

TOWN OF SHARPSVILLE
OCTOBER 10, 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

BUDGET HEARING: Councilman McNally made a motion to approve the second and final reading of the 2025 Budget. Councilwoman Hood seconded the motion. Approved 3-0.

Deputy Clerk-Treasurer, and former Clerk-Treasurer for nearly 40 years, Berniece Farris, stated that \$40,000 was cut from the 2025 Budget. The 2026 Budget will have to be cut even more, so the Board needs to keep that in mind as they move forward.

MONTE HENDERSON – TYING INTO SEWER LINE: Henderson Ag Advantage wants to tie into the sewer line that goes from Sharpsville to Tipton. Councilman McNally is going to look into this issue and get back with Mr. Henderson. He is going to see if it is going to be too costly, as well as get ahold of Tipton Municipal Utilities. Mr. Henderson also mentioned tying into the Tri-Central lift station. This was going to be looked into as well.

ABBY SMITH – ECONOMIC DEVELOPMENT FOR TIPTON COUNTY: There is a comprehensive plan for Tipton County through the HWC Engineering firm. Sharpsville is included on this comprehensive plan. It would be for \$9,500 and an opportunity tool to get grants. It is a no ask, freestanding plan for Sharpsville. The comprehensive plan is for the next 12-18 months.

ZACK WOODARD- 307 W WALNUT: The house at 307 W Walnut was rundown when it was purchased. They took out 10 dumpsters worth of trash, including 20 buckets of human waste. He did the first permit on the house at the beginning of the year. He came back for a second permit on the garage, but was told by the Board that it could be covered under the first building permit. Councilwoman Hood came out to the neighbors and spoke to them regarding the issues with the garage. Mr. Woodard and his company, Bridge Landscaping, did work to solve the drainage problems in that area; this has helped the neighbors of 307 W Walnut. Last month, Mr. & Mrs. Burnett came to the meeting and made a complaint against him that caused a stop work order to be placed. It has since been resolved after his attorney was involved, and Town Attorney Rippy was kept informed throughout the process. Mr. Woodard is asking for an official variance for the garage. This variance would be only current, and not for any future residents of the home. It was suggested that maybe it be recorded at the Tipton County Courthouse. Complaints were made from a different neighbor, Mrs. Guyer, regarding the driveway. This meeting was not related to the driveway. Mrs. Guyer claimed stakes and survey flags were moved. Mr. Woodard agreed that the flags had been removed and he had been the one to call the Sheriff's Department regarding that, so neither he nor his employees moved them. Mrs. Guyer said she did not move them either. Marshal Sheppard stated that the only complaints about the property were for parking, construction hours, and noise. No violation of any ordinance was found. Mrs. Dalton, a different neighbor of 307 W Walnut, wanted to state that she has never had any issues with Mr. Woodard, that he had been great to work with throughout the process. She stated that the house is a beautiful home

and much better to look at. She stated that Mr. Woodard has solved their water drainage problem. Town Attorney Rippy stated that there was an administrative variance voted on for the garage.

EMPLOYEE REPORT: UTILITY MANAGER: Utility Manager Sparling is out for personal matters. He wrote his report and had it delivered to the Board Members to look through.

EMPLOYEE REPORT: MARSHAL:

1. Out on a conference all week. Only returned from the conference less than an hour before the Town Board Meeting. Will provide CAD report next month.
2. Marshal Sheppard asked about the ordinance for the stop signs as Washington and Elm and Trenton and North. Attorney Rippy has the ordinances that need to be signed, but asked that Marshal Sheppard fill in the street names for him.
3. Ordinance violation citations updates: 111 S. Brown St/221 W. High Street (Wagner Property), 126 S. Brown St (Horn Property), and 211 W. Walnut (FC Kokomo Property).
 - a. Wagner property: Still on for the Tax Sale being held Friday, October 11, 2024.
 - b. FC Kokomo Properties: Ms. Woodard stated that she is a property manager and has been in contact with the owner to get the permission to have her company come in and do the remodel for this property.
 - c. Horn property: Marshal Sheppard has been unable to make contact with Mr. Horn, former Mrs. Horn, or Mrs. Dillman. This house is no longer on the tax sale list.
4. Councilwoman Hood asked about the storage units and the activity that has been occurring there. She stated that there is a couple that stays there 8-12 hours at a time, and that she has paid for food for this couple. She stated that the couple does not live in the storage unit. She also stated that there is an abandoned mattress and microwave on the property and the RV that is stored there has no license plate. Marshal Sheppard stated that the owners of the storage unit are in the process of evicting the unit that is tied to the couple. The eviction process takes time. There is nothing illegal about staying at the unit 8-12 hours as long as they do not sleep there. The owners want to put the couple on trespass, but when officers arrive on the property, the couple are not there. The trespass can only be given when the couple is caught at the property. Councilwoman Hood stated that she has talked the owners and let them know about the couple but the owners tell her to call the police. She stated that she is not supposed to be the one monitoring the storage unit.

