

TOWN OF ADVANCE

MEETING MINUTES

LOCATION: TOWN HALL

December 12, 2022

7:00 PM

112 N. Main – P. O. Box 67 Advance, IN 46102 Phone: (765) 676-6611 – Fax (765) 676-6696

Email: [advanceCT@townofadvance.com](mailto:advanceCT@townofadvance.com)

Council Members: Melody Fry, Dale Thompson, Amanda Lyles and Jim Caldwell

Clerk Treasurer – Shari Johnson

Marshal: Brad Thomas

**Attendees:** Council Members: Jim Caldwell, Amanda Lyles, Dale Thompson and President Melody Fry

Marshal: Brad Thomas

Clerk-Treasurer: Shari Johnson

Others in attendance: David Gregory, Bob Hill, Steve Jones, State Fire Marshall, Claire Collette, Boone EDC, Bill Whalen, NFP, Tammy Clanton, Curtis Clanton, Eric Clanton, Deputy Marshall Shaun Hitch, Kim Clanton, Dylan and Amanda Wildman, Gary Ladd, Town's Engineer, Christa Cromwell, Keith Cromwell, Toney Petro, Matt Bowen, Legal Counsel, Amy Nooning, and David Lumpkin.

**President Fry called to order the Council Meeting at 19:02.**

**Pledge of Allegiance**

**Rules of Order**

**State Fire Marshal – Steve Jones/Councilman Caldwell:**

Councilman Caldwell sited accounts of Eric Clanton's heroic efforts of rescuing an elderly lady from her house fire. He checked for vehicles and checked residence to find the lady in her kitchen where the fire was. By the time the fire department got to the residence the house was fully engulfed in flames and he saved her life.

State Fire Marshal Jones was appointed by Governor Holcomb and is the highest fire official in the state, and represents 70,000 firemen, and 40,000 EMS workers. He was pleased to recognize, Mr. Clanton. Weekly there are deaths from fires, and there are over 800,000 fire runs in the state.

Mr. Jones presented the Heroic Life Saving Award to Mr. Clanton and Mr. Jones' first presentation of the State Fire Marshal's Coin.

CT Johnson commended Fire Chief Caldwell for the training of his volunteer fire department.

Councilman Caldwell presented President Fry with a plaque from the Town for grateful appreciation of her service to the Town.

**Bill Whalen – NFP:**

The policy increased for 2023 \$3,805.00, due to property increases and other limits increased. The actual rates change was 6%. Changes in water tower, WWTP, Hydrants and property contributed to increase. Cyber Insurance decreased which Mr. Whalen stated was not common.

Councilman Caldwell made a motion to approve the 2023 Insurance Policies; Town Policy, Cyber Policy, and Workman's Compensation Insurance.

Councilwoman Lyles questioned how the insurance being comparable to other rates. CT stated she doesn't sell insurance and couldn't answer. Mr. Whalen stated a 6% increase is good and increase is contributed to buildings and properties being updated and new generators.

When assessment is done, CT needs to get information to Mr. Whalen of results and work moving forward.

Mr. Whalen presented caps on lawsuit excess liability coverage to the Council. Discussion ensued.

Councilman Caldwell made a motion to approve the 2023 NFP/Astra Insurance Policies for \$26,522.00 with no excess coverage. Councilman Thompson seconded. All in favor, motion carried.

**Marc Hansen – Asset Water Tank Management, Veolia:**

Mr. Hansen discussed how costs of maintaining the water tower can be spread out over time. Tanks are recommended every 15 years to be painted. Work done by Veolia is guaranteed. Veolia services 1300 tanks per year.

Pictures were shared with the Council of deterioration and condition of the current tank interiorly and exteriorly. Recommendations were made and costs of services were discussed. If costs and maintenance is missed in the bid, there are no change orders.

The program includes maintenance of the tank beyond painting and there is a fixed fee for the services provided. The town would be paying for future paint jobs and be placed on an annual schedule, including annual inspection reports.

Councilman Caldwell stated the prior tank was not maintained properly. Veolia's cost is \$183,058.00. President Fry questioned when an answer would be needed for this program. Mr. Hansen stated the first quarter of 2023 would be great.

