

**CLOVERDALE TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, MARCH 14, 2023**

The Cloverdale Town Council met in Regular Session at 7:00 p.m. on Tuesday, March 14, 2023, in the Town Hall; 154 S. Main Street; Cloverdale, IN 46120.

**CALL TO ORDER:** President Brandon Tancak called the meeting to order at 7:00 p.m.

**PLEDGE TO THE FLAG:** The Pledge of Allegiance was recited.

**ROLL CALL:** Present on Roll Call were Councilmembers Larry Fidler, Greg Jay, Brice Howell, Brandon Tancak and Scott Stierwalt. Also present were Town Attorney Richard Shagley, Town Manager Jason Hartman, Police Sergeant Adam Hull and Clerk Treasurer Kelly Maners.

**PUBLIC HEARING FOR STORMWATER GRANT:** Eric Smith from HWC Engineering indicated this was a Public Hearing for an OCRA Grant the Town was intending to apply for. This Grant would assist in a Storm Water Project. He described the project which would include several different areas within the Town. A detailed list was provided to the Council as well. The total cost of the project is \$1,040,600.00. The Grant that is being sought would pay for \$600,000.00 of the project. The Storm Water Utility Fund would provide the remainder of the funding for this project. Greg Beumer, with Kleinpeter Consulting Group explained the grant process to the Council and the Public. The floor was opened for public questions and comment. A few questions were asked about the scope of the project and were addressed. The Public Hearing was closed.

**PUBLIC HEARING FOR ADDITIONAL APPROPRIATION:** Council had previously decided, at the November 8, 2022 Council meeting, to use funds from the Food and Beverage Fund and the ARP Fund for engineering, design, and other approved costs for the Wastewater project. Additional funds need appropriated to accommodate this in the 2023 Budget. This is the Public Hearing for the additional appropriations. There were no comments or questions.

**ADDITIONS OR DELETIONS TO THE AGENDA:** Town Manager Hartman requested to add POET Discharge, READI and Town Yard Sale to the Agenda. Councilmember Howell made a motion to accept the agenda as amended. It was seconded by Councilmember Jay. The motion carried by unanimous vote.

**APPROVAL OF MINUTES:**

1. Regular Meeting Minutes February 14, 2023

Councilmember Jay motioned to approve the minutes. Councilmember Fidler seconded. The motion carried by unanimous vote.

2. Special Meeting Minutes February 28, 2023

Councilmember Fidler motioned to approve the minutes. Councilmember Jay seconded. The motion carried by unanimous vote.

#### **CLAIMS AND TRANSFERS:**

|                          |   |
|--------------------------|---|
| General: \$182,418.22    | Motion: Councilmember Howell 2 <sup>nd</sup> : Councilmember Fidler |
| Water: \$66,675.33       | Motion: Councilmember Howell 2 <sup>nd</sup> : Councilmember Jay    |
| Wastewater: \$108,766.27 | Motion: Councilmember Fidler 2 <sup>nd</sup> : Councilmember Jay    |
| Payroll: \$51,847.69     | Motion: Councilmember Howell 2 <sup>nd</sup> : Councilmember Jay    |

All motions were carried by unanimous vote.

**TOWN MARSHAL:** Sergeant Hull gave a monthly report of the Police Department's activities.

- a. **2<sup>ND</sup> SRO:** Attorney Shagley questioned who would pay for the officer during the summer months when school was not in session. It was stated that the two schools would continue paying all expenses, even during the summer months. It was confirmed by Sergeant Hull that the Town would not incur any expense for this officer, even when school is not in session and the officer is utilized by the Department, the schools would be covering 100% of the cost. Clerk Treasurer Maners addressed concerns with the financial caps in the contract. If the schools were covering 100% of the cost, the attached spreadsheet which the "caps" were based on is missing several necessary items such as life insurance, worker's comp insurance, vehicle insurance, vehicle equipment costs, monthly mi-fi fees, uniforms and boots. She also expressed that this contract makes no provision for equipment replacement costs and employee turnover, which would incur additional training costs. Discussion ensued. A motion was made by Councilmember Howell to approve the contract with the additions brought up by Clerk Treasurer Maners. It was seconded by Councilmember Jay. The motion carried by unanimous vote.

#### **TOWN MANAGER:**

- a. **READI MATCH FUNDING:** Eric Smith with HWC Engineering discussed additional READI funds that were available to the Town. The Town was already planning on increasing the water main to 10 inch pipe north of I-70. It is suggested to extend the scope of the project to continue all the way under I-70 further south to County Road 900. The portion of Beagle Club Road in front of McDonalds would also be included at this time, to avoid interference with the Community Crossing Grant work to be done in the same area. The total of this new proposed project is \$1,869,850.00. The READI funding available is \$1,432,110.00. This would leave the Town's portion at \$437,740.00. This would also reduce the scope of the entire water project that was submitted to the State Revolving Fund. President Tancak asked Clerk Treasurer Maners to address the Town's portion. She suggested \$217,000.00 would come from the Water Depreciation Fund, \$100,000.00 from TIF Funds, and \$135,000.00 from the Rainy Day Fund. Councilmember Howell made a motion to move forward if the funds are available. Councilmember Jay seconded. The motion carried by unanimous vote.

