

## MINUTES OF DECEMBER 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, December 10<sup>th</sup>, 2012 at 7:00 p.m. Present were Council Members George Schenkel, Chris Folland, Barry Worl & Alan Korte. Also present was Town Superintendent, Bob Hull. There were five citizens who signed the guest register.

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

Vice-President, George Schenkel asked if there were any additions or corrections to the minutes of the November 12<sup>th</sup>, 2012 Council meeting. There being no additions or corrections to the council minutes George asked for a motion to accept the minutes as presented. The motion was made by Chris Folland to accept the minutes as presented, a second was made by Alan Korte, all council members present were in favor and the motion passed.

The Clerk/Treasurer gave the Treasurer's Report as of November 30<sup>th</sup>, 2012. George Schenkel asked for a motion to approve the Treasurer's Report as presented. Alan Korte made a motion to accept the Treasurer's Report for November 30<sup>th</sup>, 2012 as presented, it was seconded by Chris Folland, all council members were in favor and the motion passed.

Total disbursements on the Voucher Register are as follows:

Operating Funds	\$26,309.97
Sewer Funds	<u>49,761.15</u>
Total Amount of Vouchers	\$76,071.12

Warrants to be approved were included in the Voucher Register. George Schenkel 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 Barry Worl, all council members were in favor and the motion passed.

### REPORTS –

#### MARSHAL'S REPORT – John Gonya given by Barry Worl

- 1 background investigation
- 1 agency assist for Sheriff's Office
- 1 agency assist for Fremont Police Department
- 1 agency assist for the DNR
- 1 VIN check
- 1 HIN check
- Several property checks requested by owners
- 1 residential alarm

Winter has set in and activities around the lake have been reduced. Patrol hours have been reduced slightly. The Marshal is working on statistics for the January meeting comparing 2012 to previous years.

FIRE DEPARTMENT – Barry Worl reported that the Fremont Fire Department made 47 calls in the month of November. There was one call to the Town of Clear Lake for a brush fire and four calls in Clear Lake Township.

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

There were no Improvement Location Permits issued in November.

PLAN COMMISSION –

- 2012 update to Comprehensive Plan
  - Map review, modification
  - Incorporate pictures, maps
  - Create Table of Contents
- Administrative Subdivisions
  - Continued follow-up for Adams @ 276 Lakeview Drive
- Prepare for Executive Committee Meeting

BZA

- Minutes from October 15, 2012 meeting
- Cancel December 17<sup>th</sup>, 2012 meeting
- Membership/meeting dates for 2013

OTHER

- Research, site visits, discussion and correspondence about permits, projects and violations:
  - Alley vacation – Korte @ 950 SCLD & Walters @ 954 SCLD
  - McClain @ 1226 Quiet Harbor – small storage structure- no ILP required
  - H.J. Umbaugh request for permit data regarding Sewer Bond Refunding
  - Moss @ 583 ECLD Compliance
  - Connett @ 700 SCLD
  - Geiger – zoning map questions

Total hours worked – 30.0

TOWN SUPERINTENDENT – Bob Hull

SEWER DEPARTMENT

There were 7 sewer locates, 2 service calls, no pumps replaced or repaired, and an average daily flow of 20,114 gallons per day.

The lift station pump at the Town Hall did not need to be repaired as originally thought. The problem was in the control panel and it was repaired. The circulation pump was replaced.

STREET DEPARTMENT

The new leaf-vac has been cleaned, serviced and stored for the season. Please give Bill Geiger a big thank you for allowing the Town to store the leaf-vac machine in his building in Fremont for the winter. The leaves picked up for the 2012 fall season totaled 1,825 cubic yards, almost three times more than 2011.

The dump truck has been serviced and is being readied for the winter season. We have enough salt in the barn to carryover to 2013.

Bob has spent several hours with Phil Hibbert, engineer from DLZ Indiana going over the 5-year Street Plan for the Town. They will be reporting at the January Council Meeting.

BILLING DEPARTMENT – No Report

LITIGATION UPDATE – No Report

UNFINISHED NEW BUSINESS –

1. Resolution 07-2012: A RESOLUTION FOR POST ISSUANCE TAX COMPLIANCE POLICY IN MEETING THE TOWNS OBLIGATIONS UNDER APPLICABLE STATUES, REQUATIONS AND DOCUMENTATION ASSOCIATED WITH PUBLICLY OFFERED AND PRIVATELY PLACED SECURITIES “THE BONDS”.

George Schenkel read the six page Resolution by summary only and asked for a motion to accept the Resolution as read. The motion was made by Alan Korte to accept Resolution 07-2012, a second was made by Barry Worl, all council members were in agreement and the motion passed.

2. SOUND/RECORDING SYSTEM FOR MEETING ROOM: The quote from Clear Lake Electric is \$4,061.61 of which the Clear Lake Association has donated \$2,000.

After discussion for the installation of the sound/recording system in the meeting room Chris Folland made a motion to instruct Bill Geiger to proceed with the purchase and installation of the system. The motion was seconded by Alan Korte and all members present were in agreement.