Councilman Caldwell questioned what funds were in the depreciation fund. CT advised the Water Depreciation had \$59,000.00 and the Cash Reserve had \$19,000.00.

Legal Counsel Noonung questioned the bidding process over \$150,000.00 agreements. Mr. Hansen stated this is a service.

#### **Claire Collette – Boone County EDC:**

Ms. Collette discussed the READI grant, and downtown revitalization and the town needed to see what the catalyst program would be. The grant is \$250,000 with the town providing a 1:1 match and 3:1 private match. Conversations need to begin, and projects identified. Projects need to be identified and given to IEDC by Mid-February. Funds would be allocated in June. CT questioned the total received of \$1.2M for multiple counties from the READI Program.

Legal Counsel stated there wouldn't be enough of a turnaround to bid. The Matches must have a private and public match. President Fry stated the town did not have many options for this program.

Discussions ensued. Councilwoman Lyles stated a kid's shelter could be built on the Town's gravel lot and CT advised the empty lot needed to have storefronts.

Ms. Collette advised the scope of READI changes frequently.

#### **Ladd Engineering Report – Engineering Report:**

The stand-by generators are 10 months out of being received and the existing slabs can be utilized for placement. Quotes need to be solicited for setting the generators. Mr. Ladd questioned what the plans for the existing generators were? Mr. Ladd asked if the existing generator would be set to the side.

Councilman Caldwell suggested the church (ACCC) using the generator and that he and CT were participating in the County Hazardous Mitigation to apply for grants. The church with the generator, could be an additional safely place, should a disaster occur.

Discussion ensued.

The CCMG for 2022 was closed out. CT verified.

Mr. Ladd questioned if the Council wanted to pursue the first round. CT advised funds were reduced due to the past project going over and she would need to verify funds. Discussion ensued of which roads needed to take priority for future funding. CT needs to verify budget numbers.

Mr. Ladd questioned if the Council wanted to pursue SRF funding. The town doesn't not qualify for the extra funding through the SRF due to the median household income being over \$46,600.00. The threshold affordable income has increased from \$65.00 to \$85.00 for sewer and water was \$45.00 to \$65.00.

Councilman Caldwell stated a 12" main needed to be run from town to Wells Elementary. CT stated the sewer plant needed to be reviewed.

Mr. Ladd stated Mr. Elless advised capacity has been exceeded on a regular basis per IDEM. Councilman Thompson questioned after all the work done, why this is happening? Mr. Ladd stated during wet weather it peaks; however, the total amount that comes into the plant is exceeding the flow.

Discussions ensued regarding documentation and flow. Councilman Thompson stated Mr. Elless needed to come to a meeting to explain and questioned where the excess is coming from. President Fry stated the Council needed answers.

Mr. Ladd stated deadlines and if projects are needed for water the AMP needs to be done for water by April 1, 2023. Councilman Caldwell stated the Town needs to be ready for growth.

Mr. Ladd stated there were streets to consider adding to INDOT's Road Inventory: W. Cherry, Parsley Drive, Kentucky Ave. and Maple Ave. Councilman Caldwell questioned the ROW for Cherry Street.

**Councilman Thompson made a motion for President Fry to sign the INDOT Amended Road Inventory. Councilwoman Lyles seconded. All in favor, motion carried.**

Mr. Ladd stated the scope of work for the generators increased and requested the agreed not-to-exceed amount increase from \$800.00 to \$2,900.00.

**Councilman Thompson made a motion to approve the Agreement Not-to-Exceed cost of engineering services for generator work from \$800.00 to \$2,900.00 to Ladd Engineering and for President Fry to sign the agreement. Councilman Caldwell seconded. All in favor, motion carried.**

**Councilwoman Lyles made a motion to approve the Meeting Minutes from November 14, 2022. Councilman Thompson seconded. All in favor, motion passed**

**Councilman Thompson made a motion to approve claims for December 12, 2021, in the amount of \$164,424.84. Councilwoman Lyles seconded. All in favor, motion passed.**

**Council signed off on reconciliation for November.**

**Park – Matt Bowen:**

Mr. Bowen stated meetings haven't be able to happen due to schedules and an additional member is still needed. CT advised she had someone interested.

