

TOWN OF SHARPSVILLE

JULY 18, 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

SHANE ARNOLD – COMMUNITY BUILDING UPDATE: Mr. Arnold thinks everything has been going well. He feels like there have been more reservations than before he took over, mostly due to him having access to more people through the school. KASH Basketball has 20 more dates than they had scheduled last year. The wrestling league booked 9 events in 2025 and has some additional dates scheduled for 2024 as well. He has heard that there may be a need for an adult league that will play on weekends, which will help book up additional dates. Councilman McNally asked, if additional parking is needed, if they can park on the grass first and then, if it's raining or wet, have vehicles park on the farthest basketball court near the tennis court. Mr. Arnold mentioned that during the wrestling event that the wrestlers parked on the basketball court was the first event that the neighbors around the park didn't have any complaints, except for the call about having people parking on the farthest basketball court. Mr. Arnold asked that people call him first if there is an issue with the park or gym so he can get it handled before it is escalated. Mr. Arnold said that he would be sure that his number was posted on the gym door. He will also send out big event notices to Marshal Sheppard, Utility Manager Sparling, and the Clerk-Treasurer so everyone knows in advance. Councilwoman Hood asked regarding the events that have people pay at the door, if they also pay a portion of those funds collected to the gym. Mr. Arnold said no, the event only pays the rent and then the organizers keep the funds collected to cover their costs for the event. He wasn't sure if it was legal to collect a fee per person coming in if it was not specifically organized by the Town. Mr. Arnold mentioned that a basketball rim would need replaced at some point. Council President Rood stated that he was impressed with how the gym has been able to fully fund itself. Before stepping away, Mr. Arnold stated that he may have to start collecting a nonrefundable deposit that would be deducted from the rent cost if the renter shows up. He has had 3 events schedule in the past month and not show up on the day of the event, which could have been booked to others that wanted that timeframe.

TERRY FARRIS – FENCE AND BUILDING PERMITS: Mr. Farris had previously brought in the fence and building applications, payment, and his drawing to the Clerk-Treasurer. Councilman McNally accepted the building and fence applications and approved for Mr. Farris to receive the permits. Councilwoman acknowledged the motion. Approved 3-0.

ROBERT HARRISON (118 E. VINE ST): Mr. Harrison owns the building on Vine St near the railroad tracks. He said it was already zoned commercial and is mostly being used as storage, but he does have a shop with his tools in it towards the front of the building that is used for his hobby building. He was wondering what he needed to do to get an additional room added to the building. He would like to make this room into a seasonal farmers market. Mr. Harrison said he didn't expect to get rich from this, but thought it would enrich the Town as there is no grocery store nearby. Councilwoman Hood stated

that the building was not in the business district, was not zoned commercial for town purposes, and no business should be allowed outside the business district. Unlike prior Boards, she does not want to approve businesses outside the business district just so the Town can get more tax money from a property. She mentioned living near a property that was zoned residential but was secretly approved for business and now she has to look at it every day. She said he would probably need a variance in order to get the building zoned for business. Mr. Rood and Mrs. Smeltzer (previous Council Members) stated that the property that is next to her that she is discussing was already zoned for business per the Tipton County Assessor, but Councilwoman Hood stated she doubted that and already knows what the Assessor said. Town Attorney Rippy looked at the map and said that Mr. Harrison's building is located in the business district. Council President Rupe said that no variance would be needed. Councilman McNally said that Mr. Harrison would only need a building permit when he was ready to proceed and to get with the Clerk-Treasurer on obtaining an application.

BRIAN SNYDER - DEVELOPER: He can help with grants, and might even be able to help get Mr. Harrison a grant. He can also help with getting grants to redo the buildings downtown, which might bring in additional businesses to Sharpsville. He can develop condos and/or houses that are not HUD or Section 8 homes. It was mentioned that this might be a possibility on the Cheese Factory lot eventually. Elwood uses him to develop properties. Councilman McNally asked about the Cheese Factory and said that we cannot dig there. He confirmed with previous Councilwoman Mrs. Smeltzer if this was true and she stated that digging cannot be done. Mrs. Smeltzer said that Attorney Rippy mentioned putting solar panels on concrete slabs a few months ago and that would be okay. Attorney Rippy said that previous owners of the building might be held liable to clean the property properly so digging can be done (i.e. Kraft).

