

Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

March 31st, 2010 Town Council Meeting

6:15pm

1. Council President Brent Shull called the meeting to order at 6:15pm.

Roll call: Councilors John Damron, Will Nuttle, Jeff Bireley 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 Dick Bacon. Attached is a list of audience members.

2. Clerks Report -

- A. Additional Appropriations – Clerk Treasurer Hester Stouder presented Resolution 2010-1, expressing the need to additionally appropriate funds for the LOIT fund among others and a reduction specifically for the Fire Department fund. The reduction was a result of fewer funds needed during the 2010 budget year for the purchase of a new fire truck.
- B. Claims – Clerk Treasurer Hester Stouder provided the claims for approval. With no questions, Jeff Brieley made the motion to approve the claims presented, Will Nuttle seconded the motion, motion carried.
- C. LOIT Funds – Clerk Treasurer Hester Stouder handed out information to the Council pertaining to the Local Option Income Tax (LOIT) funds that are distributed by the County. She referenced the IC codes that addressed the guidelines for use of the funds and asked the council to please consider how they would like to budget those funds within the parameters provided.

5. Old Business –

- A. EJT resolution 2010-2, Town Manager Milton Otero asked for the councils approval needed for resolution 2010-2 that would extend the extra jurisdictional territory North and East of Lane 148 and as previously discussed by the Council. John Damron made the motion to approve resolution 2010-2, Jeff Bireley seconded the motion, motion carried with unanimous voice aye votes.
- B. 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 were assumed to be part of the contract signed by the property owners. The question comes when the wording of the ordinance is read, specifying that all residents are to be billed for trash service, only businesses are excluded. More questions arose when the rules & regulations were reviewed along with the current practice. With the trash contract coming up for renewal the council will have to consider what they want

in the new contract and how to handle the current situation. Council President Brent Shull asked that each board member review the information and be prepared to discuss it at the meeting on April 5, 2010. The topic was tabled until then.

- C. MCD Invoice – The final invoice for the Mill Pond Conservancy was presented to the council with a request for payment in order to finalize the conservancy dissolving. Councilman Will Nuttle said this was not the council’s bill and therefore should not be paid. Councilman Damron said either way the taxpayers of this community would be paying the bill. Whether we use monies from our budget or if they have to become a taxing body long enough to cover their expenses. Damron said he felt the Build Indiana Funds were originally intended for a project similar to this and would see no problem in using these funds to pay the invoice. Following more discussion, Councilman John Damron made the motion to pay the invoice in the amount of \$739.60 out of Build Indiana Funds and also included in the motion that any additional invoices for the MCD , should they arise, would not be paid by the Town Council. Jeff Bireley seconded the motion, all members voiced aye votes except for Councilman Nuttle who voted opposed. Motion carried.

6. New Business –

- A. Lions Club Directory – Clerk Treasurer Hester Stouder asked for the Councils approval to provide a list of water users names and addresses. The council agreed to provide the information as long as a form was signed saying they would not be selling or sharing this information with any other source.
- B. Camera Equipment for Police Car - Clerk Treasurer Stouder presented a request from the Police Department to purchase a new camera that will fit into the new Charger. Council President Brent Shull said the new camera is transferable and will fit a wider range of vehicles and is easier to repair. Other communities who already are using this new style of camera have shared good reports. The reason the old equipment won’t transfer to the new car is because it is too large. Councilman Jeff Bireley said he had mixed feelings on the purchase and did not want to see revenues from a drug raid used to purchase the equipment. With that being said he made a motion to approve the purchase out of the LOIT and general funds, John Damron seconded the motion; motion carried with unanimous voice aye votes.
- C. Town Manager Milton Otero informed the council of a water customer who is building a larger house on his property and would like the Fire Hydrant to be moved at the Towns Expense. Mr. Otero explained via a drawing the options and cost for moving the hydrant. The cost ranged from \$1100-2500. The neighbor does not care for the less expensive option, resulting in the more expensive alternative across the street. (Please see drawing attached). The resident who is requiring the hydrant to be moved has said he does not feel this is an expense he should pay and if the council moved the hydrant across the street he would consider paying half. With that being said, Councilman Damron said we, as the Town would consider moving it, if he paid. All members present agreed that our ordinance supports the customer paying to have the hydrant moved as long as it does not violate any right of ways

and is set properly. The hydrant in question is in a right of way and set properly. Mr. Otero said the resident will be at the Council Meeting April 5th, 2010 to make the same request and ask questions.

- D. Mr. Otero distributed multiple ordinance amendments and originals to the Council for their review. He asked that they take the time to read over them and be prepared Monday April 5th, 2010 to ask questions or take action on them. Council President Brent Shull said out of the ones passed out, he did not want the specs for a Salt Barn to wait any longer and not meet the advertisement deadlines. Because the requirements had already been discussed and approved by the Council he instructed Mr. Otero to move forward with the specs for the Salt Barn. The other members of the board agreed.
- E. Councilman Jeff Bireley asked if Milton heard anything about the dirt piled up in the Crystal Bay area. Mr. Otero told him he contacted Granite Ridge who is responsible for the dirt and they assured him they are taking care of it.

With no other comments or items of business, the motion to adjourn was made by Jeff Bireley and seconded by John Damron. The meeting adjourned at 7:04 pm.

Hester Stouder - Clerk Treasurer

Brent Shull – Council President