3. SOLID WASTE BIDS: SOLID WASTE COLLECTION CONTRACT FOR PERIOD APRIL 1, 2013 THRU DECEMBER 31, 2015.

After reviewing the Solid Waste Collection Bids from Sanitation Solutions and Republic Waste Services, a motion was made by Chris Folland to award the bid to Sanitation Solutions for a period beginning April 1, 2013 thru December 31, 2015 for the monthly charge of \$6,753.25. The motion was seconded by Alan Korte, all council members present were in agreement.

ORDINANCE 2012 – 06: SECOND READING: AN ORDINANCE SETTING SALARIES AND WAGES OF THE OFFICERS AND EMPLOYEES FOR THE TOWN OF CLEAR LAKE, INDIANA FOR THE YEAR 2013

Vice-President, George Schenkel asked for a motion to suspend the rules and read the ordinance by title only. Chris Folland made the motion to suspend the rules and read Ordinance 2012-06 by title only, the motion was seconded by Alan Korte and the motion passed. George read Ordinance 2012-06 by title only and asked for a motion to accept the ordinance on the second reading. A motion was made by Chris Folland to accept the Ordinance 2012-06 on the second reading, a second was made by Alan Korte, all members present were in agreement and the motion passed.

ORDINANCE 2012 – 06: THIRD READING: AN ORDINANCE SETTING SALARIES AND WAGES OF THE OFFICERS AND EMPLOYEES FOR THE TOWN OF CLEAR LAKE, INDIANA FOR THE YEAR 2013

Vice-President, George Schenkel asked for a motion to suspend the rules and read the ordinance by title only. Chris Folland made the motion to suspend the rules and read Ordinance 2012-06 by title only, the motion was seconded by Alan Korte and the motion passed. George read Ordinance 2012-06 by title only and asked for a motion to accept the ordinance on the third reading. A motion was made by Alan Korte to accept Ordinance 2012-06 on the third reading, a second was made by Barry Worl, all members present were in agreement and the motion passed.

NEW BUSINESS –

1. 5 – YEAR ROAD PLAN UPDATE: DLZ INDIANA ENGINEERS

Casey Irwin presented a report to the council stating the progress being made on determining the priority of street and drainage areas around the lake. A map was presented showing the Previous Street Improvements, Proposed Street & Drainage Improvements and Street Improvements for the spring of 2013. At the January Council meeting DLZ will have the cost breakdown by location so that a determination can be made on which areas the Town can afford to take bids on for the 2013 Street Improvement Project.

2. RESOLUTION 05 – 2012: RESOLUTION TO TRANSFER FUNDS IN MVH FUND

The Clear Lake Town Council requests a transfer of funds to cover a budget shortfall in the MVH Personal Services appropriations.

Transfer From: MVH Supplies	\$21
To: MVH Personal Services	\$21

Vice-President George Schenkel read the resolution in its entirety and asked for a motion to accept Resolution 05-2012 for the Transfer of Funds. The motion was made by Chris Folland to accept the resolution to transfer funds in the MVH Fund to cover the budget short-fall in the Personal Services appropriations. The motion was seconded by Alan Korte, all members present were in agreement and the motion passed.

3. RESOLUTION 06 – 2012: A RESOLUTION SETTING POLICY FOR TOWN OF CLEARLAKE, INDIANA EMPLOYEES PAID TIME OFF AND EXTENDED ILLNESS BENEFITS

Vice-president, George Schenkel read the resolution in its entirety and asked for a motion to accept the resolution as presented. A motion was made by Alan Korte to accept Resolution 06-2012 as presented. The motion was seconded by Barry Worl, all members present were in agreement and the motion passed.

4. ORDINANCE 2012-07: FIRST READING – AN ORDINANCE VACATING AN ALLEY IN THE ISLAND VIEW ADDITION

Vice-president, George Schenkel asked for a motion to read the ordinance by summary only. The motion was made by Chris Folland to read Ordinance 2012-07 by summary only. The motion was seconded by Alan Korte, all members present were in agreement and the motion passed.

Vice-president, George Schenkel read Ordinance 2012-07 by summary only and asked for a motion to close the public meeting and open the public hearing. The motion to close the public meeting and open the public hearing was made by Chris Folland, Barry Worl seconded the motion, all members present were in agreement and the motion passed.

There being no objection to the closing of the alley in the Island View Addition, George asked for a motion to close the public hearing and resume the public meeting. The motion was made by Chris Folland, Barry Worl seconded the motion, all members present were in agreement and the motion passed.

Vice-president, George Schenkel asked for a motion to accept Ordinance 2012-07 on the first reading. Chris Folland made the motion to accept Ordinance 2012-07 Vacating an Alley in the Island View Addition on the first reading. The motion was seconded by Barry Worl, all members present were in agreement and the motion passed.

