

SYRACUSE TOWN COUNCIL

REGULAR MEETING

September 19, 2017

Town Council President Tom Hoover called the Regular Meeting of the Syracuse Town Council to order at 6:57 p.m. Other Council members present were Larry Martindale, Bill Musser, and Larry Siegel. Paul Stoelting was absent. Town Manager Henry DeJulia, Town Attorney Vern Landis, and Clerk-Treasurer Paula Kehr-Wicker were also present.

Tom Hoover opened the meeting with the Pledge of Allegiance.

Tom asked for public comment on agenda items. Jim Cripe, owner of a property that borders the Technology Park expressed his concerns of the new business that is purchasing property near his home. He believes there will be noise pollution, issues with storm water, security, and littering. He is requesting that the Town provide a buffer or fence by his property. Henry stated he has looked into allowing a row of trees to remain on the property and will get with Elkhart County on their requirements. Mr. Cripe stated that Kosciusko also has certain requirements as well.

The minutes of the August 15, 2017, meeting was presented for approval. Larry Siegel moved to approve the minutes; Bill Musser seconded. Four voted for the motion; none against. The motion carried.

Claims #'s 1134 through 1272 were presented for payment. Larry Siegel moved to approve the claims; Larry Martindale seconded. Four voted for the motion; none against. The motion carried.

Ordinance 2017-05, Adopting the Town of Syracuse's Employee Handbook, was presented. Tom Hoover moved to table this until next month, Larry Siegel seconded. Four voted for the motion; none against.

Ordinance 2017-06, Amending the Zoning Ordinance of Kosciusko County regarding the Syracuse Technology Park. This ordinance is to change the classification from M-1 District to Industrial II District. Larry Siegel moved to approve Ordinance 2017-06. Larry Martindale seconded the motion. Four voted for the motion; none against. The motion carried.

Ordinance 2017-07, Amending the Zoning Ordinance of Kosciusko County regarding the Wawasee Community School Corporation's Marine Trades building. This ordinance is to change the classification from Industrial II District to a Public Use District. Larry Siegel moved to approve Ordinance 2017-07. Bill Musser seconded the motion. Four voted for the motion; none against. The motion carried.

Ordinance 2017-08, Amending the Zoning Ordinance of Kosciusko County regarding the 307 W Chicago Street (old V.F.W.) property. This ordinance is to change the classification from Industrial II District to a Public Use District. Larry Siegel moved to approved Ordinance 2017-08. Bill Musser seconded the motion. Four voted for the motion; none against. The motion carried.

Resolution 2017-RDC-02, Declaratory Resolution of the Syracuse Redevelopment Commission Establishing the Syracuse Technology Park T.I.F. District was presented. Larry Siegel moved to approve Resolution 2017-RDC-02. Bill Musser seconded the motion. Four voted for the motion; none against. The motion carried.

Tom Hoover opened the floor to a Public Hearing regarding Ordinance 2017-09, 2018 Budgets.

Paula Kehr-Wicker, Clerk-Treasurer, gave the first reading of the 2018 Budget, Ordinance 2017-09:

Fund Name	Budget Estimate	Estimated Levy	Tax Rate
Rainy Day	\$65,000	\$0	.0000
General	\$1,976,820	\$760,000	.3747
Local Income Tax	\$161,196	\$0	.0000
Local Road & Street	\$150,000	\$0	.0000
Motor Vehicle Highway	\$999,020	\$670,000	.3303
Park	\$507,419	\$446,000	.2199
Cumulative Park & Recreation	\$20,000	\$20,000	.0099
Building Authority	\$5,000	\$0	.0000
Cumulative Capital Improvement – Cigarette Tax	\$0	\$0	.0000

Cumulative Capital Improvement – Property Tax	\$105,000	\$26,000	.0128
Cumulative Capital Development	\$42,000	\$42,000	.0207
Cumulative Sewer	\$35,000	\$45,000	.0222
Economic Development Income Tax	\$395,000	\$0	.0000
Riverboat Revenue Sharing	\$20,000	\$0	.0000
Law Enforcement Continuing Education	\$2,500	\$0	.0000
T.I.F. – Syracuse	\$20,000	\$0	.0000
T.I.F. – South Benton	\$50,000	\$0	.0000
T.I.F. – Oakwood	\$30,000	\$0	.0000
Total	\$4,583,955	\$2,009,000	

No comments were made from the floor. Tom closed the Public Hearing.
The Council accepted the Budget at first reading.