At this point, items were discussed out of order from the agenda since Eric Smith was at the podium.

- b. **BENNINGTON WAY:** Documents have been signed and will be sent to INDOT.
- c. **POET DISCHARGE:** POET is requesting to send some of their "backwash waste" to the Town's sewer system. Troy Ellis with UMAC and the engineers at HWC have analyzed the

proposed discharge and agree our sewer system is able to accept and treat this waste. A new contract is being drawn up to allow for this. Financial Services Group is revising a rate to be included in the contract. The contract will also have a provision that the Town can terminate at any time if it becomes detrimental to our system. POET would like to do a "test" in the next week or two. As a goodwill gesture the Council agreed to let POET do a test run.

- d. **BUILD OPERATE TRANSFER:** Town Manager Hartman is attending a meeting in Indianapolis on this new type of contract this week. Eric Smith described the process again and said the Wastewater project could be considered for this. He recommended Council start the process. There would be no obligation to continue, but there would be a benefit to starting early. Councilmember Jay motioned to move forward with the BOT. Councilmember Stierwalt seconded. The motion carried by unanimous vote. HWC will work with Town Manager Hartman to get the process started.
- e. **POET WASTEWATER RELOCATION:** This has been sent out to three different contractors and we are awaiting quotes.
- f. **BEAGLE CLUB ROAD COMMUNITY CROSSINGS:** An application was submitted. There are no new updates.
- g. **LEAD AND COPPER INVENTORY:** A contractor will take inventory of ten homes in Cloverdale in the coming weeks. This will just be a test for his system, but we will benefit by having a start on our inventory. More updates will follow in the coming months.
- h. **COMMUNITY YARD SALE:** Stardust Hills has partnered with Cloverdale Main Street to have a Town wide Yard Sale event. This will be from 8 a.m. to 5 p.m. on May 11<sup>th</sup> -13<sup>th</sup>.
- i. **POET RELOCATION ENGINEERING:** The contract signed for the engineering to relocate the water line near POET was for \$10,000. In the process, the scope of this project changed multiple times. An invoice was presented to Council for \$33,689.40 from Curry and Associates. It was noted this cost is part of the INDOT grant project and will be reimbursed to the Town. Councilmember Jay made a motion to approve the invoice. It was seconded by Councilmember Fidler. The motion carried by unanimous vote.

#### **CLERK TREASURER:**

- a. **MONTHLY REPORTS:** A monthly Appropriation and Revenue Report, and Water and Sewer Budgets were given to Council.
- b. **CLAIMS:**
  - 1. **UMAC INV #4800:** Councilmember Fidler made a motion to approve the invoice for \$2,970.00. Councilmember Howell seconded. The motion carried by unanimous vote.
  - 2. **Andy Mohr INV #FOCS925583:** There was a question last month regarding a \$275.00 decal charge on this invoice. It was noted the charge was for preparing the vehicle for the new decals, not the decals themselves. However, Andy Mohr waived the \$275.00 charge.

#### **PLANNING COMMISSION:**

- a. **INVEST PUTNAM REZONE:** The Planning Commission voted unanimously to send a favorable recommendation to the Council to grant the rezone request by Invest Putnam,

Inc. This would be rezoning a portion of land in Stardust Hills along Stardust Road from R-1 to B-1. A map was given to Council. Councilmember Howell made a motion to approve the rezone. Councilmember Fidler seconded. The motion carried by unanimous vote.

- b. **VACANCY:** Councilmember Howell was appointed to the Planning Commission as a “citizen member” prior to his appointment to the Town Council. The vacancy on the Commission currently is for an “elected official”. Councilmember Howell resigned from his current position on the Commission. Councilmember Jay then made a motion to appoint Councilmember Howell to the Planning Commission as an “elected official” and Councilmember Fidler seconded. The motion carried by unanimous vote. It was then noted there remains a vacancy on the Commission for a “citizen member” to be appointed by President Tancak.

**PARK BOARD:** President Tancak introduced Justin Witt to the Council. Councilmember Howell made a motion to appoint Justin Witt to the Park Board. Councilmember Fidler seconded. The motion carried by unanimous vote.

**REDEVELOPMENT AUTHORITY BOARD:** President Tancak appointed John Bailey to the Redevelopment Authority Board.

#### **ORDINANCES AND RESOLUTIONS:**

- a. **ORDINANCE 2023-1 COUNTY ARPA SHARING FUND: (1<sup>ST</sup> READING)** The County has given the Town \$331,796.00 to be used for local match on the Community Crossings/Bennington Way project. This Ordinance creates a Fund for accounting for the money as prescribed by the State Board of Accounts. Councilmember Jay motioned to approve. Councilmember Fidler seconded. The motion carried by unanimous vote. Councilmember Jay then made a motion to waive the 2nd reading of the Ordinance. Councilmember Howell seconded. The motion carried by unanimous vote.
- b. **RESOLUTION 2023-2 ARP PLAN:** This establishes the Town’s Plan for spending the American Rescue Plan funds. Councilmember Jay made a motion to accept the Plan. It was seconded by Councilmember Stierwalt. The motion carried by unanimous vote.
- c. **RESOLUTION 2023-3 ADDITIONAL APPROPRIATION:** This Resolution appropriates the additional money to pay for the Wastewater project as discussed earlier in the meeting at the Public Hearing. Councilmember Howell made a motion to accept. It was seconded by Councilmember Stierwalt. The motion carried by unanimous vote.

