

SYRACUSE TOWN COUNCIL

REGULAR MEETING

November 16, 2010

Brian Woody, President, called the Regular Meeting of the Syracuse Town Council to order at 6:00 p.m. Other council members present were Jeff Morgan, Larry Siegel, and Paul Stoelting. Town Manager Henry DeJulia, Town Attorney Mike Reed, and Clerk Treasurer Julie Kline were also present. Councilman Bill Musser was absent.

The meeting opened with the Pledge of Allegiance.

Brian asked for public comment on agenda items; there were none.

The minutes of the October 19th meeting were introduced. Jeff moved to approve the minutes as written; Larry seconded. Three voted for the motion; none against. Paul abstained. Motion carried.

Claims #1194 through #1311 were presented for payment. Paul moved to approve the claims; Larry seconded. Four voted for the motion; none against. The motion carried.

Matt Sandy, of the Area Plan Commission, spoke to the council; he advised he is here to present a request from the Syracuse BZA. The BZA would like the council to look into filling a type of part time position. He explained there is presently a five member board; three votes are needed for the board to make a decision. If there is an absence and three votes do not agree, the BZA must continue the petition to the next available meeting. Matt Sandy added the BZA has not had to cancel due to lack of quorum. Matt asked the council to consider appointing a swing member. State law allows the council to appoint a person to serve in case of an absence; it would be a voluntary position. Discussion followed on attendance, board members, and terms. Larry asked if the BZA had a recommendation on who to appoint. Matt stated they do not. Mike Reed clarified this person would be an alternate member; this alternate member would only attend when needed to replace someone the BZA knows will not be at the meeting. Ben Plikerd, BZA member, advised it has always been a problem due to vacations, doctor, illness, etc. Most absences are not last minute. If there is not a quorum, or if the members cannot agree, they must continue a case. The council discussed appointing Henry; Mike Reed doubts he can be appointed since he lives outside the town limits. Discussion followed. Larry questioned how that person would be prepared; Matt added the meeting notice, agenda, and staff comments, would be sent to this member in advance. It was discussed if the Town Council would appoint this person or the executive of the council. Mike Reed advised the law is silent on that. He added if the council likes the plan and can find a person, we can make it work.

Wightman Petrie was next on the agenda, but they had not arrived yet. Larry moved to change the agenda and schedule Wightman Petrie's presentation to later in the meeting when they show up. Paul seconded. Four voted for the motion; none against. The motion carried.

Ordinance 10-11 was introduced; the ordinance adds stops signs in the Wawasee Heights addition. Paul moved to adopt Ordinance 10-11; Larry seconded. The ordinance was adopted.

DEPARTMENT REPORTS
PARK

Park Superintendent Chad Jonsson reported Holiday Magic was held last weekend. Breakfast with Santa will be held on December 11 from 8:00 a.m. to 10:30 a.m. The Haunted House was held on October 28, 29, and 30. Chad explained there were as many in attendance in three days this year as they had for four days last year. Also, the Fire Marshal advised there may be a provision in the new regulations for temporary structures such as the Haunted House, so the Park Department may be able to continue it next year. Chad added the swim and dive teams were actors for the Haunted House. Deck the Halls is this week at the Community Center.

PUBLIC WORKS

Public Works Superintendent Jeremy Sponseller made several announcements. The street department is still picking up leaves; brush pickup has ended unless there is storm pickup. The bucket truck has been ordered; it looks like we will be pushing the first of the year to receive the lift assembly. The schedule for the bar screen is about the same, the first of the year. On Thursday, he and Tom Miller will be attending the IWEA Conference. The Wastewater Department will be receiving two awards. One award is for lab inspection; we scored 100%. The second award is a facility award; our score was 99%.

Jeremy presented quotes to grind up the brush pile. Three companies quoted; Cripe Excavating, Beer & Slabaugh, and VRCM. VRCM had the low bid of \$3,000.00. Jeremy stated he is not familiar with VRCM, but felt we should give them a chance. Larry moved to accept the quote from VRCM for an amount not to exceed \$3,000.00; work is to be completed by Christmas. Paul seconded. Four voted for the motion; none against. The motion carried.

