SYRACUSE TOWN COUNCIL

REGULAR MEETING

May 20, 2025 @7:00 P.M.

Town Council President Nathan Scherer called the Regular Meeting of the Syracuse Town Council to order at 7:00 p.m. Other Council members present were William Musser, Cindy Kaiser, Clerk-Treasurer Virginia Cazier and Town Attorney Jay Rigdon. Absent were Council members Larry Siegel and Paul Stoelting.

Nathan Scherer opened the meeting with the Pledge of Allegiance.

Public Comments - Discussion from the floor (agenda items only) 2 minutes per speaker 10 minutes total.

The Council Minutes - The minutes from April 15th, regular meeting presented for approval. Cindy Kaiser moved to approve the minutes; Bill Musser seconded. All in favor. The motion carried.

The Town Claims - Claim #'s 0431-0547 for $604,664.27 presented for approval. Cindy Kaiser moved to approve the claims; Bill Musser seconded. All in favor. The motion carried.

2nd Public Hearing reference OCRA CDBG Grant – Donny Ritsema, MACOG, explained back in March, he presented our first public hearing, this is our second public hearing required for the town to apply for the OCRA CDBG Grant. The second public hearing you will hear more about the project and a status update on that application in March. Donny mentioned there's two stages involved for a construction grant, the first stage is the proposal stage and then the stage that we just entered into is the final application stage. We submitted the grant proposal to OCRA on April 17. Yesterday, May 19th, we met with our community liaison to review the draft proposal and discuss areas that could be revised to make it stronger. We are going to proceed to submit a final application that is due to the state by June 20th. The goal and objective for the wastewater drinking water program is to help protect the residents' health and the environment. It is also to reduce the utility rates for lower to moderate income communities and improved rural infrastructure for longer term sustainability. We are required to meet one of three federal national objectives for this project, the national objective that we're seeking to achieve is the benefit of at least 51% low to moderate income residents in the area. We were working with our liaison to narrow down the area, it was determined based on the utility rates, everyone within the town limit is the impact. Based on the service area being the town limit, by census data, it's at 55.7%. We did meet that national objective, we're seeking to replace aging water mains and upgrading undersized service lines to improve fire suppression and to help improve water quality and just long-term reliability. It also includes removing lead components such as goose neck, this includes Huntington St., between County Line and State Road 13. We are trying to minimize the impact on the utility rates as much as possible, that is part of the need for this grant, to help keep those rates low as possible. Donny is helping the town write the grant application, then if awarded, will be providing grant administrative services. Here are the costs for this particular project for the Huntington St. improvements, it's estimating to approximately 3,127,500. The total amount of funds that we're allowed to apply up to is 700,000. We are seeking to apply for that full amount, and this is based on projects that have a total project cost of over a million, and with the user rates between $30 to $50. Looking at our local source of funds that we used to spend on this project for this wastewater drinking water program, we're required to provide a minimum 20% local match commitment, and this is based on the total project cost, not the grant award. We're committing 78% of that local match and using two different sources and the total amount of $2,427,500. The first source that we are seeking to use is the town had applied for the state revolving fund (SRF) with the Indiana Finance Authority on March 26th, 2025. That application was submitted, and this amount will be used to cover all the construction costs and the majority of the non-construction services. The SRF funds will in total be $2,366,500. A small portion of the no construction services that the SRF will not be able to cover grant admin. services of $56,000, and the environmental review fee of $5,000, total amount of $61,000. This would need to be covered by an applicable source from the town, could be covered by the town's county economic development income tax (CEDIT) or it could be a different local source if deemed necessary. In closing Donny's presentation and then opening up to any public comment. The proposal on funds that would be awarded, $700,000 and based on our 55.7% LMI threshold, the amount that would benefit the lower household income in the project service area would be $389,900. Last thing mentioned, this project will not result in any displacement of individuals or business. Nathan Scherer asked Donny if he could explain the value of them giving input at this point. Donny stated to help with our competitiveness for our grant application, we really need to show how this is a priority and how it impacts residents. The users of the utility system, because of the utility rate, are one of the kind of components of how it could impact you. What we're looking for is any comments that you would like to share, what impact you may have on the utility rate or the discoloration or if there are issues with just the water quality that you're seeing. We would like to show the state that these are all the impacts that residents are seeing, if we could demonstrate our higher impact on residents, the more competitive our grant application would be to the state.