MARLA STROUP - DAYCARE (515 N CHURCH ST): Mr. Rhoades is the owner, or soon to be owner once the deed is signed, of the property. She wanted to know what needed to be done to get approved to put a daycare in the old daycare building on the property. She is a licensed daycare provider. It would be Monday-Friday 7am-5:30pm. The driveway is already in the shape of a horseshoe, so this will be good for the parents to be able to pull in and out without having to back into traffic. She wasn't sure what the exact plans of the building would be, and based on what she knew they were remodeling the inside of the building and possibly taking out a wall to make a larger room. She can have up to 12 children under her license, but this is also based on the square footage of the building, so the number of children she would have in her daycare would be based on the Indiana guidelines. Mrs. Stroup said that a fence would be needed, and that Mr. Rhoades is planning on putting one up at some point before opening the daycare. Councilwoman Hood stated that the building was not in the business district and that a daycare was already being illegally done down the road from this property. Mrs. Stroup said she didn't know anything about that daycare. Councilwoman Hood mentioned she does not know why in the past one business would be approved outside the business district and another business would be denied. Councilman McNally informed Mrs. Stroup a business variance would probably be needed, and this Board would have to look into what that process was. He said that Mr. Rhoades would probably need to be the one to get the permits for the property. Mrs. Stroup said she would relay this information to Mr. Rhoades since he was unable to be at the meeting.

SIGN DEED TO TRANSFER ABLES PROPERTY TO TRAVIS RHOADES: Council President Rupe signed the Deed to transfer the Ables property from the Town of Sharpsville to Mr. Rhoades. The Clerk-Treasurer notarized the document. Attorney Rippy will file the Deed with the Court.

SEPTEMBER 12TH MEETING: The Clerk-Treasurer had already scheduled a vacation for the week of the September meeting several months ago. She asked that the meeting be moved from September 12th to September 19th. The Budget Hearing could also be scheduled after the Council Meeting. Councilman McNally made a motion to move the September meeting from the 12th to the 19th. Councilwoman Hood seconded the motion. Approved 3-0.

FLOODPLAIN ADMINSTRATOR: The DNR is requiring floodplain administrators be certified by July 1, 2025. In the past, prior Councilwoman Smeltzer was the floodplain administrator since she was also involved in zoning. Councilman McNally said he would get certified by the July 1, 2025 deadline.

INCOME SURVEY: Councilman McNally made a motion to spend the money to get the income survey completed. Councilwoman Hood seconded the motion. Approved 3-0. The Clerk-Treasurer will reach out to NCIRPC to see what the next steps are.

SINK HOLE AT WASHINGTON AND ELM: A quote had been received from Omni to vacuum the location at Washington and Elm a few meetings prior. It was determined that the sink hole formed in April 2023. Councilwoman Hood stated that this has been “kicked down the road” for some time and that the prior Board never looked into the issue. She mentioned that the Indiana statute for filing a claim is 2 years so this needs to be handled now. Mr. Roger Fouch mentioned that the Board should reach out to Duke Energy to see if they will pay for the sink hole to get fixed. LJZ Excavating was Duke’s subcontractor. Councilwoman Hood said she would reach out to Duke.

HIRE CORC (CERTIFIED OPERATOR IN RESPONSIBLE CHARGE): This was tabled. Utility Manager Sparling sent in his application to take the certification exam before the June meeting and still hasn’t received the approval letter from IDEM.

EMPLOYEE REPORT: UTILITY MANAGER:

1. 3 main leaks on Vine Street, Meridian Street, and Walnut Street.
2. Had 5 service line leaks occur after the main leaks. Have all but 2 of these repaired and continuing to repair the last few. Had another leak reported earlier in the morning, so it brings up the number up to 6 occurring after the main breaks, so 3 not repaired, and 1 that was reported before the main breaks, but hasn’t been able to be repaired due to all the others in town, leaving 4 total leaks to repair as of the time of the meeting.
3. Park lift station had both pumps installed and is working great.
4. VFD at the park lift station went down after the pumps went down. It has been in bypass mode since. The VFD helps slow the start and shut off of the motors, which in turn affects the lifetime of the pumps. Included a quote for \$52,975 from Indiana Pump. The Council originally voted on the quote and then rescinded the vote due to not having 3 quotes. Utility Manager Sparling will work on finding other companies that replace and service the entire VFD system.
5. The North lift station pump is no longer working, so tomorrow the spare pump will be installed. He is hoping that no additional issues arise.
6. After the meeting with IDEM he was told that IDEM requires a flow meter. It will be \$1000 for parts and labor to install the flow meters at the required locations, and they can be installed the next business day.

