



MEETING MINUTES

PRINCE'S LAKES TOWN COUNCIL

PRINCE'S LAKES TOWN HALL, 14 E LAKEVIEW DR, NINEVEH, IN 46164

May 15, 2023

COUNCILORS PRESENT:

COUNCIL PRESIDENT GREG NELSON
VICE PRESIDENT BRYAN TEARMAN
COUNCILOR MIKE GALLAMORE
COUNCILOR KAREN HARRISON
COUNCILOR PHILIP MONTARSI

CLERK-TREASURER ABESENT:

ERICA LYDEN-GIGER

TOWN ATTORNEY PRESENT:

LEE ROBBINS

STAFF PRESENT:

MARSHAL GREG SOUTHERS
UTILITES SUPT SCOTT BLACKWELL
PUBLIC WORKS SUPERVISOR MIKE MILLER
DEPUTY CLERK-TREASURER ELENA HAMMOND

PUBLIC PRESENT:

KEVIN HARRISON
CHRIS STOUT
CHARLIE BOURNE
LINDSEY KELLY
ANTHONY GIGER

Council President Nelson called the meeting to order at 6:30 pm followed by the Pledge of Allegiance

PUBLIC FORUM:

Chris Stout said he bought a gutted house a few years ago to use an investment property, he is not currently living in the house. There was a small PVC pipe that was stubbed out of the ground and the pipe froze and burst. Mr. Stout stated he has already received forgiveness for the wastewater portion and is asking for forgiveness of his water bill due to the pipe bursting. Mr. Stout said

Utility Billing Clerk, Arlene Miller, noticed there was a tremendous amount of water usage and called him. He said Mrs. Miller stated the utility workers shut off the water at the main. Mr. Stout said the following month he received a bill for \$573.00. He had a plumber check the house and the plumber said water was still coming out of the ground and he was able to dig and cap off the water line. Mr. Stout stated he continued to receive large water bills. The bill for February 2022 was \$1094.76 + \$102.31 penalty, and March 2022 \$573.35 + \$53.38 penalty. Utilities Superintendent, Scott Blackwell, stated the initial \$1094.76 was from the frozen pipe, the second month the water leaked through the valve. The wastewater credit was issued in April of 2022. Council Vice President Bryan Tearman stated that this is forgivable since our valve failed. Mr. Stout stated when they bought the house, he has it documented that they did not want the water turned on. Mr. Blackwell stated according to workorders Mrs. Stout called in and asked for the water to be turned on and there is no record of them asking for the water to be turned back off. Mr. Stout stated there was a miscommunication problem because the original name was under a different investment company, then they had bought them out and transferred the name into their name. Mr. Blackwell stated the leak was 280,000 gallons.

Town Council Lee Robbins stated the statute reads as follows; the Utility may adjust an unusually large bill if the bill is at least twice the amount of the normal bill, if the excess usage is caused by physical damage to any equipment supplying water to the premises and the damage is not visible or detectable on the customer's premises except upon excavation or other disturbance of the property. The damage cannot be caused by work done by a contractor hired by the owner. Mr. Robbins said it is within the Council's discretion to forgive all or part of the bill and wanted to clarify that Mr. Stout would like the debt outside of the normal usage to be forgiven. Mr. Stout said yes, he will pay the normal bill and would like the excess to be forgiven.

- Council Vice President Tearman motioned to forgive the debt above the monthly minimum usage for Chris Stout. Councilor Phil Montarsi seconded the motion and passed unanimously.

Charlie Bourne said Jon Pavey is interested in the building inspector's position. Councilor Mike Gallamore stated no one has turned in an application, but he has interviewed two interested candidates that had previously applied.

Mr. Bourne also said North Lake had their quarterly meeting, and the issue with the emergency exit was brought up again and Mr. Bourne was wanting to know the status. He said the gentleman that used to live there has moved and the new owner is going to let it be opened for an emergency exit. Mr. Robbins stated we had a permit and it has since expired and we don't have a standing right at the moment to use it. Mr. Gallamore asked what the procedure is. Mr. Robbins stated the property owner would need to be contacted and the Town needs to decide what their goal is. Mr. Tearman asked if there a way to legally get the right of way? Mr. Robbins stated yes, by eminent domain and costs. An easement can be acquired too, it just depends on the need for public use. Mr. Gallamore also stated after the 100-year flood, a county official told him there is supposed to be an emergency exit off of Roszell and we don't have one. Marshal Southers stated the back gate to Peoga is the best choice. They can shut it down on both ends and still get people out in an emergency. Mr. Robbins is going to do research and see who the property owners are. Council Vice President Tearman motioned to allow Mr. Robbins to do what he needs to do to pursue the issue, there was no second.