The public hearing was opened up to the public, no comments from the floor, the public meeting was closed. Jeremy Hardy, Commonwealth Engineers, added writing a letter would also help the town with the grant. Chris Harrison, Commonweath Engineers, mentioned with this project we will be updating aging water infrastructure, old mains that have been on the ground for 70 to 100 years. To replace the service lines, several of the homes in this project area have what they call lead goose, and as we all know, that lead is a neurotoxin. This will improve the safety and the well-being of the communities and residents. This project is lacking fire protection in the area, meaning there are mains undersized with thin walls. These projects are going to enhance those areas to include the fire flow in the area and public safety, which is a long-term win for the community. What we do need is support letters from the residents.

Resolution 2025-06 Authorizing Application Submission and Local Match Commitment- Bill Musser made a motion to adopt Resolution 2025-06; Cindy Kaiser seconded. All in favor. The motion carried.

Public Hearing ref North Trace RV Park Tax Abatement Request- Public hearing was open, there was only one question, is it contiguous with the town? Yes, it is, the public hearing was closed.

Confirmatory Resolution 2025-04 Tax Abatement Request, North Trace RV Park LLC-Cindy Kaiser made a motion to adopt Resolution 2025-04; Bill Musser seconded. All in favor. The motion carried.

Ordinance 2025-04 Establishing Requirements for Using Electronic Records and Signature- The Clerk-Treasurer explained per SBOA we need the Council to adopt an Ordinance in order for the Department head to sign off on their claims electronically. Anything that has to do with electronic signatures, we needed an ordinance to do that. Bill Musser adopted Ordinance 2025-04; Cindy Kaiser seconded. All in favor. The motion carried.

Ordinance 2025-05 Introduction, Annexation of North Trace RV Park LLC and surrounding properties-Does not require any adoption currently, just an introduction.

Resolution 2025-05 Fiscal Policy Resolution for Annexing Contiguous Territory to the Town- This is basically the town's commitment to the current structure of the town and that the funds are adequate to assume that territory. Town Attorney stated this does not commit you to annexation, but as part of doing an annexation, you have to adopt a fiscal plan to say, OK, here's what we think the financial impact is going to be, and I gather from your summaries and the belief is that we'll have very minimal negative impact. Bill Musser made a motion to adopt Resolution 2025-05; Cindy Kaiser seconded. All in favor. The motion carried.

Ordinance 2025-06 Rabbit Ridge Target Area Designation – As part of the TIF designations and the funding for the TIF area, the EDC passed a resolution approving all of the funding (the bank), which is actually funding the project. The language and assure that the condos that are being developed at Rabbit Ridge will be captured in TIF dollar. This is an assurance that the bank was seeking. Bill Musser made a motion to approve Ordinance 2025-06; Cindy Kaiser seconded. All in favor. The motion carried.

Ordinance 2025-07 Naming of Street to Rabbit Ridge Development - We need to name the road, Clark Street. Nathan Scherer talked to area plan; they wish not to have multiple streets in the county with the same name. Clark is a pretty popular street name, but Doctor Clark Street is not another popular name. We would spell out the word "Doctor Clark St." Cindy Kaiser made a motion to name the street "Doctor Clark St.": Bill Musser seconded, All in favor. The motion carried.

Commonwealth Engineering Report – Robyn Matthews, Project Manager, last month you opened bids for the Community Crossing Matching grant project, whereby INDOT pay 75% of the project, bids were taken back to the office, evaluated everything, making sure everything was in order. Sent the town a recommendation to award the low bidder, which is Phend & Brown, we'd like to take action on that tonight. The award signed by you, continue the process moving and get them under contract, secure the INDOT funding. There are two documents to be signed by the council, Notice of Award, which is what we'll provide to the contractor to continue things and the second is an INDOT form that requires to be on town letterhead, the CCMG notification of contractual award funding request. This is a form that states this is the amount of the bid, these are the roads we're doing, which is what we had committed to pay 25% of the total project cost. Cindy made a motion to award the CCMG award to Phend and Brown; Bill Musser seconded. All in favor. The motion carried.

