

Upland Town Council Minutes: March 5, 2024

Public Hearing:

- ❖ Ordinance 5-2024- Water Rate Ordinance.
 - Clerk- Treasurer Fletcher gave a powerpoint presentation on the state of the Water Fund along with how the proposed rate increase would affect billing amounts on residents monthly bills.
 - Councilman Sutherland explained the process of the public hearing. He emphasized that no one wants the proposed increase.
 - Kevin Crawford, 1477 S. Valhalla Dr., proposed that the town offer a rebate to those that put water conserving items on faucets and can show proof of purchase.
 - Autumn Collins- 81 E. Urban- expressed concern that the elderly and those on fixed income in our community will have trouble paying for this rate increase. CT Fletcher responded that we do have a list resources to help those that are struggling paying their utility bills.

She also asked if the Town is spending wisely? CT Fletcher responded that there was a rate study available for public review that shows areas of spending in the water fund. The major unexpected expense in 2023 was 5 water main breaks which cost the town approximately \$150,000 in repairs. It is not the opinion of the CT that there are any areas to cut expenses including salaries. The Salary Ordinance is available for review by the public.
 - Bob Blake, 113 W. Indiana Ave., asked when the bond will be paid off. CT Fletcher answered that the bond will be paid off in August of 2027. ** Correction- after the meeting it was found that the loan will be paid off in August, 2026.
 - Luke Smith- 1324 S. Second St., asked what grants have been pursued to help with expenses ? Jonathan Perez, Town Manager, responded that we have secured more than \$5.3 Million in grants over the past 5 years. There is a newly released Utility Infrastructure grant for which we are applying.

A motion was made to pass the 2nd reading of Ordinance 5-2024 by Shawn Sizemore, seconded by Michael Harbin, Motion was approved by a vote of 4-0.

- ❖ Ordinance 6-2024-Annual Water and Sewer Rate Increase
 - Clerk-Treasurer Fletcher reviewed the proposed ordinance of a 3% annual rate increase for both water and sewer rates. This ordinance is to help rates keep up with annual inflation. This is to prevent major rate increases in the future.
 - Ashley Tiberi, 212 W. Wright Ave, asked if there was a list of priorities of areas that need to be addressed once funds are available. Jonathan Perez, Town Manager, said that the Town has engineers putting together a list of priority areas. Jeremy Hardy,

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Commonwealth Engineers, stated that they review assets every 2 years.

- Thomas Stone, 537 S. Main St., asked why the rates are just now being addressed. Councilman Sutherland responded that the council understands the frustration and there is no way to go back and fix the decisions of past councils.
- Autumn Collins, 81 E. Urban, stated that although she agrees with the annual 3% rate increase. Is there a way to ease into the large rate increase? CT Fletcher answered that easing into the rate increase was an option given to the council but the reality is that the longer it takes to get rates where they need to be, the longer the water fund remains negative and the longer we have to wait to do repairs and maintenance.
- Shedrick Whipple, 540 S. Fifth St, asked when this rate increase would be implemented? CT Fletcher answered that according to the ordinance, it would begin with May's billing.
- Bob Blake, 113 W. Indiana Ave, asked if we could use the inflation index for the annual increases?
- Autumn Collins, 81 E. Urban Ave, asked if the rate increase will allow for better water conditions? Jonathan Perez, stated that the water is tested monthly and meet state standards.
- Heath Crouch, 639 S. Eighth St, Could we use the General Fund to pay some towards the negative balance in the Water Fund? CT Fletcher said no that that is not allowed by the State Board of Accounts. In December, Council did approve the use of \$150,000 of ARPA Funds to be used to pay down the negative balance. He also asked if the council is against debt to help the situation? No, not against debt but the more surplus the fund has when we are ready to do a major project, the less the town will have to borrow. He also asked if there is a surplus goal or a point where we would consider to have enough surplus?
- Luke Smith, 1324 S. Second St, asked if we have the infrastructure for community growth? Jonathan Perez said yes we do have room to go in our utility infrastructure.

Motion was made to pass the 2nd reading of Ordinance 6-2024 by Michael Harbin, seconded by Amy McCrea. Motion passed by a vote of 4-0.

Third and final reading of Ordinance 5-2024 and 6-2024 will be March 19, 2024.

Public Hearing closed at 7:55pm

Opening Remarks :

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The Town Council of the Town of Upland met in a regular session on March 5, 2020. The meeting was called to order at 7:00 PM by Council President, Ron Sutherland.

In attendance were Ron Sutherland, Amy McCrea, Shawn Sizemore, and Michael Harbin. Brian Hunt was absent.

Opening Business:

Councilman Sutherland asked for a motion to approve the February 20, 2024 Council meeting minutes. Motion was made by Shawn Sizemore, seconded by Amy McCrea. Minutes were approved by a vote of 4-0.

Department Reports:

- ❖ **Upland Police Department, Marshal Andy Cassidy-**
 - Officers are working on their continuing education requirements
 - There was 639 calls in February and 37 traffic stops
 - They have been running radar on Main Street
- ❖ **Upland Volunteer Fire Department - Not Present**
- ❖ **Upland Town Attorney, Adrienne Rines Hammond**
 - Attorney Hammond continues to work on the annexation of the properties on 8th Street . A voluntary annexation letter has been sent to the property owners. Over half of the property owners have responded to the letter and we will be contacting the other for their response.
- ❖ **Upland Clerk-Treasurer, Mary Fletcher**
 - Nothing to report
- ❖ **Upland Town Manager, Jonathan Perez**
 - Presented Ordinance 7-2024, Responsible Bidding Practices. This Ordinance puts us in the position to not be forced to accept the lowest bidder with good cause. Motion was made by Shawn Sizemore to pass Ordinance 7-2024, seconded by Michael Harbin. Ordinance passes by a vote of 4-0.
 - Presented Ordinance 8-2024, An Ordinance making Railroad Street a one way street. He is withdrawing this request and will be speaking with property owners before presenting it to council.
 - Presented Resolution 1-2024, A Resolution Granting Additional Personal Day for Employees in the Town of Upland for the 2024 Calendar Year. This request is due to the addition of one day on the calendar (leap year). The additional PTO day must be used in the 2024 calendar year. A motion was made by Shawn Sizemore to pass Resolution 1-2024, seconded by Amy McCrea, Passed by a vote of 4-0
 - Presented Resolution 2-2024, A Resolution of the common council of the Town of Upland Authorizing a Temporary Transfer. This resolution would authorize the temporary transfer of funds from the General Fund to fund

