

MINUTES OF MAY 14TH, 2012 TOWN COUNCIL MEETING

The regular meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, May 14th, 2012 at 7:00 p.m. Present were Council Members Bob Lewis, George Schenkel, Barry Worl and Chris Folland. Also present were Town Superintendent, Bob Hull; Town Marshal, John Gonya, Town Deputy, Rich McCarty and Town Attorney, Neal Blythe. There were 11 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.

The Clerk/Treasurer gave the Treasurer's Report for April 2012. Bob Lewis asked for a motion to approve the Treasurer's Reports. George Schenkel made a motion to accept the Treasurer's Reports for April 2012, it was seconded by Barry Worl, all were in favor and the motion passed.

Total disbursements on the Voucher Register are as follows:

Operating Funds	\$36,122.87
Sewer Funds	<u>25,666.25</u>
Total Amount of Vouchers	\$61,789.12

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

REPORTS –

MARSHAL'S REPORT – Marshal Gonya reported the following for April 2012:

- 2 background investigations
- 1 agency assist for dive team recovery dive
- 5 golf cart checks
- 1 suspicious vehicle
- 1 trespass

New stickers have been ordered for golf cart renewals and new registrations. The registrations expiring this year will again be valid for a two-year period.

The police boat is having new lights installed and wiring reworked along with a new siren. The siren is a requirement by the DNR for use while on LARE patrols. The sheriff's department donated the lights and siren. The sheriff's department did receive the LARE grant for this year and will be conducting patrols on the weekends at Clear Lake.

Hillsdale County Michigan police reported to the Steuben County Sheriff's department that several seasonal properties were burglarized in April and early May. The town's officers as well as the County and Fremont officers have been patrolling heavily for any suspicious vehicles.

FIRE DEPARTMENT – Barry Worl reported that the Fremont Fire Department made 72 calls for the month of April. There was one medical assists in the Town of Clear Lake and one carbon monoxide investigation.

ZONING ADMINISTRATOR – Bob Hull reported for Amy Schweitzer – April 2012

There were two Improvement Location Permits issued in April.

- Alex Connett @ 700 South Clear Lake Drive, L.A. parking area
- John Riedeman @ 126 Chapel Drive, residential remodel & flatwork

BZA –

- Meeting preparation for April meeting
- Riedeman variance follow-up, case #2012-02
- Bob Adams request for variance modification, research, discussions with attorney, preparation for Board and answer questions, case #2012-05
- Develop and finalize Rules of Procedure and new application forms

PLAN COMMISSION –

- Plan Commission Executive Committee meeting
- Finalization of UDO Amendment #7 for Plan Commission
- Update Plan Commission Rules of Procedure
- Comprehensive Plan Update

OTHER –

1. Research, site visits, discussion and correspondence about permits, projects and violations:
 - Scheumann for Jacquay @ 60 Penner Drive
 - Powers @ 22 West Clear Lake Drive
 - Hagerman @ 200 West Clear Lake Drive – no ILP
 - Richhart – confirmation of driveway sizes to be poured from ILP of 2011

Total hours worked – 50.00

TOWN SUPERINTENDENT –

SEWER DEPARTMENT – M & C Trenching has started their annual inspection of all grinder pumps. They have found several pumps in need of repair. There will be additional reporting in May.

There were 16 locates, 8 alarm calls, 12 pumps replaced or repaired and the average daily flow was 24,727 gallons per day.

STREET DEPARTMENT

1. Seeding has been completed on Point Park Drive. The final leaf pickup was completed by May 8th. Bob picked up two dump truck loads and took them to Fremont.
2. A new culvert has been installed at 216 West Clear Lake Drive with the catch basin installed on the lake side of the road. In the future if there is a need to change the location of the existing drain the road will not need to be excavated.

