

MARCH 1, 2023

## TOWN COUNCIL MEETING

Those present:

Jim Smith	Adam Penrod	Craig Walters	Maddie Schultz
Laura Rager	Carrie Mugford	Ryan Shock	Eric Christiansen
Tom Dale	Matt Mize	Shannon Carter	Paul Ehler
Allen Miracle	Jim Kirk	Dave McVicker	Heather Cruz
Gary Montel	Cam Kissinger	Alex Downard	Chalmer Tobias
			Eric Lambert

Those absent: None. A quorum was attained.

The March meeting of the North Manchester Town Council was held at the Public Safety Building, 709 W. Main Street, North Manchester, Indiana, on March 1, 2023, at 7:00 p.m., pursuant to notice duly given in accordance with the rules of the Council. The meeting was called to order by Council President, Jim Smith, who presided.

### **MINUTES**

Minutes of the 02/01/23 regular and 02/16/23 executive meetings were presented for approval. Motion to approve the minutes as presented: Rager/Montel. Motion passes unanimously.

### **VISITOR COMMENTS**

None.

### **UPDATES**

Paul Ehler, MKS Construction Manager, presented an update on the Mill Street pavilion. Ehler started with the biggest update, the project is currently under budget. Ehler presented a written owners report to the council and went through the tabs. Estimated substantial completion is now 4/14/23 with approximately 45 days lost to unforeseen circumstances or unsuitable conditions. Town Manager Adam Penrod stated that he has been working with the contractor to get the split face brick ordered. Park Superintendent Jennifer Hotchkiss confirmed that the Park Department is already getting requests to book events in the pavilion.

### **UNFINISHED BUSINESS**

1. ADA Accessible Parking Space Proposal at MU, GO#1, Second Reading - Town Manager Penrod explained that the ordinance was amended since the first reading. The designated parking spot was relocated west to the first spot east of Wayne Street on College Avenue to allow easier access to the sidewalk. Language was also added to allow 24-hour parking in this spot. Penrod commented that the rest of the street does not allow parking 1:00 am and 6:00 am, but the handicapped spot will be allowed to stay 24 hours. Clerk-Treasurer Mugford read general ordinance #1 by title only. Motion to approve GO#1 on second reading as amended: Rager/Dale. Motion passes unanimously.

### **NEW BUSINESS**

1. Community Crossing Matching Grant Bid Award – Town Manager Penrod reported that CCMG bid opening was last Friday. Two bids were received complete from Gaunt & Son Asphalt and

Phend & Brown. The low bid actually came in under engineers estimates which will decrease our award and match requirement. The decrease in the required match allows the three bid alternates to be added which is adding sidewalks on Thorn, Seventh, and Washington Streets. The bids were as follows:

Gaunt & Son Asphalt: \$556,542.30

Phend & Brown: \$755,408.50

Penrod recommends awarding the Gaunt & Son bid and 3 bid alternates. Council Vice President Laura Rager asked where these funds will come from. Clerk-Treasurer Mugford explained that the funds will come from MVH restricted, LR&S, and grant award. Motion to approve Gaunt & Son Asphalt bid and award the 2023 CCMG projects: Dale/Rager. Motion passes unanimously.

2. Manchester Alive Festival Street Closings Requests – Town Manager Penrod introduced Heather Cruz, Manchester Alive Executive Director. Cruz presented the list of events that will require street closure throughout the year. Penrod stated that State Road 114 will be deterred in June and August and requested council approval of the standard hold harmless clause required by INDOT. Cruz noted that plans are to utilize Ogan's Landing for the October event. Cruz stated that any streets not needed for an event will not be closed. Motion to approve the Manchester Alive 2023 street closures as presented: Rager/Miracle. Motion passes unanimously.

