

## SYRACUSE TOWN COUNCIL

### REGULAR MEETING

June 16, 2009

Cassie Cowan, President, called the Regular Meeting of the Syracuse Town Council to order at 7:00 p.m. Other council members present were Bill Musser, Larry Siegel, and Paul Stoelting. Councilman Brian Woody was absent. Town Manager Henry DeJulia, Town Attorney Mike Reed, and Clerk Treasurer Julie Kline were also present.

The meeting opened with the Pledge of Allegiance.

Cassie asked for comments from the public on agenda items. There were none.

The minutes of the May 19, 2009 meeting were presented. Paul moved to approve the minutes as written; Larry seconded. Four voted for the motion; none against. The motion carried.

Claims #609 through #728 were presented for payment. Paul made a motion to pay claims #609 through #728; Larry seconded. Four voted for the motion; none against. The motion carried.

Vega Field discussion was scheduled next on the agenda; Cassie asked if council members wanted to hold that discussion until later in the meeting when Jack Birch can participate. Larry moved to change the agenda and hold the Vega Field discussion until Jack Birch arrives; Paul seconded. Four voted for the motion; none against. The motion carried.

Cassie read a proclamation for the Syracuse-Turkey Creek Township Public Library celebrating their 100<sup>th</sup> anniversary. Cassie so proclaimed and signed the proclamation.

Ordinance 09-05, An Ordinance Designating Two Hour Parking on Pearl St was presented. Larry moved to adopt Ordinance 09-05; Paul seconded. Four voted for the motion; none against. The motion carried.

### DEPARTMENT REPORTS

#### TOWN MANAGER

Town Manager Henry DeJulia reported on the demolition of the Dana Water Tower; he provided photos of the tower removal. The entire tower was removed in one morning.

Henry discussed the maintenance agreement for the heating and air conditioning system at the Town Hall. Our three year agreement expires July 31. Havel Brothers has agreed to renew the agreement at no additional cost; the agreement will be from August 1, 2009 and will end July 31, 2012. Paul moved to approve the contract; Larry seconded. Four voted for the motion; one against. The motion carried.

Henry reported we were supposed to have our DPUD approved the other day, but the Elkhart County Plan Commission forgot to put it on the Elkhart County Commissioner's agenda. We must now wait two more weeks.

Henry presented a quote from Federal Signal for a bad weather warning siren; the cost is \$19,794.00 and will be paid from the Cumulative Fire Fund. Paul moved to approve the purchase of a tornado warning siren from Federal Signal at a cost of \$19,794.00; the balance of the Cumulative Fire Fund is to be paid to the Fire Territory. Larry seconded. Bill asked what the balance will be after paying for the warning siren; he was advised \$6,910. Three voted for the motion; Bill abstained. The motion carried.

Henry advised he went back to the web site developers he had talked to. He scaled things back somewhat and asked for new numbers. He is waiting for one more quote and hopes to have something for the next meeting.

Henry reported we received our final report from the engineers on the flood control structure. The Flood Control Committee looking at the area by Koko Drive where it flooded before. They are looking at the costs to do something out there such as plantings; they are also interested in doing some soil borings. Henry would like to look at a reasonable cost that will protect the earthen berm. Something may also be needed for the area behind the WACF property. The flood control device was checked; they found nothing wrong. The engineers suggested a couple of options for the "holding area"; one option was to install steel piling. The other option was to use glacial rock. The DNR must approve anything we do. We must also agree how to fund it. He again stated the structure is sound. Larry asked about the second gate that did not open properly; he asked if that has been resolved. Park Superintendent Chad Jonsson advised the first gate works okay; enough water gets out without full use of the second gate. Larry asked about the outside door; Chad advised it has been painted.

Henry announced we contracted with the Troyer Group to do the engineering for the stimulus project for the roads from Chicago to Harkless. That has been submitted and will be part of the August stimulus funding cycle.

Henry has been working with the Kosciusko County Convention and Visitors Bureau to look into wayfaring signs and trying to find some commonality with the signs. They are looking into grants, so if we do change our signs, they could be paid for from the grant.

## POLICE

Police Chief Tony Ciriello presented his monthly report for May. There were seven felony arrests; he advised another meth lab was just shut down in June.

Tony discussed the fireworks that will be held in Syracuse in July 3. Long Dr will be closed for most of the day.

Tony advised he checked into consolidating signage. The Uniform Sign Code says we can't add anything else to a regulatory sign. Nothing could be added to a speed limit or no parking sign, for example. Tony suggested we could use yellow curb instead of some of the No Parking signs. Our ordinance states signage; Tony will work with Mike to revise the regulations so the yellow curb can also be used to regulate no parking. Discussion followed on no parking areas from intersections.

