

SYRACUSE TOWN COUNCIL

REGULAR MEETING

July 16, 2013

Bill Musser, Council President, called the Regular Meeting of the Syracuse Town Council to order at 7:00 p.m. Other council members present were Kathy Beer, Larry Siegel, Paul Stoelting, and Brian Woody. Town Manager Henry DeJulia, Town Attorney Vern Landis, and Clerk Treasurer Julie Kline were also present. The meeting opened with the Pledge of Allegiance.

Bill asked for Public Comment on agenda items; there were no comments.

Paul moved to approve the minutes of the June 18, 2013 meeting; Larry seconded. Four voted for the motion; Kathy Beer abstained. The motion carried.

A request from H & G Underground Utilities to release all but \$10,000.00 of the retainage for the EDA project, and all retainage for the EDI project except \$5,000.00, was discussed. The H & G invoice for EDA work is for 89,626.81; Henry recommends we approve payment for work completed this period (\$21,966.00) and 50% of the retainage. H & G invoiced us \$10,342.52 for the EDI project; Henry recommends we pay \$9,249.54. Discussion followed on the punch list of items to be completed. Ken Jones noted what we have proposed should take care of the state requirements for retainage.

Paul made a motion to approve claims #709 through #890; the amount approved for claim #884 is \$60,796.41 and the amount for claim #885 is \$9,249.54. Brian seconded. Five voted for the motion; none against. The motion carried.

Ken Jones, of Jones, Petrie, and Rafinski, gave his monthly report. Cripe Excavating will be paving this week. Mr. Jones discussed the guardrail on U.S. 6; INDOT wants the guardrail removed and tapered. A change order for this work is included in the council paperwork; he noted there is also a requirement to have the contractor reduce the length of the vertical curve. The net amount of the change order is \$9,075.65. Mr. Jones advised they have requested an additional meeting with INDOT to discuss this. He explained INDOT approved the original plans; this change is a field directive. He asked the council to approve the change order in case INDOT stands firm on the requirements, since the project end is looming. Mr. Jones advised INDOT may not release the project if we don't do what they require. Larry asked if the change will give additional safety; Ken Jones stated it may. Larry asked how it would be paid; Mr. Jones answered we would submit it to EDA for approval. Mr. Jones added he is not sure if the INDOT field inspector can make those changes.

Brian moved to approve Change Order #4 for Cripe Excavating, with the understanding that Ken and Henry are to meet with INDOT to determine if it is necessary; Paul seconded. Five voted for the motion; none against. The motion carried.

Ken Jones presented a Certificate of Substantial Completion for H & G Underground Utilities; he asked the council to approve the certificate and authorize Bill Musser to sign. The punch list of items to be completed was attached. Brian moved to approve the Certificate of Substantial Completion and authorize Bill to sign; Paul seconded. Five voted for the motion; none against. The motion carried.

Ken Jones announced we are at the final step for the planning and zoning on the Industrial Park. The council needs to authorize Bill to sign the plat when it is completed. Brian made a motion to authorize Bill to sign the plat; Larry seconded. Five voted for the motion; none against. Motion carried.

The problems with the Long Dr culvert were discussed. JPR went back to Elkhart County; Elkhart County's opinion is that they only maintain the surface and plow. They believe the culvert is in the town's jurisdiction. If Elkhart County would agree to do anything, it could not be done for months. Elkhart County says it is okay for the town to take whatever steps are necessary. Ken Jones has asked Cripe for a quote. He will get a couple of quotes and bring them back to council; he feels we can possibly justify a change order to EDA. Bill asked if there is a water drainage issue there. Ken answered yes; there are some elevation issues.

Jason Traycoff spoke to the council about creating a Riverfront District. He explained the Riverfront District is a vehicle for off quota liquor licenses; it is used to entice business to that area. He presented a map with the district he is proposing, and he went through the process for creating a Riverfront District. Bill asked what constitutes a river. Mr. Traycoff explained the term for river is vague. Paul asked what the town's obligation would be. Mr. Traycoff stated the town would adopt a resolution and designate an area and create a map; applications would be approved by the Town Manager. He added the establishments must serve food. Bill asked what if two other businesses want the same thing; Mr. Traycoff stated it is the town's discretion. The town would approve the business; the applicant would then go to the state for the liquor license and pay \$1,000.00; the license is not transferable. Larry suggested we consider some changes to the map Mr. Traycoff has provided. Town Attorney Vern Landis addressed the definition of a river; other areas of the Indiana Code define a river as a flowing body of water. Turkey Creek is a county regulated drain. Attorney Landis is concerned that the Alcohol Beverage Commission would not consider Turkey Creek a river. Mr. Traycoff cited Kokomo as an example. Brian asked how many liquor licenses would be granted. Mr. Traycoff advised the town decides that. He added his request goes with the art district that the chamber is setting up.