Jeremy Hardy stated, the two documents I handed out, one is for the OCRA project, the following pages include ES2 which is a new transmission made from the water plant over to that same area to help supplement Northside. Then ES3 Page 3 is High Street, Mill Street, Washington Street, much like Huntington, transferring lines off of a smaller main as well as replacing lines that have goose necks to be replaced. Page 4, ES4 is extending water on Kern Rd, this is what was submitted to SRF back in March. The second document is the scope of services that I shared with David in detail yesterday, what is actually being provided in our scope. Scope of work is just through bidding, part two is the schedule we have within our scope of services various meetings and internal controls. That is an hourly basis, that's 50% reviewing and 90% fund design work, internal reviews. We will be working on private property, which the next piece of work here is field work and easement descriptions. We have prepared documents and coordinate with property owners to gain access prior to even getting into a bid stage, which after permitting would be bidding and negotiating. The goal is to be on top of everything and have everything ready and prepared, so once you are able to bid

on the project, wait for certain things that happen with OCRA. Once that is complete, we are prepared to bid on the project. Nathan Scherer entertained a motion to accept Task Order 2025-02 Town of Syracuse Water Utility Service, not to exceed $474,740.00. Cindy made a motion to approve task order 2025-02; Bill Musser seconded. All in favor. Motion carried.

TOWN MANAGER

David Wilkinson asked if there were any questions in his report. Nathan had a question about the grant we are proposing for K21 for the boardwalk project, where we are with that project. David is meeting with EK21 on Thursday to discuss the grant. The project depending on the scope that is chosen, if it is chosen to build boardwalk, the low end is about a million and a half, we applied for Ready 2.0 funds which will cover 20% of that cost, which is the maximum applied for $500,000 from K21. We also applied for $500,000 from ORIR which is money specifically targeted for Kosciusko County. The state granted ORIR for community improvements, such as trails, sidewalk, those kinds of things. Hoping to get those two funds, it will help cover what Ready 2.0 does not cover. This project could cost as much as 3 million, depending on how and what you use to build it.

Cindy asked David about the Pearl Street parking lot, does the west side need to be redone? There are some spots of asphalt that did not set well, they will need to come back and redo it. There are also issues with large vehicles not being ablet to turn in and out because of the tightness of the curves that were installed. Those will need to be pushed back.

Last month David brought some potential new gateway signs for the council to review. Still kind of looking for guidance from the council on how much to spend on the signs, we did locate an original Welcome to Syracuse sign that has been stored at the Street Department. It is very similar to the one out by the middle school, used to be at US 6 and SR 13. It is possible we could put that one back up on the north end. The sign at the south end of town was vandalized about a week ago, a couple of letters were ripped off. Police are following up on some leads. We could use TIF dollars for the gateway signs if the council decides. Do we know where we are thinking about putting the signs? Waiting for the other two council members to give their advice on the signs.

The alley that runs between the Hardware Store and W. Main Restaurant uptown, turning that alley into a pedestrian-only alley. The council asked David to ask the surrounding businesses for feedback, David received 9 back, 7 were yes to change the alley to pedestrian only, 2 were against. Nathan asked Chris Carboneau, Syracuse Hardware, if he had an opinion on this matter. Chris stated the alley is a vital part of our business. If you take a look at the picture, it shows the semi that where we have to park in front of the street to unload. We also use the alley to move the merchandise to the back of the store to the front of the store. The rear alley is closed, so we can't use that for large trucks that come through. It kind of putting us in a pinch if they do close the alley. As time goes by, there's a chance that we'll probably get a forklift or something, so we'd be moving up and down that alley anyway, I'm not sure how this would work.

David gave Mark's report; they have two solid wastewater buildings that need the roofs replaced. The only quote he received is from Courier for the first roof its $10,995 and the second roof is $12,495. Bill Musser made a motion to approve the quotes from Courier Roofing; Cindy seconded. All in favor. Motion carried.

Medusa Court, which runs behind the liquor store off Medusa Street. There have been some discoveries made after some recent real estate transactions, only a portion of the street is actually town owner or town right of way. It's all paved and for some reason we've maintained it for many decades, but it's never actually been ours to maintain only a portion of it. As a result of the real estate transaction, there was a house, and a lot sold, and the lot was split into two sections which had a grandfather clause where it wasn't in violation. If you have to have easement to any property that is sold, they had grandfathered it in but once that was sold and put it into two separate lots the forgiveness disappeared. Now that it has been split into two and there's no easement to those properties, it has become a violation. It was brought to the BZA, they tabled it until the Town council had a chance to look at it. There are a couple of decisions for the council to make, one the town really doesn't have any interest in this property, and it will be up to the private property owners to resolve it and allow easements across each other's property. Or the town can assume the right of way the entire length of the pavement. Town Attorney stated, that is a good summary of it, the second option because of the age of the paving, I mean the length of time you've actually maintaining that area, you could declare it to be an easement at this point for the town. You can call it an alley or a street, whichever you want to do. I don't think it will make much difference, but you can declare it. As a practical matter, you probably aren't doing much differently than you've been doing over the last 50 years. Bill asked what are the ramifications if we do? To the Town I doubt there are any. Bill stated so what is the problem? The contention is that on the North end that is not a road, which is the road bifurcates some of the properties that are in fact channel properties. By allowing this to pass through then those properties would be bifurcated and therefore it would be two lots instead of 1, it changes the dynamic. If there were opportunities on the South side, then there could be easements granted to extend the current road and

