

WANATAH TOWN COUNCIL
REGULAR MEETING
MINUTES
September 1st, 2022
6:30 pm

PRESENT: President Newburn, Councilman LaFoone, Councilman Cook, Councilman Mayo, Attorney Shoffner and Clerk/Treasurer Ebert.

ABSENT: Bryant Oehmen

GUESTS: Fred Matuszak, John Cannon, Jim Voss, Scott Heming, Scott Sutton and Steve Pearl.

Call To Order:

President Newburn called the meeting to order at 6:30 pm.
The Pledge of Allegiance was held.

Roll Call:

President Newburn-Here, Councilman Oehmen-Absent, Councilman Cook-Here, Councilman Mayo-Here, Councilman LaFoone-Here. A quorum is present.

Correspondence

None

Appointments Needed

None

Approval of Meeting Minutes:

Motion by Councilman LaFoone; Second by Councilman Cook to approve the minutes of August 4th, 2022 Public Hearing. Vote was taken, All Ayes.

Motion by Councilman LaFoone; Second by Councilman Cook to approve the minutes of the Regular meeting held on August 4th, 2022. Vote was taken, All Ayes.

Minutes were approved as presented.

Officer's Reports

- Plan Commission – No Report
- BZA – No Report
- Traffic Commission – No Report
- Park Board – President Newburn reports no meeting was held last month, but possibly this month.
- Animal Control – No Report.
- Building Commissioner – Fred Matuszak reports 2 Driveways, 3 Contractor Registrations, 2 Accessory Buildings, 1 Porch, 1 Sign, 1 Demolition, 1 Re-inspection and 1 new Construction totaling \$1,543.60.
 - Casey's got their final permit for their building, and their construction will be starting ASAP.
 - The Mexican restaurant on highway #30 is doing a remodel to their attic and will open at the end of the year.
 - There will be a Taco food truck on the property of the Firework store on highway 30. They are affiliated with the JMAR store out in Westville. Fred confirmed that the county permit was received.
 - The school is all finished up and ready to go.
 - President Newburn reported to the public that there will be a Casey's on the corner of SE corner of #30 and #421. They will have truck pumps and access will be two exits off of #421.

Clerk's Office Reports

- Personnel Committee – No Report
- Facilities Coordinator – No Report
- NIRPC – No Report
- Other – Clerk Treasurer Ebert reported the following:

- Due to staffing issues with our cleaning service, they were unable to clean for us consistently on a weekly basis, so she has decided to relieve them of their duties with the Town effective 8/27/22. She since hired Natalie Moore to replace Cash Cleaning and she will start on September 2nd, 2022. To confirm there wasn't a conflict of interest, she notified State Board of Accounts as well as Attorney Shoffner. Both agree that there wouldn't be a conflict of interest. Natalie signed a contract with the Town, one bullet point being that she would not clean during business hours.
- Clerk Treasurer Ebert signed up the town for REACH Alert which is a way to communicate with the town via email, text or voicemail just by sending one alert message. Brochures were given to the council. Received confirmation from other Clerk Treasurers all saying that they love this product. For example, we can send messages when we have water main breaks, boil orders, garbage schedule changes, hydrant flushing, Public Hearings, etc. A notice is going in with the September 1st water bills to let the residents know how to sign up for this. I asked a lot of the towns that were and have been using this and they love it. It's a way to get the message out to the town. The cost to the town was \$480.00 for one year. We would evaluate it at the end of the year if we want to continue this product.
- The second installment of the American Rescue Plan Act allocation in the amount of \$113,766.81. A reminder was given that we need to spend this money no later than December 2024. Currently we have only spent about \$50,000.
- Confirmation was had that Halloween will be on Monday, October 31st, 2022 from 5-7 PM? We are wanting to send a notice in our water bill and Marquee sign. Motion was made by Councilman LaFoone; second by Councilman Mayo to have Halloween on this date and time. Vote was taken, all ayes.

Public Works

- Councilman Cook reported that he was working on the storm sewer with Chuck Mack on N. Condon Rd. for two days they found telephone lines underneath the driveways. When boring was done, they pulled them back out.
 - The South #2 Lift Station is having issues. Doing around the clock surveillance on it. Cost replacement could be approximately \$13,000-\$14,000.

New Business

- Motion by Councilman LaFoone; Second by Councilman Cook to approve the 1st reading of O3-2022. Vote was taken, Councilman Mayo abstained, the rest all ayes.
- Motion by Councilman; LaFoone; Second by Councilman Cook to approve Resolution R9-2022 LIT Public Safety Fund. Vote was taken, all ayes.
- Motion by Councilman LaFoone; Second by Councilman Cook to approve Resolution R10-2022 Transfer Funds within the Riverboat Fund. Vote was taken, all ayes.
 - President Newburn asked Clerk Treasurer Ebert to explain the reason for this Resolution. She reported that she was unaware that the previous Clerk Treasurer didn't carry our insurance when she took over this position. When preparing for her 2022 Budget, she was short about \$4,500 dollar each month, therefore the reason for the transfer of funds. President Newburn was satisfied with her explanation.
- Motion by Councilman LaFoone; Second by Councilman Mayo to approve Resolution R11-2022 Transfer of Funds from Excess Levy to Rainy Day fund. Vote was taken, all ayes.

