

LAPEL TOWN COUNCIL MEETING

JANUARY 18, 2024

In attendance: Chad Blake, Brian Robertson, Lindsey Washmuth and Roger Fouse, Teresa Retherford, Clerk-Treasurer, Dax Norton, Consultant and Evan McMullen, Legal counsel.

7pm meeting called to order.

Blake informs everyone there is now a sound system at the meetings.

Blake opens the floor for Public Comment:

Jim Bauer, President of the Fire Territory, monies are very difficult get right now. Still working under the 2011 property tax. Tax rates for the Town of Lapel cannot be raised. There will still be a fire department. They will have to eliminate the Lapel Stoney Creek Township Fire Territory and make it Stony Creek Township Fire Department. Trying to get property tax asset evaluation to present. Right now, it's at the 2011 level. Cut \$40,000.00 out of last year's budget. Long term is to get full-time employees on the Fire Department.

Scheduled presentation: Water Project Update

Project is past its original due date. Struggles with the company putting new pipes in the ground. Granted company multiple extensions to which they have let expire. The progress map is updated to what has been completed.

Blake entertains the motion to table the water update and pay applications, Motion made by Fouse, 2nd by Washmuth. All in favor.

Clerk-Treasurer Report: Next Tuesday, Wednesday, Thursday Teresa Retherford will be out of the office for classes in Daleville. Jury Duty on Monday. Mike will be in the office with Lisa helping. Working on getting year end stuff done, W-2s, and close out the year in Keystone. Everyone has new claims in front of them. Blake explains the claims. Retherford lets everyone know the payment on the claims to First Merchants is for \$108,000.00 is for the Water Bond.

Approval of meeting minutes: We do not have any currently. Lisa is working on them.

No Public Hearings

Unfinished Business: Expenditure of over \$5,000.00. Quote for water meters. Gary spoke about 144 meters on order. \$39,600.00 for these meters. The money is in the water fund. Motion to approve water meter purchase made by Shuck, 2nd by Washmuth. All in favor.

New Business: Salary Ordinance, noncompliant. Elected officials get paid through all different departments in the fund. Additional verbiage added to ordinance.

Robertson makes motion to approve 1-2024 salary ordinance, 2nd by Washmuth. All in favor.

Motion to suspend the rules and approve salary ordinance on first reading made by Robertson, 2nd by Blake. All in favor.

Resolution 1-2024: Town mileage reimbursement rate of 67 cents per mile. IRS and state require this. Motion made by Washmuth, 2nd by Robertson. All in favor.

Town council met Tuesday at a workshop for town council policy and procedure manual. The manual has been put together by town manager/consultant Norton. Norton talks about changes to the policy and procedures.

Blake makes motion to table the consideration of the town council policy and procedures manual to the next regular scheduled meeting, 2nd by Robertson. All in favor.

Contract renewal for MS Consultants: Norton explains about renewing the contract as there is no contract right now. Talks about hiring and the cost of hiring someone for the town manager.

Shuck speaks about the lighting at the utility building. It has older fluorescent lights in the building. There's a quote for updating with LED lights. Also replacing the sodium light at the wastewater treatment plant with LED lights. There are enough funds to upgrade the lights.

Shuck makes motion to approve the quote to purchase the lights, 2nd by Blake. All in favor.

Utility Planning: Norton talks about looking at the planning of the sewage system. There are still grants out there to get. Norton suggests having a meeting in the next week about getting these grants and working with the I&I issues. Last project done for the sewer plant was in 2007 according to Shuck.

Installation of fire hydrant meter: John Nikoloff speaks about getting a meter to know where the water is going, there's been problems tracking where some of the water is going. Estimate for a hydrant meter is around \$5,000.00. Blake recommends getting quotes for this meter and a quote for installation.

Retherford investigated the Lapel Lion's Club for future meetings. \$50.00 each meeting and there will be nothing else going on at the club during the meetings so it will be quieter. All town meetings for every organization will be moved there.

Blake makes a motion to keep same meeting schedule but change the location to The Lapel Lions Club pending signed contract, 2nd by Washmuth. All in favor.

Discuss a board and commissions information and application gateway: Norton talks about the application process, vacancies, and keeping the public notified.

Department Reports: Chief Naselroad asks if there's a decision made at the last council meeting about the solar eclipse. December was a slow month. A reserve officer resigned in January for personal reasons. Reserve officer released from FPO. Officer Booker is now filling shifts. Responded to 397 calls at the end of the year making total calls at 4,300. Reserves worked 76 hours this month. There were 12 arrests in December. An agreement has been made with the school for the SRO. The legal team has approved it, need a special meeting to approve it.

