



## MEETING MINUTES

### *PRINCE'S LAKES TOWN COUNCIL*

PRINCE'S LAKES TOWN HALL, 14 E LAKEVIEW DR, NINEVEH, IN 46164

March 20, 2023

COUNCILORS PRESENT:

COUNCIL PRESIDENT GREG NELSON  
VICE PRESIDENT BRYAN TEARMAN  
COUNCILOR MIKE GALLAMORE  
COUNCILOR KAREN HARRISON  
COUNCILOR PHILIP MONTARSI

CLERK-TREASURER ABSENT:

ERICA LYDEN-GIGER

TOWN ATTORNEY PRESENT:

LEE ROBBINS

STAFF PRESENT:

MARSHAL GREG SOUTHERS  
UTILITES SUPT SCOTT BLACKWELL  
PUBLIC WORKS SUPERVISOR MIKE MILLER  
UTILITY CLERK BRIDGETTE BLESSING

PUBLIC PRESENT:

JENNIFER MERVAR  
PENNY MERVAR  
MARK RAPP  
LINDSEY KELLY  
ANTHONY GIGER  
SHELIA STEWART  
JAMES YOUNG  
KEVIN HARRISON

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

**PUBLIC FORUM:**

Mark Rapp is new to Town and said he did not realize he was in violation of the ordinance banning chickens. Mr. Rapp asked what he can do to get a variance. Town Attorney Lee Robbins informed Mr. Rapp that he can get a packet at Town Hall to apply for a variance and ask the Board of Zoning Appeals.

Jennifer Mervar asked how the utility can charge a penalty when the bills were not received in time. Mr. Robbins stated under state statute when a utility bill is 10 days past due, there is a 10% penalty that attaches to it as a matter of law. Utility Superintendent Scott Blackwell said he does not have the authority to waive penalties and he advises residents to come to a Council meeting and ask the Council to waive the fee. Mr. Blackwell also stated that we are going to a new billing system with new larger paper bill, an online service and an auto draft feature as well.

Kevin Harrison spoke and said he received a message from Tracy Poole. There was a house at the end of Hoover Drive that had burnt down. The insurance company had bought them a trailer to park on the lot while the house is being rebuilt. Marshal Southers stated that it is parked on a neighbor's property. Mr. Harrison said he called Mr. Poole back and he said it was not permitted, and he said he looked at the ordinances that stated permitted and not permitted. Mr. Harrison said you're allowed to have a construction trailer on a site regardless of what the zoning is, but not a trailer. Mr. Harrison called Mr. Poole back and told him to hang a construction office sign on it. Mr. Robbins stated there is a new legislation stating a local planning jurisdiction cannot prohibit manufactured homes. There is a definition of manufactured homes with a minimum square footage required. If we have a prohibition against trailers in our zoning ordinance, it might be permitted now according to state legislation. Mr. Robbins stated he did not think anyone had an issue. Mr. Harrison stated he didn't see forcing the Mr. Poole to get a variance since it was just a 6 month period.

#### **APPROVAL OF MINUTES:**

- Councilor Phil Montarsi motioned to approve the February 3, 2023 Special Meeting and February 20, 2023 Regular Meeting minutes. Council Vice President Tearman seconded the motion and passed unanimously.

#### **TOWN MARSHAL REPORT:**

Marshal Greg Southers gave his report. He said Officer Coffey had to get his windshield replaced and the windshield leaked and ruined the inside of his vehicle and laptop. The company has taken full responsibility and has replaced the laptop, windshield and other equipment that was ruined. Marshal Southers stated e-Tickets are still not working because the lap tops are too old. He has replaced two laptops now and will need to replace others in order for e-Tickets to work. Councilor Mike Gallamore stated Marshal Southers has money in the budget to purchase new laptops. Marshal Southers is also wanting to purchase two new in car radios because their handheld radios do not always work properly. Marshal Southers was approached by a resident, Lori McCall, asking to put in a Narcan box at Town Hall. Marshal Southers said Ms. McCall would maintain the box and refill when needed. Councilor Karen Harrison asked if she would be responsible for letting the public know. Marshal Southers said he just got paperwork on it and will find out more information. Mr. Robbins stated he fears that if we advertise for this service and it does not get

maintained or stocked, a claim could be made against the Town. Shelia Stewart spoke and said she thinks it is a good idea, but it might be better for it to be maintained at the fire department. Mr. Gallamore asked Marshal Southers to contact the fire department.