Tony clarified how the liquor license works. Currently, most liquor licenses are transferable. A riverfront license is not transferable; it is for a single use and single location. The state would also decide if the liquor license would be a two way or three way license. Bill commented the council appears to be in favor. Larry stated he would like to see the map adjusted. Mr. Traycoff added you can go at least 3,000 feet from the water. Brian questioned what happens if we have an issue in the future with one place. He was advised that would be decided by the ABC.

Tammy Cotton, of the Syracuse Wawasee Chamber of Commerce, spoke about the request. She explained she has been working with Kathy Boyts and Allison Robie on a Main St project. Tammy Cotton detailed the timeline for what has been done to enhance downtown. She provided information on state programs and gave examples; the chamber continues to work to enhance downtown. She feels Mr. Traycoff's request fits with what the chamber is working on.

Brian asked if we should have Vern draft a resolution; Larry stated we need to work on the map. It was the consensus of the council to move forward.

TOWN MANAGER

Town Manager Henry DeJulia presented a tax abatement form for council approval. This is for the tax abatement for AIA Countertops that was sold to Patrick Industries. Brian moved to find the company in substantial compliance and to authorize Bill Musser to sign the CF-1; Paul seconded. Five voted for the motion; none against. The motion carried.

Henry explained there are new TIF requirements; a report must be presented to the fiscal body. The Syracuse TIF district has a balance of \$33,364.73 and there were no expenses or obligations. For the Oakwood TIF, the amounts are \$0.00 for revenue, expenses, and obligations. The TIF for the Industrial Park had revenue this year of \$55,869.55; however, this is an Elkhart County TIF. Larry noted we are receiving tax dollars for the Elkhart County TIF and the industrial park is not completed yet.

For Oakwood, Henry reported he is trying to get the streets dedicated; he is working with Marbach and Brady and JR Parent. The cost is expected to be about \$5,000.00; Henry suggested paying it out of the zoned rate dollars. Brian disagreed with using zoned rate dollars. Discussion followed. Larry moved to approve up to \$5,000.00 for a survey and legal description of the roads; Kathy seconded. Five voted for the motion; none against. The motion carried.

For the Industrial Park, we have been working with NIPSCO to get the electric and gas to the park. NIPSCO will be here on July 22 to meet with Cripe Excavating to work on getting it installed.

Henry spoke about a letter from our engineer Larry Long about the Harkless Bridge. We now have load limits; we are getting the contractors info to K-21 to get the project started. Henry, Jeremy, and Don Robinson met with the county about the Front St bridge; county will let bids in August and start in September. The road closure will be from 45 to 60 days.

POLICE

Police Chief Tony Ciriello reported there were 312 calls for service in June; there were 8 accidents and 19 criminal arrests. 10 of the criminal arrests were felonies. The police department was very busy over the 4th of July holiday.

Tony asked if there were any ADA complaints; there were none.

PARK

Chad reported the Kiwanis Triathlon will be held on August 10. July 4th was busy. 140 riders participated in the Tour de Lakes bike ride. For the ball fields, most baseball games are done. They are starting to hand out football equipment.

Brian asked about the purchase of property from the Rotary. Chad explained there are 6 ½ acres at the end of Wildwood Drive that the Park Foundation may buy and donate to the town. Discussion followed on the possible purchase; Brian asked how much it will cost the Park Department. Chad advised they don't plan on doing anything other than mowing right now. Larry asked about use of the property. Chad explained it has been suggested the land could be used for nature areas, a butterfly garden, green space, etc. Brian asked if the Park Board has the authority to accept the land without council approval. Brian would like more information, especially the cost to the town and possible uses of the property.

