

Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

May 3rd, 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 April 19th, 2010 Minutes – Councilman Will Nuttle made a motion to approve all minutes as read, Jeff Bireley seconded the motion, motion carried.

3. 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 – Clerk Treasurer Hester Stouder responded to the question asked by Councilman Jeff Bireley about Don W. Reed’s amount owed and why it was so high. She said it was a leak at the property and hadn’t been paid resulting in the large bill. Without additional information requested, Dick Bacon made a motion to accept the delinquent water accounts, Jeff Bireley seconded the motion, and motion carried with unanimous voice aye votes.
- C. Town Wide Cleanup – The date for Town Wide Garage Sales will be June 12th, 2010. The council confirmed the Town Wide Cleanup dates for the weekend of June 25-27th, 2010, as this will not interfere with Fathers Day Weekend. The Lions club has agreed to volunteer their services for this event.
- D. Ordinance 2010-3 – Clerk Treasurer Hester Stouder presented the ordinance amending the zoning of the property located at 805 S. Wayne St. The council asked some questions and confirmed the plan commission’s approval. Jeff Bireley made a motion to introduce the ordinance on 1st reading with the 2nd and 3rd reading on the agenda at the June 7th, 2010 Council meeting. Will Nuttle seconded the motion; motion carried with unanimous voice aye votes.
- E. Komputrol Maintenance Agreement – The annual software maintenance contract was presented to the board. The clerk assured them the only changes were an increase in price. Will Nuttle made a motion to approve the contract presented for \$3,380.00, Dick Bacon seconded the motion, motion carried.
- F. Gnagy Park Agreement – The contracts for assistant tennis instructors and park gardener were brought before the board for approval. Both amounts are approved by the council and taken out of the park boards annual appropriation.

Dick Bacon made a motion to approve the contracts, John Damron seconded the motion, motion carried.

- G. Hamilton Booster Club – The Hamilton Booster Club is requesting a \$100.00 donation to support the annual 4th of July 5K run. Dick Bacon made a motion to donate \$100.00 to the Booster Club. Jeff Bireley seconded the motion, motion carried.

4. Reports –

- A. Town Manager – Updates were given on the income survey study and Energy Audits. The council was asked to take action on the proposal for sewer services at the Beckman’s garage. The council said they were not comfortable granting this request. Will Nuttle made a motion not to allow the sewer service to the Beckman’s garage via an encroachment agreement. John Damron seconded the motion; motion carried with all members present voicing aye votes. Brandon Nickols asked the council to help resolve what he sees as a safety hazard and repair or replace the step outside the Rio Bar. Mr. Otero did confirm a solution was presented to Mr. Nickols during the downtown revitalization, he chose not to act on it at that time. Councilman Will Nuttle said he did not agree with spending public monies to improve someone’s private property. Councilman Bireley asked about potential liability and didn’t want it to be a problem in the future. Councilman Damron said he agreed with Will and didn’t feel comfortable with the amount of money being requested by the council to improve personal property. But did make mention of other safety improvements that were made to individual residents during the downtown revitalization. The council would like to have more time on this topic, discussion will continue at the June Council meeting. No action was taken at this time. Blue Heron Bay Homeowners Association has requested an encroachment agreement that would allow them to place a sign at the entrance of the bay. Jeff Bireley made a motion to approve the agreement, John Damron seconded the motion, motion carried. *(Please see attached)*
- B. Street Department – Specs for Lane 300E, 148 and 280 are almost complete. The council would like to see them ready at the June meeting for review. Invitations for sidewalk bids will also be opened at the Town Hall May 10th, 2010 at 12:00pm. Town Manager Milton Otero reviewed the bids presented for the Salt Barn. Town Attorney Dan Brinkerhoff said when he looked over the bids; he contacted Schumaker to ask questions about “extras” that he included in his bid amount. After talking with him, Mr. Brinkerhoff then removed these dollar amounts from the original bid and submitted the lesser amount to the council. This raised questions about other bids presented and if they too had “extras”. The bids were looked over at the meeting, it was unclear whether adjustments needed to be made or not. Town Manager Milton Otero tried explaining the specs to the council, because Mr. Otero originally stated they were fine and after having Dan review them further, realizing there is clarification that needs to take place he was unable to answer the council’s questions. The board said they didn’t know where the confusion originated, but asked for it to be cleared up. Council

President Brent Shull asked Milton to contact each contractor to get the answers needed for them to make a decision. The topic will be tabled until the June meeting and no action was taken at this time. *(Please see attached)*

- C. Police Department – Interviews for a Fourth Officer will start in the upcoming week. Councilman Bireley asked how many applicants there were and how many were eligible for interviews. Town Manager Milton Otero responded and said there were 13 original applicants. Three were eliminated because they were unable to pass the physical test and several more for various reasons including derogatory backgrounds. Will Nuttle, Jeff Bireley, Milton Otero and Marshal Warner will be conducting the interviews. *(Please see attached.)*
- D. Water Department – The generator at the Water Plant is in need of repair. Two technicians have examined it and both agree it will need a top and bottom gasket. They estimate the repair work not to exceed \$2900.00. The council asked questions of Water Superintendent Justin Stouder and asked if this was part of the MacAllister contract? He said many other things were included, but this is not one of them. John Damron made a motion to approve the expense, as long as it did not exceed the \$2900.00 quoted. Jeff Bireley seconded the motion, motion carried. Council President Brent Shull said he would like to see a cost comparison between the current MacAllister contract and doing the work ourselves, to make sure we are getting the best deal for our dollar prior to signing another maintenance contract. *(Please see attached)*

5. Old Business –

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

6. New Business –

- A. Umbaugh Rate Study – The council would like to do a rate increase as recommended by Umbaugh and associates. In order to implement a rate change, a rate study must take place. A quote for this study has been presented to the council for a fee not to exceed \$7,000.00. Council President Brent Shull said he knew the study had to be done, but would like to see the ordinance include a 2% increase every year for the next 5 years and a rate study mandated at the end of the 5 years. Everyone agreed this would benefit the town and provide a plan of action moving forward. John Damron made the motion to approve the rate study for no more than \$7,000.00 to include the items Brent mentioned. Jeff Bireley seconded the motion; motion carried with unanimous voice aye votes.

Public Comments/Questions –

Council President Brent Shull said he would like to see keys to the Town given to the winning Academic Team as this was a tradition in the past and he feels they are deserving of the acknowledgment. He asked that Milton get the keys around so they can be presented at a public meeting. He also mentioned the working relationship with the school was improving and would like to see us work with them on the Safe Route to School Grant.

Milton said he had previously worked with them on this grant but was unable to complete it, because of the requirement for an engineering study. Mr. Otero felt this was the schools responsibility and they never followed through with getting it done. Brent asked that he get back together with them and explain the process, maybe they weren't aware of all the requirements.

Mrs. Tina Bosse said she too agreed with the things Brent mentioned and would like to see the relationship continue to improve.

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 7:50 pm.

Hester Stouder - Clerk Treasurer

Brent Shull - Council President