make it a road another 100 feet or whatever that could solve the landlock issue and also protect the integrity of the lots to the north. Nathan stated we have the right to just assume and make whatever we want, considering that maybe the homeowners were just allowing that for that use of their purposes as well as anybody else's for the last 50 years. Yes Cheryl Elder, 108 N. Huntington, I do not have any access to my home. She would like the road to remain the same, so she can have access to her home. Brian Wuthrich stated he was contracted by the Cornell family to sell their house and the lots that were beside them. He went to the BZA, and they said the road stops at the house. The road is paved all the way back around to 13. Brian went to Fidelity, and they informed him that Mr. Rigdon had contacted us a few years ago about solving this problem. Jay and Brian talked it over then talked to the Town Manager. They said they would move forward and have the surveyor survey the road. The width of it, which is what you have here, then we will take care of this matter. We sold the property, closed and the title company gave them easement to their property through what we already have. They wanted to see if they could build something on their property someday, the BZA said no, you don't have legal access. I applied for a variance and that's when the BZA from Syracuse had kicked it back. The BZA wants to hear from the town and what actions they are planning on doing. Brian stated that from his understanding of anything that was used 20 years prior to 1988, the town has the right to take and make it a street. Everyone on Medusa Court uses the street because you cannot park on S.R. 13. The resident from 106 N. Huntington asked about the property we just purchased, which includes the road and passed that about 4 to 6 feet the town can take it from them? That part is already a road. There was continuing discussions on the matter. There needs to be an option that is acceptable by everyone. The council decided not to make a decision on the subject tonight. Cindy suggested meeting before the next council meeting. We could have a special meeting to discuss this issue and have the other two residents that live and have access to Medusa Court. Jay reiterated that the council is not going to take any action tonight.
The council wants to have a meeting, invite everybody who's involved and get the opinion from everybody in a special meeting before the next BZA meeting. If in the meantime the BZA decides to take action, that's on them.

Redistricting, the state law was passed and is requiring certain communities to redistrict their political boundaries. The Town of Syracuse was one of those communities that fell under that statute to redistrict, and it got missed. A lot of communities missed it; the state extended the deadline to get the redistricting done by June 30th of this year. We have a few weeks left to redistrict; we are compelled by law to redistrict. There are several companies that can professionally redistrict the Town of Syracuse. There also has been some discussion, changing from a 5-district ward to 2 at large and 3 districts. Nathan stated if you're going to go to three elected districts and two at large that the two would be up for the next election, those would be at large. Then the three remaining for the next election would be in the new district. I'm in favor of going to a 3 district, 2 at large seats because I feel like that will give better representation and the ability for more people to run for office in town. I'm in favor of making that move. The town attorney asked the name of the company who would be doing the redistricting, he suggested authorizing the town manager to hire the redistricting consultant to complete the redistricting, and then fill in the blanks redistricting with 2 at large and 3 district set up whatever it might be. Bill Musser stated he is all for hiring this company to do the redistricting, but I'm not ready to say that I agree with Nate and he doesn't feel Paul does either. Larry, myself and Paul have been on the council for over 20 years, I don't want to give up my council seat because I think I bring a lot to the council, and I wouldn't want to be thrown in with them at large. Nathan stated you wouldn't, because the two seats that would be up would be Paul and Larry's seats. They would be the large seats because they're the two that are up in the next election. We pretty much need to vote on it tonight or it's not happening because there will not be enough time. Bill stated he is abstaining. Town Attorney suggested putting this topic with the special meeting about Medusa Court. The council agreed.

POLICE

Jim Layne, Police Chief, asked if there were any questions in his report. Officer Jacob Bolen graduated from the Law Enforcement Academy on April 25th, he is on the road now working. The MDTS that we purchased and was approved earlier on, they have been installed and are working great. I met with Emily World, Wawasee Schools and we went over a grant that's we are going to partner on. This will help the schools with what they may need and some things we could use as well.

