

MEETING MINUTES
PRINCE'S LAKES TOWN COUNCIL
PRINCE'S LAKES TOWN HALL, 14 E LAKEVIEW DR, NINEVEH, IN 46164
December 19, 2022

COUNCILORS PRESENT: VICE PRESIDENT MIKE GALLAMORE
COUNCILOR KAREN HARRISON
COUNCILOR PHILIP MONTARSI
COUNCILOR BRYAN TEARMAN

COUNCILOR ABSENT: COUNCIL PRESIDENT GREG NELSON

CLERK-TREASURER PRESENT: ERICA LYDEN-GIGER

TOWN ATTORNEY PRESENT: LEE ROBBINS

STAFF PRESENT: MARSHAL GREG SOUTHERS
UTILITES SUPT SCOTT BLACKWELL
PUBLIC WORKS SUPERVISOR MIKE MILLER

PUBLIC PRESENT: ANTHONY GIGER

Council Vice President Gallamore called the meeting to order at 6:30 pm followed by the Pledge of Allegiance

PUBLIC FORUM:

APPROVAL OF MINUTES:

- Council Vice President Gallamore made a motion to approve the November 21, 2022 Regular Meeting minutes. Councilor Phil Montarsi seconded the motion and passed unanimously.

TOWN MARSHAL REPORT:

Marshal Greg Southers said he needs to purchase a set of batteries for one of the defibrillators, a new defibrillator and some equipment for the new police vehicle. E-Tickets are still not working properly. The system is not linking with the State as it should. Marshal Southers is working to resolve the issue. Marshal Southers also informed the Council that he has a new interview

computer and needs to purchase a camera. The Women's Self Defense Class will be on January 14, 2023 at 10:00 am Participants need to arrive at 9:45 to fill out paperwork, 2-hour class, 15 participants max. \$25.00 per person, 16 years old, \$10.00. Clerk-Treasurer Erica Lyden-Giger stated she can advertise on Facebook and the Town website. Mrs. Lyden-Giger informed the Council that she needs to do an encumbrance to purchase the 2023 Tahoe from Kelley Chevrolet. She gave the Council a list of where the funds will be encumbered.

- Council Vice President Gallamore motioned to have the Town cover the cost of Women's Self Defense class. Councilor Phil Montarsi seconded the motion and passed unanimously.
- Council Vice President Gallamore motioned to encumber the funds as presented for the 2023 Tahoe from Kelley Chevrolet in the amount of \$42,400. Councilor Bryan Tearman seconded the motion and passed unanimously

WATER/WASTEWATER REPORT:

Superintendent Scott Blackwell presented the Council with his report. Mr. Blackwell told the Council that SCI REMC crushed one of their sewer valves and caused raw sewage to go into residents' yards. SCI REMC will cover the cost which is about \$1800.00 Mr. Blackwell stated he wants to replace the rest of the lines on Warford Drive before paving is done this spring or summer. Mr. Blackwell has sent the architect agreement for the new utility's office to Town Attorney Lee Robbins for review and needs an authorized signer to sign agreement. The cost breakdown is in the agreement. Mr. Gallamore stated the architect will have the blueprints, get the bids, and manage the project. Mr. Blackwell informed the Council that he and Kevin Wilson will be involved in the process as well. Mr. Gallamore asked how much the agreement is and Mr. Blackwell stated \$108,000.00 and he will forward copies of everything to each Council member. Mr. Blackwell stated they hit 82% efficiency for the month and averages out for 79% for the year. Mr. Blackwell is going to have another Zoom meeting with Invoice Cloud to get electronic billing and auto draft. He said the mail is getting worse and people are not getting their bills on time even though bills are being mailed earlier than they were in the past. Mr. Gallamore asked Mr. Blackwell if this is the same system that Mrs. Lyden-Giger has been talking about the last few years. Mr. Blackwell stated it is the same system and residents can choose if they want auto draft or a paper bill. Mrs. Lyden-Giger stated there is a payment option that would allow residents to text their payment as well. Mr. Blackwell stated he would like to present something in January. On Tuesday December 20, 2022 Mr. Blackwell is going to have meeting with Town of Edinburgh and HWC about the DOD grant.