PUBLIC WORKS

Public Works Director Jeremy Sponseller reported the paving specs were sent out; he will bring his recommendation to the August meeting. Installation of sidewalks and street lights continues. We received four quotes for tree removal. The quotes were:

D & H Tree & Stump	\$12,000.00
Phillips Tree Service	11,400.00
Wawasee Tree Service	11,000.00
Cut-Rite	10,325.00

Bill asked if there would be a problem going with the local provider; Jeremy answered Cut-Rite may not quote if we choose local. After discussion, Paul moved to hire Wawasee Tree Service for \$11,000.00; removal is to be completed by Thanksgiving. Kathy seconded. Five voted for the motion; none against. The motion carried.

Kathy asked since Kern Road was cut from the paving list this year due to the cost, will it be paved next year. Jeremy stated that is up to the council. Jeremy explained where the town and county boundaries are. Kosciusko County says they are responsible for theirs and we are responsible for ours. Jeremy is presenting trying to verify the road inventory with the State of Indiana. Henry advised we asked the county for the cost to chip and seal our area at the same time theirs is done.

CLERK

Julie reported Chris Cotton, our health insurance agent, has prepared a report with the plan for the renewal of our health insurance. We will have the option to renew on December 1 or January 1.

Julie went over the proposed budget calendar.

Julie presented the semi-annual report for the CEDF grant received by Oakwood. Brian made a motion to authorize Bill Musser to sign the report; Paul seconded. Five voted for the motion; none against. The motion carried.

Larry asked about the assessed value that was provided by the Auditor. Julie explained we were given a number that was a reduction of 10% from this year's assessed value to use for our budgets; we hope to have the final number by August 1. Julie suggested we go over the department budgets and make recommendations tonight. She expects more accurate information to be available in August so we can estimate the tax rate. Larry discussed the circuit breaker, and the number of residents that already receive the circuit breaker credit. Discussion followed on how the Town of Syracuse would be affected if we lower our tax rate, but the other taxing units raise theirs.

TOWN ATTORNEY

Town Attorney Vern Landis had nothing further to report.

DISCUSSION FROM THE FLOOR

Lauren Zuegner asked if Kathy Beer was going to be sworn in. Julie advised Kathy was sworn in immediately after the caucus.

Tammy Cotton announced Syracuse Family Practice will have an Open House on Thursday from 3 p.m. to 8 p.m. On August 15, KCH will have an open house for their new offices.

Sharon Fowler asked about the drug box. She also asked about drug testing for employees. She was advised we have random drug testing for all employees; employees are also tested if they have an on the job accident. She asked about charging for permits; Bill said we are still considering.

OLD BUSINESS

Larry asked Vern if he reviewed the Fire Territory contract. Council members discussed the lack of a quorum at the Fire Territory meeting; the budget was instead approved by the Township Advisory Board. Discussion followed on any recourse the town may have and the budgeted amounts for the Fire Territory budget. Vern answered he does not see any recourse for the town in the contract. Larry asked Brian if the \$170,000.00 for equipment replacement was the budget or levy; Brian answered it is for both.

NEW BUSINESS

Bill asked Kathy if she would like to be on the Fire Territory Board; Brian suggested she wait until she has been on the council for a while. Paul moved to appoint Bill Musser to the Fire Territory Board; Larry seconded. Five voted for the motion; none against. The motion carried.

Bill advised he has received several comments about the lack of trash containers downtown. He asked Jeremy to look into this. Jeremy noted if we do it permanently, they are rather expensive. Bill suggested providing a picture and pricing.

A short discussion was held on the 2014 budget requests. Julie asked if anyone has any problems with the department budgets that were presented. Bill asked about the differences in health insurance. Julie explained the numbers are based upon the current census and a 20% increase. Paul questioned if enough was budgeted for paving; Henry explained we will use the Rainy Day Fund if needed. Henry stated we are trying to use other funds where we can to keep the tax rate down. Brian questioned the amount of raises. He was advised the budget includes a 3% raise; the 3% was used since the employee portion of the health insurance is expected to increase due to the changes from the Affordable Care Act. Larry stated he won't support anything that increases the dollar amount of the budget or the tax rate. Bill stated he agrees with Paul; we still need to provide the services.

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

The Syracuse Town Council adjourned at 9:15 p.m.

ATTEST:

William Musser, President

Julie Kline, Clerk Treasurer