3. DLZ of Indiana has completed the plans and specifications for the road projects to be put out for bid this year. Following are the projects on the list.
 - Lakeside Court to the Public Beach property line on the north and South Clear Lake Drive at the Public Launch
 - East Clear Lake Drive @ 620 – cut-out and replace small section
 - Buck Point Road – on hold
 - Sandpoint Road – resurface

If funds are available after the initial bid is awarded Bob would like to do three small roads in town that are still gravel: John and Joann Court in Penner Acres and Prospect Street.

Bob asked the Council for permission to publish the bid advertisement for the 2012 Street Project. The Council agreed that the bid should go out for the 2012 Street Project Bid.

The next item on Bob's list is the leaf-vac. Bob and Rich McCarty made a trip to Galion, OH to inspect a used leaf-vac and found that the 1999, 30-yard leaf-vac with a 6-cylinder John Deere engine priced at \$16,500 was in good condition. Bob would like to have the rider seat that houses the hydraulics to operate the vacuum hose installed for \$5,900 and also to have it painted for \$2,300 for a total of \$24,700. The new 25-yard leaf-vac was priced at \$39,900. The Town would need to have a building to house the equipment when not in use and Bob has received a bid from Property Management Solutions to build a two-sided addition to the existing salt barn for \$4,750. After much discussion with the Council, Chris Folland made a motion to have Bob Hull proceed with the purchase of the used 1999, 30-yard leaf-vac with attached rider seat and new paint for \$27,400 plus the addition to the salt barn for storing the machine, not to exceed \$5,000. The motion was seconded by Barry Worl, all were in favor and the motion passed.

BILLING DEPARTMENT

DIRECTORY – The directory is at the printers and should be returned for proofing before the end of the month. Laura is hoping to have it completed and ready for delivery by June 1st.

SEWER – The total number of property owners on auto-draw is now 295. The numbers of liens filed are seven.

SOLID WASTE – The final small claims case for 2011 trash collection fee on May 1st did not appear for the hearing. The Town's attorney will be handling further action.

LITIGATION UPDATE – Town attorney, Neal Blythe

Small claims on May 1st the property owner did not appear and the judge handed down a default judgment with a court date to be determined at a later date for follow-up proceedings. The Landemeier lawsuit continues with both attorneys working to negotiate an agreement.

The Hoagland Family Limited Partnership deck case will have a status conference on May 31st at 3:00 p.m. in DeKalb Superior Court with Judge Wallace. A trial date will be asked for at that time.

Unrelated to litigation, the State statutes passed in the 2012 legislative session that would impact the Town are the anti-nepotism law, the mowing ordinance and the abandoned properties. Neal will be working on a resolution for the Town to adopt an anti-nepotism policy and will revisit the mowing ordinance to make the changes necessary to conform with the state statute.

UNFINISHED BUSINESS –

STREET RENAMING – The following agencies have completed inputting all of the changes:

- Post office
- Steuben County GIS manager
- State of Indiana
- Voter registration
- Emergency management
- Steuben County Auditors office is working on changing addresses in their system.

NEW BUSINESS –

STREET CLOSURE – The Clear Lake Association has asked that West Clear Lake Drive be closed for the fireworks between #228 and #240 West Clear Lake Drive on July 6th or the rain date of July 7th. After discussion with the association members, Barry Worl made a motion to allow the road to be closed for the fireworks on either of the designated days. The motion was seconded by Chris Folland, all of the members were in favor and the motion passed.

CLEAR LAKE ASSOCIATION –

The Association is asking the Town, along with other local organizations, that request for contributions from the association be made before their annual meeting in July. The Town, this year would like to have assistance in purchasing a recording system for the conference room. Quotes will be submitted and the contribution amount will be determined by the Association's Board of Directors.

WATER QUALITY –

The water quality committee has begun their water testing for the year. There will be a garlic mustard pull, watch the bulletin board for details. The 4-H site is still open for yard waste. There will be a clean-up on the Brennan property west of the Yacht Club on June 6th. They are still working on a project for the LARE grant they received over a year ago.

