

# Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

June 22nd, 2011 Town Council Meeting

6:30pm

## **1. Council President Will Nuttle called the meeting to order at 6:31pm.**

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

**2. Crystal Cove Road Dedication** - Mr. Otero briefed the council on the multiple companies who completed projects in the Crystal Cove subdivision to included E&B paving. Per the Town Ordinance, a road may be dedicated to the Town within 2 years of the topcoat being applied. No dedication for this area has taken place that Milton was able to find. Larry asked who allowed for the topcoat to be applied? There was nothing that indicated who gave the authority to complete the topcoat that was finished more than 4 years ago. Brent said typically one developer approaches the board about dedication, now that Milton informed the council there are currently 10 owners of the property at Crystal Cove, the board isn't sure who is responsible for signing the dedication if approved. With too many questions and uncertainty about authority, the council agreed to not move forward with looking at the drains, preparing for a dedication or doing any road improvements until they know who the owners are and who has the legal right/responsibility to sign off on them. Milton will be looking into this with Town Attorney Dan Brinkerhoff and will report back to the board.

**3. Mowing Lots to the water's edge** – Council President Will Nuttle asked the board what they thought about mowing the lots that have steep hills in some areas of the lake, wondering if it was safe for the Street Departments equipment. Milton said some of the lake lots that have erosion wouldn't allow for the department to mow up and down the hills. Board member Brent Shull said DNR should be contacted if erosion is affecting the properties and running into the lake. Because the ordinance allows for the Town to receive reimbursement for any and all expenses to include a minimum hourly rate of \$100.00, they would like to see all properties mowed to the waters edge, especially since the ordinance doesn't allow for exclusions. In some cases they knew it could mean outsourcing the mowing of a particular lot. The specific lot that started the discussion, (71 in Crystal Bay) will have someone out there from Granite Ridge to mow this week, Milton will talk with them about possibly taking care of other lots that we are not equipped to handle. From this point forward all properties that are in violation, will be taken care of whether it is in house or outsourced. Records will be kept so reimbursement is provided when the lien is filed.

**4. Lake Street Parking Lot** – Town Manager Milton Otero passed around an estimate for the completion of the Lake Street Parking lot from Terry Fritch construction. The estimate was totaled at \$21,380.00. The original amount budgeted was \$45,000.00, \$19,353.46 is remaining. Because the estimate was not broken down into labor and material details, the council was unable to make a decision on what would need changed to fit the funding available. Councilman Jeff Bireley said he would like more details on the work that would be done as well as a detailed cost breakdown. Councilman Damron agreed and asked about the steps/stairs that were listed on the estimate? Mr. Otero said there would be steps leading from the parking lot, north to meet up with the sidewalk on Bellefontaine & Lake Street. Brent Shull said he would like to see a quote back by the July 5<sup>th</sup> council meeting and the project complete by Labor Day. The council agreed with all comments made, Milton will get with Mr. Fritch and let him know details the council has requested to include a drawing, if the council decides to move forward, they want the project completed by Labor Day Weekend.

**5. Terry Lake Culvert – possible expense** – Town Manager Milton Otero said T&E would be getting soil samples at their expense. It will take 2-3 weeks for those to be processed. Once they have the results they will set up another meeting with the Council and Town Manager to discuss what was determined by the soil samples.

**6. Additional Compensation for K-9 officer** – Council President Will Nuttle said he had some reservations with providing additional compensation for the position without having the K-9 on the job to evaluate. Clerk Treasurer Hester Stouder said the Town would have to pay overtime to the officer for any time worked outside the current range. The council previously discussed a contract requiring more hours and compensating that time with a flat amount. Because they are not able to do this, the council would like records kept of all calls made by the department that are spent serving other communities or areas outside of Hamilton. After a year of the K-9 on duty, the council will review the records and establish if there is a need for additional compensation. The officer will still be given the 1 day off a month for time spent taking care of the dog.

**7. Full Time Fireman** – The council would still like to see this in the budget in the case an agreement can be made with the Fire Board. A meeting will be set up with the Fire Board and Council to collectively discuss available options. Councilman John Damron will not be able to attend the July 6<sup>th</sup> meeting, but wanted the council to communicate his feelings on thinking a territory was an avenue that should definitely be pursued along with grants. He felt like any option that would help the Town and townships with funding sources should be looked at thoroughly. The council agreed and will have more answers after the July 6<sup>th</sup> meeting.

Town Manager Milton Otero is taking Grant writing classes and said he would have grant writing abilities sometime after November 1<sup>st</sup> 2011. Councilman Brent Shull asked if Milton had gotten answers regarding the income survey study done by Ball State. He wanted to know where they went and how they chose those areas that caused the Town not to be qualified for low-income grants. Brent then asked if Milton could get the names and

addresses of the homes they surveyed so they could be verified with the census count. If they aren't included in our census, the council thinks the survey should be re-done at no cost to the Town.

**8. Raises for Employees** – The clerk provided figures if each employee was given a 2% raise on their base pay. The council reviewed those numbers and decided a flat amount was the best direction to go. The clerk asked if the new officer that will be hired, would be included? The council agreed with Will's previous statement of having 1 year of service. Because of this the council talked about giving the pay as a Christmas bonus in November of 2012. John Damron made a motion to approve \$520.00 per employee to be paid the last paycheck prior to Christmas 2012. Brent Shull seconded the motion, motion carried with a majority of those present voicing aye votes.

Town Manager Milton Otero checked and made sure the current K-9 policy did not need any changes. He wants to ensure it is ready to go into effect when the K-9 and officer graduate from training July 1<sup>st</sup>. The council did not make any changes.

Milton said he did get feedback regarding the south spillway notch and it will be taken out of the final plan. Due to timing it was included in the specs and will be subtracted from the final bid information.

Milton informed the council there are 6 applicants for the Police Department position. Interviews will be scheduled with the Marshal, Town Manager, Jeff Bireley and Will Nuttle for Wednesday June 29<sup>th</sup>, 2011 starting at 3:00pm. From there, the applicants will be narrowed down to 3 and a recommendation will be given to the Council at the July 5<sup>th</sup> regular meeting.

Mrs. Barbara Kriegal was in the audience and referred to the incident where the individual jumped from Crystal Bay Crystal/Cove bridge seriously injuring his back and hurting someone else by landing on a boat instead of in the water. She said this has been going on for sometime. While her and other residents have called the police, once they appear, the jumpers stop and only start again when the police have left. Now that someone has been hurt, Mrs. Kriegal asked what the council intended on doing? The board talked about the incident and research that had been done with other communities who have similar problems. Most charges for those who jumped were misdemeanors and resulted in very little consequences. The board assured her that they are discussing it with the Town Attorney and will be placing it on the July agenda to work towards a resolution or answer regarding responsibility.

With no other comments or items of business, the motion to recess the council meeting and ease into executive session was made by Brent Shull and seconded by John Damron the public meeting adjourned at 8:00pm.

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Hester Stouder - Clerk Treasurer

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Will Nuttle – Council President