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the extension project. The funds would be paid back with one of the following options:

- IFA Utility Infrastructure Grant
- READE 2.0
- Capital Outlays
- Bond

A motion was made to pass Resolution 2-2024 by Shawn Sizemore, seconded by Amy McCrea, resolution was passed by a vote of 4-0.

- Jeremy Hardy, Commonwealth Engineers, presented the Notice of Award for the South Street/ Indiana Ave utility extension project. There were 9 bidders on the project. Kobolt was the lowest bidder at \$535,000. Highest bidder was \$1.2 million. A motion was made to accept the Notice of Award to Kolbalt by Michael Harbin, seconded by Amy McCrea. Motion passed by a vote of 4-0.
- Jeremy Hardy, Commonwealth Engineers, presents the Contractor Civil Agreement for approval. Motion was made by Michael Harbin, seconded by Shawn Sizemore. Motion to accept agreement was passed by a vote of 4-0.
- Jeremy Hardy, Commonwealth Engineers, presented the Notice to Proceed with the South Street/ Indiana Ave extension project. Construction would begin March 11, 2024 with completion within 120 days. Motion to approve was made by Shawn Sizemore, seconded by Amy McCrea. Motion was approved by a vote of 4-0.
- Mr. Perez presented an Economic Development Agreement (EDA) with Taylor University to work with INDOT to include 8 feet sidewalks and street lighting on the SR22 project. Mr. Perez asked for a favorable recommendation by the council to accept this agreement. Council agreed.
- Mr. Perez presented an Economic Development Agreement (EDA) with Taylor University for improvement Taylor would like to make on Reade Ave. Taylor would be responsible for maintenance of Reade Ave and for the cost of moving utilities (water and sewage). Taylor would be asked to cover all costs but the upgrade costs. Mr. Perez asked for a favorable recommendation to accept the EDA. Council agreed.
- Upland would like to partner with the Grant County Council to get a housing study done. We would be sharing the cost with Gas City, Marion, Grant County. Estimated cost is \$4,000. Mr. Perez asked for a favorable recommendation to pursue this partnership. Council agreed.
- NearSpace Launch emailed a request to Council members requesting \$40,000 from Upland to use toward the completion of Phase 3 of the park. These dollars would be used as leverage to apply for additional grant dollars. This would be a good use of the Opioid dollars as it meets the criteria needed to use those funds. Opioid funds must be used for community development and this is the first project to meet the criteria. \$2,744.25 from Opioid Unrestricted Funds, \$10,373.53 from Opioid Restricted Fund and \$26,882.22 from the Meijer Opioid Fund. Mr. Perez asked for a favorable recommendation to give NearSpace Launch \$40,000 from Opioid Funds . Shawn Sizemore made a motion to

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Action Items:

- ❖ Ordinance 3-2024, Nuisance Ordinance was presented for the 3rd and final reading. CT Fletcher stated that the only change made for this reading was the removal of a specific court for filing violations. Marshal Cassidy expressed that Page 4, section B (1) needs to be amended to state that the sound would be measured from the edge of the property instead of a ½ mile away. A motion was made to pass Ordinance 3-24 with these changes by Shawn Sizemore, seconded by Amy McCrea, Ordinance was passed by a vote of 4-0

Public Comments:

- ❖ Janet Smith, 593 S. Fifth Street, expressed concern about continued drainage issues at the end of her driveway. Also has had a request by their neighbors to pave their driveway. Mrs. Smith would like to meet with a council member and Jonathan Perez to discuss these problems. Michael Harbin and Jonathan Perez will set up a date to meet with Mr. and Mrs. Smith.
- ❖ Autumn Collins, 81 E. Urban, expressed concern about the street on Urban causing drainage issues on her property. Also expressed concern about the condition of the sidewalks. Jeremy Hardy and Jonathan Perez will look into these issues.

Council Reports:

- ❖ **Amy McCrea**- Nothing to Report
- ❖ **Shawn Sizemore**- info@uplandindiana.com is now up and running. Residents can email this address with concerns and questions. Thank you to those that came to this meeting to express their questions and concerns.
- ❖ **Michael Harbin** – Nothing to report
- ❖ **Brian Hunt** - Absent
- ❖ **Ron Sutherland**- Councilman Sutherland announced that he will be stepping down from this position as president of the council on March 19 and will be stepping down from his position on council on April 30. Shawn Sizemore will assume the position of president after March 19. Thank you to the Town of Upland for caring for their family over the years.
April 30 there will be an Upland Town Hall to discuss the Taylor University Lily Grant.

Meeting was adjourned at 9:02 PM

The next regular Council Meeting will be held March 19, 2024 at 7:00pm at Upland Town Hall.

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ATTEST:

Mary Fletcher
Mary Fletcher (Clerk Treasurer)

SIGNED:

RBS 3/13/24
COUNCIL PRESIDENT