DEPARTMENT REPORTS

TOWN MANAGER

Henry DeJulia discussed the status of the Booster Station across from the Technology Park. He stated that it has been tested and everything seems to be working well. Henry then reported that survey crews have been at the Technology Park. They are trying to put together a plan for the buildings and marking the existing easements. They will then take the plans to the Area Planning Commission and to the State for approval.

POLICE

Police Chief Jim Layne asked the council if they had any questions on his report. There were none. He announced that the Police Department has received nine new portable Breath Test Instruments. These were part of grant from the Indiana Criminal Justice Institute. Each instrument is approximately \$450 each.

There were no ADA complaints.

PARK

Park Superintendent Chad Jonsson reported the Indoor Yard Sale will be on October 7th. October 14th will be the Harvest Festival along with the last day of the season for the Farmer's Market. The Haunted Thrill at Crosson Mill will be from October 27th to the 31st. The Lakeland Youth Center Carnival is on October 28th. Chad informed the council that a survey was recently sent out for ideas for the Master Plan and the responses are currently being tallied. Tom asked Chad about the enclosure at the Community Center. Chad answered that there is now a gate at the front of the enclosure, which helps shield the dumpster. Larry Martindale asked if a decision was made in regards to the restrooms at Lakeside Park. Chad stated they are still debating on whether to repair the old or build new onto the Pavilion. He said the decision is leading more towards building new.

PUBLIC WORKS

Public Works Superintendent Rob Merchant asked the Council if there were any questions on his report. Tom Hoover stated that Rob should go ahead with what is on the report given to them regarding the Turkey Creek Regional Sewer District and the new territories they may be achieving. Rob stated he received a report from Indiana Utility Regulation Commission that explained the area in question was not IURC's territory and that it would be Indiana Department of Environmental Management's territory. The IURC stated that part of the decision may have been made by the county health department.

Rob informed the council of an outstanding bill from Triad. Rob was advised by the Town Attorney that we should not pay it. Rob believes we should notify Triad that we are not paying it and why and would like to know how to go about it. Triad contacted Rob today to set up a time to do a warranty inspection. Tom asked about fees or permits that should have been paid before the construction started. Rob answered that we received a notification from Kosciusko County that we should have applied and received a building permit. Henry has talked to Matt Sandy and the issue will be discussed with the Board of Zoning Appeals. Vern stated that he believes that the project is not complete. It was the consensus from Council to have Vern write a letter notifying Triad that they would not receive payment as of yet.

Rob mentioned possible stop signs at Pickwick Dr. and Sycamore St. would not do well because of the gate entrance for Parker Hannifin. Rob is suggesting putting trail crossing signs to alert drivers and then put smaller stop signs on the trail itself with another warning sign that cross traffic does not stop.

Rob is requesting some type of ordinance for utility easements. It has been discovered that an irrigation system was put in at an easement that gives public access to the lake. The irrigation system continually ran for 3 days. Rob personally went to the back yard of the adjacent property to turn off the pump. He has been unable to contact the property owner. He states that other situations have happened and there should always be access to utility lines for maintenance or repairs. Discussion followed regarding limitations of our responsibility with the easements. Council agreed to allow Rob to create an ordinance for such situations.

Rob discussed the water loss reports and pointed out that it has decreased. He also announced the letter have been sent out to various businesses requiring them to install Backflow Prevention devices. Larry Siegel asked what was involved in installing the devices as a business owner. Rob answered that they would need to contact a plumber to install an approved backflow preventer. Rob is giving the businesses that do not have the device 90 days to install. If businesses do have the device, they are given 30 days to have it tested. It should be tested once a year and a copy of the results should be sent to us.

Rob reported that he has not heard anything regarding the Crossroads Grant. Larry Siegel asked if we were going to do any paving. Rob is currently getting quotes to do a couple areas, one being Medusa Court. Others will have to wait until spring.

