

MINUTES OF MAY 13TH, 2013 TOWN COUNCIL MEETING

The regular meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, May 13th, 2013. Present were Council Members Robert Lewis, George Schenkel, Barry Worl and Chris Folland. Also present were Town Superintendent, Bob Hull and Town Marshal, John Gonya. There were two citizens who signed the guest register.

Council President, Robert Lewis called the meeting to order at 7:00 p.m. by asking those in attendance to stand and recite the Pledge of Allegiance.

Due to lack of a quorum from the March 8th, 2013 meeting, there was no approval by the Council of those minutes.

Robert Lewis then asked is there were any additions or corrections to the April 8th, 2013 Council minutes. Corrections had been noted prior to the meeting and changes had been made. Chris Folland made a motion to accept the April 8th, 2013 minutes with corrections. The motion was seconded by Barry Worl. Members George Schenkel, Chris Folland and Barry Worl were in agreement and the minutes were accepted. Robert Lewis abstained due to his absence at that meeting.

The Clerk/Treasurer gave the Treasurer's Report as of April 30th, 2013 and presented the Voucher Register for approval. Robert Lewis asked for a motion to approve the Treasurer's Report as presented. George Schenkel made a motion to accept the Treasurer's Report for April 30th, 2013. The motion was seconded by Barry Worl. All council members present were in favor and the motion passed.

The Clerk/Treasurer presented the Voucher Register with Warrants for approval. Robert Lewis asked for a motion to accept the Voucher Register with Warrants. The motion was made by George Schenkel and seconded by Chris Folland. All members present were in favor and the motion passed.

Total disbursements on the Voucher Register are as follows:

Operating Funds	\$49,228.60
Sewer Funds	<u>12,095.43</u>
Total Amount of Vouchers	\$61,324.03

REPORTS –

MARSHAL'S REPORT – submitted by John Gonya, given by Barry Worl

The Sheriff's office received final confirmation and the first deposit for the LARE grant in the amount of \$25,000. Patrols will be increased for all lakes in the County. Emphasis will be on boater safety.

The town of Fremont has reported several burglaries for the month of April. Please be sure to secure all personal items.

FIRE DEPARTMENT – Barry Worl reported that the Fremont Fire Department made 54 calls in the month of April with two being for brush fires in the Town of Clear Lake in the Round Lake area.

ZONING ADMINISTRATOR – Bob Hull reported for Amy Schweitzer – April 2013
Aside from the duties of the zoning administrator, Amy continued to work with the Indiana Department of Natural Resources on the floodplain map. The new maps should be available by June 2013.

TOWN SUPERINTENDENT – Bob Hull

SEWER DEPARTMENT – report submitted by Town Superintendent for an average daily flow of 22,458 gallons per day. There were no problems with the system for the month of April.

STREET DEPARTMENT – submitted by Town Superintendent

Phil Hibbert from DLZ Engineers will be reporting on the 2013 Street Projects.

BILLING DEPARTMENT – Bob Hull

SOLID WASTE – The invoices for trash collection have been mailed out and will be due by May 1st. If payments are not received by May 15th outstanding accounts will be accessed a 10% penalty on May 16th, 2013. For those customers signed up for auto-draw, your designated accounts will be drafted on May 15th, 2013.

SEWER – No new liens were filed in April

LITIGATION UPDATE – No Report

UNFINISHED BUSINESS –

1. ORDINANCE 2013-02: SECOND READING – AN ORDINANCE AMENDING CHAPTER 150.41 OF THE TOWN OF CLEAR LAKE CODE OF ORDINANCES

Robert Lewis asked for a motion to suspend the rules and read Ordinance 2013-02 and Ordinance 2013-03 by summary only. A motion was made by George Schenkel to read by summary only, seconded by Barry Worl. Robert Lewis read Ordinance 2013-02 by summary only and asked for it to be accepted on the second reading. The motion was made by Chris Folland to accept the ordinance on the second reading. Barry Worl seconded the motion. All members present were in agreement and the motion passed.