EMPLOYEE REPORT: MARSHAL:

1. Provided June CAD report

2. Festival went well. No major incidents. There was a call for service for missing children (located and safe, no real threat, but a scary situation at the time) and multiple small vehicle accidents due to the amount of people and vehicles in town. He would like to discuss adding more deputies for next year.
3. Ordinance violation citations and notices to appear were provided to 2 residents: 126 S Brown Street (Horn Property) and 211 W Walnut (FC Kokomo Properties). In addition, the 111 S Brown Street (Wagner Property) is still not getting cleaned up quick enough.
 - a. Wagner property: The property has not been sold to anyone and no significant changes have been made to clean up the property since the June meeting. The other issue is the items that have been moved from Brown St are being relocated to High St., which is where Mr. Wagner is staying. Marshal Sheppard discussed the issue with the High St homeowner and told him that this would go under his name and not Mr. Wagner's name if a citation is issued. Mr. Joe Foutch mentioned that he has been paying the property taxes on the Brown St property and another one in town. Town Attorney Rippy stated that a fine can be put on the Brown St property for \$X each day, up to \$10,000 total. The Town can then sue for the \$10,000. Councilwoman Hood said it was probably time to get aggressive with Mr. Wagner since this has been an ongoing issue for years. Town Attorney Rippy is going to see how much his firm will charge to file everything for this property and get back with the Council at the next meeting.
 - b. Horn property: Mr. Horn was not issued the citation until later in the month, so he is still within his 30 days. Marshal Sheppard will keep on him, but we may end up having to go in the same direction as the Wagner property. It was suggested that a certified letter be sent to Mrs. Dillman, who owns the house. Marshal Sheppard will look into doing that and will keep the Board updated.
 - c. FC Kokomo Properties: The owner lives in California. A certified letter was sent to him and it was received. He is still within his 30 days. It was mentioned that the resident was evicted, so no one is living in the house currently. This is a property that will probably be escalated rather quickly to getting fined and taken to Court.

TOWN ATTORNEY:

1. Councilwoman Hood stated that the Davis property has not had any movement since the last meeting when the back taxes were paid. Small discussion was made on this, but no decision or action was determined.
2. The Air BNB/camper question that was brought up at the last meeting was looked into. The property is listed as residential, but it is unknown if this can be determined to be a business or a rental. Mr. Rood mentioned that he his wife owns a beauty parlor and they are required to pay 2 water bills, including 2 wastewater fees and 2 trash fees, even though they only have 1 septic tank. He mentioned that if the Air BNB didn't have to pay a separate water bill then why do other businesses. Councilwoman Hood mentioned that she was okay with the camper rental in this case, as she wasn't sure if this should classify as a business or as a rental. The owners are very nice people, this has been going on for a few years, and no one has complained previously. Mr. Rood felt like Councilwoman Hood was attacking his business. A Facebook post, being a peacock, etc. was mentioned during this time. Attorney Rippy will look into the Air BNB camper issue and get back with the Council at the next meeting.
3. The Humane Society Contract was printed by the Clerk-Treasurer during the meeting. Councilman McNally made a motion to approve and sign the Contract. Councilwoman Hood seconded the motion. Approved 3-0. The Humane Society Contract was signed by Council

President Rupe. The Clerk-Treasurer was asked to scan the document during the meeting. Attorney Rippy sent the Contract to the Humane Society.

OPEN DISCUSSION:

1. Mr. Joe Foutch stated that Sharpsville is the dirtiest town he has ever seen. There are properties with grass a foot tall (unclear if this was regarding Town properties or properties around town). The Utility Department does not do anything. Children are running and riding their bikes in the street during the summer. No one that works for the town is doing their job. Mr. Joe Foutch became very loud. Marshal Sheppard and Councilman McNally mentioned that children running throughout town is the parents' responsibility. Mr. Foutch stated that it wasn't just bikes, but four wheelers. Marshal Sheppard said that this is the first time he's heard of someone riding four wheelers since the last time he got onto the people who were riding them in town. If something is not reported, then he doesn't always know what is going on. If there is an issue then a call needs to be made to the Sharpsville Police Department or 911. Utility Manager Sparling, Councilman McNally, and Council President Rupe tried explaining what all has been going on in town that the Utility Department has been working on, such as all the main breaks, service line leaks, both septic lift stations being down, etc. Council President Rupe used the gavel to have the discussion stopped due to it being loud and getting more aggressive than it needed to be.
2. Mrs. Smeltzer stood up and stated she appreciated everyone that works for the Town, including the current Council Members. She said everyone is doing a good job, that instead of berating people who work for the Town, everyone should be trying to build them up, and that she was sorry this kind of behavior happened during a meeting.