3. Resolution in Support of SB 248, Resolution #1 – Council President Smith read part of resolution #1 in support of establishing statewide driving privilege cards for undocumented Indiana residents. Smith noted that the resolution is a moot point at this time because the bill died in the Indiana senate. Smith remarked that this issue has come up in legislation several times and it will most likely be presented for consideration in the future. Smith expressed that this is a safety issue for law enforcement. The legislation if passed will require individuals to pass a driver's test and maintain insurance on their vehicles. Rager expressed the importance of making sure drivers are insured. Motion to table this resolution until February 2024: Rager/Miracle. Motion passes unanimously.

4. Anti-Discrimination Ordinance, GO#2, First Reading – Clerk-Treasurer Mugford explained that this ordinance is 8 pages long and will be available to anyone who would like to review it. Mugford read the whereas statements verbatim. Smith explained that the ordinance does create a human rights commission and provides penalties for violation of the anti-discrimination provisions contained within. Motion to approve general ordinance #2 on first reading: Rager/Miracle. Motion passes unanimously.

5. Building Code Revisions, GO#3, First Reading – Town Manager Penrod explained that a group comprised of Building Commissioner Dave McVicker, Town Attorney Matt Mize, Clerk-Treasurer Mugford and himself met to review nuisance ordinances from other communities. The local nuisance ordinance is not comprehensive on all matters and sometimes leaves situations ambiguous. The group met and discussed which additional language should be added to town ordinances. Mugford read general ordinance #3 verbatim. Penrod explained that the requirement for visible house numbers is a request from the police and fire departments. Motion to approve GO#3, amendments to the building code, on first reading: Rager/Dale. Motion passes unanimously.

6. Fire Department Request to Purchase SCBA Equipment – Town Manager Penrod explained that Fire Chief Cam Kissinger has been working on purchasing new Self-Contained Breathing Apparatus equipment for a few years. Several grants have been applied for but not been successful. In 2004 and 2006 the department received substantial grants for the equipment purchased at that time when each set of gear cost less than \$5,000. Now each set is over \$7,000. Kissinger explained that the gear purchased with the original grants is now out of date and doesn't meet the changes in regulations. Some specific changes are that the low air indicator alerts earlier now and the temperature rating on the face mask has changed. Kissinger reported that the department is spending several thousand dollars annually to repair and maintain the current gear. Kissinger solicited multiple quotes. One quote was received complete and on

time. The quote is for 10 sets of SCBA gear and 20 cylinders from Hoosier Fire Equipment, Inc. at a cost of \$106,667.50. Motion to approve the purchase of SCBA equipment from Hoosier Fire: Rager/Montel. Motion passes unanimously.

## **DEPARTMENTAL & COMMISSION REPORTS**

Police Dept. – Police Chief Jim Kirk reported that February was a busy month of training for the department, including: defensive tactics, emergency vehicle operations, CPR & Narcan, and instructor school. Kirk reported that the department has been testing the Motorola cellular radios and they work well but the department has decided not to switch at this time. Kirk, Sargent Birch, and Clerk-Treasurer Mugford interviewed six applicants for the records clerk position. Maureen Zinn, who is currently working for Wabash County Central Dispatch, was selected. Zinn is working part time for the department right now and will start full-time towards the middle of April.

Fire Dept. – Fire Chief Cam Kissinger reported that the Motorola 800 radios were tested and worked extremely well for the fire department. The cost for 15 cellular radios for the fire department is around \$150,000, which is better than \$600,000-\$800,000 for a new tower. The county fire chiefs are not going to continue to apply for the assistance to firefighters grant. The grant cap is \$1,000,000 but the quote for radios for every department is \$2,300,000. The plan is to try again next year with a new tactic. The volunteer department elected officers at their February meeting. Those officers are: Ryan Niccum, Matt Ozenbaugh, and Dave Cordill. Kissinger remarked that the Fire Department Tahoe was striped and lettered last week.