After discussion,

- Council Vice President Gallamore motioned to approve the contract with the architect subject to review by Lee Robbins and Scott Blackwell and authorize Council President Nelson to sign and execute on behalf of Town Council. Councilor Tearman seconded the motion and passed unanimously.

STREET DEPARTMENT REPORT:

Public Works Supervisor Mike Miller said the roads to be bid have been marked, but will need remarked again this spring. The equipment is ready for winter weather and they are filling pot holes. Mr. Montarsi said he notice what looks like the start of a sink hole going up Lakeview Dr. He would like Mr. Miller to take a look at it. Mr. Gallamore stated we received the CCMG for a total of \$276,792.75. The total project will be \$369,057.05 with a Town portion of \$92,264.29 Mr. Robbins stated action needs to be taken in order to accept the grant and enter into a contract.

- Council Vice President Gallamore motioned to accept the CCMG grant, commit to pay the Town's 25% matching portion and enter into the written agreement with INDOT and authorize Greg Nelson to sign on behalf of the Council and execute the contract. Councilor Montarsi seconded the motion and passed unanimously.

CLERK-TREASURER REPORT:

Clerk-Treasurer Erica Lyden-Giger informed the Council that on Sunday November 27, 2022, Town of Prince's Lakes Utilities had to call a licensed plumber to enter the home of one of our residents due to an issue caused by a water line break. The break was on a repair performed by the Town and the issue was a result of work done by the Town. When the resident turned on her water, the pressure created a syphon and rocks, mud and other debris enter the pipes and caused a blockage. Since our utility workers are not legally allowed in enter the home, a licensed plumber had to be called and they called Paisley Plumbing which is owned by the Clerk-Treasurer's husband, Anthony Giger. Mrs. Lyden-Giger stated she is informing the Council of this conflict of interest before final action is taken on claims for this month because there is a claim of \$595.00 made payable to Paisley Plumbing. She also informed the Council that she will be submitting the proper paperwork to SBOA informing them of the conflict as well.

Mrs. Lyden-Giger presented invoice #3 from HWC for \$81,000.00. This is for the DOD project, mapping/survey, design and permitting.

- Council Vice President Gallamore motioned to approve HWC invoice #3 in the amount of \$81,000.00 Councilor Montarsi seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented Town & Utilities claims and asked for approval in the amount of \$152,562.75 and \$367,078.25

- Council Vice President Gallamore motioned to approve claims for Town & Utilities as presented in the amount of \$152,562.75 and \$367,078.25 Councilor Montarsi seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented the November 23, 2022 & December 8, 2022, allowance docket and asked the Council for approval in the amount of \$36,011.51 & \$41,605.24.

- Councilor Montarsi motioned to approve the November 23, 2022 & December 8, 2022 allowance docket in the amount of \$36,011.51 & \$41,605.24 Councilor Tearman seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented Companion Life premium policy for 2023, which is dental insurance and asked for approval.

- Council Vice President Gallamore motioned to approve Companion Life premium policy for 2023 as read by Clerk-Treasurer. Councilor Harrison seconded the motion and passed unanimously.

Mrs. Lyden-Giger informed the Council that the Anthem premium is going up by less than 1% and presented Anthem premium policy for 2023 and asked for approval. She also told the Council that our insurance broker is still looking into dental rates to see if she can get a lower rate if added to the Anthem policy.

