

MINUTES OF JUNE 11TH, 2012 TOWN COUNCIL MEETING

The regular meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, June 11th, 2012 at 7:00 p.m. Present were Council Members Bob Lewis, George Schenkel, Barry Worl, Alan Korte and Chris Folland. Also present were Town Superintendent, Bob Hull; Town Marshal, John Gonya, Town Attorney, Neal Blythe and Phil Hibbert from DLZ Indiana. There were 14 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 first order of business was to open the bids received for the 2012 Street Projects. There were three bids received: one from API Construction, Inc. for \$74,996, one from Brooks Construction for \$81,665 and one from E & B Paving for \$68,653. After the bids were opened Phil Hibbert from DLZ engineering compared the bids and found all bidders to be using the same specifications. The Council awarded the bid for the 2012 Street Project to E & B Paving.

The next item on the agenda was to approve the Town Council meeting minutes from February 13th, 2012. Bob Lewis asked if there were any additions or corrections to the February 13th minutes. There were none and Bob asked for a motion to accept the minutes as presented. The motion was made by George Schenkel, seconded by Alan Korte who along with Bob Lewis voted to approve the minutes. Barry Worl abstained because he was not present and Chris Folland abstained because he was not on the council at that time.

Minutes of the May 14th, 2012 Town Council meeting were next on the agenda. Bob Lewis asked if there were any additions or corrections to the minutes of May 14th, 2012. There being none, Bob asked for a motion to accept the minutes as presented. The motion was made by George Schenkel, seconded by Chris Folland who along with Barry Worl voted to approve the minutes. Bob Lewis and Alan Korte abstained due to their absence at the May 14th meeting.

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

Total disbursements on the Voucher Register are as follows:

Operating Funds	\$32,737.19
Sewer Funds	<u>25,400.18</u>
Total Amount of Vouchers	\$58,137.37

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.

RESOLUTION 02-2012 – a resolution to transfer funds

Transfer from General Fund	\$13,500
Transfer to Rainy Day Fund	\$13,500

Bob Lewis read the resolution and asked for a motion to accept Resolution 02-2012. The motion was made by George Schenkel to accept Resolution 02-2012 to transfer \$13,500 from the General Fund to the Rainy Day Fund, it was seconded by Alan Korte, all were in favor and the motion passed.

REPORTS –

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

- 2 background investigations
- 3 agency assist for Sheriff's Office
- 7 golf cart checks
- 1 residential alarm
- 3 VIN checks
- 5 traffic stops (3 warnings, 1 ticket, 1 verbal)

The police boat has been readied for summer patrols and is docked at 1004 South Clear Lake Drive. The Town officers and Marine Patrol were happy to hear that a new bilge pump had been installed.

The radar unit in the police vehicle continues to malfunction and Marshal Gonya presented the council with a quote for a refurbished unit for \$1,195 a new one from I.E.S.P for \$2,239 and one from Galls for \$2,800. The council asked John to proceed with the purchase of the one for \$2,239 from I.E.S.P. The existing radar gun was purchased in July 1996.

FIRE DEPARTMENT – Barry Worl reported that the Fremont Fire Department made 72 calls for the month of May. There were four medical assists in the Town of Clear Lake and four calls in Clear Lake Township.

2013 FIRE CONTRACT – Barry Worl presented the new fire contract with the Town of Fremont. The contract for 2011 & 2012 had remained unchanged at \$23,700 and the new contract will have an increase of 1.5% for a total of \$24,157. The council agreed to the negotiated amount of \$24,157.

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

There were 5 Improvement Location Permits issued in April.

- Clear Lake Yacht Club @ 188 WCLD, fence
- Steury Builders/ Grande @ 900 Lake Drive, flatwork on L.A. lot
- Brooks Construction/ J. Hagerman, 200 WCLD, flatwork
- Barry Worl, 787 SCLD, replace existing fence
- Karen Beemer, 310 ECLD, replace existing stoop

BZA –

- Minutes from April meeting
- Cancellation of June 18 meeting
- Public hearing signs – design, correspondence, order & pick-up

PLAN COMMISSION –

- Meeting packet, preparation and attend – May 9
- Preparation of UDO amendment #7 for Town Council
- Introduction session with new member, Roger Dammeier
- Comprehensive Plan update – develop survey

OTHER –

1. Research, site visits, discussion and correspondence about permits, projects and violations:
 - Thompson @ 1238 Quiet Harbor
 - Wench @ 200 Outer Drive
 - Graham/Zachrich @ 101 Billings Court
 - Powers @ 22 West Clear Lake Drive
 - Hill @ 934 South Clear Lake Drive
 - Construction sign enforcement
 - Print RV regulations for Lions Club distribution

Total hours worked – 50.00

TOWN SUPERINTENDENT –

SEWER DEPARTMENT – The main lift station

There were 8 locates, 7 alarm calls, 9 pumps replaced or repaired, one pump scrapped and an average daily flow of 21,833 gallons per day.