Building Commissioner – Report in packet. Building Commissioner Dave McVicker reported that some property owners next to the new Dollar Tree are unhappy about the drainage around the area after the last heavy rain. McVicker contacted the contractor who explained that the drainage system is not complete and working properly yet. Once the system is complete there won't be a problem. McVicker is scheduled to meet on site with the contractor later this week to discuss the issue and will update the home owners after the meeting.

Plan Commission – No meeting.

Board of Zoning Appeals – No meeting.

Traffic Commission –

Parks & Recreation – Report in packet. Park Director Jennifer Hotchkiss reported that the Daddy Daughter dances are sold out. Over 100 people are anticipated to attend at both sessions. The dog park fencing locates have been called in. The fence should be installed in the next couple weeks. The original plan was for an area of 200' x 250' but with utility lines located underneath the setback will be changed and now planning on 200' x 200' to be enclosed.

Town Life Center –

Tree Advisory – Report in packet

Grow Wabash County –

Redevelopment Commission – Penrod stated that the next meeting is March 8.

MEDCOR –

Solid Waste – Councilmember Tom Dale stated nothing to report.

Storm Water Board – No meeting.

Public Works – Water Superintendent Ryan Shock reported that every water department in the state has been tasked with inventorying all service lines even including the homeowners lines. Shock anticipates hiring a third party to help with the project which is due October 2024.

Wastewater Superintendent Shannon Carter reported that it is nice to get the new pickup truck after waiting a year for it to be delivered. The estimated cost was \$56,000 but the actual cost was just over \$49,000. The sewer vac went in for scheduled maintenance and got lots of compliments on how well it has been maintained. New security lights have been installed at the lift stations. Penrod commented that the final sewer vac payment was made in March. The department will start saving towards the next big equipment purchase.

Street Superintendent Craig Walters reported that pot holes are popping up and the brush pile is growing. Spring is coming.

### **TOWN MANAGER'S REPORT**

Town Manager Adam Penrod reported that the pavilion is still receiving small donations. Penrod noted that the pavilion is fully funded but due to the cost of the project some items were left off the original plan. Additional donations will go towards getting those items. A donor has recently come forward wanting to pay for sidewalks and street lighting in the area. It is nice to know that others are looking to help make the most of the new amenity.

Baker Tilly finally completed the preliminary utility rate studies. The studies show that current rates are meeting monthly operational costs but any additional projects are going to require an increase. The studies will be used as a tool for planning for future projects.

On February 23 Penrod attended a Grow Wabash County event to meet with U.S. Representative Rudy Yakym. Penrod was impressed with the representative and his praise for Wabash County. Yakym stated his office will assist with any federal grants by providing an approval letter if the town reaches out. Yakym's office will have a district field representative in town once a month to meet with residents. The first opportunity will be March 10 at the library from 10:00 -11:30.

Councilmember Allen Miracle commented on department head reports and the amount of detailed information included so that council is aware of what is happening in each department. Miracle expressed his appreciation for each one of them.

### **CLERK-TREASURER'S REPORT**

1. Financial Reports – Approved subject to audit.

2. Claims - The Town claim docket totaling \$507,330.36 and the Public Works docket totaling \$225,459.95 were submitted for payment. Motion to pay our obligations: Rager/Dale. Motion passes unanimously.

### **VISITOR COMMENTS**

Chalmer Tobias, 807 East Street, expressed appreciation that the pot holes in front of the house are being taken care of and the toilet flushes and the water runs in the faucets. Tobias attends aqua boot camp at the aquatic facility. Tobias specifically praised Aquatics Coordinator, Hailey Frieden, who is awesome and an amazing asset to the facility.

### **COUNCIL COMMENTS**

Meeting adjourned at 7:54 pm.

TOWN COUNCIL, TOWN OF N. MANCHESTER

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Jim Smith, President

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Laura Rager, Vice-President

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Tom Dale

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Allen Miracle

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Gary Montel

ATTEST

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Carrie Mugford, Clerk-Treasurer