After discussion,

- Council Vice President Gallamore motioned to approve Anthem premium policy for 2023 as read by Clerk-Treasurer. Councilor Montarsi seconded the motion and passed unanimously

Mrs. Lyden-Giger informed the Council that last month they approved **ORDINANCE 2022-06 AN ORDINANCE CREATING A UNITED STATES DEPARTMENT OF DEFENSE GRANT FUND**. After creating the fund, Mrs. Lyden-Giger realize she did not need a separate fund and can just create a new appropriation for the grant and is asking Council to approval **ORDINANCE 2022-07 AN ORDINANCE RESCIDNING ORDINANCE 2022-06**

- Council Vice President Gallamore motioned to adopt as presented **ORDINANCE 2022-07 AN ORDINANCE RESCIDNING ORDINANCE 2022-06**. Councilor Montarsi seconded the motion and passed unanimously

Mrs. Lyden-Giger informed the Council that the bank would like a letter signed by the Council stating she is the only authorized signer at this time and would like a motion to approve Mr. Gallamore to be able to sign on behalf of the Council. Councilor Tearman asked if anyone else has to be on the account and Town Attorney Lee Robbins stated Mrs. Lyden-Giger is the fiscal officer and authorized to pay bills and he does not know any other Town that requires two signatures.

- Councilor Montarsi motioned to approve the letter to Mutual Savings Bank stating Clerk-Treasurer Erica Lyden-Giger is the only signer and authorized Mr. Gallamore to sign on behalf of the Council. Councilor Tearman seconded the motion and passed unanimously

ATTORNEY'S REPORT:

Mr. Robbins presented the Council with **ORDINANCE 2022-10 and ORDINANCE 2022-11 AN ORDINANCE AMENDING BILLING POLICES FOR NON-OWNER OCCUPIED**

PROPERTIES AND SETTING NON-RECURRING RATES AND CHARGES OF THE PRINCE'S LAKES SEWAGE WORKS and WATER UTILIY. The water connection fee for service larger than three fourths of a inch (3/4") made after December 31, 2022 shall be \$1,800.00. The new service deposit shall be \$75.00 after December 31, 2022. These new rates are for both water and wastewater rates. Mr. Robbins also informed the Council that language was added to both ordinances to bring current what is now state statute which requires before a lien can be placed on a non-owner occupied property for non-payment, the owner must be notified, if the owner has requested notice.

Mr. Gallamore called the public hearing to order for proposed rate increases for connection charges for water and wastewater and account deposit on water and wastewater. Mr. Gallamore asked if there were any questions or comments from the public. No questions or comments from the public and Mr. Gallamore closed the public hearing.

- Councilor Montarsi motioned to adopt as presented **ORDINANCE 2022-10 and ORDINANCE 2022-11 AN ORDINANCE AMENDING BILLING POLICES FOR NON-OWNER OCCUPIED PROPERTIES AND SETTING NON-RECURRING RATES AND CHARGES OF THE PRINCE'S LAKES SEWAGE WORKS and WATER UTILIY.** Councilor Tearman seconded the motion and passed unanimously

Mr. Robbins presented the Council with the annual nepotism forms to be signed. All councilors present signed annual nepotism forms.

Mr. Robbins presented the Council with options to stager elections. The first option would be at the next election to have 3 councilors with the greatest number of votes serve a 4-year term, and the other 2 serve a 3-year term and from that point forward everyone would serve a 4-year term. That would keep elections on the municipal election schedule, but would not align with the general presidential election.

The second option would be at the next election to have 3 councilors with the greatest number of votes serve a 3-year term, the other 2 serve a 1-year term. Then after that, everyone would be on a 4-year term and would align with the general presidential election. The Clerk-Treasurer would serve a 3-year term and then from that point forward would serve a 4-year term. Mrs. Lyden-Giger stated option 1 would be keep everyone on the municipal election, one year apart and keep training for new Clerk-Treasures on the same schedule as most Clerk-Treasures in the state. She has concerns this would throw off training. Mr. Montarsi stated he would like to get the elections align with the presidential election to get more turnout.

After discussion, the Council decided to stager elections as such: The 3 councilors with the greatest number votes and Clerk-Treasurer will have a 3-year term. They will take office in 2024, run again in 2026 and take office in 2027 for a 4-year term. The 2 Councilors with the least amounts of votes will take office in 2024, run again in 2024, take office in 2025 and serve a 4-year term.