Tony discussed a new law that will be effective July 1, 2009. State law now allows golf carts within a municipality; effective July 1, state law will not allow golf carts in town unless the town passes an ordinance to allow it. Tony distributed some sample language he would like to include in an ordinance to allow golf carts in town. Only licensed drivers would be allowed to drive golf carts, which is also in state code. We have an option to require them to install flashing lights or full working lights. Tony recommends amber flashing lights in the front and red flashing lights in the rear. Larry asked if they could have full working lights. Tony advised yes, we could do either/or according to state law. Headlights would be required if they are going to drive at night. Cassie asked if seat belts are required; Tony advised no. Larry asked where does it say you can have flashing lights or full working lights; Tony stated that is in the state law. We can go with the flashing lights or full working lights; it does not say either/or. Discussion followed. Mike Reed will check the new law and if we can do either/or, we will. It was noted the golf carts will not be allowed on S. R. 13; language will be included to allow crossing S.R. 13. Larry asked about the park gator. Tony noted UTV's are not restricted by the new state law; most are fully equipped. Tony will present an ordinance for council approval next month.

Tony noted the police department is now doing code enforcement. Since they have taken over, twenty seven properties were sent letters about tall grass. The town had to mow two or three; the rest were taken care of by the property owners once they were notified. Fifteen abandoned or inoperable vehicles were tagged; only one is left that is not in compliance.

Tony discussed bullet proof vests. He explained we previously received a grant from the K-21 Foundation to purchase bullet proof vests for all officers. Manufacturers recommendations are that bulletproof vests not be worn past five years. The vests we have are in their fifth year. Tony needs to look into replacing them. K-21 is not going to replace them; we may look into a 50/50 grant with the Bureau of Justice. The cost to replace the vests will be about \$4,000.00 to \$5,000.00. The new state law states police departments shall provide bullet proof vests and replace per manufacturers recommendations.

## PARK

Chad advised he was approached by the school through Dave Van Lue advising the school may want to relinquish ownership of Vega Field. The school no longer uses it for their purposes. The Kiwanis uses the field for Little League and the Park Department uses it for the Adult Softball program. The school presently takes care of such things as utilities and grass. The site is inadequate for building. The Park Board is in favor of acquiring the field. Kiwanis would like to work with the town on this project and will help look for grant opportunities to build.

Jack Birch, representing Kiwanis, spoke to the council about taking over Vega Field. He noted unfortunately there are no municipal ball fields here. Kiwanis has a lease with St. Andrews for the field there. Kiwanis also has an agreement with high school to use their fields when available. He told about various projects and fund raising done by Kiwanis in the past. He noted Vega Field is useful for a park only. The Kiwanis Club is willing to help develop the ground. Cassie asked if they would be moving more activities there if the property is acquired. Mr. Birch advised yes they would. Larry asked if they plan on doing some improvements there. Mr. Birch advised they would have to. Chad advised he created a sketch for the schools; the sketch showed that we could build five fields on that property. We could start with a couple at a time. Larry asked Mr. Birch if he feels Kiwanis could raise the funds, or would they be requiring funds from the town. Mr. Birch advised they will look for funds wherever they can find them. Mr. Birch feels the Kiwanis could raise the funds, but it would probably be a five year plan. He advised it would help Kiwanis if they could have everything in one place. Larry stated the program is a great benefit to the youth in the community; he is in support. Paul stated he is sure the Kiwanis will do a good job raising money. He would be willing to consider contributing in the future. Chad advised it can be connected to the water plant through a walking trail and bridge and could possibly have soccer fields or dog park, etc. Cassie asked if this was in the park master plan; Chad advised the master plan includes researching the possibility of acquiring that property.

Larry asked what we do next. Chad advised Cassie has been communicating with the school; he heard the school was asking for the water rate to be held for three to five years. Mike Reed advised the water rate thing is not a possibility. We can't have discriminatory rates; everyone must be treated equally. If we agree not to raise the rates for the school, we could not raise the rates for anyone. Clerk Treasurer Julie Kline advised based on today's information, she does not anticipate increasing water rates. Larry asked if the council was interested in looking into this. Council members were in agreement they would like to look into it. Cassie asked who will work with her on this. Bill volunteered. Cassie, Bill, Chad, and Jack Birch will work with the school on acquiring the Vega Field property. A meeting was tentatively scheduled for 5 p.m. at the Community Center.

Chad reported on park events. The Third Annual Art in the Park will be held this weekend on Saturday and Sunday from 10:00 a.m. to 4:00 p.m. Twenty one vendors have signed up. In addition, 101 entries have been received for the youth photo contest. Chad added he would like to shut down Long Dr. during the Syracuse Lake Association and

Wawasee Property Owners Association annual breakfast so there is room for the fire trucks to park.

The Artisan and Farmer's Market continues every Saturday from 9 a.m. to 2 p.m. The number of vendors averages 13; there were 18 vendors last weekend. Larry asked about attendance; Chad would guess an average of about 150.

Park Rhythms, formerly Music in the Park, begins July 3. It will then continue every Thursday through August 13.