### **WATER/WASTEWATER REPORT:**

Superintendent Scott Blackwell presented the Council with his report. Mr. Blackwell told the Council he sent the CCR report to our wholesale customers. Mr. Blackwell met with a representative from Camp Atterbury about a grant to install an interconnection with the Town of Edinburgh. Monday March 27<sup>th</sup> will be the first day the new bills will go out, April 26<sup>th</sup> Invoice Cloud will go live. They had to have a company come in and look at a clarifier that went out at the wastewater plant. It will be a \$50,000 - \$80,000 cost. Mr. Blackwell said UV protection has to be on at the wastewater plant by April 1<sup>st</sup> and that has been installed. Council Vice President Tearman ask Mr. Blackwell if Layman Boyd was able to get a quote for a new vehicle. Mr. Blackwell said he got two quotes, one for \$54,000 the other for \$55,000.00. Mr. Tearman wanted to make a blanket approval for the utility department to be approved up to a certain amount to purchase a new vehicle if one should be available during the year without waiting for another meeting since vehicles are hard to acquire. Mr. Robbins informed Mr. Blackwell that he still needs to obtain three bids to stay in compliant. Discussion was made about starting a program to purchase vehicles at a more consistent yearly cycle.

After discussion,

- Council Vice President Tearman motioned to approve Mr. Blackwell to purchase a vehicle for no more than \$60,000.00 Councilor Phil Montarsi seconded the motion and passed unanimously.

### **STREET DEPARTMENT REPORT:**

Public Works Supervisor Mike Miller informed the Council that he spoke with Stillwater Renovations, they are wanted a 30% downpayment for materials and concrete for the renovations for the old concession stand at the ball diamonds. Mr. Gallamore ask Mr. Robbins if we are allowed to give a 30% downpayment. Mr. Robbins stated we do not pay a contractor in advance for materials before the job is completed. Discussion was made about the contractor doing work during the ball season. Mr. Gallamore stated the most important problem of the project is that the restrooms are not ADA compliant and needs to be completed. A suggestion was made to rent Port-A-Let's while construction is happening. Discussion was made about concrete work around the concession stand and to the restrooms. Mr. Robbins stated we could pay the material company directly instead of the contractor. Marshal Southers stated he will contactor another contractor and see if they would be more willing to work with us.

Mr. Miller stated he walked the new section of the walking trail. Mr. Tearman asked if he had a drawing of the path that he can give the paving company to get a quote. Mr. Miller said yes.

## **CLERK-TREASURER REPORT:**

Utility Clerk Bridgette Blessing presented invoice #6 from HWC for \$47,250.00 This is for the DOD project, mapping/survey, design and permitting.

- Council President Nelson motioned to approve HWC invoice #6 in the amount of \$47,250.00 Councilor Montarsi seconded the motion and passed unanimously.

Mrs. Blessing presented Town and Utilities claims and ask the Council for approval in the amount of \$139,690.86 and \$285,218.32

- Council President Nelson motioned to approve claims for Town & Utilities as presented in the amount of \$139,690.86 and \$285,218.32 Councilor Gallamore seconded the motion and passed unanimously.

Mrs. Blessing presented the March 2, 2023 & March 16, 2023 allowance docket and asked the Council for approval in the amount of \$39,397.61 & \$37,960.35.

- Council President Nelson motioned to approve the March 2, 2023 allowance docket in the amount of \$39,397.61 & March 16, 2023 allowance docket in the amount of \$37,960.35. Councilor Montarsi seconded the motion and passed unanimously.

## **ATTORNEY'S REPORT:**

Town Attorney Lee Robbins presented the Council with **ORDINANCE 2023-1 AN ORDINANCE TO REESTABLISH A CUMULATIVE CAPITAL DEVELOPMENT FUND AND MAXIMUM TAX RATE** for a second time. Mr. Robbins explained this is not a new tax, it is reestablished every year at .05 per \$100 of the assessed property value. Mr. Robbins stated he received a directive from the State and this will be the last year we have to reestablish the rate.

- Councilor Montarsi motioned to adopt **ORDINANCE 2023-1 AN ORDINANCE TO REESTABLISH A CUMULATIVE CAPITAL DEVELOPMENT FUND AND MAXIMUM TAX RATE**. Council Vice President Tearman seconded the motion and passed unanimously.

Mr. Robbins stated he has been working on researching easements for the proposed water line loop project running down 252 and 325 S. Mr. Robbins has gotten back title searches and will forward those to HWC and has found one easement on 252 that has been granted.

## **OLD BUSINESS:**

Mr. Robbins stated he received a call from the AT&T broker again asking if Council wants to move forward with installing a cell tower. Mr. Gallamore stated AT&T wants to put in a cell tower behind Town Hall and in a public meeting residents showed up and they did not want the tower. Mr. Tearman said the broker was supposed to set up a time to come to a meeting to discuss this with Council. Mr. Robbins stated he received a coverage area map and showed the coverage

now and what it would be if the tower were installed. Councilor Phil Montarsi stated \$1000.00 a month is not enough month to install the tower, it would be an eyesore and no one from AT&T has approached the Council with more details. Mr. Montarsi also stated he did research and some leases pay \$5000.00 per month and only offering the Town \$1000.00 a month is an insult. Mr. Tearman said he understands it will be an eyesore, but he has had residents approach him and are excited about it, but \$1000.00 is not enough money when AT&T will sell space on their tower and make more money. Mr. Robbins stated he will contact AT&T and ask for a representative to come to a meeting to speak to the Council.

