

TOWN OF SHARPSVILLE
AUGUST 8, 2024—5:30 P.M.
TOWN HALL

MEMBERS PRESENT: ROBERT RUPE, TOWN COUNCIL PRESIDENT
LORI HOOD, TOWN COUNCIL
STEVE MCNALLY, TOWN COUNCIL
FELIX RIPPY, ATTORNEY

CALL TO ORDER 5:30 PM
PLEDGE OF ALLEGIANCE

JALEN MADSEN: Mr. Madsen brought in his fence permit, neighbor acknowledgement form, and a to-scale drawing of his plans. Council President Rupe made a motion to accept the application and approve a fence permit. Councilman McNally approved the motion. Approved 3-0.

BUDGET HEARING CONFIRMATIONS: Clerk Treasurer Morgan asked to clarify the times of the budget hearings. Due to them having to be advertised, she asked if they could be done at 5:30pm on September 19 and October 10. All three Councilmembers approved the 5:30pm start time, with the regular council meetings to follow.

TITLE VI: The Clerk-Treasurer was told to get a Title VI plan in motion due to new requirements to get approved for grants. Clerk-Treasurer Morgan had made a rough draft of the Title VI Plan, but needed the legal language reviewed and added to. Town Attorney Rippy agreed to take a closer look at the rough draft and bring something before the Council at the next meeting.

ADA PLAN: There are also requirements to review the ADA Plan every 3 years, and the last time it was reviewed was in 2021. However, it is not required to have a transition plan due to the Town having less than 50 employees. The Clerk-Treasurer was provided checklists and a booklet on the ADA plan required for small towns. Nothing was decided on this matter since the booklet and checklists were very thick for the Councilmembers to review quickly.

INCOME SURVEY CONTRACT: The income survey contract was signed by all three Councilmembers. The Clerk-Treasurer will scan the signed contract to NCIRPC to get the first mailing of the income surveys mailed out.

HIRE CERTIFIED OPERATOR IN RESPONSIBLE CHARGE (CORC): Councilwoman Hood made contact with Craig Thompson from Russiaville to be the Town of Sharpsville's CORC until Utility Manager Sparling completes his WT2 test and gets certified. Mr. Thompson agreed to either \$80/day 5 days a week (\$1,600 per month) or \$400/month and only coming into town a few days each month. Town Attorney Rippy asked how IDEM found out that we needed a CORC, and asked if anyone had made contact with IDEM to make them aware of the Town of Sharpsville's issue. No one had. Council President Rupe asked the Clerk-Treasurer which of the two options the Town could afford, and the Clerk-Treasurer said that \$1,600 would be too much, but the Town could afford the \$400 amount. Town Attorney Rippy suggested that making a motion with the caveat that IDEM would need to approve of the conditions. Councilman McNally made a motion to accept Craig Thompson as the CORC for \$400/month with IDEM's approval. Councilwoman Hood seconded the motion. Approved 3-0. Council President Rupe will reach out with IDEM on Friday, August 9 to discuss what was voted on at council meeting and confirm IDEM will approve of the terms voted on by the Councilmembers.

EMPLOYEE REPORT: UTILITY MANAGER:

1. Sinkhole at Elm and Washington was vacuumed out by LJZ Excavating. There was nothing in the hole. Pictures were taken. It could have just been a void created by the machining done and the soil falling into the void after a short period of time. The sink hole was packed with sand, concrete, and top soil.
 - a. Mr. Joe Foutch asked why the Town received a bill from LJZ Excavating when it was LJZ that caused the problem. Councilman McNally stated that he and Utility Manager Sparling had scheduled Omni to come and vacuum out the sink hole for \$2500 for the first 2 hours and \$275 every hour after. When discussing the issue with Zack Woodard, owner of LJZ Excavating, he said that he would do it for \$700 instead. Councilman McNally said that LJZ Excavating lost money investigating the hole because it costs them more than \$700 in labor alone, most likely. When nothing was found to be the issue, the Town would have paid the \$2500 to Omni, or \$700 to LJZ Excavating.
2. He has 1 quote to replace the pumps and panel at the North lift station. He has another company scheduled to come out the following week to give a quote. Will bring both quotes to the next meeting.
3. The locks on the fire barn were replaced per their request.
4. The last leak will be started and finished next week from the June main breaks. The one that was repaired a few weeks ago had another leak. This leak was gushing so this was repaired this week.
 - a. Mr. Roger Foutch asked about the line and if it was a dead line. There was discussion on whether it was a dead line or if it actually provided service to someone's house. Councilman McNally stated that if it was dead the Utility department should cut the line off from the main line. Utility Manager Sparling will try to see what is happening with that line. He believes it does go to a residence though.
5. Utility Manager Sparling received his approval letter from IDEM to take the test for his certification. He tried calling to get it scheduled, but after calling more than once he will just go into Ivy Tech in person to get something scheduled.
6. Town wide cleanup is September 14.