Jeremy discussed the problems with Louie's lift station. He explained while conducting a normal check, our employee heard a noise and found water spraying outside the pipe. The pipe has eroded because it is old. Jeremy has one quote to repair it from Beer and Slabaugh for \$18,650.00. Larry asked about the pumps and controls; Jeremy stated they are older but still working. Discussion followed on the repairs needed; a total rehab of the lift station could be as much as \$250,000.00. Jeremy advised he will get more quotes; he added the force main should be in ok shape.

TOWN MANAGER

Henry reported he and Jeremy picked up the decorative lights last week. There was an issue this morning with the railroad gates down; it was due to a broken rail and was fixed by 3:30 p.m. The Trainmaster indicated he would like to fix that crossing again like they did a couple of years ago.

CLERK

Clerk Treasurer Julie Kline asked council members if they would like to have a year end meeting, or if they wanted to do like they have done the last two years and authorize the clerk to make necessary transfers before year end. Encumbrances would be approved in January. Council members indicated they did not want a year end meeting. Julie advised our insurance agent, Greg Miller, submitted applications to three different companies for our insurance renewal for property, equipment, and liability insurance. Greg asked quotes be submitted to him by December 1; Julie and Henry will meet with Greg the following week to review the quotes so Henry can make a recommendation to the council.

Julie discussed a letter from the Harkless Foundation; in the past, the council appointment to the Harkless Foundation was former council member Cassie Cowan. The Harkless Foundation asked the council to appoint someone to replace Cassie; that person would attend the annual meeting on December 13. Council president Brian Woody will attend the next meeting.

Julie reported we received our health insurance renewal. The total increase is 19% after applying the 5% chamber discount. She asked the council if they wanted Chris Cotton to look into other plans; council members agreed to keep the current plan.

TOWN ATTORNEY

Town Attorney Mike Reed advised he had nothing further to report. Larry asked about the Indiana Code change where certain areas were allowed to annex industrial parks that were not contiguous. The legislation carried language about population, and we did not meet the parameters of any of the populations listed. Henry will talk to our representative to see if the legislation can be amended to also apply to Syracuse.

POLICE

Police Chief Tony Ciriello reported there were 375 calls for service in October and 3 accidents. There were 11 criminal arrests; 7 were misdemeanors and 4 were felonies. Trick or Treat went well. Tony announced there will be another Meth Awareness Seminar on December 8 at the Center Lake Pavilion in Warsaw.

DISCUSSION FROM THE FLOOR

Sharon Fowler, of Pittsburgh Street, spoke about an article she read in the newspaper. She asked the council where they were going to get a million dollars to fund sewer to the Industrial Park. She stated code enforcement and housing are on the back burner. Brian advised we have nine code enforcement officers on the payroll. Brian added we are funding the project with EDIT money, as well as EDI funds of \$500,000.00, and an EDA grant of \$2,100,000.00. Larry explained the idea is to create jobs;

the money is federal money for job creation. Paul noted the grants can only be used for these projects; the money cannot be used for other things.

Wightman Petrie arrived for the meeting. Kenny Jones Jr., of Wightman Petrie, distributed memos from the last few days. He spoke about a memo that was written on November 15 for the Industrial Park Project Initial Review. The memo was to update the council on where we are for the project. We have a project that is designed and permitted and essentially ready to go. The plans include a lift station; property for that lift station needs to be acquired. We will need a driveway permit from INDOT for that lift station so we can access it from S.R. 13; INDOT will not issue the permit until we have acquired the land. A right of way permit will also be needed; this can't be finalized until we have a contractor for the project. The gravity sewer south of County Line Road and the sewer and lift station north of County Line have been permitted and are ready to go. Brian asked when we can start on this. Mr. Jones stated after we have done the land acquisition. He added there has been discussion about changing the sewer south of County Line Road from gravity to low pressure in order to save money. He pointed out the savings could be over \$100,000.00; however, the system would not be expandable. Henry stated he wants to make sure we understand there are two projects we are looking at. The first project is running the water and sewer lines to the Industrial Park and in the park; the second project is the sewer south of County Line Road. Henry added we are not allowed to use EDA funds for the second project, but we can pay for the second project from EDI funds. Henry provided a map of the TIF area in Elkhart County; we hope there is development in the TIF area that will fit into our system.

