

SYRACUSE TOWN COUNCIL

REGULAR MEETING

May 17, 2011

Paul Stoelting, President, called the Regular Meeting of the Syracuse Town Council to order at 7:00 p.m. Other council members present were Jeff Morgan, Bill Musser, Larry Siegel, and Brian Woody. Town Manager Henry DeJulia, Town Attorney Mike Reed, and Clerk Treasurer Julie Kline were also present.

The meeting opened with the Pledge of Allegiance.

Paul asked for public comment on agenda items; there were no comments.

Paul presented the minutes of the April 19th meeting and asked if there were any corrections or additions. Brian moved to approve the April minutes; Bill seconded. Five voted for the motion; none against. The motion carried.

Claims #480 through #598 were presented for payment. Larry made a motion to approve the claims; Brian seconded. Five voted for the motion; none against. The motion carried.

Ordinance 2011-2, a Rezoning Petition, was introduced by Paul. Attorney Steve Snyder, representing Edd Allen, spoke to the council about the rezoning request. He noted the council has the recommendation of the Planning Commission. Attorney Snyder advised this small wedge of property was given by the town to a previous property owner many years ago; it is logical that the entire tract be zoned commercial. He asked the council to accept the recommendation of the Planning Commission. Larry asked Attorney Snyder what Mr. Allen is going to build there; Attorney Snyder stated a commercial office. Bill asked what the property is currently zoned. Attorney Snyder advised 94% of the property is zoned commercial; 6% is zoned public use. If the council does not approve the rezoning, a building can still be constructed; the small wedge of property will just count as a setback. He explained that Matt Sandy, of the Area Plan Commission, would like all of it zoned with the same category. Bill clarified that Mr. Allen can still build even if we don't rezone; Attorney Snyder answered yes.

Larry asked about criteria. Mike read the criteria to be considered when rezoning. Discussion followed. Bill moved to approve the rezoning and adopt Ordinance 11-02; Jeff seconded. Four voted for the motion; Larry voted against. The motion carried.

Henry introduced an interlocal agreement with the Elkhart County landfill; the agreement allows our trash hauler to dump trash at a reduced rate. Brian moved to approve the interlocal agreement with Elkhart County. Larry seconded. Four voted for the motion; Bill abstained. The motion carried.

DEPARTMENT REPORTS

TOWN MANAGER

Town Manager Henry DeJulia discussed a utility easement that is needed for our EDA grant. One of the property owners we have approached for an easement has issues with his sanitary sewer backing up. When we asked about the easement, the owner asked for our assistance with his sewer

issue. Jeremy recommends a grinder station. We proposed the town pay ½ of the \$7,400.00 cost and the owner has agreed. Jeremy added the homeowner has been dealing with this for 29 years. Paul asked if this is part of the negotiation. Jeremy advised the owner has been very cooperative; he just wants some assistance. Jeremy advised once the installation is done; the property owner would own and maintain it from that point on. Brian made a motion to split the \$7,400.00 cost of the grinder pump in exchange for the easement. Larry seconded. Five voted for the motion; none against. The motion carried.

Henry reported he is working on obtaining property for the water booster and sanitary lift station. He has provided the property owner with a draft copy of an agreement. Henry asked the council if they would give Julie and Paul the authority to sign so a special meeting is not needed.

Brian moved to allow Paul and Julie the authority to execute the documents; Julie is allowed to cut a check for the purchase price as stated in the purchase agreement and sales disclosure with John Schacht. Larry seconded. Five voted for the motion; none against. The motion carried.

Henry asked if the council has to approve the purchase of an easement. Mike advised the council needs to approve. Larry suggested Henry send the documents to the council for their review. Henry noted we may need to have special meetings in the future to approve contracts for the project.

Paul introduced a contract with MACOG for grant administration services at a cost of up to \$73,000.00. Henry added we need to authorize Paul to sign the agreement. Larry moved to accept the contract with MACOG for an amount not to exceed \$73,000.00 and to allow Paul to execute the agreement. Bill seconded. Five voted for the motion; none against. The motion carried.

Henry announced we received a proposal from Wightman Petrie for a traffic impact study; Wightman Petrie needs it done right now. HUD requires engineering to be bid out. Henry advised he asked HUD for an exception to allow Wightman Petrie to conduct a traffic study. Larry suggested Henry could work on the bid specs in case EDA says no.

