

## MINUTES OF SEPTEMBER 10<sup>TH</sup>, 2012 TOWN COUNCIL MEETING

The regular meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, September 10<sup>th</sup>, 2012 at 7:00 p.m. Present were Council Members Bob Lewis, Barry Worl, Alan Korte and Chris Folland. Also present were Town Superintendent, Bob Hull, Town Deputy Rich McCarty and Town Attorney, Neal Blythe. There were eight 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 then asked for a moment of silence in memory of Judy Snyder, wife of past zoning administrator, Bruce Snyder.

President, Bob Lewis asked if there were any additions or corrections to the minutes of the August 13<sup>th</sup>, 2012 meeting. There being no additions or corrections Bob asked for a motion to accept the minutes as presented. The motion was made by Chris Folland, seconded by Barry Worl, all council members were in favor and the motion passed.

The Clerk/Treasurer gave the Treasurer's Report as of August 31<sup>st</sup>, 2012. Bob Lewis asked for a motion to approve the Treasurer's Report. Chris Folland made a motion to accept the Treasurer's Report for August 31<sup>st</sup>, 2012, it was seconded by Barry Worl, all council members were in favor and the motion passed.

Total disbursements on the Voucher Register are as follows:

Operating Funds	\$89,167.84
Sewer Funds	<u>21,013.22</u>
Total Amount of Vouchers	\$110,181.06

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 Alan Korte to accept the Voucher Register with Warrants as presented, seconded by Chris Folland, all council members were in favor and the motion passed.

### REPORTS –

MARSHAL'S REPORT – given by Deputy, McCarty reported the following for August 2012:

- 4 background investigations
- 3 agency assists for Sheriff's Office
- 2 agency assists for Fremont Police Department
- 8 golf cart checks
- 5 gas tank thefts
- 1 VIN checks
- 1 medic assist
- 2 thefts
- 1 suspicious person
- 1 drug arrest from traffic stop

Activities are quieting down with summer coming to an end. The Tahoe required a new battery due to the old radar guns bad wiring and draining the old battery.

FIRE DEPARTMENT – NO REPORT

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

There were three Improvement Location Permits issued in August.

- Ken Fankhauser, 375 ECLD – Stone Wall
- Kevin Herber, 114 Lakeview Drive – Accessory structure
- Spangler Family Prop, 299 ECLD – primary structure addition & deck

PLAN COMMISSION –

- August 6, 2012 regular meeting and completion of minutes
- Comprehensive Plan update
  - Demographic research
  - Tally and report of Values Survey results
  - Meeting with Steering Committee
- Administrative Subdivisions
  - Follow-up for Adams @ 276 Lakeview Drive
  - Spangler Family Prop, 299 ECLD

BZA

- August 20, 2012 regular meeting – preparation, binders, complete meeting minutes, UDO intro to new member
- 2012-03 Development Standards Variance for Spangler Prop @299 ECLD

OTHER

- Research, site visits, discussion and correspondence about permits, projects and violations:
  - General realtor questions about new flood map
  - Fankhauser @375 ECLD
  - Reifel @44 WCLD
  - McArdle @686 SCLD
  - Winzeler @324 ECLD
  - Von Deylen @ Sunset Bay Court
  - Meeting with representatives from Water Quality Committee
  - Powers @22 WCLD
  - Etter for 988 SCLD

Total hours worked – 62.0

TOWN SUPERINTENDENT – Bob Hull

SEWER DEPARTMENT

There were 19 locates, 10 service calls, 10 pumps replaced or repaired, and an average daily flow of 51,097 gallons per day.

## STREET DEPARTMENT

Bob Hull discussed the need to have Paradise Point surveyed and resurfaced. Council agreed if the cost would be under \$20,000. Bob will have the surveyors proceed and get an estimate of the cost.

## BILLING DEPARTMENT

SEWER – There have been no new liens filed in the past month for non payment of sewer accounts. We currently have seven liens filed. One of the properties has been sold at sheriff's sale and the lien has been paid. The Town will receive payment after the second installment of property taxes in late November.

SOLID WASTE – Payment has been received for the last outstanding 2011 trash collection fee. There are still four outstanding accounts for 2012. Small Claims will be filed on two of the four outstanding with further research on the final two.

TOWN – There will be another heavy trash pick-up on September 15<sup>th</sup>.

LITIGATION UPDATE – Town attorney, Neal Blythe

Judge Wallace is working on the Hoagland Family Limited Partnership deck case.

Neal continues to work with the attorney, Jonathan Cress on the sewer connection case.

UNFINISHED BUSINESS –

**ORDINANCE 2012-03: 2<sup>nd</sup> READING, AN ORDINANCE VACATING A PORTION OF POINT PARK DRIVE, LOCATED IN THE TOWN OF CLEAR LAKE**

Bob Lewis asked for a motion to read Ordinance 2012-03 by summary. The motion was made by Alan Korte, seconded by Barry Worl, all members were in favor and the motion passed.

