

Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

April 5th, 2010 Town Council Meeting

7:00pm

1. Council President Brent Shull called the meeting to order at 7:00pm.

Roll call: Councilors John Damron, Will Nuttle, Jeff Bireley, Dick Bacon and Brent Shull were present. The Clerk Treasurer, Hester Stouder was present to record the meeting. Also present was Town Manager Milton Otero and Town Attorney, Dan Brinkerhoff. Attached is a list of audience members.

2. Reading & Approval of March 1st, 10th & 31st, 2010 Minutes – Councilman Jeff Bireley made a motion to approve all minutes as read, John Damron seconded the motion, motion carried.

***** Gary Nielander from SEDC** – Mr. Nielander wasn't able to attend the meeting, Mr. Bob Howard spoke on his behalf. Mr. Howard introduced John Freudenberger Jr. from Triton and explained his request for a tax abatement. Mr. Freudenberger went before the council and explained the abatements were for vacant property, and personal property among others. He attached a list of equipment with cost detailing the sum identified on the Statement of Benefits. The council asked questions about potential employees, value of equipment and when production would start. Mr. Freudenberger was able to respond to the questions, but asked how the abatements should be handled with the property originally being vacant and now that it has been renovated, equipment has started to be moved and employees are being phased in? With Mr. Nielander not being present and the town attorney not having enough time to look over the information, It was agreed that the vacant property abatement would wait and the council will meet again on the 19th of April 2010 to discuss it further. With enough information about the equipment being moved and cost. Councilman John Damron made a motion to grant the 5-year abatement for equipment that will occupy the building. Will Nuttle seconded the motion, motion carried. After the motion was finalized Mr. Freudenberger asked if he could present the entire project to the council and if they would consider increasing it to a 10-year abatement? The council agreed to not make any changes to the motion and to discuss it further at the meeting on the 19th.

2. Clerks Report -

- A. Claims – Clerk Treasurer Hester Stouder provided the claims for approval. With no questions, Jeff Bireley made the motion to approve the claims presented, Dick Bacon seconded the motion, motion carried.
- B. Delinquent Water Accounts/Abandon Tap Affidavits – Clerk Treasurer Hester Stouder talked about the totals on each report, the efforts that were taken to collect payment with no response. Without additional information requested, John Damron made a motion to accept the delinquent water accounts and

abandon tap affidavits, Jeff Bireley seconded the motion, and motion carried with unanimous voice aye votes.

3. Reports –

- A. Town Manager – Mr. Otero addressed moving the hydrant on Mr. Guilford’s property. He reviewed the material the council received during the March 31st, 2010 meeting and asked for discussion. The council asked about the two locations and how the other property owners felt. They were also reassured the hydrant had been there since 1999. They listened to Mr. Guilford’s request and concluded the conversation by directing him to get in contact with his neighbors and devise a plan. The council agreed the financial portion would be Mr. Guilford’s responsibility. *(Please see attached)*
- B. Street Department – Town Manager Milton Otero informed the council the compost site would no longer be accepting wood larger than 4” in diameter, brush pickup will be scheduled twice a month on the first and third Wednesday of the month. Leaf pick up will also be starting this month. An effort will be made to educate the public on making sure their leaves are raked close to the curb and do not exceed 6 feet in width. Mr. Otero said he was going to have Mr. Snyder from the Street Department grass the new parking lot located behind Open to Change Salon. Councilman Jeff Bireley asked what happened to Plan B with the red bricks that were decided after the original design was found to be too expensive? Mr. Otero said he didn’t remember a Plan B. Council President Brent Shull asked Mr. Otero to get with Mark from the Street Department and work out the plans to get it re-bid using the red brick. *(Please see attached)*
- C. Police Department – The new police car is being detailed and stickered. It should be ready to be out on the road within a week and half. Councilman Damron asked how soon the other cars would be ready to sell? The council agreed an auction would be the best way to sell them and would plan on having the cars and other items ready to be auctioned closer to the June meeting. Details for the auction will be on the agenda for the regular scheduled meeting in May.*(Please see attached.)*
- D. Water Department – *Please see attached*

5. Old Business –

- A. Garbage/Dumpster Rules & Regulations – Town Manager Milton Otero updated the Council on the Downtown Dumpsters. He said there was confusion in regards to the apartments located in the downtown area. Specifically above the Bakery and the ones known as Lakefront Apartments. He said the ones by the Bakery are not included in the contract, but was assumed to be part of the contract signed by the property owners. Because of this, the council agreed to continue billing the apartment above Howard’s Insurance as we have, and allow the apartments in the Bakery building and Lakefront Apartments to be part of the Downtown Dumpster contract. It will be handled this way until the contract expires and the council discusses any changes they would like to see for the new contract and bidding process. Mr. Otero said Allied Waste would be distributing

new trashcans soon to each residence. Council President Brent Shull asked if he would find out which side of the road the cans should be on for pick up and to ensure no ones service is interrupted. Mr. Otero told the council he heard back from Allied Waste in regards to the credit we should be receiving due to the dumpster being removed from the Town Hall. Because this hasn't been reflected on our bills, it will be looked into further and we should expect to see the difference soon.

- B. Junk Ordinance – Town Manager Milton Otero informed the board that he and Town Attorney Dan Brinkerhoff were working on this particular ordinance and would update the council when finished.

6. New Business –

No new business was brought before the board at this time.

Public Comments/Questions –

Street Superintendent Mark Gerardot asked about the changes in limb pick up and how it would save money? He went on to ask if someone called in after a windstorm, what are they supposed to tell him or her? Mr. Otero said in certain situations like he described, they would go out and pick them up. Mr. Gerardot asked how those trips would save money and said he didn't agree with the change in pickup or service.

Mrs. Tina Bosse asked Milton if those who pay quarterly for trashcans now, would have to continue paying after the new ones are delivered. He said he wasn't sure at this point but would look into it.

Mrs. Jan Myers suggested to the council waiting until Garage Sale weekend to have their auction, as it might bring in more money. The council thanked her for the suggestion, but made no decision at this time.

Mr. Larry Lehman addressed the board about a house on Zion Street that was involved in a fire and was an eyesore in the neighborhood. He asked if anything could be done to the house or the stuff in the yard. The council said they would have to wait until the investigation is over before they could find the homeowner in violation of any ordinance. They did however say Mr. Otero would look at the property to see if anything could be done with the stuff in the yard.

Councilman John Damron closed the meeting by encouraging everyone to get the meeting minutes or audio to make sure they are getting the most accurate information of what happens at the meetings.

With no other comments or items of business, the motion to adjourn was made by John Damron and seconded by Jeff Bireley. The meeting adjourned at 8:08pm.

Hester Stouder - Clerk Treasurer

Brent Shull – Council President