ATTORNEY COMMENTS:

1. Chad Byers/Air BnB Camper Issue: Mr. Byers was in attendance and stood up to speak during the meeting. Several neighbors gave letters to the Clerk-Treasurer to be handed out to the Board Members to show their support of Mr. Byers. Mr. Byers stated that they were not aware they were blocking the alley, but once they were informed, they told every renter not to park in the alley. At one point, the renters were not in the alley, but blocked the alley, and the renters were told to move their vehicles. He acknowledged that concern of strangers staying in the camper, but when he had to leave town one weekend when renters were going to be in the camper, he called Air BnB and found out they do background checks on the guests, so he felt comfortable enough to leave his wife and children home. He stated that he would move the camper over if he needed to. Mrs. Smeltzer stated that the camper, which is a business, is in the residential area. Ms. Woodard asked if the camper was rented out it Mr. Byers' name or an LLC, which would make it a business. Mr. Byers said it was under his name. Councilwoman Hood stated that they have discovered many businesses being run out of homes in Town. Town Attorney Rippy stated that anyone can have a home office or a small business in their home as long as it doesn't draw a lot of people to the home. Difference of doing taxes in your home compared to having a body

shop in your garage. He also stated that having a rental at your home is not the issue either, as anyone in Town can rent out up to one living area. His question is does the camper count as one living space? He will have to investigate this. Mrs. Parsons, a neighbor of Mr. Byers, says she does not like the camper being rented out. Mrs. Fernung asked the difference from a camper and a "trailer" because she was told no trailer/mobile home as allowed to be put in Sharpsville. Deputy Clerk Farris stated that it does not say "trailer" in the ordinances, only that the residence must be 960 square feet. Marshal Sheppard stated that there is a difference because of the permanence of the structure. The camper is on wheels, which makes it not permanent. Trailers or mobile homes are not permanent, but if you put them on a concrete pad and take the wheels off, it is now a permanent structure. Mrs. Parsons and Mrs. Smeltzer stated that they did not want to camper in Town. Mrs. Smeltzer asked the Board if they wanted others in town to put up little houses in their yards and rent them out. They mentioned not wanting to live in near a business, and Councilwoman Hood stated that she understands because she lives in front of a storage unit now. Town Attorney Rippy stated that he will have to look into the ordinances and state his findings at the November Board Meeting.

2. Town Attorney Rippy stated he found someone that would be willing to clean up the Cheese Factory lot for free if they would be able to develop condos on the property.
3. Marshal Sheppard urged the Board to vote on the Horn and Davis properties. These properties have been ongoing issues and nothing has been resolved. These properties are out of his hands. Town Attorney Rippy asked if they wanted to sue to demolish or sue to clean up the property. Councilwoman Hood made a motion to file with the Court to clean up the Horn and Davis properties. Councilman McNally seconded the motion. Approved 3-0.