Kevin Harrison stated he gave Mr. Nelson a list of three people who have inquired about serving on the BZA. Mr. Harrison said statutorily it has to be decided which political party affiliation needs to be on which committee. Mr. Robbins stated there is no political affiliation required for the BZA.

APPROVAL OF MINUTES:

- Councilor Montarsi motioned to approve the April 17, 2023 Regular Meeting minutes. Council Vice President Tearman seconded the motion and passed unanimously.

TOWN MARSHAL REPORT:

Marshal Greg Southers said he reached out to the Little League and he was told the old concession stand has not been used, but they were going to double check and let him know. Marshal Southers said he needed to order new electrical equipment for his new vehicle and siren and still having computer issues with e-Tickets.

Mr. Gallamore asked when the new doors are going to be installed and Marshal Southers stated he will let him know this month.

WATER/WASTEWATER REPORT:

Superintendent Scott Blackwell presented the Council with his report. Mr. Blackwell explained to the Council that they had a six-hour IDEM survey audit. He said everything was complimentary and satisfactory, except for the wastewater. They have to start processing lab work in a different way, but other than that everything went well on the wastewater side as well. Mr. Blackwell said they have had a lot of machines breaking down lately. There are issues with their fans and need to have Barry Electric inspect them.

Mr. Blackwell has been working with Mr. Tearman about restructuring their pay structure and presented the Council with a 15-page report. He would like to have a special meeting with the Council to review the new structure. Mr. Blackwell gave an update on the new billing system and it is moving forward. Mr. Gallamore stated they can have a special meeting as requested and wanted to know when the inspection of the million-gallon reservoir will happen, Mr. Blackwell said he does not have a date yet.

Mr. Blackwell said he is going to install new water meters at the Nineveh Fire Department. That is undocumented water and the EPA and government is getting more strict on accounting for every gallon of water.

Mr. Robbins stated Prince's Lakes inadvertently started billing The Town of Trafalgar and Cordy Sweetwater Conservancy District a fire hydrant fee in 2019 when the new utility billing software system was put in place. Both were overbilled \$3,840.06 and have been notified.

- Council Vice President Tearman motioned to approve the refund of \$3,840.06 to each Town of Trafalgar and Cordy Sweetwater Conservancy District. Councilor Gallamore seconded the motion and passed unanimously.

STREET DEPARTMENT REPORT:

Public Works Supervisor Mike Miller said he spoke with Stillwater Renovation and we are still on track to remodel the old concession stand. He has the dumpsters ordered for the Town Clean-Up Day. Mr. Miller stated Clerk-Treasurer Erica Lyden-Giger would like to offer a service to our residents to be able to recycle their old electronics. The price will be \$30 per tv or monitor up to 50" paid by the resident. Mr. Gallamore stated we need to have a planning meeting to discuss the Town Clean-Up Day. Mr. Tearman asked Mr. Miller why the pothole on Dyson did not get fixed when they were patching a couple of weeks ago. Mr. Miller stated it will get fixed when the final paving done.

Mr. Gallamore said he, Mr. Miller and Mrs. Lyden-Giger inspected the playground at Robertson Shay Park. The swings were hit by the lawnmower blades and compromised the integrity causing them to have to be removed. The slide also had to be removed due to the being unsafe with today's safety standards.

CLERK-TREASURER REPORT:

Deputy Clerk-Treasurer Elena Hammond presented invoice #8 from HWC for \$53,250.00 This is for the DOD project, mapping/survey, design and permitting.

- Council Vice President Tearman motioned to approve HWC invoice #8 in the amount of \$53,250.00 Councilor Montarsi seconded the motion and passed unanimously.

Miss Hammond presented Town and Utilities claims, April 27, 2023 & May 11, 2023 allowance dockets and ask the Council for approval in the amount of \$168,464.44, \$338,414.24, \$38,210.81 & \$39,584.79.

- Council Vice President Tearman motioned to approve all claims as presented. Councilor Montarsi seconded the motion and passed unanimously.