In regards to the Aeration Equipment Replacement project, Rob has met with Jeremy Hardy from Commonwealth Engineers. The way the market is right now, contractors are hard to acquire due to so many other jobs available. Rob believes it would be in the Town's best interest to go with a Guaranteed Savings Contract instead of the normal bidding process. Rob introduced Jeremy Hardy to explain how the GSC works. One of the differences is that the Town would select contractors by their qualifications rather than by cost. Multiple quotes can be achieved for various items of work. Therefore, it wouldn't be the same person/company doing all of the work. This makes the bidding process more competitive. Financing can be available through some of the bigger companies. Financing could be spread throughout a 2 or 3-year period, or whatever we may need. This provides more flexibility from a revenue perspective. Financing can be even longer with some companies that will keep a set interest rate for the duration. With this process, we select the provider by viewing the qualifications, we score them, and then make the preferred selection. The next process is pricing what it would take to do the job. The provider would include a percentage for contingencies. It is basically operating under Time and Materials and what it takes to do the job. When the provider gets far enough along the project, they may say that they are doing better in cost on a certain item and would possibly save us money. We could then use that savings for other projects or items that need repaired or replaced. Versus a public bid, we would get a lump sum price and that's what you pay to get the job done. There would be no change orders. Larry Siegel asked how this would not be an open bid and are we picking a vendor before deciding what the price is? Jeremy answered that we would not be signing anything and would be able to go back to open market. Larry Siegel then asked how we would find a contractor if they are not available. Jeremy answered that all of these providers plan it out if you have flexibility in your work they find the time and may have staff become available to do this portion of work and other staff to do other work. When you do lump-sum work, you are saying you want to start January 1st and end in July. Whereas, if we provide the flexibility to the contractor, that if they do start later, it would be better for the contractor and helps us out by getting us good price for the work. Larry Siegel stated that the project was urgent. Jeremy stated that the better part of this is we could bid the project Monday without permit in hand and have a provider selected, go through the pricing, and then have the permit and pricing at the same

time. Otherwise we would wait for the permit, which could be 30 days, 60 days, and then bid out the project. Larry Siegel asked if the vendors aren't available, how would this project make them available. Discussion was made on how much money was being spent on electric a month due to the issues we are having now. Jeremy stated that we could specify in this program that we want the work done now. Larry Siegel stated that we could do the same in an open market, also. Jeremy explained that if we go with the open market and the winning bidder ended up having a savings, they would get the savings. But with the GSC, if the cost for items are less, we would get the savings instead. Jeremy stated that some vendors will not bid on public bids. Lengthy discussion on the process of getting vendors and pricing. Per Jeremy, if we go with this process, the goal for completion would be by May 1st. After he was asked, Vern stated that this is something that he is not familiar with but that it may be what we need to get the job done quicker. Jeremy stated that he has already talked with two providers that could do this type of work and are ready to submit a bid under a Guaranteed Savings Contract. Bill Musser made a motion to proceed with the GSC program. Larry Martindale seconded the motion. Four voted for the motion; none against. The motion carried.

Jeremy announced to the Council that the Discharge Permit Renewal is complete and need to have Tom sign it.

FIRE TERRITORY

Mickey Scott asked the council if they had any questions about his report. There were none. He announced that there were 121 responses in August. There were \$80,000 in property loss due to a structure fire that resulted in \$274,000 saved. The amounts are calculated from the Beacon website. Mickey gave thanks to the Benton Township Fire Dept., Milford Fire Dept., North Webster Fire Dept., Syracuse Police Dept., Kosciusko County Sherriff's Dept., and the American Red Cross for their assistance at a structure fire on August 31st at the Lakeland Daycare. There were no injuries and the Staff is commended for their actions in getting all the children evacuated. He also gave thanks to the community for helping with donations. The annual MDA Boot Drive was August 26th and raised \$2,900. The Turkey Creek Fire Territory attorney, Andrew Grossnickle, and the Architect, Jim Malcolm are working with the department on building improvements for Station 1 and 2. This Thursday at 6:30 is the County Fire Association Fish Fry.