STREET DEPARTMENT

1. Almost all street signs have been replaced except for a couple on backorder along with directional arrow signs. Paradise Point has not been changed as yet. Sign posts will be replaced as time allows with new galvanized posts.
2. Survey work is complete for 2012 resurface projects, but the drawings are not ready as of today. Bids should be ready for advertising before the next scheduled Council meeting.
3. Road Projects for 2012 are:
 - Lakeside Court to the Public Beach property line 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

Bob reported that he has two quotes for a leaf machine: one new at \$33,401 and one used for \$16,500. He would like to inspect both at the shop in Ohio where they are manufactured. The Council agreed to have Bob make a site visit.

TORNADO SIRENS – The tornado sirens need to be inspected by the County before NIPSCO can connect power from the poles to the sirens. That should be completed shortly.

BILLING DEPARTMENT

DIRECTORY – The directory is being printed. The Lions Club will make arrangement for delivery as soon as it is delivered to the Town Hall and all of the inserts have been added.

SEWER – The total number of property owners on auto-draw is now 265. The numbers of liens filed are nine with one more this month.

SOLID WASTE – Invoices have been mailed to all property owners.

LITIGATION UPDATE – Town attorney, Neal Blythe

The final solid waste claim will be in Small Claims again in two weeks.

The Hoagland Family Limited Partnership deck case will be in court on Thursday.

There was nothing new to report on the Hoagland Family Limited Partnership properties connecting to the Town's sewer system.

NEW BUSINESS –

LANDMEIER AGREEMENT – There were no documents to review at this time.

ORDINANCE 2012 – 02 – An ordinance amending the Unified Development Ordinance that was passed to the Town Council with a favorable recommendation.

Bob Lewis read the ordinance in its entirety and asked for a motion to accept the Ordinance as read. The motion was made by Chris Folland to accept Ordinance 2012-02 as recommended by the Plan Commission, it was seconded by George Schenkel, all were in favor and the motion passed.

RESOLUTION 01-2012 – A resolution to enforce an anti-nepotism policy in the Town of Clear Lake.

Bob Lewis read the resolution in its entirety and asked for a motion to accept the resolution. George Schenkel made the motion to accept Resolution 01-2012, Chris Folland seconded the motion, all were in favor and the motion passed.

WATER QUALITY COMMITTEE – Maryjo Fitzenrider reported that there will be a Steuben County Board of Zoning Appeals hearing on the expansion of the cow herd by NEI Dairy in the multi-purpose room on June 25th, 2012 for those wishing to attend.

There being no further business at 8:20 p.m. Bob Lewis asked for a motion to adjourn. Alan Korte made the motion to adjourn it was seconded by George Schenkel, 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
MAY 31, 2012**

BEGINNING OPERATING FUNDS CASH BAL – MAY 1, 2012	
GENERAL FUND	\$46,344
MOTOR VEHICLES & HIGHWAY	31,040
MAJOR MOVES	499
LOCAL ROADS & STREETS	10,089
ECONOMIC DEVELOPMENT INCOME TAX	25,689
PUBLIC SAFETY INCOME TAX	31,872
RAINY DAY	70,104
MISCELLANEOUS FUNDS	3,090
CUMULATIVE CAPITAL DEVELOPMENT	<u>210,840</u>
	\$429,567
<u>CASH RECEIPTS FOR MAY</u>	
GENERAL FUND	\$14,868
MOTOR VEHICLES & HIGHWAY	858
LOCAL ROADS & STREETS	409
ECONOMIC DEVELOPMENT INCOME TAX	1,293
PUBLIC SAFETY INCOME TAX	2,606
MISCELLANEOUS FUNDS	1,000
CUMULATIVE CAPITAL DEVELOPMENT	<u>59</u>
	\$21,093
<u>CASH DISBURSEMENTS FOR MAY</u>	
GENERAL FUND	\$36,766
MOTOR VEHICLES HIGHWAY	<u>3,205</u>
	\$39,971
OPERATING FUNDS CASH ENDING BAL – MAY 31, 2012	\$410,689
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 & INVEST OPER FUNDS – MAY 31, 2012</u>	<u>\$687,689</u>
SANITATION FUND CASH BEGINNING BAL – MAY 1, 2012	\$20,987
CASH RECEIPTS FOR MAY	6,170
CASH DISBUSEMENTS FOR MAY	<u>7,232</u>
SANITATION FUND CASH ENDING BAL – MAY 31, 2012	\$19,925
SANITATION FUND CD AS OF MAY 31, 2012	
First Federal Savings CD \$100,000 @ .50% matures 12/05/2012	100,000
<u>TOTAL CASH AND INVEST SANI FUND – MAY 31, 2012</u>	<u>\$119,925</u>

SEWER FUND CASH BEGINNING BALANCE – MAY 1, 2012	\$496,869
CASH RECEIPTS FOR MAY	45,430
CASH DISBURSEMENTS FOR MAY	<u>22,975</u>
SEWER FUND CASH ENDING BALANCE – MAY 31, 2012	*519,324
SEWER FUND CD'S AS OF MAY 31, 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 – MAY 31, 2012</u>	<u>\$1,369,324</u>

*Includes Sinking Fund for Bond & Interest of \$ 108,900 (\$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 \$72,988 for operating as of May 31, 2012.

Bond Indebtedness as of May 31, 2012 is \$2,277,000