Planning: Robertson states there was an election of officers last week. Matt Wood stayed President and Andrea Baldwin is now Vice-President. There were two public hearings: One for the town to rezone a piece of property it has from Residential 2 to Institutional to put fiber hut for internet on it. Another for Lapel Industrial Park. Ground they rezoned a couple years ago had issues with the drainage. Wanting to rezone from agricultural to light and general industrial to where the legal drainage is. It will be held in front of the council next month. Discussion of raising fees for anything that is associated with planning such as rezoning is going to be happening.

Utilities: Nikoloff states both wells went down this weekend. Called Duke Energy, not on them. We had to call in an electrician, they determined Duke Energy needed to fix the problem. Duke Energy came out with 3 engineers, and never did anything. Norton and Nikoloff got together to get things figured out with Duke Energy. Shuck showed up to get the generator running. Getting quotes for new installations for pumps. Midco Diving got ahold of Nikoloff to clean our tower. They will be here the first or second week in March to clean it. Atlas got the customer's water pressure fixed on Walnut St. Still finding a spot where water pressure is being lost. Nikoloff asked about talking about gentleman who put application in, Shuck said it will be discussed at next week's meeting. Brandon and Teague got the snowplows ready. Brandon had to unwinterized the vac truck today due to a service line leak. Blake states we did declare an emergency with the polar vortex with the extra cold temperatures. The town purchased gas in advance and locked it in at just a little under \$20.00 a MCF. We locked the gas in at \$57,000 to prevent any large gas bills. Any gas not used will be sold and we will be able to recoup some money back.

Parks: They had their election of officers: Katie Hutchinson is President, Olivia is Vice-President, Roger's position needed to be filled this year and that spot is still open. Meetings

are still the 3rd Tuesday of every month at 7pm, except for February. They are moving that meeting to February 12th at 7pm at the Town Hall. US Fish and Wildlife has donated \$2,605.00 to put towards the seed cost for the Brookside restoration project. We still need approximately \$13,000.00 to finish the planting, the path signage and enough to finish phase 2 for the trees and bushes.

Redevelopment Commission: No updates, no meeting

Chief Naselroad informs that the Lapel Eagles donated \$2,000.00 to the police department.

Office Administration: Retherford has nothing currently.

Council members' comments and concerns: Fouse wants to look at the phone call company that we use for the on-call calls. There was a complaint made that it took over an hour and a half before the answering service called the on-call person for the problem.

Approval of Claims: No questions or concerns

Motion to approve the claims as presented for January 2024 made by Shuck, 2nd by Robertson. All in favor.

Motion to adjourn made by Blake, 2nd by Robertson. All in favor.

LAPEL TOWN COUCIL MEETING

FEBURARY 15, 2024

In attendance: Chad Blake, Brian Robertson, Lindsey Washmuth, Roger Fouse. Teresa Retherford, Clerk-Treasurer and Attorney Even McMullen

7pm meeting called to order.

Blake asks council members if they have any changes they would like to make to agenda or take a motion to approve agenda as presented.

Motion made by Robertson, 2nd by Washmuth. All in favor.

Floor open for any public comments or concerns.

No public comments.

Presentations:

Brian for the 700 improvement presentation is not present.

David and Jeremy with Comcast presentation is not present.

Clerk-Treasurer Report:

Retherford states that all 1099's and W-2's are done. She will be working with Janet to get the annual financial report done. Been working on minutes. September is not completed yet, but October is done.

Approval of meeting minutes for October 26, 2023. **Motion** made by Washmuth, 2nd by Robertson. Blake and Fouse abstain. Robertson, Washmuth and Shuck in favor.

No public hearings on the agenda.

Unfinished business:

None

New Business:

Ordinance to amend the UDO for Town of Lapel for rezone. Ordinance 2-2024 to change the zoning at 12 W 7th St for UDO. Rezone the property from residential to institutional. Shuck asked if this is just the first reading. Per McMullen only one reading is required for the rezone ordinance. **Motion** made for Ordinance 2-2024 by Shuck, 2nd by Robertson. All in favor.