Unfinished Business

- Motion by Councilman Mayo; Second by Councilman Cook to adopt 02-2022 URT-New Water Rate. Vote was taken, all ayes.
- Solar Panel issue –Attorney Shoffner stated that solar panels are covered as structures under the code. He found an Ordinance written by Indiana University (20 pages long). He recommends that a committee be formed to look over this ordinance before amending ours at the Town Hall. Councilman Cook wants to make sure that this won't add additional work to the Building Inspector. Councilman Cook said it should make sure that it doesn't cover more than 25% of their property and Councilman Mayo added that it doesn't cover more than 10% of their roofs. He also recommends the ordinance require
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- an aviation protection (anti-glare) since we are close enough to the Valparaiso airport and approaching pass to Chicago. Further confirm that the solar as a structure. No more than
- 10 inches in height above the roof on a pitched roof and 5 feet for a flat roof. This electrical upgrade should stay between the resident and the Solar Panel provider.
- Town of Wanatah Excavation Permit-Attorney Shoffner presented this document to the council as a “working and living document and can be changed at the Council’s direction in hopes that we could resolve the boring issue. It covers the liability, a bond, and all the details that need to be in place before a boring company moves forward. Councilman Cook wants to make sure that this permit covers depth, the exact amount in feet in the amended permit. Motion by Councilman LaFoone; Second by Councilman Mayo to approve this Excavation permit. Vote was taken, all ayes.

Financial Report and Claims Approval

- Motion by Councilman LaFoone; Second by Councilman Mayo to approve the claims as presented. Vote was taken, all Ayes.

Any Other Business to come before the Council

- Surf Air-Scott Henning; Project Manager for Phase 1 & 2 for the Town of Wanatah: He Spoke to the Council concerning the current project that he has with Kouts to increase the broadband feed but has been stopped at the town’s city limits. The remainder of this project is about 2,000 feet and will take approximately 2 days to complete and doesn’t want to wait until October until the amended permit is completed. They will be happy to provide a bond to the town if that would help speed up the process.
 - The invoice in question was from their sub-contractor who did the work but was not going to pay for it due to the improper locating by the town. A video was sent by the boring company showing that. Scott Heming assured us that Surf Internet was going to be paying for this and we should receive it within a week or so.
 - Councilman Cook explained that all of water lines are plastic with no water tracer but we are pretty sure of the location and depth of those lines. Mentioned that we only have 3 employees working for the town and Surf Air took up 40 days for our employees to locate for them. Councilman Cook was concerned that if they hit one of our lines, the town would be shut down. If he was able to get Chuck Mack and Chuck Jonas to sign off on an agreement, then the Council would look at it.
 - Scott said that he would schedule a meeting with Chuck Mack to discuss that, he also mentioned that he would do the pot-holing for the town.
 - It was suggested to Scott that he go on the east side of the road (which is the Nipsco gas side) to finish his project but he would have to call LaPorte County because we don’t own that side. Scott said that he would reach out to his engineers and get back to them.

Public Comment

- John Cannon-Outreach Rep. for the Attorney General’s Office
 - Talked to the Council about some current interests for the town. Gave us brochures on each item discussed below.
 - Unclaimed Property
 - Gun Holder Bill of Rights
 - Protect residents from scams
 - Identity Theft
 - Recalls
 - Medicaid Fraud
- Jim Voss -Resident
 - He is wanting a stop sign at Cross & Lincoln due to high speed (50-60 mph) all day long. Concerned for bikers, walkers and runners. Sherriff’s office has been notified. Hoping that nothing serious happens before they will put up a stop sign.
 - Councilman Mayo said that JMAR is covered by the homeowner’s association and they put their stop signs up. Also said that the state regulations say that we can’t erect a stop sign to regulate the speed limit. Councilman Cook suggested that they will contact the Traffic Commission to see if there is anything that they can do.
- Andy Beckett-Trons Solar
 - No one showed up on behalf of Trons Solar.

Adjournment

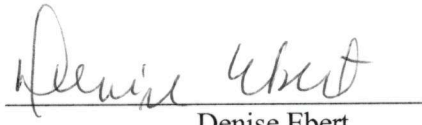
President Newburn asked for a motion to adjourn.

Motion by Councilman Mayo; Second by Councilman Cook. A vote was taken.

All Ayes.

Meeting was adjourned at 7:35 pm

ATTEST:


Denise Ebert
Clerk-Treasurer

