

Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

May 2nd, 2011 Town Council Meeting

7:00pm

1. Council President Will Nuttle called the meeting to order at 7:00pm.

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 Attorney Dan Brinkerhoff and Town Manager Milton Otero. Attached is a list of audience members.

2. Reading & Approval of April 4th, 2011 Minutes – Councilman Brent Shull made a motion to approve the minutes as presented. Jeff Bireley seconded the motion; motion carried with majority aye votes

**** Triton Abatement & Compliance Forms – Resolution 2011-4 – Clerk Treasurer Hester Stouder presented the new abatement and compliance forms for the previous 2 abatements and vacant building deduction. When reviewing the equipment description sheet, Brent Shull had a couple of questions regarding the items listed. No one was available to answer the questions and because of the May 15th deadline Brent made a motion to approve resolution 2011-4 for 10 years. In the same motion he asked if Will, Milton, Susan and a representative from TRITON could meet to discuss in more detail the equipment list provided, giving them authority to make any necessary changes. John Damron seconded the motion and it carried with all those present voicing aye' votes. John Damron made a motion to accept the compliance forms that were presented, Brent Shull seconded the motion, motion carried.

****Ordinance 2011-2-Amending Speed Limits – The council previously discussed changes to speed limits in various parts of Town, Dan drafted the ordinance reflecting such changes. Brent made a motion to introduce Ordinance 2011-2 on first reading. Jeff Bireley seconded the motion, motion carried.

3. Clerks Report -

A. Claims – Councilman John Damron asked when the claims were presented if any money had been or will be spent on the investigation of former council woman Gail Bartlett's residency status? President Will Nuttle gave no answer, other than he thought the claims should be paid. Town Attorney Dan Brinkerhoff said if the question were being asked of him, the answer was no. With no other comments being made Brent Shull made a motion to approve the claims presented. John Damron seconded the motion, motion carried and the claims were approved.

B. Delinquent Water Accounts– Clerk Treasurer Hester Stouder presented the list of delinquent water/garbage accounts, John Damron made a motion to accept the

delinquent water/garbage accounts. Brent Shull seconded the motion; motion carried with unanimous voice aye votes.

- C. Town Wide Cleanup – Clerk Treasurer, Hester Stouder provided 4 quotes she received for the Town Wide Cleanup dumpsters. Brent Shull made a motion to accept the lowest quote provided by Kendallville Iron & Metal. John Damron seconded the motion, motion carried.
- D. Komputrol Annual Agreement – The clerk presented the annual maintenance agreement for servicing the budget, revenue, water, billing and payroll software totaling \$3,515.00. Brent Shull made a motion to approve the agreement, John Damron seconded the motion, motion carried.

4. Reports –

- A. Town Manager – Milton is working with IDNR to locate the owners of the piers that will be affected once the spillway project starts, he has looked for records at the recorders and assessors office with no luck. Councilman Damron said he didn't think pier ownership and location were officially documented. More details can be found in the attached report. Milton also reminded the council and those in attendance that recycling containers would be changed this month from the small totes to the larger bins. *(Please see attached)*
- B. Street Department – Milton is working with 2 engineering companies on quotes for the Street maintenance plan. He will have more information and prices at the next scheduled meeting in June. *(Please see attached)*
- C. Police Department – Officer Eric Patterson turned his resignation in April 27th, 2011. His last day will be May 11th, 2011. Because his 5-year contract ends September 18th, 2011, he is asking the council to waive any and all commitments from his contract. Brent Shull made a motion to waive any commitments in the contract, but asked that future contracts be revised to reflect an actual dollar amount that would be reimbursed and prorated over the course of the 60-month period. John Damron seconded the motion, motion carried. *(Please see attached.)*
- D. Water Department – The railroad culvert agreement is complete and the boring project will take place sometime in June or July. Milton said Mr. Gale Shultz from the railroad company will be coordinating directly with the Water Superintendent from here on out. They will update the board with the outcome when completed. *(Please see attached)*

5. Old Business –

- A. Engineer for Street Maintenance Plan – See the Street Department report.
- B. Safe Route To School Grant – Milton has a meeting set up for May 11th, 2011 to include all interested parties. At this meeting, more information will be provided to include financial details. The clerk will be present so she can ask questions and give the council a better explanation of how the grant, if awarded would affect the budget. An update will be given at the June council meeting.
- C. Community Service for Employees – Previously the Town Manager asked the council to consider if they want employees to use PTO time for community

service outside of Hamilton. The council agreed that service outside of the community would require the use of PTO time. Councilman Damron suggested putting the change into the personnel handbook. Milton said he would so employees could easily reference it.

