

## MINUTES OF THE AUGUST 8<sup>TH</sup>, 2011 TOWN COUNCIL MEETING

The regular meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, August 8<sup>th</sup>, 2011 at 7:00 p.m. Present were Council Members Robert Lewis, George Schenkel, Sue Williams, Barry Worl and Alan Korte. Also present were Town Superintendent, Bob Hull and Town Attorney, Neal Blythe. There were nine 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.

Bob Lewis asked for any additions or corrections to the Town Council minutes for October 4<sup>th</sup>, 2010, July 11<sup>th</sup> and July 21<sup>st</sup>, 2011. There being no additions or corrections, Bob asked for a motion to approve the minutes as presented. Sue Williams made a motion to accept the minutes as presented for October 4<sup>th</sup>, 2010, July 11<sup>th</sup> and July 21<sup>st</sup>, 2011, seconded by Alan Korte, yea votes were given by Bob Lewis, Sue Williams, Barry Worl and Alan Korte. George Schenkel abstained due to his absence from the July 21<sup>st</sup> meeting.

The Clerk/Treasurer gave the Treasurer's Report for the month of July, which is attached to the minutes and proceeded with the Voucher Register for the following funds from July 12<sup>th</sup> thru August 8<sup>th</sup>, 2011.

Total disbursements from checking accounts are as follows:

General Fund	\$23,612.24
Sanitation Fund	6,971.35
Sewer Fund	<u>184,211.76</u>
Total Amount of Vouchers	\$214,795.35

Warrants to be approved were included in the Voucher Register. Bob Lewis asked for a motion to accept the Treasurer's Report and the Voucher Register with Warrants. A motion was made by George Schenkel to accept the Voucher Register with Warrants as presented, seconded by Sue Williams, all in favor and the motion passed.

### REPORTS

MARSHAL'S REPORT – The police department responded to the following incidents in July:

- 2 background investigations
- 2 HIN checks
- 3 golf cart inspections
- 1 medical assist

- 1 burglary – Pizza King
- 1 assists for the Orland police - parade
- 1 assists for the Fremont police - parade
- Several traffic stops – 7 warnings and 1 citation issued

Several area lakes are having thefts from vehicles. Windows are being broken to enable valuables to be taken from the vehicles. Make sure that valuables are stored out of site or removed from the vehicle.

Two of the town officers will be working boat patrol late afternoons and evenings.

FIRE DEPARTMENT – No Report

ZONING ADMINISTRATOR – Amy Schweitzer – July 2011

There were four Improvement Location Permits issued in July.

- Oldsen @ 18 Lake Drive – garage on LA lot
- Trudell @ 297 Lake Drive – tree house
- Richhart @ 880 Lake Drive – garage exterior
- Fleeman for Yackee @ 340 Penner Drive – deck

Plan Commission –

- Minutes for June Special meeting
- UDO amendment #6
- New forms
- Subdivision – Joe Moore
- Prepare for Plan Commission – August 1<sup>st</sup>

BZA –

- Beth & Bob Martin – 796 Lake Drive
- Jerry McArdele for Bryon Stephens – 960 Lake Drive
- Richard Johnston – 180 Lake Drive

OTHER –

- Research, site visits, discussion and correspondence about permits, projects and violations:  
Lakeside Hotel – zoning question  
Hauguel @ 156 Lake Drive – remodel/administrative subdivision questions  
DeLagrange @ 628 Lake Drive – review of garage  
Moran @ 36 lake Drive – modify agreement for improperly issued ILP  
Harvey @ 141 Terrace – research old valid ILP for deck and correspondence with Steuben County Building Department  
Wenck @ 114 Chapel – no ILP for deck  
Duvendack @ 276 Lake Drive – preliminary review of landscape plan  
Fleeman @ 155 Lake Drive – discuss repairs to fence  
Yoder/Phillips @ 644 Lake Drive – preliminary review of remodel/deck project  
Rumsey @ 814 Lake Drive – removal of lake side storage shed

MEETINGS –

- August 1 – Plan Commission
- August 15 – BZA

Total hours worked – 79

## TOWN SUPERINTENDENT

SEWER DEPARTMENT – Bob Hull reported during the month of July that there were 20 sewer locates, 11 alarm calls, 19 pumps were replaced or repaired and the average daily flow was 70,929 gallons per day.

STREET DEPARTMENT – A storm July 11<sup>th</sup> took down a tree on the north side of the lake at the Condo garages in the road right-of-way and Bob called Sevits Tree Service to remove the downed tree. They were paid \$600.