2. ORDINANCE 2013-02: THIRD READING – AN ORDINANCE AMENDING CHAPTER 150.41 OF THE TOWN OF CLEAR LAKE CODE OF ORDINANCES

Robert Lewis read Ordinance 2013-02 by summary only and asked for a motion to adopt the ordinance on the third reading. The motion was made by Chris Folland to adopt Ordinance 2013-02 on the third reading. George Schenkel seconded the motion. All members present were in agreement and the ordinance was adopted.

3. ORDINANCE 2013-03: SECOND READING – AN ORDINANCE AUTHORIZING THE OPERATION OF OFF-ROAD VEHICLES ON THE TRAVELED PORTION OF PUBLIC STREETS IN THE TOWN OF CLEAR LAKE

Robert Lewis read Ordinance 2013-03 by summary only and asked for a motion to accept the ordinance on the second reading. The motion was made by George Schenkel to accept Ordinance 2013-03 on the second reading. Chris Folland seconded the motion, all members present were in agreement and the motion passed.

4. ORDINANCE 2013-03: THIRD READING – AN ORDINANCE AUTHORIZING THE OPERATION OF OFF-ROAD VEHICLES ON THE TRAVELED PORTION OF PUBLIC STREETS IN THE TOWN OF CLEAR LAKE

Robert Lewis read Ordinance 2013-03 by summary only and asked for a motion to adopt the ordinance on the third reading. The motion was made by Barry Worl to adopt Ordinance 2013-03 on the third reading. The motion was seconded by Chris Folland. All members present were in agreement and the ordinance was adopted.

5. ORDINANCE 2013-04: AN ORDINANCE AMENDING THE PLANNING AND ZONING FEE SCHEDULE FOR THE TOWN OF CLEAR LAKE – FIRST AND ONLY READING.

Robert Lewis asked for a motion to introduce Ordinance 2013-04. Barry Worl made the motion to introduce the ordinance. The motion was seconded by George Schenkel. All members present were in agreement and the motion passed. Robert read the Ordinance in its entirety and asked for a motion to adopt the Ordinance amending the planning and zoning fees. The motion was made by Chris Folland to adopt Ordinance 2013-04. The motion was seconded by George Schenkel. All members present were in agreement and Ordinance 2013-04 was adopted.

NEW BUSINESS:

1. RESOLUTION 02-2013: A RESOLUTION PROVIDING A PLAN FOR COMPLIANCE WITH TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

Robert Lewis read Resolution 02-2013 and asked for a motion to adopt. The motion was made by George Schenkel and seconded by Barry Worl. All members present were in agreement and the Resolution was adopted.

2. RESOLUTION 03-2013: A RESOLUTION TO ENLARGE THE PARTICIPATION IN THE PUBLIC EMPLOYEES RETIREMENT FUND

Robert Lewis read Resolution 03-2013 and asked for a motion to adopt. The motion was made by Barry Worl and seconded by Chris Folland. All members present were in agreement and the Resolution was adopted.

3. RESOLUTION 04-2013: A RESOLUTION UPDATING THE COMPREHENSIVE PLAN FOR THE TOWN OF CLEAR LAKE

Robert Lewis read Resolution 04-2013 and asked for a motion to adopt. The motion was made by George Schenkel and seconded by Barry Worl. All members present were in agreement and the Resolution was adopted.

4. NOTICE TO TAXPAYERS: TO RE-ESTABLISH THE CUMULATIVE CAPITAL DEVELOPMENT FUND (CCD)

Robert Lewis read the Notice to Taxpayers and asked the council to publish the Notice to Taxpayers two times before the public hearing at the June Town Council meeting. The motion was made by Chris Folland and seconded by George Schenkel. All members present were in agreement. The Clerk-Treasurer will send the notice to the Herald-Republican for publication.

5. CLEAR LAKE ASSOCIATION: THE TOWN'S PROPOSAL FOR ANNUAL DONATION

The Council has requested a donation of \$1,000 to assist in the cost of the public address system in the Town Hall meeting room. That request will be forwarded to the Association prior to their annual meeting.

6. CLEAR LAKE ASSOCIATION: REQUEST TO LOCATE A "LITTLE FREE LIBRARY" ON THE TOWN HALL PROPERTY.

After some discussion it was agreed that the Association be permitted to locate a small structure on the Town's property to house books and movies for sharing with the community.