Councilwoman Lyles questioned the Community Building. Mr. Bowen advised the architect had rough sketches done and an engineer would be needed to assess the land. Councilwoman Lyles also questioned the status of the 501C3, and Mr. Bowen advised they are waiting to hear back from Federal. Mr. Bowen stated he would follow up on this. Councilwoman Lyles stated there were local grants that could be obtained if we had the 501C3 status.

**Councilman Caldwell – IMPA Commissioners Report:**

Councilman Caldwell advised the 8.8% increase would begin in January.

**UMAC – President Fry read report:**

The sample report has been implemented as well as the screens replaced for overflow at the water tower. The new lead and copper and rule inventory needs to be done October 2024.

**Hopper Excavating – President Fry read report:**

Work completed in November was line locates, disconnects, and reconnects, septic pumping, mowing, winterized Park buildings, and a water meter was repaired.

**IMPA – President Fry read report:**

In November, 3 service requests were completed. 1 pole was replaced, and there were 2 outages.

**IMPA Commissioner’s Report – Councilman Caldwell:**

Mr. Caldwell discussed the inventory being done on Town’s electric system. Annexation to Wells was discussed.

Councilwoman Lyles made a motion to approve ISC Meter Count of 323 for the 2023 Contract. Councilman Caldwell seconded. All in favor, motion carried.

Councilman Thompson made a motion to approve the 2023 1<sup>st</sup> Quarter IMPA Tracking Factor. Councilman Caldwell seconded. All in favor, motion carried.

CT advised Bev Matthews is retiring from ISC. Krohn and Associates have an agreement with IMPA/ISC and Jared with Krohn and Associates will be conducting the Town’s tracking factors moving forward. The rate will increase to \$232.00 per hour with Krohn.

CT presented write offs for utility costs that pass the statute of limitations.

Councilman Thompson made a motion to approve utility write offs in the amount of \$18,664.54. Councilwoman Lyles seconded. All in favor, motion carried.

**Fire – Keith Cromwell read report:**

For the month of November, the fire department had 7 EMS, 4 Fire , 1 Haz Mat , 2 MVA, Cancelled in Route 8, Person in Distress 5, Power Lines Down 2, and 1 Special Rescue.

Councilman Caldwell stated he and CT Johnson were attending the County Hazardous Mitigation meetings. This report must be done every 5 years and helps determine funding from FEMA.

**Police – Marshall Thomas:**

Tickets were being delivered to Bob Hill daily for code violations. Mr. Hill stated he was getting a better attorney to win case with Town. Discussion ensued.

For the month of November there were 6 runs. Runs were discussed.

Code Violations were discussed. M. Thomas has had discussions with the residents regarding their properties.

M. Thomas has had issues connecting to networks to conduct training.

CT Johnson reminded M. Thomas that invoicing cannot go through a third party and the town reimburse a third party, the Town needs to pay the original invoice.

**Clerk-Treasurer – Shari Johnson:**

Fund and appropriation reports were presented without comment

Councilman Thompson made a motion to approve CT adjustments for the month of December 2022, in the amount of -\$182.73. Councilwoman Lyles seconded. Councilman Caldwell abstained from approving the fire department adjustment; motion passed.

Annexation was discussed. Legal Counsel Nooning stated that there really isn't any involuntary annexation anymore. Discussions need to be had with property owners.

Councilman Caldwell made a motion to approve the Deputy and Clerk-Treasurer Bonds for 2023. Councilman Thompson seconded. All in favor, motion carried.

Councilman Caldwell made a motion to approve 26 pay periods in 2023. Councilwoman Lyles seconded. All in favor, motion carried.

Councilman Caldwell made a motion to approve TRECS Letters at \$2.00 each for 2023. Councilwoman Lyles seconded. All in favor, motion carried.

CT advised if any town business needs to be conducted before the end of the year, another meeting will be held.

**Old Business:**

Councilman Caldwell made a motion to approve the Sidewalk Maintenance Ordinance 2022-04. Councilwoman Lyles seconded. All in favor, motion carried.

A year-end review of all the accomplishments of the Town, and overall since President Fry has been on the Council.