The catch basins and drain lines at Channel Drive at the public launch have been installed in preparation for resurfacing the street this fall if funds are available.

Two catch basins were raised and repaired at 854 Lake Drive.

Bob built eight new barricades that were destroyed by drivers when the streets were closed after the storm in July.

The engineering company, DLZ has completed the drawings and bid documents for Point Park project. Most of the road right-of-way easements have been signed and will be recorded soon.

Most of Bob's time in July was spent on renaming streets and the Point Park project.

Bob Hull received a bid from Eagle Asphalt Maintenance in Fremont of \$1,099.50 to seal and stripe the parking lot at the Town Hall. Bob Lewis asked for a motion for Bob Hull to go forward with the work on the parking lot. A motion was made by Alan Korte to accept the quote from Eagle Asphalt Maintenance for sealing and stripping the parking lot, seconded by Sue Williams, all in favor and the motion passed.

## BILLING DEPARTMENT

GARBAGE – Late fees were added on July 16<sup>th</sup> to accounts not paid in full and statements were sent to the property owners. If delinquent accounts are not paid by October 1<sup>st</sup>, they will be filed in Small Claims Court.

Administrative fees need to be discussed for filing these claims. To date there is no administrative fee added to the process of collecting for the annual garbage fee.

SEWER – There is one lien that will be filed this week. Increasing the administrative fee for filing liens on the delinquent sewer accounts also needs to be addressed. The current fee is \$100 and other municipalities are charging \$150.

We currently have 286 property owners who have signed up for auto draw on their monthly sewer payments.

There have been six generator permits issued in the last month.

POINT PARK DRIVE – The Department of Labor has scheduled the Common Wage hearing for Monday, August 15<sup>th</sup> at the Carnegie Public Library in Angola. After establishing the Common Wage, state statute allows for bids to be solicited stating we are using the Common Wage for the project. Bids can be awarded 14 days after the common wage has been established. DLZ suggested that the bids be opened and awarded at the next council meeting, September 12<sup>th</sup>, 2011. They will have two people in attendance to examine the bids for comparison to specifications.

Bob asked for a motion to go forward and solicit bids for the Point Park project. The motion was made by Sue Williams to solicit bids for the project, Alan Korte seconded the motion, all in favor and the motion passed.

### UNFINISHED BUSINESS

LITIGATION UPDATE – There was a judgment hearing on the Hewes lawsuit for not connecting to the Clear Lake Sewer System. The property owners were in attendance. The judgment states that they are to connect to the system immediately. Mr. and Mrs. Hewes stated that they would connect in August. After connection there will be another hearing to assess damages.

The three properties owned by the Hoagland Limited Family Partnership is scheduled for mediation in December 2011.

The Jetmore property continues to be a problem because of bankruptcy filing by the Jetmores and the Mortgage Company not wanting the property.

The deck case continues in LaGrange County. Hoagland's have requested a status conference with the date to be determined.

2011-2012 GARBAGE CONTRACT – Bob Lewis asked for a motion to accept the 2011-2012 solid waste and recyclable contract with Sanitation Solutions, LLC for a monthly fee of \$6,961.50. The motion was made by George Schenkel to accept the contract with Sanitation Solutions, LLC, it was seconded by Alan Korte, all in favor and the motion passed.

### NEW BUSINESS

STEBEN COUNTY ECONOMIC DEVELOPMENT CORP. SERVICE CONTRACT – 2012  
The service contract was presented for 2012 with a rate of \$1,816 which is the same as it has been since 2008. Bob Lewis asked for a motion to accept the 2012 service contract with the Corporation. A motion was made by Alan Korte to accept the service contract for 2012 with the Steuben County Economic Development Corp., seconded by Sue Williams, all in favor and the motion passed. Bob Hull will be sitting in on the interviewing of potential candidates for the directors position.

### RESOLUTION 04-2011 – RESOLUTION TO TRANSFER FUNDS

The Clear Lake Town Council members request a transfer of funds in the MVH Fund 300 line item for \$4,212 to the MVH Fund 100 for \$12 and MVH Fund 200 for \$4,200. They also requested that \$5,630 be transferred from the Sanitation Fund 100 line item to Sanitation Fund 300 line item.

Bob Lewis asked for a motion to transfer the requested funds. A motion was made by George Schenkel to approve the requested fund transfers, seconded by Barry Worl, all in favor and the motion passed.

RENAMING OF STREETS – Bob Lewis reviewed the streets that will be renamed within the corporation limits of Clear Lake in an effort to make it easier for emergency responders to locate destinations when 911 calls are made in the Town. There are a few minor changes to be worked out before the Plan Commission can make a recommendation to the Town Council.