## PUBLIC WORKS

Public Works Superintendent Jeremy Sponseller reported he and Henry looked at the storm water issue that occurred at the library last month. Everything is working correctly; the problem was due to the heavy downpour. The library is working with a contractor. The Street Department will be redoing the road cut on Northshore soon; Jeremy could not promise it will be done by July 4<sup>th</sup>. Larry asked about the sidewalk at Turtle Bay. Jeremy explained that is on the list also; the east side of the sidewalk will be cut out to the road edge. Larry questioned when that might be done. Jeremy advised they are under the gun right now; it will be done as soon as possible. He reported NIPSCO did come out today and disconnect the power to the water plant building. Jeremy is going to contact the contractor and advise him he can now tear down the building.

Jeremy presented a purchase request for water meters. He would like to order 100 meters; the meters come in a box of 10. Meters cost about \$105.00 each; a box would be about \$1,000.00. If we order 100, we could save about \$500.00. Discussion followed on the number of meters used each year and how often they are replaced. Larry made a motion to allow Jeremy to purchase 5 cases of meters from Utility Supply; Bill seconded. Four voted for the motion; none against. The motion carried.

Jeremy reported that Wightman Petrie continues to work on the utility design for the Industrial Park and the proposed tie in spot to our system. Wightman Petrie is proposing to tap in to the system on Long Dr at the intersection of Northshore and Long Dr. Jeremy expressed concern that the sewer there is one of the oldest and deepest in town; there is a potential for more flow than those present lines could handle. Before Wightman Petrie proceeds with this design, Jeremy would like to video the lines. Cassie asked about running the line up Indiana Avenue. Larry wondered if Wightman Petrie is aware of the sewer situation on Northshore Dr. by his house. Cassie asked for the rates to video the sewer lines. Jeremy advised the cost is \$850.00 per day for 850 feet; over 850 feet, the charge is \$.85 per foot. Discussion followed. Jeremy suggested Northshore could also be videoed. Henry advised originally they were looking at running the lines by the cemetery and Syracuse Family Practice, but manholes could not be located. That's why the alternative route was suggested. Larry questioned increasing flow into the oldest part of the system. Henry advised a slip is considered for that line; that's why the staff would like to video the area. Cassie spoke about engineering plans in the past that have not worked. Henry suggested we could tell Wightman Petrie we would like them to look into other alternatives. Other areas were suggested. After more discussion, Jeremy was directed to go back to Wightman Petrie to see if other areas can be used.

Jeremy discussed the 2009 Wastewater Budget. When the budget was prepared last year, the numbers were transposed for collection system power and treatment plant power. The amount for account #715.3 was listed twice. Paul moved to amend the wastewater budget for line #715.5 Treatment Plant Power to \$63,000.00 rather than the \$14,000.00 that was shown. Bill seconded. Four voted for the motion; none against. The motion carried.

CLERK

Clerk Treasurer Julie Kline advised legislation was passed to change the budget advertised dates to no later than August 2 and August 9. The deadline for adoption did not change; it is still September 30. This means we have to have our budgets completed by the July meeting so our budget can be advertised in time. She asked the council members if they would like to have a special meeting for the 2010 budgets; she added the fire territory needs to present their budget to the council. Discussion followed on the date and time; council members will hold the special meeting on July 14 at 6:00 p.m.

Julie discussed the Cumulative Park Fund rate. Due to the additional homestead credit, we may have to consider raising the tax rate in the future in order to have the funds to pay our lease payment.

TOWN ATTORNEY

Town Attorney Mike Reed advised he received correspondence from Turkey Creek Regional Sewer District about the \$59,171.51 that they were underbilled over 21 months. Since they were underbilled for 21 months, they are proposing to pay it back over 21 months. Henry suggested we charge 2% interest; we should earn something. Discussion followed; issues with the flow meter that caused the underbilling were discussed. Mike Reed asked the council if they were interested in accepting the proposal; if we add interest, we would have to go back to them. Henry would like to charge a nominal fee if not paid in full; by the time they pay it off it will be four years.

Bill made a motion to allow the Turkey Creek Regional Sewer District to pay back the \$59,171.51 owed over 21 months payments to start with the next billing; Paul seconded. Larry commented we have had problems in the past with people we are allowing to send wastewater to us; he asked how we can resolve this. The contract with the Turkey Creek Regional Sewer District was discussed. Mike Reed stated there is no penalty clause in the contract. Four voted for the motion; none against. Motion carried.

Mike Reed advised the contract with the Turkey Creek Regional Sewer District is a 40 year contract that was signed December 29, 1987. He will follow up with a remedy so it doesn't happen again.

DISCUSSION FROM THE FLOOR

None.

OLD & NEW BUSINESS

None.

Larry moved to adjourn the meeting; Bill seconded. Four voted for the motion; none against. The motion carried.

The Syracuse Town Council adjourned at 8:58 p.m.

ATTEST:

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Cassandra Cowan, President

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Julie Kline, Clerk Treasurer