CLERK

Clerk-Treasurer, Paula Kehr-Wicker, requested to make a transfer \$23,908.00 from the Wastewater Depreciation Fund to the Wastewater Cash Operating Fund in order to pay for remaining and unplanned contracts. Larry Siegel moved to approve the transfer of \$23,908 from the Wastewater Depreciation Fund to the Wastewater Cash Operating Fund. Bill Musser seconded the motion. Four voted for the motion; none against. The motion carried.

Paula informed the council that the painting contractor, McKinley Painting and Drywall, forgot to request a down payment of \$10,000 at the start of the project. Paula stated they need those funds to help pay for supplies to do the job. Bill Musser moved to approve payment of \$10,000 to McKinley Painting and Drywall; Larry Martindale seconded. Four voted for the motion; none against. The motion carried.

TOWN ATTORNEY

Town Attorney, Vern Landis, had nothing to report.

DISCUSSION FROM THE FLOOR

Charlene Doyle from 500 N Harrison and Dale Callahan from 603 N Harrison St came before the council with issues regarding parking on both sides of Harrison Street. It was stated that one of the residents on the street has a big vehicle blocking the view for her to exit the parking lot. She is asking for a solution. Police have been called for trash in the road and damages to some vehicles. Tom asked what we could do to help solve this. Mr. Callahan suggested making people park in their driveways. Town Marshal, Jim Layne, stated that by

ordinance, the police could not stop anyone from parking on either side of the road. In order to change the ordinance, measurement would be needed to determine the safety requirement for not just Harrison Street, but all the streets through town.

Dale Callahan brought up another issue in regards to having to call Warsaw in order to get an officer dispatched, the dispatcher ends up asking multiple questions, which, by doing so, the officer is already gone. Jim explained that years ago we did have our own dispatch, but state law changed the law to require all dispatch to be centrally located within the county. Mr. Callahan then addressed that people are parking on the yellow zones of the road. He also stated that there is a vehicle that is supposedly not in working order that has sat in the same spot for a while. Jim then explained that even if the Police knew the vehicle was not in working order, there is a process in order for them to have it removed which would take a while. He also stated that currently there is no ordinance regulating the size of a vehicle allowed to park in certain areas. Larry Siegel asked if there was a way to put a time limit, for example 72 hours, that a vehicle can be parked on a public street before it gets towed. Jim explained that in the older parts of town, especially, the houses were not built to allow for more than one parking space. Nowadays, households usually have a minimum of two vehicles. Ms. Doyle asked if there was an ordinance for rental properties to be required to have off-street parking. Larry Siegel stated that maybe we should take a look at some of these old ordinances. Henry stated that Rob, Jim, and himself will look into the parking situation on that street.

Nancy Harter, 567 E Lake View Dr, asked the council if there is an ordinance on how long Porta-Potties can be on a property or work site. Larry Siegel stated that it was unknown if there is. Ms. Harter then stated that about 7 street lights were turned off by Oakwood since before Memorial Day. She is requesting that the town install a street light on her road since it is so dark there. Rob stated that Oakwood has contacted us about maintaining the existing lights. We informed them that since we do not own them, that we couldn't. Larry Siegel stated that we should get in touch with Mr. Parent with Oakwood to discuss it.

OLD BUSINESS

There is nothing to report.

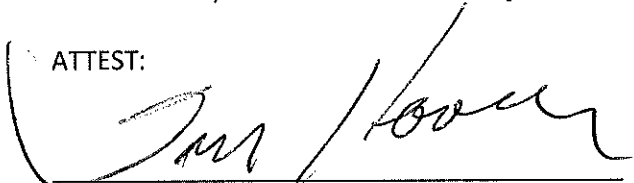
NEW BUSINESS

Larry Martindale announced that he is in the process of a 5-year update on the County's Hazard Mitigation project.

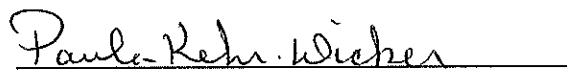
Larry Siegel moved to adjourn; Bill Musser seconded. Four voted for the motion; none against. The motion carried.

The Syracuse Town Council adjourned at 8:26 pm.

ATTEST:



Tom Hoover, President



Paula Kehr-Wicker, Clerk-Treasurer