Kenny Jones Jr. confirmed the lift station should serve the TIF area fine unless a really wet industry moves in. Larry discussed how we came to the decision for the sewer south of County Line; he feels that is not the place to cut corners. The options are grinder pumps to seven businesses, or a gravity sewer with a lift station. Henry noted that all the permitting has been done for the gravity sewer; if we change, we would have to go back to IDEM. Larry noted we asked Wightman Petrie to design the project with the gravity sewer; he stated he believes there is a consensus to stay with what we directed Wightman Petrie to do. Brian asked Kenny Jones if he is confident the lift station for the Industrial Park will do the job; Kenny Jones answered yes.

Henry asked about the easements. Kenny Jones discussed a memo from October 26. The easements needed for the EDA grant are four permanent easements, one temporary construction easement, and one fee simple land acquisition for lift station. Henry stated there are three projects that we have. The first project is for utilities to the park; the design work is complete for that project. The second is for utilities in the park; the design work has not been done for that project. The third project is providing utilities to the businesses south of County Line Road. The figure provided to tie in the businesses is \$159,978.00, which would be paid from EDI money. We would also use EDI money for the deceleration lanes, which are estimated to cost from \$500,000.00 to \$700,000.00.

Brian asked where we go from here. Henry advised since we have agreed to the gravity sewer, he will send the information to Washington that we want to use the EDI money for the gravity sewer and deceleration lanes. Unless they say we can't use it for that, that is the way we will use it. Henry advised he will send information to EDA on the easements; an engineer, Mike Reed, and Henry have to sign off on it. He will advertise for Requests for Qualifications for a Design Engineer. Henry explained he

would like to separate the Design Engineer and Construction Engineer. The design in the park needs to be completed; when the design in the park is finished, it must be approved by the various Elkhart County entities and then sent to EDA. We need to purchase land for the lift station and obtain permits from INDOT. We will also need permits for the deceleration lanes. INDOT requires a bond for that permit; we will make the contractor responsible for getting that bond. Larry asked who will inspect this project; Henry answered there will be a construction engineer. Henry added he would like to look into getting a grant administrator. Larry stated if Henry needs help with the compliance issues, we need to get him the help to get it done right. Henry will look into getting a grant administrator.

Kenny Jones Jr. added we need to get the land acquisition done. Since we will be using EDA funds, we will need to be following the Uniform Relocation Act to the letter; that is not difficult, but it is tedious. Wightman Petrie can do the land acquisition for us; the estimated cost is \$10,990.00. In addition to the acquisition there are other items, such as obtaining two appraisals for the lift station and payment for the land. He asked the council if they wanted to authorize Wightman Petrie to continue with the land acquisition. Mr. Jones stated the original contract still has a little bit of the budget left to finish up a couple of permit issues. Larry asked if the grant administrator is regulated. Henry will send information to qualified companies and see what we get; the other issues we can start now. It was questioned if we hire Wightman Petrie, could there be a problem with the grant. Kenny Jones Jr. advised it depends on whether we are planning on paying for it with local money or EDA money. Henry will check on this. Brian suggested paying out of EDIT. Henry will confirm with EDA that we can hire our own engineer with local funds and not jeopardize the grant. Larry stated we need to authorize Henry to proceed once it is clarified with EDA. Mike Reed suggested authorizing Wightman Petrie to do the land acquisition to be paid from EDIT funds if Henry verifies it won't jeopardize the EDA grant. Larry so moved. Jeff seconded. Four voted for the motion; none against. The motion carried.

Larry asked Wightman Petrie to make sure the easements we obtain will allow for future expansion. Wightman Petrie agreed to do so.

Henry will also prepare a project timeline for the council.

OLD BUSINESS & NEW BUSINES

None.

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

The Syracuse Town Council adjourned at 8:45 p.m.

ATTEST:

Brian Woody, President

Julie Kline, Clerk Treasurer