- Councilor Montarsi motioned to adopt as presented **ORDINANCE 2022-09 AN ORDINANCE CHANGING THE YEARS DURING WHICH TOWN ELECTIONS ARE HELD AND STAGGERING THE TERMS OF TOWN COUNCIL MEMBERS.** Councilor Harrison seconded the motion and passed unanimously

Mr. Robbins presented the Council with **ORDINANCE 2022-08 AN ORDINANCE ESTABLISHING COMPENSATION FOR PRINCE'S LAKES EMPLOYEES AND OFFICIALS FOR CALENDAR YEAR 2023**. Mr. Robbins explained changes that were made as follows: Increased HSA coverage amounts from \$500 for individual to \$1000 and \$1000 for family to \$2000 for family, made clear that employees pay \$1.00 per year for insurance. Mrs. Lyden-Giger stated according to SBOA, the Town cannot pay 100% of employee's insurance, the employee has to pay a contribution. Mr. Robbins stated in addition to their salary compensation for utility and public works employees, they will receive \$725.00 in even numbered years and \$325.00 in odd numbered years for a clothing allowance to be paid on or about their first paycheck in December of each year. Mrs. Lyden-Giger told the Council that language was added for 2023 that states an employee receives their HSA contribution from the Town after 90 days of employment. Mrs. Lyden-Giger also asked the Council to make a decision on whether or not to contribute to an employee's HSA in 2022 if the employee resigns before their 90-day probationary period.

After discussion,

- Councilor Montarsi motioned to not to contribute to an employee's HSA in 2022 if the employee resigns before their 90-day probationary period. Councilor Tearman seconded the motion and passed unanimously.
- Councilor Tearman motioned to adopt as presented **ORDINANCE 2022-08 AN ORDINANCE ESTABLISHING COMPENSATION FOR PRINCE'S LAKES EMPLOYEES AND OFFICIALS FOR CALENDAR YEAR 2023**. Councilor Montarsi seconded the motion and passed unanimously.

Mr. Robbins presented the Council with **SECOND AMENDED ORDINANCE 2021-09 AN ORDINANCE ESTABLISHING COMPENSATION FOR PRINCE'S LAKES EMPLOYEES AND OFFICIALS FOR CALENDAR YEAR 2022**.

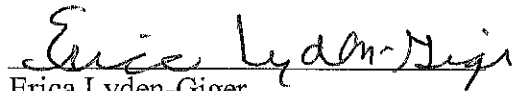
After discussion,

- Councilor Tearman motioned to adopt as presented **SECOND AMENDED ORDINANCE 2021-09 AN ORDINANCE ESTABLISHING COMPENSATION FOR PRINCE'S LAKES EMPLOYEES AND OFFICIALS FOR CALENDAR YEAR 2022**. Councilor Montarsi seconded the motion and passed unanimously.

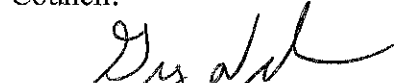
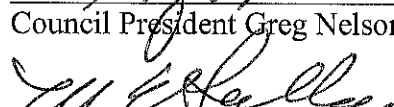
Marshal Southers stated the new construction being done on the house on Lakeview Drive created a lot of mud and debris on the roads. Many residents complained about the issue. Marshal Southers asked what can be done about it. Mr. Robbins stated it constitutes a nuisance. Mr. Gallamore asked if we can fine them and Mr. Robbins stated yes. Discussion was made about weight limits. Mr. Gallamore stated he had a conversation with Council President Nelson and the contractor requested they get an exception to the weight limit and since they were not crossing any dams, Mr. Gallamore did not have an issue with it. Mr. Robbins said there is no mechanism by which an exception can be made. Discussion was made about requiring contractors to be bonded.

With no further business before the Prince's Lakes Town Council, Council Vice President Gallamore motioned to adjourn at 9:03 P.M. Councilor Montarsi seconded the motion and carried unanimously.

Respectfully submitted,


Erica Lyden-Giger
Clerk-Treasurer

Council:


Council President Greg Nelson

Council Vice President Mike Gallamore

Councilor Karen Harrison


Councilor Philip Montarsi


Councilor Bryan Tearman