#### **OLD BUSINESS:**

- a. **54 EAST MARKET STREET:** Tabled until the next meeting.

#### **NEW BUSINESS:**

- a. **LIBRARY EXPRESS:** The Putnam County Library is requesting to put a small mini-barn style building on Town property. This will assist residents in borrowing books from the library and having them delivered to Cloverdale in this locker style building. Discussion ensued as to the best location for this. Councilmember Howell made a motion to temporarily put it at the Town Hall, until a better location can be found. Councilmember Stierwalt seconded. The motion carried by unanimous vote.

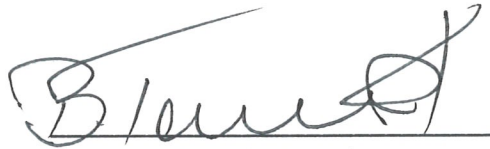
President Tancak stated that the Part Time Deputy Marshal #2 would be addressed next.

- b. PART TIME DEPUTY MARSHAL #2:** President Tancak asked Sergeant Hull, "When the Chief of Police is on leave or on vacation, who oversees the Police Department?" Sergeant Hull responded that he did. President Tancak then stated that the part time deputy had been employed since October of 2022. He then asked Sergeant Hull during the time of employment, how many cases had this employee worked? Sergeant Hull responded he had reviewed their CAD system and determined that she had worked one cold case at the beginning which he was not at liberty to discuss, she had assisted on 8 cases in February, none on record in January and one in March. President Tancak pointed out to the Council that since the date of hire this employee had worked 164 hours or the equivalent of 20.5 days. President Tancak then directed Council to the information in their packet, showing there was not sufficient funds to continue this position. President Tancak also stated when this hire was made, the work was supposed to be funded by the Prosecutor's office and that was not what was happening. Discussion ensued about the funding of this position. Councilmember Howell stated explanation was needed from the Marshal. President Tancak noted it was hard to conduct business when he was out of town for a month at a time. Councilmember Jay made a motion to table this discussion until the Marshal returned and more information could be shared. Councilmember Howell seconded the motion, with an amendment, that this employee be on leave until Marshal Hibler is back in town and can clarify where the money is coming from and what is going on. Sergeant Hull requested she still be permitted to work minimal hours. Discussion ensued. President Tancak called for a vote. It was 3-2, with Councilmembers Jay, Howell and Stierwalt in favor and Councilmembers Fidler and Tancak opposed. The motion carried. Sergeant Hull asked for clarification on how to administer this. Attorney Shagley reiterated the motion and stated she would be on unpaid leave until this matter was resolved. President Tancak also directed the Town vehicle be returned to the Town.
- c. SAFETY BOARD:** President Tancak has reviewed the current handbook and Police SOP's and stated he believed it is in the best interest of the Town, as well as the Police Department, to create a Safety Board. He suggested a five member Safety Board be created, consisting of three council members and two citizens. If Council didn't wish to create a Safety Board, the Town Council would act as the Safety Board and it is suggested the language in the SOP's needs updated. Councilmember Jay motioned to create a Safety Board. Councilmember Howell seconded. The motion carried by unanimous vote. President Tancak announced if any citizens are interested in serving on this board, they should reach out to Clerk Treasurer Maners.

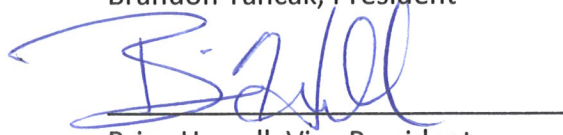
#### **CITIZEN COMMENTS:**

- a. THANK YOU LETTER-JIM AND PAT STEELE:** A Thank you letter was read to Council for the recent tree removal.
- b. STARDUST HILLS HOA:** David Fish reminded everyone again about the Community Yard Sale. Councilmember Howell motioned to waive all permits for this event sponsored by the Cloverdale Main Street and Stardust Hills HOA. Councilmember Jay seconded. The motion carried by unanimous vote.

**ADJOURNMENT:** The meeting was adjourned by President Tancak at 8:59 p.m.



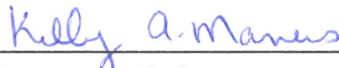
Brandon Tancak, President



Brice Howell, Vice President



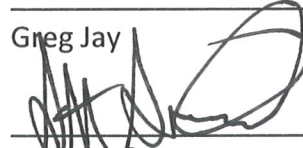
Larry Fidler



Kelly Maners, Clerk Treasurer



Greg Jay



Scott Stierwalt