Car 6 was damaged on a call. Officer was out on a battery complaint and a lady leaving the area backed onto the car, causing damage to the passenger side of the vehicle. We will be getting quotes to get them fixed. Also, as you see in your packet vehicle 8, our Dodge Durango, it started making a very loud ticking sound, so we had to take it to the shop and find out what it was. The motor was blown and would need it replaced; we received a quote for $11,800 to replace the motor. We have done it before, and it hasn't worked. This is an unplanned expense, it would pretty much wipe us out for the year. In your packet you should have some quotes, the 2025 Pursuit Tahoe has been sold, but they do have a non-pursuit police version available still at a price of $51,555. The other quotes I got were for the pickup

truck, which is the pursuit version, and this is around $51,000. We would have to pass an Additional Appropriation Ordinance to pay for the new vehicle. They are willing to take the Durango in on trade and give us credit for the new vehicle. Bill Musser made a motion to purchase the new vehicle not to exceed $51,555.00; Cindy Kaiser seconded. All in favor. The motion carried. Also need to make a motion for the Clerk-Treasurer to write out a check before the next council meeting for $51,555. Cindy made a motion to write a check in advanced before the next council meeting for $51,555, not to exceed; Bill Musser seconded. All in favor. Motion carried.

No ADA complaints.

PARK

Chad Jonsson, Park Superintendent, Farmers Market opened last weekend, had a really good turnout for both vendors and shoppers. Hoping that continues through the summer.

Mudtastic classic registration is open, it is in June at the WACF property.

Had our first Youth League tournament have two more coming up in June. We have 4 total currently scheduled.

PUBLIC WORKS

Mark Aurich, Public Works Director, not present.

FIRE TERRITORY

Mickey Scott, Fire Chief, asked if there were any questions in his report. Couple things I would like to say is #1, the water project will help our fire flows in town. #2. I'll ask when doing this project try to avoid end lines and loop those lines.

CLERK TREASURER

The Clerk-Treasurer, nothing to report.

TOWN ATTORNEY

Jay Rigdon, Town Attorney, I circulated last week information relating to food trucks more specifically identified as mobile food establishments, because the word truck was too simple and so we have to call them something longer. Mobile food establishments there have been some concern about that because of reports of a truck in here being in town being in violation of a few different sections of code. I also sent out to you along with some ideas regarding a more comprehensive food truck ordinance, information that from other communities who have adopted more comprehensive food truck ordinances. As well as information from the state, the state recently passed a rather simple statute concerning food trucks, but with the idea that beginning January 1, 2027, that is going to be something that is more comprehensively regulated by the state. And will be regulated by regulations from the State Department of Health coming to local departments to enforce. They have a study commission planned for a summer study commission for 2025 or 2026 to work on preparing that legislation. Everything I say in terms of reviewing proposed ordinances in the future, I think you take it with the idea that whatever you might do is not going to be something that will last a long time. The purpose of having the state do it is because of the number of people and companies that are operating food trucks and traveling between counties that they wanted to have some predictability. Kosciusko County does not have a different set of rules for people that are here and then that follow different rules when they go to the Elkhart County Fair, or they have to follow different rules or when they go to the Saint Joseph River days. You have some consistency for food trucks. There are reports of violations in food trucks here and I'm going to take those reports in three different areas, one that food truck has not purchased a vendor permit from the town, which is a rather simple one. Recent legislation passed saying that towns cannot collect a permit for a mobile food establishment after June 30th of this year. Even if one is unpaid right now, would I advise you to spend a lot of time, money and energy enforcing that when the rule is going to change on July 1? The answer is no I don't. Secondly, there are reports that the food truck has not tapped into the water or sewer system. Even though they use water and sewers on that lot and they have not registered as a customer. Therefore, they are not paying tap on fees and utility bills, that's not permitted under our ordinances. It's also not permitted under any bonding arrangement that you have. You actually have to collect from all your customers certain fees, and you have to make sure your customers are paying their bill. That is something that

would be an area for the town to consider, more aggressive enforcement. Third, I have not seen any reports from the County Health Department, but that a food truck is here and that their water supply is obtained by a garden hose going into the food truck, and that the water coming out of the truck is not being disposed of properly to the sewer system. Those are health issues, I think those are significant health issues, but they're not yours to enforce, they're the county health departments to enforce. The financial requirements of customers and people using utilities for the town, as well as the health and safety issues for the town are certainly areas that you have a responsibility as elected officials to make.

