams & Clerk-Treasurer Rowe said, no, not since they finished sheeting the roof. Brown noted that it might be worth another call in the hope of spurring them on to finish the work.

Clerk-Treasurer Rowe brought up a tip he had received from a resident in the area of the former Trusty's Northside Station property that is deteriorating and potentially unsafe. Abrams will be looking into the matter.

Code Enforcement Officer - Joe Leszek:

Grass tickets/warnings have slowed. Leszek noted that, in a lot of cases, it's hard to get to the area in time to see the dog running at large, and then ticket the offender, but they will be taking a closer look at the area Ransom is referencing.

Unsafe Building Hearing Authority – Not Present

Board of Zoning Appeals – Nothing to Present

Planning Commission – Not Present

Railroad Advisory Committee – Council President Hoppe:

Hoppe informed fellow Councilmembers and attendees about a recent presentation with INDOT, and attended by various public and private officials, at the site of rail upgrades including a second track along to the Town's railroad to increase the amount of traffic which is able to flow through the region.

Park Board – Nick Radtke: Not Present

Police Dept- Town Marshal Fisher: Not Present

Fire Dept – Chief Leszek:

Leszek noted that recent training has gone well with Valparaiso Fire Dept. Paul Rains completed his Module-8 A & B, Fireman Keaton Leszek will be completing his training to become a licensed EMT.

Utilities – Town Superintendent Horstmann: 1 October 2018 Utility Dept Report

1. Replaced all 16 panels on both clarifiers that we had made at Wagner's Steel. We also pressure washed the clarifiers along with the contact and final tank.
2. JD Excavating came and started to dig to replace the tile by the Railroad Museum. When he got down close they started to hand dig and they found the tile is actually in really good shape. The dirt at each of the joints that he dug up was purple. The line is the drain line from American Oaks retention ponds. I have spent time contacting different companies that would be able to reline the tile since it is in such good shape. The dirt is washing in at the joints. Apparently, the gaskets have deteriorated away allowing ground water to wash dirt into the pipe.
3. We have been continuing to replace water meters after meter reading. We can only replace meters for about 3 days then we wait till after the next meter reading cycle before we can continue.
4. I got a couple of plastic forms to pour concrete in to replace the barrels holding the stop signs at Main and Luken also Luken and Sycamore. They should be heavy enough so they don't tip over when the wind blows.
5. We spent some time researching the request of vacating the alley at 602 Simmons St. We knew there was an 8-inch water main going through that area. We found it to be located in the area where the alley goes through from Simmons Street to American Oak.
6. I would like to present **P.O. number 1508** for \$1,130.85 for Preliminary Engineering for the next ADA project.
7. I would like to present **P.O. number 1509** for \$543.65 to Utility supply for 20 Water meter spanners and a 500-foot roll of tracing wire.
8. We completed the running of the new water line for 310 Jones Street. The new water line is at a minimum of 4.5 feet until we got to the main. We had to come up to 3.5 feet to hook up to the water main. We are out of stone now, so I will be sending someone next week to get more and try to stock pile it so we have it when we need it.
9. Brush pick up throughout town has been completed.
10. I sent out to the board some information on Loans and or grants that homeowners can apply for to help them make improvements or fix health related items around their homes. If the board approves we could place it on the table in the vestibule for resident to be able to take the tab with the phone number and web site off the bottom of the sheet.
11. It was brought to my attention that kids have been playing in the salt shed. I have been working on a list of material and locations to install motion sensor LED flood lights in the salt shed.

Council President Hoppe noted that compliments on the tree removal and clean-up of Town property along Railroad St.

Discussion was held on Item 2 on Horstmann's report, JD Excavating's work to replace the tile near the Railroad Museum.

Councilmember Brown made a motion to pay P.O. number 1508 for \$1,130.85 for Preliminary Engineering for the next ADA project and P.O. number 1509 for \$543.65 to Utility supply for 20 Water meter spanners and a 500-foot roll of tracing wire. Councilmember Young seconded the motion and all members present concurred.

Horstmann noted that Don Childers' recent request to look at possibly vacating the alley near his driveway along Simmons St. would not be possible as the Town has underground utilities in the area.

Councilmember Felchuk recommended that Billing Clerk Jennifer Vanek publish the information Horstmann presented on Loans and or grants that homeowners can apply for to help them make improvements or fix health related items around their homes to the Town's social media.