WATER QUALITY COMMITTEE

Annie Skinner announced that the Clear Lake Township Land Conservancy was awarded a \$60,000 construction grant from Lakes And Rivers Enhancement fund. These are from monies paid when you register your watercraft every year.

Annie met with the County commissioners and engineers at the site on the county road where the Water Quality Committee believes that Clear Lake is getting run-off. The Commissioners say that their co-efficient numbers indicate that Clear Lake is not getting run-off from the county roads. Annie will be persistent and continue testing of waters for e-coli and sediment coming into Clear Lake after heavy rains. Annie believes that water quality should be a factor in determining which county roads get paved.

Alan Korte brought up the issue of yard waste and that he had talked with Mark Boyer about using his property on CR 700 E for that purpose. Mark is receptive to discussing the issue. Alan & Bob were to bring it up at the Clear Lake Township Land Conservancy annual meeting on August 13<sup>th</sup>.

Tornado sirens were also discussed and the fact that they were fired on the first Saturday of the month at noon and that there were storms in the area at the time. There does not seem to be one answer for the whole county with all of the lakes that they have to deal with.

There being no further business, Bob Lewis asked for a motion to adjourn the Town Council meeting at 8:10 p.m. The motion was made to adjourn the meeting by George Schenkel, seconded by Alan Korte, all in favor and the motion passed.

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Robert E. Lewis, President

Attest:

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Kay A. Kummer, Clerk/Treasurer

**TOWN OF CLEAR LAKE  
CASH & INVESTMENT BALANCES  
AUGUST 31, 2011**

GENERAL FUND CASH BEGINNING BAL – AUG. 1, 2011	\$284,335
CASH RECEIPTS FOR AUGUST	14,441
CASH DISBURSEMENTS FOR AUGUST	<u>26,079</u>
GENERAL FUND CASH ENDING BAL – AUG. 31, 2011	<b>\$272,697</b>

GENERAL FUND CD'S AS OF AUG. 31, 2011

General Fund – \$75,000 @ .31% matures 11/20/11	\$75,000
Major Moves – \$125,000 @ .65% matures 12/01/2011	125,000
Motor Vehicles Highway – \$50,000 @ .31% matures 11/30/2011	50,000
Cum Cap Development – \$150,000 @ .65% matures 12/01/2011	150,000
Cum Cap Development – \$100,000 @ .31% matures 11/30/2011	100,000
	<u>\$500,000</u>

**TOTAL CASH AND INVEST GEN FUND AUG. 31, 2011      \$772,697**

GARBAGE FUND CASH BEGINNING BAL – AUG. 1, 2011	\$73,592
CASH RECEIPTS FOR AUGUST	1,234
CASH DISBURSEMENTS FOR AUGUST	<u>6,971</u>
GARBAGE FUND CASH ENDING BALANCE – AUG. 31, 2011	<b>\$67,855</b>

GARBAGE FUND CD'S AS OF AUG. 31, 2011

First Federal Savings CD \$125,000 @ .65% matures 12/01/2011	125,000
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**TOTAL CASH AND INVEST GARB FUND AUG. 31, 2011      \$192,855**

SEWER FUND CASH BEGINNING BAL – AUG. 1, 2011	\$328,885
CASH RECEIPTS FOR AUGUST	56,215
CASH DISBURSEMENTS FOR AUGUST	<u>189,187</u>
SEWER FUND CASH ENDING BALANCE – AUG. 31, 2011	<b>*\$195,913</b>

SEWER FUND CD'S AS OF AUGUST 31, 2011

Farmers & Merchants CD \$260,000 @ .31% matures 11/30/2011	260,000
First Federal Savings CD \$250,000 @ .65% matures 12/01/2011	250,000
First Federal Savings CD \$250,000 @ .65% matures 12/01/2011	250,000
Flagstar Bank CD \$200,000 @ .95% matures 02/13/2013	200,000
Flagstar Bank CD \$150,000 @ .95% matures 02/13/2013	<u>150,000</u>
	1,110,000

**TOTAL CASH AND INVESTMENTS AUG. 31, 2011                      \$1,288,885**

\*Includes Sinking Fund for Bond & Interest of \$124,021 (\$21,750 is set aside monthly for semi-annual payments), \$77,505 for replacement of sewer capital assets and Debt Service Reserve Cash of \$1,827, for final bond payment, plus the \$260,000 CD at Farmers & Merchants Bank, leaving \$-7,440 for operating as of August 31, 2011.

**Bond Indebtedness as of AUGUST, 2011 is \$2,438,000**