DISCUSSION FROM THE FLOOR

Michele Camacho, Twisted Tiki Truck, she handed out the layout that the BZA approved. This is the food truck that Jay is speaking of. In August of last year, we went in front of the BZA with this layout that was approved. Prior to that BZA hearing, I was in the Town Managers office many times, I was in Scott's office many times. I don't think there's anyone that I spoke to more than I spoke with David and Scott regarding my plans. Prior to the BCA meeting, I went to speak with Mark, the wastewater manager, and the big issue here is the Airstream that we converted into a prep kitchen. I showed Mark our plans, we are going to have our food truck, we want to convert this Airstream into a prep kitchen, which would be a commissary for a food truck, it would need to be connected to water and sewer. Water is very easy; it is connected by a garden hose by a food grade garden hose with a filter on the end. That is all that is required from the health department. The Health Department and the health inspector have been out and approved our water source. We asked permission to tie into the existing sewer line, there was a question of do we need to do a new connection, or can we tie into the existing sewer lateral? Since there's only a small bathroom in the office and then basically the Airstream will be operating like a kitchen. So, all of this would still be going through, if we tied into the lateral, it would still be tied into the meter, and we are still paying the utilities on this lot. We were given permission from Mark; I let the town manager know that Mark was ok with this set up. The statement I got back was if Mark is ok with it, we're ok with it. We even used the contractor that was suggested to me from Mark. We have upgraded electrical utilities; we've done nothing but upgrade this location since we've been there. All of this was discussed in the BZA hearing, that exact layout for the airstream was approved, tying into the water and the sewer was discussed. All of this was approved. We were given a variance for two food trucks to set up on this lot. The BZA members even noted that there was no objection from the Town of Syracuse or any of its officials. We signed a three-year lease on this lot, and we've done probably total $100,000 upgrades. My understanding is that the town had 30 days to contest anything that we were doing, we've received no objections and now several months later, I get a call from the code enforcement officer saying, he have bad news, you have to remove your airstream camper. How is that possible after the BZA has given us approval and everyone has been aware of what we're doing? I hate the position that we're in, I feel like our business is at odds with the town and that is the last thing I want. That is not why we came to this community, we came here to be a part of this community, to work with other business owners, to bring positivity and to bring new and exciting things into Syracuse. I have no idea how we've gotten into this situation; I don't really know how to get out of it. I certainly don't want to end up in a legal battle, but you have to understand that removing this airstream shuts my business down. My business can't operate without a commissary kitchen. I've been looking at the ordinance stating a recreational vehicle cannot be parked in a public way, which it's not. It's not parked on a public street, alley or sidewalk. A recreational vehicle can't be connected to public utilities for the purpose of habitation, no one is living in the airstream, it's not livable. It's a full commercial kitchen inside, the health department has been out not once, but twice. They've certified our kitchen, and our truck has been inspected many times. While I understand that I I do not know if council members were not aware of what the BZA approved, but that was a public meeting and everyone, I mean, everyone was aware that this meeting was happening and everyone has known what we're doing with our business. How can you say that I'm in violation of these ordinances? The Town Attorney stated you've identified something that I didn't even talk about. The town doesn't like the location of the commissary, you'll notice I never said any of that. You said that the airstream needed to be moved. Michele stated that is what the code enforcer had told her. Jay stated I'm just talking about the problems that I have identified that I understand the council has right now. Nobody's talking about moving or the location of anything. BZA does not make decisions about whether you're hooked up properly on utility, that's the issue that I brought up here tonight. The town has to do with the utilities in terms of billing and finances, proper tap on fees in terms of water and wastewater utilities. You have to get hooked up and pay for those properly, you also have to make sure the health department has cleared those things. Now, if the health department has told you that your sewer hookup and your water intake water hookup are both perfectly fine in conjunction with the County Health Department, please send that to David because I think he'd like to see that. Michele stated that the health department told her that David had called them and she told him that we are hooked up to water and sewer and she certified everything we're doing, correct? David replied correct. Michele continued by saying it's not like we're illegally tapped into the utilities, we had permission from the wastewater manager with knowledge of the town