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

Clerk-Treasurer Rowe presented PO 1510 for \$11,724.50 to the Starke County Economic Development Foundation for Installment 2 of 2 – 2018 Billing for Economic Development Consulting Services.

Initiated by residents in attendance, discussion was held regarding ways in which the Town benefits by contracting the SCEDF every year for 20% of the EDIT Tax the Town receives.

C/T Rowe informed the Council that he & Councilmember Felchuk spoke w/ Schambers Masonry about completing the unfinished wall along Pioneer Cemetery's north side. Betty Chesek has also spoke with Schambers and they'll be contacting her on the matter as well.

C/T Rowe updated the Council on the status of the website, has submitted some pictures and information to begin building around, and voiced his openness in regards to the Town Seal/Logo, which he believes needs designed as it seems there isn't a distinctive seal currently. Rowe also mentioned Town Councilmember email addresses which will have the address: @townofnorthjudson.com, being created for Town matters for each Councilmember as well.

Also presented was recent developments in regards to Rich Akers' (Park Board) recent initiative spurred by a discussion with Fourway Computer Products to position a camera near and overlooking Norwayne Field in order to provide a 24-hour feed live video stream on the Town's new website homepage. C/T Rowe will be meeting with Tim Kasten to discuss the Town's needs and he will be advising Rowe in terms of what would work best after a discussion with Fourway Computer Products' Roland Houin. Houin informed Akers that Fourway would provide the internet service and hook-up for such a camera at no expense to the Town.

Hannah Minix approached C/T Rowe recently about a downtown location she will be renting and operating to sell her artwork and jewelry, and also doing tattoo work. Although nothing is spelled out specifically in the Town Code Book, Rowe found Town Ordinance 2002-02 which prohibits the establishment of any business providing tattoo services which was passed and signed by the Council at the time. Council Vice-President Rowe asked to clarify whether or not it was in the Town Code to which Clerk-Treasurer Rowe said he had not found anything resembling 2002-02. Town Attorney Schramm described the flat, outright prohibition of a certain type of business as problematic and constitutionally invalid. Schramm noted that a specific directive in a zoning ordinance cannot supersede what's stated in a specific ordinance. Schramm elaborated on the topic in saying that the state regulates business licensing and there are portions of the Indiana Code and legislature, as well as county health departments, which

deal with the issue and a Town cannot prohibit something which state law allows you to do. Schramm recommended that if it's the Council's wish to allow Minix to operate her business downtown then the next action would be to repeal Ordinance 2002-02.

Councilmember Brown made a motion to direct Town Attorney Schramm to draft an ordinance repealing Town of North Judson Ordinance No. 2002-02. Councilmember Felchuk seconded the motion and all members present concurred.

Clerk-Treasurer Rowe detailed the employee evaluations recently revised and included in the Councilmember packets in the event that evaluations would be carried out before the end of the year, as members have expressed as their goal. Rowe presented his mileage claim for his recent trip to Peru, Indiana (64.7 miles each way) for a Stellar Communities Workshop in the amount of \$70.52. Also included in his presentation was Rowe's update that he will be taking vacation days between October 17th and October 25th, while attending a ILMCT District Meeting on October 18th in Middlebury, Indiana.

Rowe noted that Phyliss Rees' donation of \$500.00 for tree planting at Pioneer Cemetery will be carried out in mid-October.

Legal Updates– Town Attorney Schramm: Noting to Present

Additional Business Deemed Necessary by Council:

Council Vice-President Rowe voiced his thoughts on employee evaluations in that the Council as a whole should perform the evaluations before the first of the year as opposed to the individual department liaisons doing them separately.

Councilmember Young noted that crowd funding and grants would be a valuable pursuit in terms of offsetting some of the costs related to the splash pad and restrooms projects at Norwayne Field. Young has spoken with many Town residents who would be motivated to help in one way or another.

Claims for Payment – Clerk-Treasurer Rowe presented the Claims for Payment packet for APV's totaling \$211,039.70. Councilmember Brown made a motion to approve APV's date range 9/18/2018 – 10/1/2018. Councilmember 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 8:14 P.M.

Next regular scheduled meeting – Monday October 15, 2018 at 6:30 PM.

Attest:


Wendy J. Hoppe, Council President


Andrew Rowe, Clerk-Treasurer