Henry reported the Phase I Environmental Site Assessment has been completed.

Henry discussed the bridge the Trail Committee is installing over the McConnell Nevin ditch. The Trail Committee is planning to pay for and install two small decorative lights. They have asked the town to pay for the NIPSCO bill for the lights and to maintain them. Larry moved to have the town maintain the lights and pay the NIPSCO bill; Jeff seconded. Bill asked how close we are to construction of the bridge. Chad stated the bridge has been delivered to Beer & Slabaugh; he expects it to be done by July 1. Five voted for the motion; none against. The motion carried.

POLICE

Police Chief Tony Ciriello went over the April monthly report and calls for service. Tony made several announcements. There will be a car show on Friday night. Main St. will be closed from S.R. 13 to Lake St., and Harrison St. will be closed from Washington St. to the alley behind the library. For the Kiwanis Car Show on Saturday, Long Dr. will close from Lake St. to Northshore Dr. We were recently given two used police patrol bicycles from North Manchester; the bikes will be in service soon. The Memorial Day Parade will be at 1:00 p.m. on May 31. S.R. 13 will be shut down for the parade.

PARK

Parks Superintendent Chad Jonsson made several announcements. The Artisan and Farmer's Market will open on May 21. The beach opens for the season on May 28; lifeguards will be on duty until Labor Day on the days when school is not in session. The Municipal Building Corporation met earlier this evening and approved the financials. The Park Foundation has applied for a grant of \$20,000.00 from the Kosciusko Community Foundation for Vega Field; Chad is also working on other grant applications. The Vega Field committee met last night; they are working on a new design.

PUBLIC WORKS

Public Works Superintendent Jeremy Sponseller reported the hydrant flushing has been completed, the area in front of McDonald's has been restored, and the bucket truck is here and operational.

Jeremy presented a purchase request. In an effort to raise revenue, an inventory was made of current meters; 25% are over ten years old. He stated water meters are the cash register for water and sewer. Jeremy would like to purchase 300 residential meters at a cost of \$105.00 each. We need to agree to purchase 300 meters to get that price, although we don't have to take delivery of all of them at the same time. Jeremy proposed we could get the meters in increments of 50 every other month for a cost of \$5,250.00. Larry asked about payment; Jeremy stated they would be paid for from water depreciation. Discussion followed. Jeremy added the new meters would be upgradeable; a new electronic head could be added and would allow us to read by radio transmission. Larry asked how far in the future this would be done. Jeremy answered it depends on council direction; he would be ready to move forward in that direction now. The cost would be another \$105.00 to change to a radio head. As we upgrade, we would have part of the town radio read, and we would walk to read the rest of the meters. Paul asked how quickly we will have to update; Jeremy answered we have 225 meters that are the brand where we have issues with the software and computers. Larry made a motion to spend \$31,500.00 for 300 meters from Utility Supply @ \$105.00 each; Jeff seconded. Five voted for the motion; none against. The motion carried.

Jeremy discussed sidewalks. He reported the county engineer has determined the Harkless Bridge pilings can't be used as a foundation for a pedestrian bridge. It will cost more for the bridge, but it is still doable. We have not received a cost estimate yet from U.S.I., but Jeremy feels we are now looking at \$50,000.00 to \$60,000.00. Jeremy explained Henry suggested applying for a grant. Henry stated he will see if the county has money. If not, we could apply for K-21 funds. He suggested we set aside \$30,000.00 for a match and use the rest for sidewalks this year. Bill likes that idea. He noted there is nothing pressing; we don't need the bridge right away. Jeremy stated we have \$54,000.00; we have promised \$4,000.00 to the trail committee. If we set aside \$30,000.00, we would have \$20,000.00 left; we can do a lot in house with \$20,000.00. He suggested we could start on Main St west of S.R. 13 and replace sidewalks on the north side of Main St up to Mill St. The next area would be Pickwick Dr. in the Heights from the new pedestrian bridge up to Syracuse Webster Road. Tony noted there are no sidewalks there now; the current pathway would be up the road. Council members agreed. Larry asked if we have to build the Harkless Bridge according to certain standards. Jeremy stated because it is for

public use, we need to have engineers. Henry added the county also needs to approve it. Larry suggested we could brainstorm on other ideas for the bridge. Henry asked the council if they had any issue with using \$20,000.00 for sidewalks. Paul stated we need to work on our existing sidewalks. We always look at adding new and fail to keep up our existing sidewalks; he would like us to make it a priority. Larry agreed. Jeremy stated since the council had no objection, he will move forward with that plan.