6. New Business –

- A.** Northern Indiana Lakes Magazine – Chamber President Mary Vail approached the board about purchasing a ½ page ad in the Northern Indiana lakes Magazine that will be out May 27th, 2011. The Towns portion would be \$387.50. Jeff Bireley asked about adding location details to the ad? Councilman John Damron said he would like to see if we could have an ad in the June and July issue, if the price were still discounted. Mrs. Vail said she would find out and get back with the Council on the price; she also would look at making changes to the ad to include location of Hamilton. Brent made a motion to approve spending \$387.50 on a ½ page ad for the June issue. John Damron seconded the motion, motion carried.

Councilman John Damron said he would like to stop future funding of the Steuben County EDC after reading they voted to close all meetings to the public. He felt taxpayer money that was used to pay these dues, allowed for open meetings and until that happened he would not agree to support them financially. Bob Howard sits on the EDC board and was able to explain why the decision was made. He said they are not obligated to the Open door law like the council and other organizations. When they had members who were hesitant to speak openly because of pressure from the media, they chose to exercise their ability to have closed meetings. He said they might revisit it in the future and he would bring these concerns to the board. Upon hearing this, the council decided to table the discussion until they are able to hear back from Mr. Howard.

Mr. Jeff Bireley asked about the District #1 vacancy? President Will Nuttle said he was not sure; it was in the county's hands. Mr. Bireley went on to ask why the seat was filled and now vacant? Who appointed Mr. Grantham? Who recommended him to the county precinct committeeman? Why did the paper state there was a sense of urgency? If the resignation was turned in locally Thursday, to the county on Friday and then the seat was filled by Tuesday morning and in the paper, how did this happen so quickly? Councilman Brent Shull said he spoke with the County chair and Mrs. Weicht said they had been working on filling the seat for about 2 weeks and the appointment was legal and within her authority. At this time Jeff said he felt the council should have been informed of what was going on. President Will Nuttle emphasized that he did not recommend Mr. Grantham to the precinct committeeman or the county chair. Mr. Bireley stated that someone from the Town, with authority had to make that recommendation and he wanted to know who it was. Because no one responded the board decided to have a letter sent to the Steuben County Republican Chair, Suzie Weicht requesting this information. Mrs. Weicht was contacted to attend the meeting, but was not present.

Public Comments/Questions –

Mary Vail asked if the two precinct committeemen from Steuben and Dekalb County would now take recommendations for the open seat? Town Attorney Dan Brinkerhoff said the caucus should be advertised and those interested would fill out paperwork indicating their interest.

Mr. Steve Hardy addressed the board saying he hoped they remembered the negative experiences Mr. Grantham had with local business owners/residents before having him fill the vacant seat on the council. Mr. Hardy went on to say he congratulated former councilwoman Gail Bartlett on speaking up for the people when she made motions at the April meeting to terminate the Town Manager and Attorney's contract. He said those motions were part of her campaign promise and it was nice to see someone full fill what they promised, unlike others on the council.

Mrs. Julia Duncan agreed with Mr. Hardy and also offered a disk of historic Hamilton pictures to anyone who would like to have them.

Mrs. Jan Myers asked what happened with the request for a full time firefighter? Clerk Treasurer Hester Stouder said the fire chief wanted to speak with the fire board at the May 18th meeting first. After this meeting more details about the position will be given and then details will be brought back to the respective boards for a decision.

Mr. Jerry Rosswurm asked the board if they would offer promotional help to the senior citizens who come to Hamilton and take boat tours. He is part of the group that organizes these pontoon rides and says it is a very positive thing for the participants and Hamilton. President Will Nuttle asked Mr. Rosswurm to get with him and they would find a way to help. Councilman Brent Shull said Jan & Gary Myers had Hamilton Lake mugs that were a great item to give. He asked if Milton and Hester would get with Jan to find out more about the cost, etc to see if this would be feasible for the Town to do and provide during events.

With no other comments or items of business, the motion to adjourn the council meeting was made by Jeff Bireley and seconded by Brent Shull the meeting adjourned at 7:55 pm.

Hester Stouder - Clerk Treasurer

Will Nuttle – Council President