Miss Hammond also informed the Council that Clerk-Treasurer Erica Lyden-Giger had discovered a clerical error. The purchase of the basketball goals was approved for \$5,296.00 in the March 2023 meeting, but in the minutes it reads \$5,256.00, and wanted to make the Council aware.

- Council Vice President Tearman motioned to accept the correction of \$5,296.00 to ProDunk Hoops. Councilor Montarsi seconded the motion and passed unanimously.

ATTORNEY'S REPORT:

Mr. Robbins stated he was asked by HWC to pursue easements for the water project through Camp Atterbury with the Department of Defense grant project. He is going to contact property owners along CR 350.

OLD BUSINESS:

Council President Nelson spoke about approving the completed basketball court project, adding the pathway from the parking lot to the pavilion and from the pavilion to the walking trail. While doing the work, they found out there was a two-inch drain and needed to put in an eight-inch pipe and added 40 tons of gravel to extend the parking lot. Mr. Gallamore asked what the project total price is. Mr. Nelson said \$32,250.00. Mr. Gallamore also stated the basketball court appears to have a lot of fall in it, but it is built to specifications, and Mrs. Lyden-Giger has requested to have a special meeting to discuss new playground equipment that she and Mr. Montarsi have been working on. Mr. Gallamore stated they can have a special meeting to discuss Mr. Blackwell and Mrs. Lyden-Giger's requests. Mr. Montarsi stated he has issues with the slope of the basketball court. Mr. Tearman stated in the email from Stubbs, the company stated there were no specs included in the bid and had there been they would have adhered to them.

- Council President Nelson motioned to approve to pay Stubbs Asphalt in the amount of \$32,250.00 and authorize the Clerk-Treasurer to pay the payment prior to next month's Council meeting. Council Vice President Tearman seconded the motion. Councilor Karen Harrison voted Yes, Councilor Montarsi voted No, Councilor Gallamore voted Yes, Council President Nelson voted Yes, Councilor Vice President Tearman voted Yes, motion passed.

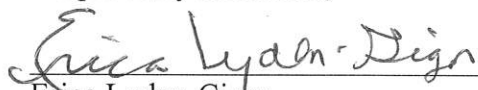
NEW BUSINESS:

Mr. Nelson presented a quote from Stubbs Asphalt to seal coat the parking lot and walking trail and strip the parking lot. Mr. Montarsi asked if we can get a second bid from another company. Mr. Nelson stated we can get another bid.

Mr. Gallamore stated he brought a few residents over to the walking trail so they could look at where the new walking trail would go. There are two options, one is to clear a path through the trees and the other option is to stay out of the trees. Everyone liked the idea of going through the trees. Mr. Gallamore stated he asked Mr. Miller to get a quote from Dave O'Mara to pave the path. Someone in that group volunteered to be on the park board, Mr. Tearman stated he and Mrs. Lyden-Giger have spoken about the park board and she has two people that would like to volunteer as well. Mr. Gallamore received a bid from Stubbs Asphalt and the bid to go through the trees was around \$33,000.00. Mr. Nelson stated he would like to add more lighting through the trees for safety reasons. Mr. Tearman stated he knows it has already been talked about in the past, but he would like to see the overgrowth cleared out of the trees. Miss Hammond stated she and Mrs. Lyden-Giger have talked about going ahead and getting the woods cleared of the overgrowth regardless if the path is created or not, in order for the woods look nicer and be more useable and might be able to apply for a DNR grant. Mr. Tearman asked Mr. Miller if he has a mower on his Bobcat to clear the woods. Mr. Blackwell stated he has purchased an auger that is like a Bush Hog for the mini excavator that can be used. Marshal Southers stated he had work release prisoners cleanup Nineveh Road and both parks this past weekend and said if there are any other projects that need to be done he can have them come back. Mr. Tearman asked they would be able to clear the woods for us. Marshal Southers said yes, they can do that.

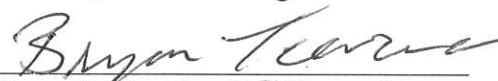
With no further business before the Prince's Lakes Town Council, Council President Nelson motioned to adjourn at 8:09 pm Councilor Montarsi seconded the motion and carried unanimously.

Respectfully submitted,



Erica Lyden-Giger
Clerk-Treasurer

Council:


Council President Greg Nelson


Council Vice President Bryan Tearman


Councilor Mike Gallamore


Councilor Karen Harrison


Councilor Philip Montarsi