## **New Business:**

Councilwoman Lyles made a motion to suspend the rules and consider 2022-05 on its first reading. Councilman Caldwell seconded. All in favor, motion carried.

Councilman Thompson made a motion to approve Ordinance 2022-05. Councilwoman Lyles seconded. All in favor, motion carried.

Councilman Thompson made a motion to approve the 2023 Holiday Schedule. Councilwoman Lyles seconded. All in favor, motion carried.

Councilwoman Lyles made a motion to approve the 2023 Meeting Schedule. Councilman Caldwell seconded. All in favor, motion carried.

Anti-Nepotism forms were signed.

Councilman Thompson made a motion for Councilman Caldwell be elected Council President for 2023. Councilwoman Lyles seconded. President Fry abstained.

Rainy Day Transfer was tabled until January, and ARP.

Discussion of the Fire Agreement ensued.

Councilman Thompson made a motion to approve the Fire Protection Agreement for 2023 – 2027. Councilwoman Lyles seconded. All in favor, motion carried

Discussion ensued of rates with UMAC and changes on contract.

Councilman Thompson made a motion to approve the UMAC Agreement for 2023 – 2025. Councilman Caldwell seconded. All in favor, motion carried.

Discussion ensued regarding Hopper Excavating Contract.

CT Johnson questioned the fuel surcharge and what was the exact rate? Discussions that the exact cost needs to be listed in the contract. Amy stated she would list the rate in the contract.

CT stated that the Ordinances would need to be amended to reflect the increase of the hourly rate and the hourly rate would need to either stay the same, or amend the electric and water contracts. The town is losing money by paying over the hourly rate for the disconnect and having to pay for a reconnect fee as well. CT advised that the town has been billed for every disconnect separately and they used to be billed as a lump sum of time. Mr. Hopper advised that changed because they used to do more stuff for the town. Mr. Hopper stated they ended up not doing meter reads. Mr. Hopper stated he still had to run his trucks and pay his employees.

CT Johnson stated Mr. Hopper had to run a business and she has to run the Town's business. UMAC's rate isn't charging near as much for a hydrovac and in comparison, CT Johnson has to look at what is most cost effective for the town. She also stated that the Town has obligations

for the sewer bond and the sewer utility is not making revenue. Mr. Hopper stated UMAC wouldn't be there as quickly as his company and CT replied that she had already spoken to Mr. Elless, and he advised a crew could be to town in 4 hours. CT Johnson stated financially has to make the best recommendations to the Council because the sewer has to make money, and Mr. Hopper stated he had to make money too. CT Johnson stated it is a business for Hopper and the Town. Councilman Thompson questioned the disconnect and reconnect fee. Discussion ensued. Councilman Thompson stated we should leave the disconnect rate the same. CT advised there are still administrative costs. Legal Counsel stated if the contract rates stay the same, then an amendment to the Water Rate Ordinance needs to be amended. Legal Council questioned if there were any other amendments to her red-line recommendations. None were presented other than disconnect rate.

CT advised the fee for septic pumping went from \$285.00 to \$310.00 and the Council needed to approve. The Council stated it was already approved.

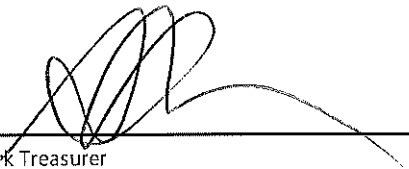
Councilman Thompson made a motion to approve Hopper Excavating Contract for 2023 – 2025. Councilman Caldwell and President Fry voted aye. Councilwoman Lyles voted nay.


Councilman Caldwell made a motion to approve W.W. Williams General Maintenance Agreement for generator work in the amount of \$1237.41. Councilman Thompson seconded. All in favor, motion carried.

**Billing Disputes: None presented.**

**Request to Speak: None presented.**

Councilman Thompson made a motion to adjourn the meeting. Councilwoman Lyles seconded. All were in favor, motion passed. Meeting adjourned at 21:30.

X   
Clerk Treasurer

X   
President

The next Council meeting is scheduled for Monday January 9, 2022 at (19:00) 7:00 p.m. at the James L. Caldwell Fire Department, 106 E. Wall St., Advance, IN.