

# Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

July 5th, 2011 Town Council Meeting

7:00pm

## **1. Council Man Brent Shull called the meeting to order at 7:00pm.**

Roll call: Councilors Jeff Bireley, Larry Grantham 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. Absent members included John Damron and Will Nuttle. Attached is a list of audience members.

**2. Reading & Approval of June 2<sup>nd</sup>, 6<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup>, 2011 Minutes** – Councilman Jeff Bireley made a motion to approve the minutes as presented. Larry Grantham seconded the motion; motion carried with majority aye votes

## **3. Clerks Report -**

- A. Claims –Brent Shull said he did not want the Ball State claim paid without the information Milton was supposed to get regarding the Income Survey Study. The other board members present agreed. Jeff Bireley made a motion to approve the claims presented excluding the one for Ball State. Larry Grantham seconded the motion, a vote was taken and the claims were approved.
- B. Delinquent Water Accounts– Clerk Treasurer Hester Stouder presented the list of delinquent water/garbage accounts, Jeff Bireley made a motion to accept the delinquent water/garbage accounts. Larry Grantham seconded the motion; motion carried with unanimous voice aye votes.

## **4. Reports –**

Town Manager – Mr. Milton Otero is still working with the engineer and INDOT on the spillway project. The piers are requested to be moved and permits will be needed for each one before being put back into the water. The IDNR bid was awarded. Construction will start after Labor Day 2011 and they are pushing for the work to be completed before winter.

Milton informed the board that the Hamilton Improvement Team's boardwalk project was put out for bid and did not received any bids. He will keep the board updated on how they intend on moving forward. Clerk Treasurer Hester Stouder asked how the new legislation requiring a common wage council be formed when doing projects would affect this and possibly the Lake Street Parking lot? Town Attorney Dan Brinkerhoff gave a brief overview of the legislation and said he wasn't sure. It would have a lot to do with how the projects were put out for bid among other things. Milton will get him the bid information so he is able to provide a better answer to the HIT team and council.

Milton and Jeremy met with Judge Wheat to discuss the Junk Car Ordinance. Judge Wheat was in full support of the Towns ordinance. With this stamp of approval, Dan and Jeremy will work together on the first couple Junk Car violations to make sure the paperwork is completed and filed correctly. Milton reported on the Police Department hiring process. Those involved narrowed it down to 2 candidates and had a hard time choosing which one to recommend to the council. After much discussion and looking at experience among other things, those involved recommended Jesse Torrey to fill the deputy position for the Hamilton Police Department. Larry Grantham made a motion to accept the recommendation provided and hire Mr. Torrey. Jeff Bireley seconded the motion, motion carried. *(Please see attached)*

- A. Street Department – Milton got the detailed quote back from Terry Fritch for the Lake Street Parking lot. The total amount came to \$21,380.00; the remaining budget was only \$19,353.46. The council looked over the details of the work to be done and asked the clerk if funding was available for the higher amount. Clerk Treasurer Hester Stouder said there were several projects that have been discussed and there was limited funding available. She would better be able to answer if Mark and Milton could get together, prioritize those projects and decide if one of them can be postponed in order to complete the parking lot. Once they do this and get back with her, she would then be able to file the additional appropriation paperwork necessary to get approval for funding. Jeff Bireley made a motion to approve the project contingent that funding is available. Larry Grantham seconded the motion, motion carried. Brent asked if the Town Wide Cleanup was as successful as it has been in the past? The clerk responded and said she heard good reports from the Street Department and knew that one 40 yard dumpster was used for scrap metal and would be discounted from the amount billed. *(Please see attached)*
- B. Police Department –Milton recommended to the council per Marshal Warner that Frank Baldwin be promoted to Chief Deputy. The council felt that he was deserving of the position and agreed to the promotion. Officer Baldwin was present at the meeting where he was awarded his promotion and pinned by Marshal Warner. The council and officers pictures were taken. *(Please see attached.)*
- C. Water Department – *(Please see attached)*

## 5. Old Business –

- A. Crystal Cove Bridge/Liability – Council member Brent Shull referred to the recent accident as a tragedy and said because of ownership questions among other things, they were taking suggestions to try and prevent future accidents, talking with the attorney and researching what other communities do who have similar bridge and waterway setups.
- B. Engineer for Street Maintenance Plan – Milton said he has talked with T&E and they will not be looking at Lane 280 until the Terry Lake Culvert concern is addressed and finalized. Milton wasn't sure if they were going to be charging us to provide this service or not.

- C. Amending Speed Limit Ordinance – Milton said the changes needing to be made are for dead end or private roads, therefore the entire ordinance didn't need amended and republished they could just put signs up. Larry Grantham made the motion to put up the signs in the areas Milton mentioned. Jeff Bireley seconded the motion, motion carried.

## **6. New Business –**

- A. Crystal Cove Road Dedication –Milton informed the council that there are burlap bags covering the drains in Crystal Cove. He said they will be removed and should help with the drainage problems previously discussed. When talking about dedication of these roads, the council has unanswered questions regarding ownership, covenants, maintenance and common areas identified. Milton said there was no real documentation only a maintenance plan and he was still looking through paperwork to see if he could find more specific paperwork. The council asked if they took over the roads would that include the bridge too? Mr. Brinkerhoff advised the council not to take any action before getting these important questions answered and understanding liability, etc. Milton and Dan will be working together on this, no action was taken at this time.

Brent Shull said he would like to see the weeds cleaned up around the entrance to the Crystal Cove area and asked if community service workers could be brought in to do this? Jeff Bireley said the entrance to Lane 280 could be added to the list of needing weeds pulled. Milton will contact the director of community service and get those areas on the scheduled to be cleaned up.

Officer John Geyer and Titan the K-9 were present at the meeting. Both graduated July 1<sup>st</sup>, 2011 from K-9 training and were there to provide information and demonstrate the drug sniffing skills to the council. Those in attendance witnessed the officer and dog as they located 3 areas where drugs had been hidden. The council thanked him for the demonstration and were happy to hear he will be out in the community as much as possible.

## **Public Comments/Questions –**

Mr. Kirk Franz lives by Dollar General and said the outside lights are so bright at night it is lighting up the neighborhood and was hoping the council could help do something about it. He did talk to someone during the construction process about the problem, but said they were still a distraction. The council appreciated his comments, Milton will contact someone from Dollar General and get them turned off or down.

With no other comments or items of business, the motion to adjourn the meeting was made by Larry Grantham and seconded by Jeff Bireley the meeting adjourned at 7:37 pm.

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Hester Stouder - Clerk Treasurer

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Will Nuttle – Council President