5. ORDINANCE 2012-08: AN ORDINANCE AMENDING THE TOWN OF CLEAR LAKE ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN

Indiana Code 6-3.5-7 requires the adoption of a Capital Improvement Plan by the Town Council before the Town of Clear Lake may receive its certified distribution of revenues from the County Economic Development Income Tax. Ordinance 2012-08 specifies the uses of the Funds to be at least 75% for Street Repairs and a pro-rata share to be paid annually to a non-profit corporation for economic development in the County. The end date for this plan is December 31, 2016.

Vice-President, George Schenkel asked for a motion to suspend the rules and read the ordinance by summary only. Chris Folland made the motion to suspend the rules and read Ordinance 2012-08 by summary only. The motion was seconded by Alan Korte, all members present were in agreement and the motion passed.

First Reading: Vice-President, George Schenkel read Ordinance 2012-08 by summary only and asked for a motion to accept the ordinance on the first reading. Chris Folland made the motion to accept Ordinance 2012-08 on the first reading. The motion was seconded by Alan Korte, all members present were in agreement and the motion passed.

Second Reading: Vice-President, George Schenkel read Ordinance 2012-08 by summary only and asked for a motion to accept the ordinance on the second reading. Chris Folland made the motion to accept Ordinance 2012-08 on the second reading. The motion was seconded by Alan Korte, all members present were in agreement and the motion passed.

Third Reading: Vice-President, George Schenkel read Ordinance 2012-08 by summary only and asked for a motion to accept the ordinance on the third reading. Barry Worl made the motion to accept Ordinance 2012-08 on the third reading. The motion was seconded by Alan Korte, all members present were in agreement and the motion passed.

There being no further business to discuss a motion was made by Chris Folland at 8:07 p.m. to adjourn the meeting. The motion was seconded by Alan Korte and the meeting was adjourned.

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George A. Schenkel, Vice-President

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Attest: Kay A. Kummer, Clerk/Treasurer

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

OPERATING FUNDS BEGINNING CASH BAL – NOVEMBER 1, 2012	
GENERAL FUND	\$47,531
MOTOR VEHICLES & HIGHWAY	8,151
MAJOR MOVES	820
LOCAL ROADS & STREETS	3,144
ECONOMIC DEVELOPMENT INCOME TAX	12,590
PUBLIC SAFETY INCOME TAX	45,235
RAINY DAY	83,603
MISCELLANEOUS FUNDS	6,597
CUMULATIVE CAPITAL DEVELOPMENT	<u>243,157</u>
	<b>\$450,828</b>
<u>CASH RECEIPTS FOR NOVEMBER</u>	
GENERAL FUND	\$15,064
MOTOR VEHICLES & HIGHWAY	597
LOCAL ROADS & STREETS	383
ECONOMIC DEVELOPMENT INCOME TAX	1,293
PUBLIC SAFETY INCOME TAX	2,604
MISCELLANEOUS FUNDS	<u>214</u>
	<b>\$20,155</b>
<u>CASH DISBURSEMENTS FOR NOVEMBER</u>	
GENERAL FUND	\$24,543
MOTOR VEHICLES HIGHWAY	<u>4,309</u>
	<b>\$28,852</b>
OPERATING FUNDS CASH ENDING BAL – NOVEMBER 30, 2012	<b>\$442,131</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 OPERATING FUNDS NOVEMBER 30, 2012</u></b>	<b><u>\$719,131</u></b>
SANITATION FUND CASH BEGINNING BAL – NOVEMBER 1, 2012	<b>\$48,483</b>
CASH RECEIPTS FOR NOVEMBER	0
CASH DISBUSEMENTS FOR NOVEMBER	<u>6,984</u>
SANITATION FUND CASH ENDING BAL – NOVEMBER 30, 2012	<b>\$41,499</b>
SANITATION FUND CD'S AS OF NOVEMBER 30, 2012	
First Federal Savings CD \$100,000 @ .50% matures 12/05/2012	100,000

<b><u>TOTAL CASH AND INVEST SANITATION FUND NOVEMBER 30, 2012</u></b>	<b><u>\$141,499</u></b>
SEWER FUND CASH BEGINNING BALANCE – NOVEMBER 1, 2012	\$473,710
CASH RECEIPTS FOR NOVEMBER	43,816
CASH DISBURSEMENTS FOR NOVEMBER	26,116
<b>SEWER FUND CASH ENDING BALANCE – NOVEMBER 30, 2012</b>	<b>*491,410</b>
SEWER FUND CD'S AS OF NOVEMBER 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>
	<b>850,000</b>
<b><u>TOTAL CASH AND INVESTMENTS NOVEMBER 30, 2012</u></b>	<b><u>\$1,341,410</u></b>

\*Includes Sinking Fund for Bond & Interest of \$192,902 (\$21,780 is set aside monthly for semi-annual payments), \$16,925 for replacement of sewer capital assets and Debt Service Reserve Cash of \$261,827, for final bond payment, leaving \$19,756 for operating as of November 30, 2012.

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