manager and code enforcement officer. We used the contractor that we were given by the town. It's not like we aren't paying for these services, the only thing that Mark gave us permission to do that was different was to hook on to the existing lateral. The health department gave us a permit because that is all part of the inspection process. It is saying we have correct water intake and correct water disposal. We were told by the code enforcer that per the town manager that we had to remove our airstream. Jays stated David, correct me if I am wrong, once you discovered that the BZA had approved the existence of that trailer that you then said ok that is not an issue anymore. David replied I was aware of the airstream; the connection was something I was not aware of. What Scott brought to me was that you were not connected properly to the utilities based on the ordinance that said recreational vehicles may not be hooked up, that is what he was saying. I said if that's the fact, then you need to tell them they need to disconnect from utilities, not move the trailer. That is where that conversation started. That is how Scott related it to me. Michele stated she sent an email to David and asked if this was true that I would have to remove the airstream. There was miscommunication between the town manager and code enforcer. David apologized to Michele; the conversation was to disconnect from utilities. The question was does the airstream qualify as a recreational vehicle per the ordinance? That was the question that I started sharing with Jay and the Council. How does this fit the narrative, that's how we got to that point. Michele stated I think we can all agree that there were probably some ill-informed decisions made by members of the town management and I will also say that I've been very upset, and this is a very emotional issue for me. How do we move forward? How do we put this behind this? How do we make sure that we're doing everything we're supposed to do so I'm not going to be getting another upsetting phone call. How can we just work together to help bring great things to Syracuse? Am I or am I not in violation of these ordinances? David said that what we have to decide is if our interpretation of the ordinance is you in violation and so the questions are, do you have to disconnect from utility based on that ordinance based on recreational vehicles. We have to decide if our interpretation requires you to disconnect. We also have to decide whether they want to collect fees from you, as Jay said, that it goes away in the next few weeks and so we'd have to decide whether they want to pursue that or not. The third one, do you have to pay tap fees and register the utility customer because currently that lot is under the Metz organization. You're paying that, that is fine but each utility customer that hooks on is a separate utility customer. So do you have pay tap fees and have you established your own account, that's another question that has to be answered. Michele stated I understand that there is some confusion because Jason Metz is the one leasing this lot, then he sub leases to me so that I can bring in my food truck. That is another thing that is to be taken into consideration is that this is not just my business, this is also Jason's business. Jason having food trucks at the lot was Jason's idea because he felt like it would improve his business. He should have the right to have a food truck come to his lot. We are now the only commercial lot in Syracuse that is specifically zoned for not one but two food trucks to be allowed to set up. Somehow, we're the only ones that people are having a problem with, other food trucks are set up anywhere else in town, and lots that don't have the variance that we have. We've taken way more steps than anyone has because we are tried to do this the right way. There's no other lot in Syracuse that specifically zoned for food trucks. Jason wanted to have 50-amp service hooked up, he wanted to have areas for wastewater, for food trucks to be able to come in and service his business. Jason is the utility holder, however, part of my lease with him is that I pay the entire utility bill, that's just part of our lease agreement. Bill Musser asked if Michele rents from Jason, it's just like if you lived in your house and someone else owned it. You have to have the utilities in your name for a city ordinance. Michele stated there are two lease holders on that lot and the utilities are in one of the lease holders' names. Bill stated if you rent from him you have to open an account with the city. Town Attorney stated I think for the health issues, the report from the health department shows they are in compliant. Once you do that, that is all you need. If they're not, then the health department is going to deal with you. With regard to the permit, the council can tell me differently but given the fact you lose the right to pursue that July 1, I don't see that as a huge worthwhile expenditure with your time and money. Three, as it relates to utilities, it seems to me that If you come in and sit down with David and our utility guy and say, ok, you are just like any other business you have certain things that you have to pay a tap fee before because you're using your utilities. You have to sign up as a customer and we have to know where to get bills so that you all should be able to sit and work that part out. Michele said that it does not matter to her if the utilities are in Jason's name or in our name. Jason is still there leasing the business. We figured it was just the easiest thing to keep the utilities in his name, and we just pay for part of the utilities. As far as any tap in fee we were told by the wastewater manager, that we didn't need to go through and establish a whole new connection and that we could just tie into the existing sewer line. The Clerk Treasurer said what Mark told you was correct. I worked down at the public works for 23 years, which is exactly right. You tap onto his existing lateral. If you tap on the main you have to pay a tap on fee. There are landlords that still have their names on their accounts and the renters are not on the accounts but there are some landlords that do have the renters' names on the accounts, so what you are doing is correct. Jay reiterated let's have David, Mark and Michele sit down and discuss what is needed to be done correctly. Nathan stated, "I think you asked how we got here, right? Obviously, there's some things you are in a situation where you are admittedly doing something that is abnormal, new, innovative. As we talked before in that situation, it brings up gray area. The intention is not to come down on you, but you do have