EMPLOYEE REPORT: MARSHAL:

1. Provided July CAD report
2. Will need a new ballistic vest. The vest will be ordered this year, but probably will not arrive until 2025.
3. Ordinance violation citations updates: 111 S. Brown St/221 W. High Street (Wagner Property), 126 S. Brown St (Horn Property), 211 W. Walnut (FC Kokomo Property), and 223 N. Church St (Byers Property).
 - a. Wagner property: Mr. Wagner was at the meeting. Town Attorney Rippy and Mr. Wagner went into the Police Department to discuss this issue in private.
 - b. Horn property: Mr. Horn was not in attendance. He was asked to come to this meeting. Mr. Horn has been avoided Marshal Sheppard for several weeks. The main issue for this property is the vehicles that are all over. Mr. Horn has a "business" that he runs out of his house and he will work on vehicles for several years before they are completed and off the property. Marshal Sheppard agreed to issue a new citation to Mr. Horn and Mrs. Dillman, via certified mail, so they will appear at the next meeting. He will also issue a nuisance violation for the vehicles. During the September 19th meeting, the Council will discuss to put a lien on the property. The maximum fine on nuisance citations is \$250/day.

- c. FC Kokomo Properties: There have been calls on this address for break-ins. There has been some improvement. Marshal Sheppard will issue a 10 day vehicle abatement. So far, there has been no contact with the vehicle owner, despite several calls.
- d. Byers Property: The property has returned to its previous state. Marshal Sheppard will be issuing a new citation and ask them to attend the next meeting.

COUNCIL COMMENTS:

1. Councilwoman Hood asked if Utility Manager Sparling could set out trash for big trash day that is located between the gym and the shop. Utility Manager Sparling said what is back there isn't trash. Councilman McNally stated that a lot of that is probably scrap metal that they wait to take in once they get a whole truck load. Mr. Roger Foutch asked if they could scrap the grater blade. Councilman McNally said that they have been trying to sell it but no one probably wants it, so it could be taken to scrap with the metal.
2. Councilwoman Hood asked about the bicycles behind the shop. Utility Manager Sparling stated that those were found at the park, and had been spray painted, so he wondered if they were stolen bikes to begin with. Councilman McNally mentioned that they'll take lost bikes that aren't claim to kids that need them. Councilman McNally's son actually takes in old bikes, fixes them up, and gives them to kids in need.

OPEN DISCUSSION:

1. Mr. Joe Foutch asked what the wards were in Town. Councilman McNally is for the east ward, which is from the railroad tracks east to the Town limits. Councilwoman Hood is for the middle or center ward, which is from the east of the center of Church street to the railroad tracks, and Council President Rupe is for the west ward, which is everything west of the center of Church street, within the limits of the Town of Sharpsville. It was confirmed that Jane Drive is not part of the Town of Sharpsville, so those residents are not included in the Wards.
2. Mr. Joe Foutch stated that the children are still running and riding in the streets. He said that he was out at 2am-3am and saw many children out. Councilman McNally asked where the parents were? The Town has a curfew, but parents aren't enforcing it.
3. Mrs. Smeltzer stated that when Sid Cox was alive that he moved everything in Town. She asked if the Utility Department could mow the "V" near the train tracks. Much discussion over who owed this "V" property. It was determined that the Utility Department would mow that section of grass.
4. Mrs. Smeltzer asked if the goats and chickens on the east side of Sharpsville were within the Town limits or if they were in the County. Councilman McNally said that he believed they were in the County. Part of the property is in Sharpsville and part is in the County. Was it worth going after 10 feet of property that may have goats and chickens? He wasn't sure. Mrs. Smeltzer stated that she didn't know the property was located in the County and was glad to know it now.

TOWN ATTORNEY:

1. The AirBNB dilemma: Does it count as a room? Do we want to go after this if it is not causing a problem? Per the zoning ordinances, the camper would not qualify as 2 rooms, so it is technically not a house. Mrs. Smeltzer mentioned that the camper was in the alleyway and blocked people from going down the alley. Councilman McNally stated that the owners

should provide parking not in the alley. Councilwoman Hood stated that maybe the owners could be asked to move the camper onto their property. Mrs. Smeltzer asked if the AirBNB is what the Town of Sharpsville wants? What is stopping anyone else in the Town of Sharpsville from getting a camper and making it an AirBNB? Town Attorney Rippy stated that if the Council wanted to have Marshal Sheppard issue citations, they are within their right to do so. The ordinances would be for blocking the alley and for the camper being rented even though it is not considered a house in the Town of Sharpsville.

- a. Council President Rupe stated that it would be fair to have the owners of the AirBNB camper pay 2 water bills if they are a business since Mr. Rood, who also has a business, pays 2 water bills. Councilman McNally and Councilwoman Hood both stated that the camper probably does not take much water from the Utilities. Councilwoman Hood stated that they flush the sewage down their own toilets with a special hose, so no second sewage fee would be needed. After additional discussion, it was determined that they should not be required to have a second bill. Councilman McNally made a motion to change Mr. Rood's bill from 2 utility bills down to 1 utility bill. Councilwoman Hood seconded the motion. Approved 3-0.
2. Cheese Factory Cleanup: Need to look to see if there is a grant to research who owned the property. Town Attorney Rippy would hate to have the Town pay \$X,000 for a research company to investigate, only to find out that there are no active businesses that would be able to pay for the property to get cleaned up properly.
 - a. It was determined that Kraft owned the building prior to the shops that helped contribute to the toxicity in the soil.
 - b. The main source of the toxicity was the coal ash that was dropped from the trains.
 - c. Mercury was found in the soil.
3. Davis Property: Town Attorney asked if Marshal Sheppard would give a citation to Ms. Davis to have her attend the next meeting.