COUNCIL COMMENTS:

1. Councilwoman Hood asked about the delay in the Church St repair. She thought it was due to the gas line being there and not wanting to dig near it. Councilman McNally stated that they called Culy in to help with the repairs due to knowing there was a gas line and them having the proper safety equipment to do the dig. Turned out to be a service line, but it was still appropriate to call an outside vendor to do the dig. It was mentioned that no vac truck was used, and that Culy did the dig themselves. Councilman McNally stated that the vac truck was scheduled out for another month and they didn't want to wait any longer. Culy was able to do the dig with their smaller excavator. The gas line was mismarked by 2-3 feet, but it is technically still not supposed to be dug near. Culy took that responsibility from the Town by them doing the dig. Mr. Foutch stated that he should go get his license and the Town could pay him \$30,000-\$40,000 a year to not do anything since the Town is paying the current unlicensed Utility Manager that much. The Clerk-Treasurer stated that the Utility Manager just became eligible to get his license this year, and with all the breaks and sewage problems it hasn't been easy for him to get this year. Mr. Foutch apparently was unaware of the IDEM requirement of working under a licensed CORC for 2 years or any changes to the requirements to get a license by IDEM since the early 1990s, which is when Mr. Foutch quit being the Utility Manager. The Clerk-Treasurer stressed the exhaustion that has occurred due to the harassment of the current Utility Manager. No one should have to work under such stress. Everyone needs guidance, and the Clerk-Treasurer has the former Clerk-Treasurer, current Deputy Clerk, to help guide her. It isn't about the Utility Manager needing guidance; it is how Mr. Foutch gives the guidance. The constant calls, texts, and belittling has to stop. Council President Rupe stated that he was tired of the way Mr. Foutch comes into the Board Meetings and addresses the Utility Manager. Mr. Foutch stated that the Utility Manager had not marked something and was hit during a job that Mr. Foutch had to fix. He stated that the Utility Department has hired out all the digs for the Town. The Clerk-Treasurer stated that this

was untrue. There are more digs that the Utility Department has done themselves than they had called in outside help. Mr. Foutch said he doubted that. Councilman McNally stated that Mr. Foutch might need to come out of retirement and find something to do other than to find fault with the Utility Department. Mr. Foutch stated that Councilman McNally's license plates were not on his vehicles in his yard, and Councilman McNally stated that they were up to date and maybe someone took the license plates. Mr. Foutch wanted to make an accusation that the Utility Manager spends most of his day at Town Hall. The Clerk-Treasurer stated that was not true. Mr. Foutch stated that they do not get the limbs from Town. Councilman McNally stated that the Utility Department has been picking them up almost every day since the last windstorm. Mr. Foutch stated that was not true. The Clerk-Treasurer stated that it was true; she has to know when they pick up limbs to know how to code their payroll. She has verified every day the Utility Department picked up limbs. She stated that everything should not need to be justified to Mr. Foutch. Everyone that works for the Town is doing their best, but nothing will be good enough for Mr. Foutch.

OPEN DISCUSSION: NONE

APPROVED AND SIGNED CLAIMS

ADJOURNED: 7:39 P.M.

CLAIMS:

16264	IPEP	INSURANCE	\$ 1,854.68
DD	KATELYN MORGAN	CLERK-TREASURER	\$ 1,085.73
16262	BERNIECE FARRIS	DEPUTY CLERK-TREASURER	\$ 184.02
DD	RAY 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	\$ 2,054.30
DD	CRAIG RUSSELL	ASSISTANT MANAGER	\$ 1,109.17
16263	TOM COTHAM	SEASONAL MOWING	\$ 751.40
AD	INTIME	STATE TAXES	\$ 1,021.17
AD	EFTPS	FEDERAL TAXES	\$ 3,897.24
AD	INPRS	RETIREMENT	\$ 395.04
OT	SMU	UTILITIES	\$ 219.70
16265	FOP TIPTON LODGE	UNION DUES	\$ 60.00
16266	NIPSCO	UTILITIES	\$ 152.83
16267	RAY SHEPPARD	HALLOWEEN CANDY	\$ 250.00
AD	LOWE'S	SUPPLIES	\$ 294.23
AD	ELAN FINANCIAL	SUPPLIES	\$ 179.38
16268	GRAHAM, FARRER & WILSON	ATTORNEY FEE	\$ 850.00
AD	FLEX COURT	FINAL PICKLEBALL COURT PYMT	\$ 4,103.00
AD	SMITHVILLE	TELEPHONE	\$ 170.66
16269	CHARIOT AUTOMOTIVE	POLICE CHARGER REPAIR	\$ 7,275.83
AD	BANK OF NEW YORK	LOAN	\$ 4,516.20
AD	SMITHVILLE	TELEPHONE	\$ 49.51
AD	WEX	GASOLINE	\$ 850.42
16271	HUMANE SOCIETY OF TIPTON CO	DOG INTAKE	\$ 232.00
16272	INUPP	TICKET FEES	\$ 38.00