ordinances that come into play and it's like David said, this is off because there's no clarification. When you move at the speed of entrepreneurship, but you're governed by the speed of government. Michele, I feel like there's gray areas with my business model, and I absolutely understand that. I told all of you, I would be happy to be part of the solution if there is an area that's a gray area, then why don't you call me or why don't you come down and see what I'm doing? No one here has come down to look at the airstream, to look at the utilities, to say help us understand what it is that you're doing here. That's all you have to do. We don't have to be operating as government. We're all people here who are supposed to be working together for this community. If there is an area that is a gray area, then don't call me and say you have to move your airstream because then you're going to kick the hornet's nest. If there's a gray area, just call me and say, hey, we might have a little bit of a problem here, we have this ordinance that may or may not apply to you. Can you help us understand what it is that you're doing with your business? How can we work together to make sure we're being fair to other businesses and we're ensuring the safety of the Community and that's all we have to do. Great. Let's figure it out together. Nathan stated, we've had those conversations, and I've talked to you directly about doing those types of things. I've even made comments to you about things to be aware of and for whatever reason those things got misconstrued by your Facebook posts. That somehow I'm nefariously after you when I've been one of your best advocates behind the scenes trying to get clarification and resolution for these green areas for you to operate, but somehow me and my personal life got thrown right under the bus with your supporters. When I was trying to be helpful and showed compassion to you and your husband. Tough times when you came before us in the past. That's not helpful and that's not building community. I'm just telling you; you've talked for a long time. We've been here for two hours. I think there's room to come to some sort of solution, but there is some disconnect on both sides. It's not up to us, the five of us to put blame on us in this role is not really appropriate when, one I've driven by your airstream, I've not seen one other utility in town that has above ground utilities. In your report on the zoning, you talked about being there in winter and degrees up to 30° and people in igloos. What happens to that water line when it's below freezing? What happens to your sewage line when it's below freezing? Michele said, we have plans for all of that. Nathan said "That's great, but it wasn't in any of the reports that we've seen. Those are things when he brings up problems and it gets to me, and Jason calls me; we have to talk through this. It's like, well, what is this situation now? How do we jockey and weave not to be this problem, but we still have to look out for the best interest of all the residents of the town too. So again, government and entrepreneurship don't move at the same speed, but some of the things that are going on right now are concerning. And we've got to be mindful. There are issues we've talked about some tonight and there are some other ones as well need to be worked on. There are some issues we have to get clarification on to try to understand whether they apply or not. Give you an example, you guys have what, 100-gallon propane tanks sitting outside your food truck right now That's potentially dangerous in the health and safety or safety threat. It's not a big deal. If it's permanent, it is a big deal. If it's or vice versa. It the standards are different. If it's permanent or if you're mobile. What are you guys? Are you permanent or are you mobile? Michele, Both. Lauren (media) stated, You had said that questions pop up, but it sounds like no one has gone to the Camachos with those questions. It sounds like there's a conversation between town management and council as to what those issues are, but no one goes to the Camachos and says these are our concerns. These are our, you know, what are your plans? Sounds like there is a breakdown in communication. Cindy stated, I was just going to tell Michelle I go to Bale's, pulled in there and look over and I would have normally walked over but after all of the comments I've read on Facebook, I figured if I walked over and said something, you would just be posted, maybe not correctly. I don't know. I'm answering her when she said can we work together, and can we move forward? I think I think we can. Michele said, I understand that and I'm willing to take responsibility for adding to some contentiousness between us. I will tell you that my purpose going to social media was because I felt I was backed into a corner, and I felt I'm fighting for my business. I don't feel like there's any way without all of this public support that we would be able to move through this. I do want us to be able to have conversations that can be healthy and constructive between us, and I'm not typically an air my dirty laundry on social media kind of girl. I felt like I had no choice, I needed public support. I needed these people here with me so I would love to put this behind me. Let's make a list of your concerns and let's sit down together and let's address those concerns and figure out how my business can continue to operate the way it is and be a part of the community. If there's truly a public safety concern, then what can we do to resolve that together?

DISCUSSION FROM THE COUNCIL

Nothing

NEW BUSINESS

Nothing.

OLD BUSINESS

Nothing.

Cindy Kaiser moved to adjourn the Town of Syracuse Council Meeting; Bill Musser seconded. The meeting was adjourned at 9:26 p.m. All in favor. Motion carried.

ATTEST: _____
Virginia Cazier, Clerk-Treasurer

_____
Nathan Scherer, Council President