APPROVED AND SIGNED CLAIMS

ADJOURNED: 6:42 P.M.

CLAIMS:

16226	NIPSCO	UTILITIES	\$ 143.56
16227	FERGUSON WATERWORKS	SUPPLIES	\$ 243.53
	OT SHARPSVILLE MUNICIPAL UTILITIES	UTILITIES	\$ 219.70
	AD REDMAN EXCAVATING	CONTRACT LABOR	\$ 1,000.00
16228	LJZ EXCAVATING	CONTRACT LABOR	\$ 700.00
	AD ELAN FINANCIAL	SUPPLIES	\$ 490.09
	DD KATELYN MORGAN	CLERK-TREASURER	\$ 1,085.73
16229	BERNIECE FARRIS	DEPUTY CLK-TREAS	\$ 141.61
	DD RAY SHEPPARD	MARSHAL	\$ 751.40
	DD NOAH PYKE	DEPUTY	\$ 579.55
	DD NATE SAYERS	DEPUTY	\$ 499.60
	DD MICHELLE KERR	JANITORIAL	\$ 100.00
	DD BENJI SPARLING	UTILITY MANAGER	\$ 2,364.94
	DD CRAIG RUSSELL	ASSISTANT MANAGER	\$ 1,365.34
16230	TOM COTHAM	SEASONAL MOWING	\$ 1,205.51
	AD INDOR	STATE TAXES	\$ 1,121.40

KATELYN MORGAN, CLERK-TREASURER

Katelyn Morgan

STEVE MCNALLY, TOWN COUNCIL

Steve McNally

LORI HOOD, TOWN COUNCIL

Lori Hood

ROBERT RUPE, TOWN COUNCIL

Robert Rupe

AD	EFTS		\$ 4,341.74
AD	INPRS	RETIREMENT	\$ 455.96
AD	SMITHVILLE	TELEPHONE	\$ 170.33
AD	WEX	FUEL	\$ 1,137.19
AD	SMITHVILLE	TELEPHONE	\$ 49.38
16231	HP AUTO	VEHICLE REPAIRS	\$ 104.86
16232	BRAD HOWELL FORD	VEHICLE REPAIRS	\$ 1,205.00
16233	PLEVNA IMPLEMENT	MOWER BELT	\$ 84.78
16234	MCCORMACK PRINTING	PERMIT PRINTING	\$ 78.00
16235	RD FILIP	CLEANING SUPPLIES	\$ 248.17
16236	TIPTON AUTO SUPPLY	DUMP TRUCK MAINT	\$ 128.94
OT	SHARPSVILLE MUNICIPAL UTILITIES	REIMB FOR UTILITY DEP	\$ 739.17
OT	SHARPSVILLE MUNICIPAL UTILITIES	REIMB FOR UTILITY DEP	\$ 862.03
AD	VERIZON WIRELESS	TELEPHONE	\$ 227.20
16237	GRAHAM, FARRER & WILSON	ATTORNEY FEE	\$ 850.00
AD	WASTE MANAGEMENT	TRASH PICKUP	\$ 4,299.30
OT	SHARPSVILLE WASTEWATER	MAY/JUNE LOAN	\$ 5,000.00
AD	ELAN FINANCIAL	SUPPLIES	\$ 354.46
OT	TOWN OF SHARPSVILLE	PAYROLL TRANSFER	\$ 1,662.83
AD	SMITHVILLE	TELEPHONE	\$ 86.33
6168	UTILITY SUPPLY CO	SUPPLIES	\$ 2,696.88
6169	FERGUSON WATERWORKS	SUPPLIES	\$ 88.23
AD	INDOR	SALES TAX	\$ 1,107.09
6046	TIPTON MUNICIPAL UTILITIES	UTILITIES	\$ 6,930.80
6047	NIPSCO	UTILITIES	\$ 147.93
OT	SMU	UTILITIES	\$ 131.39
AD	LOWE'S	SUPPLIES	\$ 80.70
AD	ELAN FINANCIAL	SUPPLIES	\$ 354.47
OT	TOWN OF SHARPSVILLE	PAYROLL TRANSFER	\$ 2,368.46
AD	INAWWA	CLASS	\$ 206.00
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 1,500.00
AD	SMITHVILLE	TELEPHONE	\$ 53.33
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 4,000.00
AD	SMITHVILLE	TELEPHONE	\$ 111.14
6048	RAILROAD MANAGEMENT CO	LICENSE FEE	\$ 1,291.06
6049	RD FILIP	SUPPLIES	\$ 225.03