There being no further business at 8:15 p.m. Bob Lewis asked for a motion to adjourn. George Schenkel made the motion to adjourn it was seconded by Barry Worl, all were in favor and the motion passed.

Robert E. Lewis, President

Attest: Kay A. Kummer, Clerk/Treasurer

**TOWN OF CLEAR LAKE
CASH & INVESTMENT BALANCES
APRIL 30, 2012**

BEGINNING CASH BAL – APRIL 1, 2012	
GENERAL FUND	\$40,441
MOTOR VEHICLES & HIGHWAY	36,612
MAJOR MOVES	499
LOCAL ROADS & STREETS	9,673
ECONOMIC DEVELOPMENT INCOME TAX	22,700
PUBLIC SAFETY INCOME TAX	25,004
RAINY DAY	70,106
MISCELLANEOUS FUNDS	3,068
CUMULATIVE CAPITAL DEVELOPMENT	<u>217,180</u>
	425,283
<u>CASH RECEIPTS FOR APRIL</u>	
GENERAL FUND	\$24,042
MOTOR VEHICLES & HIGHWAY	708
LOCAL ROADS & STREETS	416
ECONOMIC DEVELOPMENT INCOME TAX	2,989
PUBLIC SAFETY INCOME TAX	6,868
MISCELLANEOUS FUNDS	<u>22</u>
	35,045
<u>CASH DISBURSEMENTS FOR APRIL</u>	
GENERAL FUND	\$18,140
MOTOR VEHICLES HIGHWAY	6,280
CUMULATIVE CAPITAL DEVELOPMENT	<u>6,341</u>
	30,761
OPERATING FUNDS CASH ENDING BAL – APRIL 30, 2012	\$429,567
Major Moves – \$127,000 @ .50% matures 12/01/2012	127,000
Cum Cap Development – \$150,000 @ .50% matures 12/01/2012	<u>150,000</u>
	\$277,000
<u>TOTAL CASH AND INVEST OPER FUNDS APRIL 30, 2012</u>	<u>\$706,567</u>
SANITATION FUND CASH BEGINNING BAL – APRIL 1, 2012	\$27,948
CASH RECEIPTS FOR APRIL	0
CASH DISBURSEMENTS FOR APRIL	<u>6,961</u>
SANITATION FUND CASH ENDING BAL – APR 30, 2012	\$20,987
SANITATION FUND CD'S AS OF APRIL 30, 2012	
First Federal Savings CD \$100,000 @ .50% matures 12/05/2012	100,000
<u>TOTAL CASH AND INVEST SANI FUND APRIL 30, 2012</u>	<u>\$120,987</u>

SEWER FUND CASH BEGINNING BALANCE – APR 1, 2012	\$465,113
CASH RECEIPTS FOR APRIL	50,598
CASH DISBURSEMENTS FOR APRIL	<u>18,842</u>
SEWER FUND CASH ENDING BALANCE – APRIL 30, 2012	*496,869
SEWER FUND CD'S AS OF APRIL 30, 2012	
First Federal Savings CD \$250,000 @ .50% matures 12/05/2012	250,000
First Federal Savings CD \$250,000 @ .50% matures 12/05/2012	250,000
Flagstar Bank CD \$200,000 @ .95% matures 02/04/2013	200,000
Flagstar Bank CD \$150,000 @ .95% matures 02/04/2013	<u>150,000</u>
	850,000
<u>TOTAL CASH AND INVESTMENTS APRIL 30, 2012</u>	<u>\$1,346,896</u>

*Includes Sinking Fund for Bond & Interest of \$ 87,120 (\$21,780 is set aside monthly for semi-annual payments), \$75,609 for replacement of sewer capital assets and Debt Service Reserve Cash of \$261,827, for final bond payment, leaving \$72,313 for operating as of April 30, 2012.

Bond Indebtedness as of April 30, 2012 is \$2,277,000