Bob read the second reading of Ordinance 2012-03 by summary only and asked for a motion to accept Ordinance 2012-03 on the second reading. Chris Folland made the motion to accept the ordinance on the second reading, seconded by Alan Korte and the motion passed.

Bob asked for a motion to recess the council meeting and open the public hearing. Alan Korte made the motion to recess the council meeting and open the public hearing, it was seconded by Chris Folland and the motion passed.

There being no comments from those in attendance, Bob asked for a motion to resume the council meeting. The motion was made by Chris Folland, seconded by Alan Korte, all were in favor and the motion passed.

**ORDINANCE 2012-03: 3<sup>rd</sup> READING, AN ORDINANCE VACATING A PORTION OF POINT PARK DRIVE, LOCATED IN THE TOWN OF CLEAR LAKE**

Bob read the ordinance by summary only and asked for a motion to accept Ordinance 2012-03. The motion to accept the ordinance was made by Chris Folland, seconded by Alan Korte, all council members were in favor and the motion passed.

There being no further business Bob Lewis asked for a motion to adjourn at 7:35 p.m. The motion was made by Chris Folland and seconded by Alan Korte.

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Robert E. Lewis, President

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Attest: Kay A. Kummer, Clerk/Treasurer

**TOWN OF CLEAR LAKE  
CASH & INVESTMENT BALANCES  
AUGUST 31, 2012**

BEGINNING CASH BAL – AUGUST 1, 2012	
GENERAL FUND	\$82,330
MOTOR VEHICLES & HIGHWAY	53,075
MAJOR MOVES	660
LOCAL ROADS & STREETS	11,312
ECONOMIC DEVELOPMENT INCOME TAX	28,710
PUBLIC SAFETY INCOME TAX	39,648
RAINY DAY	70,103
MISCELLANEOUS FUNDS	6,927
CUMULATIVE CAPITAL DEVELOPMENT	<u>271,254</u>
	<b>\$564,019</b>
<u>CASH RECEIPTS FOR AUGUST</u>	
GENERAL FUND	\$8,934
MOTOR VEHICLES & HIGHWAY	1,356
LOCAL ROADS & STREETS	102
ECONOMIC DEVELOPMENT INCOME TAX	1,293
PUBLIC SAFETY INCOME TAX	2,601
RAINY DAY – FROM GENERAL FUND	13,500
MISCELLANEOUS FUNDS	<u>232</u>
	<b>\$28,018</b>
<u>CASH DISBURSEMENTS FOR AUGUST</u>	
GENERAL FUND	\$21,469
GENERAL FUND – TO RAINY DAY	13,500
MOTOR VEHICLES HIGHWAY	3,439
PUBLIC SAFETY INCOME TAX	2,219
MISCELLANEOUS FUNDS	1,000
CUMULATIVE CAPITAL DEVELOPMENT	<u>3,586</u>
	<b>\$45,213</b>
GENERAL FUND CASH ENDING BAL – AUG. 31, 2012	<b>\$546,824</b>
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>
	<b>\$277,000</b>
<b><u>TOTAL CASH AND INVEST GEN FUND AUG. 31, 2012</u></b>	<b><u>\$823,824</u></b>
SANITATION FUND CASH BEGINNING BAL – AUG 1, 2012	<b>\$73,787</b>
CASH RECEIPTS FOR AUGUST	1,485
CASH DISBUSEMENTS FOR AUGUST	<u>9,635</u>
SANITATION FUND CASH ENDING BAL – AUG. 31, 2012	<b>\$65,637</b>
SANITATION FUND CD'S AS OF AUG. 31, 2012	
First Federal Savings CD \$100,000 @ .50% matures 12/05/2012	100,000

<b><u>TOTAL CASH AND INVEST SANI FUND AUG. 31, 2012</u></b>	<b><u>\$165,637</u></b>
SEWER FUND CASH BEGINNING BALANCE – AUG 31, 2012	<b>\$472,618</b>
CASH RECEIPTS FOR AUGUST	47,148
CASH DISBURSEMENTS FOR AUGUST	41,788
<b>SEWER FUND CASH ENDING BALANCE – AUG. 31, 2012</b>	<b>*477,978</b>
SEWER FUND CD'S AS OF AUGUST 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>
	<b>850,000</b>
<b><u>TOTAL CASH AND INVESTMENTS AUG. 31, 2012</u></b>	<b><u>\$1,327,978</u></b>

\*Includes Sinking Fund for Bond & Interest of \$127,562 (\$21,780 is set aside monthly for semi-annual payments), \$19,387 for replacement of sewer capital assets and Debt Service Reserve Cash of \$261,827, for final bond payment, leaving \$69,202 for operating as of AUGUST 31, 2012.

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