APPROVED AND SIGNED CLAIMS

ADJOURNED: 7:33 P.M.

CLAIMS:

16200	GRAHAM FARRER & WILSON PC	ATTORNEY FEE	\$ 850.00
OT	SHARPSVILLE UTILITIES	RES 2024-002	\$ 9,000.00
OT	SHARPSVILLE UTILITIES	UTILITIES	\$ 109.85
16201	IPEP	INSURANCE	\$ 1,854.68
16202	HP AUTO	POLICE VEH MAINT.	\$ 55.00
16204	FFB&T	ROOF PAYMENT	\$ 10,780.03
16205	NIPSCO	UTILITIES	\$ 142.79
16206	HP AUTO	POLICE VEH MAINT.	\$ 70.00
AD	ELAN FINACIAL	SUPPLIES/LEGAL NOTICE	\$ 423.58
AD	ELAN FINACIAL	SUPPLIES	\$ 226.97
DD	KATELYN MORGAN	CLERK-TREASURER	\$ 1,085.73
16207	BERNIECE FARRIS	DEPUTY CLK-TREAS	\$ 169.31
DD	SHEPPARD SHEPPARD	MARSHAL	\$ 843.32
DD	NOAH PYKE	DEPUTY	\$ 519.60
DD	NATE SAYERS	DEPUTY	\$ 499.60
DD	MICHELLE KERR	JANITORIAL	\$ 100.00

DD	BENJI SPARLING	UTILITY MANAGER	\$ 2,500.76
DD	CRAIG RUSSELL	ASSISTANT MANAGER	\$ 1,570.16
16208	TOM COTHAM	SEASONAL MOWING	\$ 532.59
AD	INDOR	STATE TAXES	\$ 1,080.85
AD	EFTPS	FEDERAL TAXES	\$ 4,270.84
AD	INPRS	RETIREMENT	\$ 483.10
OT	SHARPSVILLE UTILITIES	UTILITY DEP TO WRONG ACCT	\$ 130.00
16203	LIBERTY TOWNSHIP	FIRE DEPT	\$ 4,100.00
OT	WASTEWATER	OFFICE RENT	\$ 2,400.00
OT	SMU	HYDRANT RENTAL	\$ 7,050.00
AD	WEX	FUEL/GASOLINE	\$ 1,661.85
AD	SMITHVILLE	TELEPHONE	\$ 170.33
AD	LOWE'S	SUPPLIES/FLOWERS	\$ 909.02
AD	SMITHVILLE	TELEPHONE	\$ 49.38
AD	BANK OF NEW YORK	LOAN	\$ 4,516.20
16209	BRAD HOWELL	VEHICLE REPAIR	\$ 59.33
16210	LOCAL GOVERNMENT SERVICES	CONTRACT LABOR	\$ 150.00
AD	VERIZON	CELLPHONES/MIFIS	\$ 1,520.88
16211	KOKOMO GRAVEL	DIRT/SAND FOR FILLING HOLES	\$ 1,557.80
16212	CHERRYROAD MEDIA	LEGAL NOTICE	\$ 65.00
16213	USPS	CERTIFIED MAIL FEE	\$ 9.23
16214	PLEVNA IMPLEMENT	EQUIPMENT REPAIR	\$ 102.17
16215	WASTE MANAGEMENT	TRASH PICKUP	\$ 4,299.30
AD	ELAN FINACIAL	HOTEL FOR CONFERENCE	\$ 362.60
16216	INUPP	811 DUES	\$ 49.40
DD	KATELYN MORGAN	CLERK-TREASURER	\$ 1,085.73
16214	BERNIECE FARRIS	DEPUTY CLK-TREAS	\$ 61.53
DD	SHEPPARD SHEPPARD	MARSHAL	\$ 889.28
DD	NOAH PYKE	DEPUTY	\$ 519.60
DD	NATE SAYERS	DEPUTY	\$ 499.60
DD	MICHELLE KERR	JANITORIAL	\$ 100.00
DD	BENJI SPARLING	UTILITY MANAGER	\$ 2,027.69
DD	CRAIG RUSSELL	ASSISTANT MANAGER	\$ 1,154.53
16218	TOM COTHAM	SEASONAL MOWING	\$ 740.41
AD	INPRS	RETIREMENT	\$ 389.51
16219	APPLE GROUP	SHIRTS FOR UTILITIES	\$ 226.40
16220	HILB GROUP	INSURANCE	\$ 1,647.00
16221	DUKE ENERGY	UTILITIES	\$ 1,182.41
16222	GRAHAM FARRER & WILSON PC	ATTORNEY FEE	\$ 850.00
16223	USPS	POSTAGE	\$ 204.00
16224	IPEP	INSURANCE	\$ 1,854.68
16225	COMCAST	INTERNET	\$ 127.95

