

Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

October 24th, 2011 Town Council Meeting

6:30pm

1. Councilman Brent Shull called the meeting to order at 6:30pm.

Roll call: Councilors 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 and Town Attorney Dan Brinkerhoff. Council President Will Nuttle was absent. Attached is a list of audience members.

2. Reading & Approval of October 3rd, 2011 Minutes – Councilman John Damron made a motion to approve the minutes as presented. Jeff Bireley seconded the motion; motion carried with majority aye votes.

3. Clerks Report -

- A.** Claims –Jeff Bireley made a motion to approve the claims presented Larry Grantham seconded the motion, a vote was taken and the motion carried.
- B.** Fall Fest & Trick or Treating Hours – Clerk Treasurer Hester Stouder presented the schedule of events for the Fall Fest. The council passed an ordinance last year recognizing the Fall Fest on the last Saturday of October. The council was advised of the trick or treating hours from 5-7pm and had no objections.

4. Old Business –

- A.** Election of Vice President - With the council president's absence it is necessary for contract and meeting purposes to elect a Vice President. Larry Grantham nominated Brent Shull and John Damron seconded the motion. No other nominations were brought before the board. All members voted in favor of Brent Shull, motion carried. Dan will draft something explaining in the absence of the President, the Vice President will have the same powers to conduct meetings and sign contracts. He will present this amendment at the next meeting.
- B.** Park Board Appointment – Steve Blum/Roger Sumner – Clerk Treasurer Hester Stouder said she had left two messages for the park board President to see if another board position was open. Without hearing back from her, only one of the two individuals interested was able to be appointed. The board thought both candidates were good choices. John Damron made a motion to appoint Steve Blum to the open position since he was the first one to show an interest. Larry Grantham seconded the motion, motion carried. John made another motion to appoint Roger Sumner in the case another seat comes available. Larry Grantham seconded the motion, motion carried. Brent and Milton will attend the next park board meeting to see if another seat on the board is available.

- C. Municipal Parking Lot – Lake Street – Town Manager Milton Otero said he has talked with Terry Fritch regarding the Lake Street parking lot and due to laws that are in effect until January, he is unable to complete the project for the price quoted and still comply with common construction wage. Rather than increasing the amount, the council discussed postponing the work until spring of 2012. Milton said that would allow more time as he hasn't gotten the invoices or e-verify paperwork back yet. The council said it has been long enough, that they would like to have that information by the next meeting on 11/7/11. Dan will work on an amendment to the contract outlining the timeframe changes.
- D. Brent asked Town Attorney Dan Brinkerhoff if he could have the permit and various fee ordinance updated by the next council meeting. It already has been before the Plan Commission and a favorable recommendation was sent to the Town Council. Dan will have it ready for the council by the November 7th meeting.

6. New Business –

- A. Emergency Declaration on Oil Drum at Spillway - Town Manager Milton Otero described to the board solutions for removing an Oil drum at the spillway. Based upon the circumstances described by the Town Manager the board declares an emergency in connection with the remediation of the underground storage tank discovered in connection with spillway project and directs the Town Manager to invite quotes from ERS and SES. Milton presented these two quotes and a separate sheet he created showing the various expenses depending on which options were chosen. (Please see attached) The totals ranged from \$3980.50 - \$6520.87. The council asked various questions about how much oil could be in the tank, danger, bad soil samples, removal and the ability for us to do any in house. The council commented that when the property was purchased by the Town, there should have been something in the closing affidavit stating there were no underground storage tanks. Milton did not have this documentation. He told the council he would work with Dan on determining the seller's responsibility but needed to have it removed before hand. John Damron made a motion to approve option #3 on Milton sheet with the amount not to exceed \$3980.50 using ERS consulting & contracting. Jeff Bireley seconded the motion, motion carried with all present voicing aye votes. The council wanted Milton to start with the minimum amount of work being done and then add only what is necessary. He and Dan will work on the contract and also pursue the council's intent to go back on whomever the Town purchased the property from.
- B. Snow Removal Bids – Crystal Bay/Crystal Cove – Milton received a letter from the homeowners association inviting the Town to submit a bid for 4 private streets to be plowed. Milton said he would calculate our bid amount by using a tool from another Town manager and would also speak with Dan. He will inform the council of the amount to be submitted. John Damron made a motion to approve the Town place a bid on the job, Jeff Bireley seconded the motion. Motion carried.
- C. The Contract for the Boardwalk project is still being handled by Dan and Milton. The interlocal agreement was way over done for what was needed, Dan has been communicating with INDOT to get a more appropriate agreement together.

Public Comments/Questions –

No comments were made or questions asked by the community.

With no other comments or items of business, the motion to adjourn the meeting was made by John Damron and seconded by Larry Grantham, the meeting adjourned at 7:13pm.

Hester Stouder - Clerk Treasurer

Brent Shull – Vice President