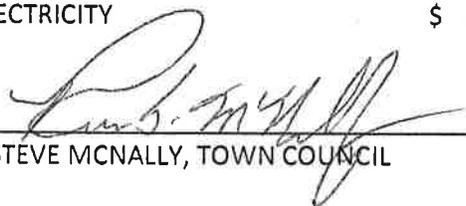
16273	BEST ONE TIRE	MOWER TIRE	\$ 41.97
16274	TIPTON AUTOMOTIVE SUPPLY	TOWN TRUCK PARTS	\$ 68.64
16275	KEYSTONE COOPERATIVE	DIESEL	\$ 650.29
16276	BRAD HOWELL FORD	TOWN TRUCK PARTS	\$ 143.84
16277	DUKE ENERGY	ELECTRICITY	\$ 1,028.59
AD	VERIZON	CELL PHONES/INTERNET	\$ 227.28
AD	WASTE MANAGEMENT	TRASH PICKUP	\$ 4,299.30
AD	FERGUSON WATERWORKS	TOOLS	\$ 152.88
16278	GRAHAM, FARRER & WILSON	ATTORNEY FEE	\$ 850.00

OT	TOWN OF SHARPSVILLE	PAYROLL TRANSFER	\$ 1,601.48
6184	CULY CONTRACTING	CONTRACT LABOR	\$ 4,937.88
OT	SHARPSVILLE WASTEWATER	LOAN - SEPT PAYMENT	\$ 2,500.00
AD	SMITHVILLE	TELEPHONE	\$ 86.46
AD	SHARPSVILLE WASTEWATER	LOAN - OCT PAYMENT	\$ 2,500.00
AD	INDOR	SALES TAX	\$ 987.59
AD	CRAIG THOMPSON	CORC CONTRACT LABOR	\$ 400.00
OT	TOWN OF SHARPSVILLE	PAYROLL TRANSFER	\$ 1,517.52
6185	DUKE ENERGY	ELECTRICITY	\$ 459.97
6186	UTILITY SERVICE CO	WATER TOWER CONTRACT	\$ 1,206.83
OT	TOWN OF SHARPSVILLE	JULY '24 TRASH RECEIPTS	\$ 4,601.74
OT	TOWN OF SHARPSVILLE	AUG '24 TRASH RECEIPTS	\$ 4,405.29

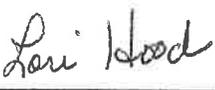
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 250.00
OT	TOWN OF SHARPSVILLE	PAYROLL TRANSFER	\$ 1,725.80
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 250.00
OT	SMU	UTILITIES	\$ 131.30
6054	NIPSCO	UTILITIES	\$ 143.06
AD	MIKE'S SEWER	CONTRACT LABOR	\$ 250.00
6055	TIPTON MUNICIPAL UTILITIES	UTILITIES	\$ 4,025.55
AD	SMITHVILLE	TELEPHONE	\$ 53.46
6056	BAKER'S PEST CONTROL	PEST CONTROL	\$ 325.00
AD	SMITHVILLE	TELEPHONE	\$ 109.71
OT	TOWN OF SHARPSVILLE	PAYROLL TRANSFER	\$ 1,767.78
6057	DUKE	ELECTRICITY	\$ 615.57



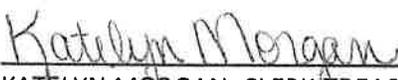
 ROBERT RUPE, TOWN COUNCIL



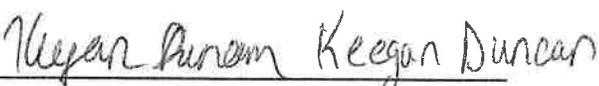
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 KATELYN MORGAN, CLERK-TREASURER



 CLERK-TREASURER