- Councilor Montarsi motioned to reject the lease of the cell tower. There was no second.

Mr. Tearman said a motion needs to be made approving the paving bid for the basketball court.

- Council President Nelson motion to approve the paving bid for Stubb's Asphalt to pave the new basketball court for \$27,250.00. Councilor Gallamore seconded the motion and passed unanimously.

#### **NEW BUSINESS:**

Mr. Tearman stated with the paving they are going to make some ADA improvements. They will make the pavilion ADA compliant, connect the walking path from the parking lot and off the pavilion will be extended into the parking lot and there will be another path from the basketball court to the walking trail and the project will be paid for by the American Rescue Act Plan funds. Mr. Tearman informed the Council that he has a price for the basketball goals and a quote for installation and for the electric panel. He also stated we need to buy a meter for the electricity, buy 4 poles for \$1,000.00, lights wires and conduit. SCI REMC will provide all the labor for free. Mr. Gallamore asked for a timeline, Mr. Nelson stated we are fourth of the list and once the paving plants open, it should be soon. Mr. Gallamore stated he and Mr. Miller and Mr. Nelson marked off where they want the new walking trail to be and will get a bid from the paver while they are here. Mr. Nelson said we will need a quote for the ADA paths from the walking trail to the playground. Mr. Miller asked if Mr. Tearman knows someone that has a piece of equipment that will clear the path for us. Mr. Tearman stated yes and will contact him.

- Council Vice President Tearman motioned to approve the ADA improvement paving bid for Stub's Asphalt for \$2,250.00. Councilor Gallamore seconded the motion and passed unanimously.
- Council Vice President Tearman motioned to approve the purchase of the basketball goals for \$5,256.00. Councilor Gallamore seconded the motion and passed unanimously.
- Council Vice President Tearman motioned to approve the installation of the basketball goals for \$2,200.00. Councilor Gallamore seconded the motion and passed unanimously.
- Council Vice President Tearman motioned to approve the installation of the electric panel for up to \$5000.00. Councilor Gallamore seconded the motion and passed unanimously.

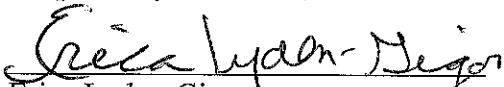
Mr. Gallamore informed the Council that he and Mr. Nelson met with residents from Northwest Lake. They had Commonwealth Engineering look at their dam and spillway because there was some depression in their dam. It was determined it is structurally sound. Their association has not been functional since 2016 and they are looking into forming again. Most residents on Northwest Lake are new and did not know they were responsible for the dam and needed to have an association.

Mr. Gallamore stated he, Mr. Montarsi and Clerk-Treasurer Erica Lyden-Giger met with two different insurance brokers because our current broker presented a 22% increase and was not able to get a lower rate until March. Once our current broker received the new quote from EMC it was only around a \$400 increase from our 2022 premium. One broker, Jim Wise from Epic Insurance basically gave us the same quote from the same company our current broker gave us. The other broker, Kevin Walker, went around Town with an employee and took pictures of the different buildings and did a lot of homework before he met with us. Mr. Wheeler stated we were over covered in a few areas and under covered in a few. Mr. Montarsi stated he was impressed with the time and attention to detail Mr. Wheeler gave our account. Mr. Gallamore stated he, Mr. Montarsi and Mrs. Lyden-Giger all felt Mr. Walker with Walker Hughes was the best brokerage to have. Mr. Gallamore stated the new quote is about \$2000 more than the quote for EMC due to the fact that we were under covered in some areas and over covered in others.

- Councilor Gallamore motioned to designate Walker Hughes as our agent of record as of April 1, 2023 and terminate Morgan Insurance as our agent of record and authorize Council President Greg Nelson to execute any documents need to make that change. Council Vice President Tearman seconded the motion and carried unanimously.

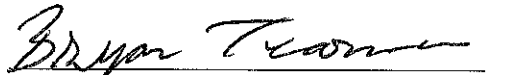
With no further business before the Prince's Lakes Town Council, Council President Nelson motioned to adjourn at 8:35 pm Councilor Karen Harrison seconded the motion and carried unanimously.

Respectfully submitted,

  
Erica Lyden-Giger  
Clerk-Treasurer

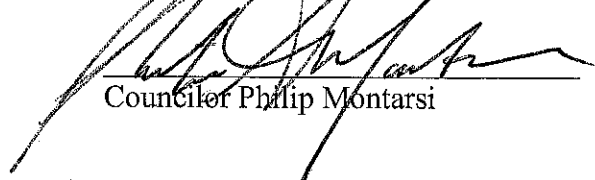
Council:

  
Council President Greg Nelson

  
Council Vice President Bryan Tearman

  
Councilor Mike Gallamore

  
Councilor Karen Harrison

  
Councilor Philip Montarsi