7. 2013 FIREWORKS: CLEAR LAKE ASSOCIATION REQUEST BARRICADES TO UTILIZE THE ROADWAY BETWEEN ROUND LAKE AND CLEAR LAKE FOR THIS YEARS FIREWORKS DISPLAY.

After being assured that the Association will be notifying the nearby property owners, that they have the necessary permits from the state and that the fireworks company carries the necessary insurance, the Council agreed to placing barricades on the roadway for the time it takes to set-up and remove the fireworks display.

There being no further business to discuss a motion was made by Chris at 8:05 p.m. to adjourn the meeting. The motion was seconded by George Schenkel and the meeting was adjourned.

Robert E. Lewis, President

Attest: Kay A. Kummer, Clerk/Treasurer

**TOWN OF CLEAR LAKE
CASH & INVESTMENT BALANCES
APRIL 30, 2013**

OPERATING FUNDS BEGINNING CASH BAL – APRIL 1, 2013	
GENERAL FUND	\$42,667
MOTOR VEHICLES & HIGHWAY	95
MAJOR MOVES	1,088
LOCAL ROADS & STREETS	5,157
ECONOMIC DEVELOPMENT INCOME TAX	18,456
PUBLIC SAFETY INCOME TAX	46,395
RAINY DAY	83,603
MISCELLANEOUS FUNDS	7,318
CUMULATIVE CAPITAL DEVELOPMENT	<u>281,074</u>
	\$485,853
<u>CASH RECEIPTS FOR APRIL</u>	
GENERAL FUND	\$13,663
MOTOR VEHICLES & HIGHWAY	817
LOCAL ROADS & STREETS	412
ECONOMIC DEVELOPMENT INCOME TAX	1,379
PUBLIC SAFETY INCOME TAX	<u>2,617</u>
	\$18,888
<u>CASH DISBURSEMENTS FOR APRIL</u>	
GENERAL FUND	\$21,485
MOTOR VEHICLES HIGHWAY	3,533
PUBLIC SAFETY INCOME TAX	60
CUMULATIVE CAPITAL DEVELOPMENT	<u>120</u>
	\$25,198
OPERATING FUNDS CASH ENDING BAL – APRIL 30, 2013	<u>\$479,543</u>
Major Moves – \$127,000 @ .35% matures 12/01/2013	127,000
Cum Cap Development – \$150,000 @ .35% matures 12/01/2013	<u>150,000</u>
	\$277,000
<u>TOTAL CASH AND INVEST OPERATING FUNDS APRIL 30, 2013</u>	<u>\$756,543</u>
SANITATION FUND CASH BEGINNING BAL – APRIL 1, 2013	\$13,858
CASH RECEIPTS FOR APRIL	52,002
CASH DISBUSEMENTS FOR APRIL	<u>6,789</u>
SANITATION FUND CASH ENDING BAL – APRIL 30, 2013	\$57,071
SANITATION FUND CD'S AS OF APRIL 30, 2013	
First Federal Savings CD \$100,000 @ .35% matures 12/05/2013	100,000
<u>TOTAL CASH AND INVEST SANITATION FUND APRIL 30, 2013</u>	<u>\$157,071</u>

SEWER FUND CASH BEGINNING BALANCE – APRIL 1, 2013	\$634,253
CASH RECEIPTS FOR APRIL	45,677
CASH DISBURSEMENTS FOR APRIL	<u>23,256</u>
SEWER FUND CASH ENDING BALANCE – APRIL 30, 2013	*\$656,674
SEWER FUND CD'S AS OF APRIL 30, 2013	
<u>TOTAL CASH AND INVESTMENTS APRIL 30, 2013</u>	<u>\$656,674</u>

*Includes Sinking Fund for Bond & Interest of \$111,533, the Depreciation Fund balance is \$367,659 for replacement of sewer capital assets and Debt Service Reserve Cash of \$155,000, for final bond payment, leaving \$22,482 for operating as of APRIL 30, 2013.

Bond Indebtedness as of APRIL 30, 2013 is \$1,510,000 – Final payment December 31, 2019