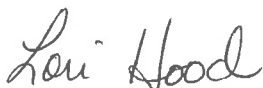
OT	SHARPSVILLE WASTEWATER	MAY/JUNE LOAN	\$ 5,000.00
6160	UTILITY SUPPLY CO	SUPPLIES	\$ 198.76
6161	NIPSCO	UTILITIES	\$ 146.62
6162	USA BLUEBOOK	SUPPLIES	\$ 5,190.05

AD	ELAN FINANCIAL	SUPPLIES	\$ 236.91
OT	TOWN OF SHARPSVILLE	PAYROLL	\$ 2,809.95
AD	BANK OF NEW YORK	INTEREST DUE	\$ 894.40
AD	SMITHVILLE	UTILITIES	\$ 86.33
6163	DUKE	UTILITIES	\$ 506.73
6164	USPS	POSTAGE	\$ 195.84
6165	KOKOMO GRAVEL	DIRT/SAND	\$ 1,557.80
6166	UTILITY SERVICE CO	CONTRACT	\$ 1,206.83
AD	INDOR	SALES TAX	\$ 925.09
AD	ELAN FINANCIAL	SHIPPING, MEAL-MAIN BREAKS	\$ 123.21
6167	APPLE GROUP	SHIRTS FOR UTILITIES	\$ 226.40
OT	TOWN OF SHARPSVILLE	PAYROLL	\$ 1,830.76
OT	TOWN OF SHARPSVILLE	JUNE '24 TRASH RECEIPTS	\$ 3,829.02
OT	SHARPSVILLE WASTEWATER	JUNE '24 SEWAGE RECEIPTS	\$ 16,032.26
OT	SHARPSVILLE WASTEWATER	JULY LOAN PAYMENT	\$ 2,500.00

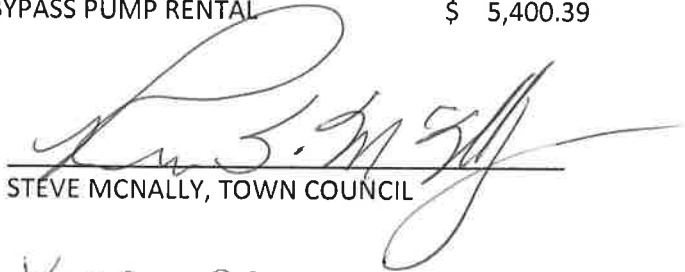
6038	FERGUSON WATERWORKS	RAIN GEAR	\$ 120.54
6039	STEVE MCNALLY	FUEL FOR TRASH PUMP	\$ 35.01
OT	SMU	UTILITIES	\$ 241.24
6040	TIPTON MUNICIPAL UTILITIES	UTILITIES	\$ 3,171.29
AD	ELAN FINANCIAL	SUPPLIES	\$ 358.80
OT	TOWN OF SHARPSVILLE	PAYROLL	\$ 2,070.27
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 250.00
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 250.00
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 500.00
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 500.00
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 250.00
AD	SMITHVILLE	TELEPHONE	\$ 53.33
AD	LOWE'S	SUPPLIES	\$ 433.26
AD	SMITHVILLE	TELEPHONE	\$ 112.21
6041	DUKE ENERGY	UTILITIES	\$ 559.73
6042	KOKOMO GRAVEL	DIRT/SAND FOR HOLES	\$ 1,557.80
6043	INDIANA PUMP WORKS	3 SEPTIC PUMPS, LABOR	\$ 81,466.06
AD	ELAN FINANCIAL	LIGHTS & BATTERIES	\$ 641.99
6044	APPLE GROUP	SHIRTS FOR UTILITIES	\$ 226.40
OT	TOWN OF SHARPSVILLE	PAYROLL	\$ 1,515.87
6045	INDIANA PUMP WORKS	BYPASS PUMP RENTAL	\$ 5,400.39



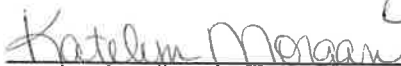
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