CLERK

Clerk Treasurer Julie Kline discussed problems with the boiler in the town hall; it has developed a leak. We have two options from Havel Brothers to take care of the problem. The first quote is to replace the section that is leaking only; the amount is \$5,167.00. The second quote is to replace the entire boiler; the amount to replace the entire boiler is not to exceed \$18,233.00. The current boiler is 78% to 81% efficient. The new boiler has a 92.5% efficiency rating. Council members discussed the options. Julie was asked to get additional quotes. Larry also asked if there was a warranty.

Julie announced she will be attending State Board of Accounts School from June 6 to June 8.

TOWN ATTORNEY

Town Attorney Mike Reed had nothing further to report.

DISCUSSION FROM THE FLOOR

None.

OLD BUSINESS

Brian asked about the area on Harrison Street by the Post Office where the water pools. Jeremy explained that last year they dug up the soaker pit. At the time, they put a band aid on it and put in new stone. The other option is to bore a line from there to another point. We could take it from Harrison St to just before the swale on S.R. 13. It would go along S.R. 13 about 100 yards and empty into the storm drain behind the Community Center. He believes the distance is about 650 feet. The cost to bore is about \$60.00 a foot; the estimated cost is about \$40,000.00. Jeremy will get more information.

Henry stated the BZA meeting is this Thursday night. He added he will be gone next week on vacation.

Paul discussed the piers that extend from our streets and alleys. He advised there was a lawsuit many years ago. Ultimately, the town was granted the right to control streets and alleys. We have done nothing so far and various piers have gone in and out. He stated the town needs to do our due diligence and should keep track of these piers. He presented a pier registration form that he has prepared and advised he would like people to register with the Park Department. Paul continued and stated for safety reasons, we need to know who owns and is using these piers if something happens. Often the same people have used these piers for years; Paul stated he feels we need a policy at this time. He added he

would like to see a general policy that only town citizens use this. He feels if a pier is put out in our right of way it would be for public use. He asked council members for their thoughts. Brian stated he does not feel piers should be in the public right of way. Paul noted in the court case over ten years ago, the town fought to have this right. The plaintiffs did not want piers in the right of way. Discussion followed. Bill agreed with Paul that it is town property and we have some liability. Lou Firestone, resident of Lake St, advised she has a pier that a lot of the neighborhood children use. They can walk to the pier. Cassie Cowan, of Medusa St., stated years ago she did not live on the lake and had a pier used by the entire neighborhood. Families and children are able to enjoy the lake; she would hate to see it gone. Brian asked Paul if he would head a committee do something. Brian stated we need to address parking, fences, and trees in the right of way; we need a policy that does it all. Paul stated piers and fences are not the same. Ben Plikerd, also of Lake St, stated last year for the first time he placed a pier in the right of way. This year someone else put a pier in that spot in February. Larry asked how this would change Ben's situation if someone else gets there first. He noted no one is allowed to use town property unless the town allows it. Larry asked if it would be first come, first served. Paul stated residents need to work it out. Mike Reed suggested we could have registration for the time being. For policies and regulations, we have two options. One is to have a committee work on proposed policies and regulations that they could submit to the council, and the second is to turn it over to the Park Department. Brian would like to see fines or fees for violations. Jeff stated if we start with registering this year, we could roll out an ordinance by February 15 of next year, for example. Mike stated if we pass a resolution tonight that every person who has a pier out in a public area has to register, he does not see any problem with that. Tony agrees with what has been discussed. He would like a committee to look into regulations; it would be easier to enforce. We could put together a policy on registration and try to identify them this year, with full registration next year.

John Connolly volunteered to be on committee. It was agreed Paul, John Connolly, Lou Firestone, Ben Plikerd, Cassie Cowan, and Chad will be on the committee. Tony will be the consultant.

NEW BUSINESS

None.

Mike reminded everyone there is a Public Hearing on June 14 at 7:00 p.m. on the Oakwood Annexation.

Larry moved to adjourn the meeting; Brian seconded. Five voted for the motion; none against. The motion carried.

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

ATTEST:

Paul Stoelting, President

Julie Kline, Clerk Treasurer