Ordinance 3-2024 rezoning property 0 St Rd 13, Lapel. Rezoning from agricultural to light and general industrial. Recommended by the planning commission who has heard and reviewed this rezoning. Robertson states its favorable exhibit 5 which takes a portion along 13 and South of Trinity as light industrial and center section as general industrial. Just 20 acres, not all of it. **Motion** made for Ordinance 3-2024 by Shuck, 2nd by Fouse. All in favor.

Consider proposal for public work services and tornado siren testing. Professional service contract to make sure our tornado sirens are working properly. The contract is \$450 per siren per year. The town has 2 sirens. Per Shuck it just shows 1 siren in the contract. **Motion** made to approve the contract for maintenance of electromechanical sirens of \$450 per site by Robertson, 2nd by Washmuth. All in favor.

Proposal for professional services from Graham, Farrer, and Wilson P. C. our current legal representation.

New contract for this year for \$750 a month for all regular and routine activities for the town. Any non-routine litigation matters will be billed at \$250 per hour. **Motion** made to approve contract by Shuck, 2nd by Robertson. All in favor.

Contract renewal for professional services from MS Consultants.

Norton states the changes to the contract and explains why the changes. Washmuth explains what she thinks about this contract. **Motion** to approve the professional service contract with MS Consultants with revised amount of \$80,000 per year made by Washmuth, 2nd by Blake. All in favor.

Nepotism and Conflict of Interest Disclosure Forms: Blake did not receive them yet. Norton will be getting the forms to Blake soon.

Consider a quote for professional services for Callihan Utility Consulting:

Utility rates get reviewed every couple of years. Water and gas rates are due for review. The quote for water rate study is not to exceed \$4,500.00 and is estimated between \$3,500 and \$4,500.00. The quote for the gas rate study is not to exceed \$4,750.00 and is estimated between \$3,750.00 and \$4,750.00. **Motion** made to approve rate studies made by Shuck, 2nd by Washmuth. All in favor.

Expenditure exceeding \$5,000:

Purchase of vehicle for SRO. Loan through Crossroads Bank. Dealership out of Louisville, KY had a vehicle come up that is available. Once approved the vehicle is ready for pick up and the officer starts working at the school on Monday. **Motion** made to approve purchase

of \$58,104.95 for SRO vehicle by Washmuth, 2nd by Robertson. Blake, Robertson, Washmuth, and Fouse all in favor. Shuck is not in favor.

Discuss gas utility reimbursement:

The Town of Lapel filed a Class Action Lawsuit and won. The money from the settlement could be distributed amongst the current gas customers over the next two years. The council will review the lawsuit that was won and discuss it at next month's meeting to see if they can agree on how it gets distributed.

Department of Reports:

Police Chief Naselroad is out of town but gave Blake a copy of his reports. Hiring of Officer Nivens as SRO starting next Monday.

Planning:

There was a meeting last week. Everyone was notified that the meetings are now held at the Lion's Club on the 2nd Thursday of the month at 6:30pm. Andrea Baldwin a town citizen was also elected to the BZA committee. The planning committee is recommending a 2nd citizen from the planning commission, Amy Egly for consideration for the BZA. Vote to approve Amy Egly as the council appointee to the BZA. **Motion** made by Robertson, 2nd by Washmuth. All in favor.

Utilities:

Atlas packed up and moved on last Friday. They did come and pick up the last of their belongings this week. Nikoloff talks about the radios and asks if they are going to be paid to keep them or moving on to a different system. Blake believes they already voted and approved this. Inventory is almost done with the utility department. Chris Higgenbothum in utility passed his WT3 test February 5, 2024 and is now a certified operator. Nikoloff asks about gentleman who put application in again, if he can be hired on the utility department. The budget needs to be reviewed before an answer can be made. **Motion** to approve cellular at the wells made by Blake, 2nd by Shuck. All in favor.

Rob talks about Atlas and what is going on with their work. Blake gives his opinion on how we should move forward. This project was supposed to be completed over a year and a half ago. Most recent extension expired on October 23, 2023. Shuck voices his opinion on this project, also. Rob must report back to Atlas on what the town wants to do about the contract. Retherford asks Rob if he has got other estimates from other companies, and he has. Robertson asks Rob for his opinion. **Motion** to move forward with Atlas granting them the opportunity to present a change order for completion of project made by Blake, 2nd by

Robertson. Blake, Robertson and Fouse in favor. Washmuth and Shuck are not in favor. Rob will be in contact with McMullen before contacting Atlas.

Parks:

Meetings have been moved to the 4th Thursday of every month at 7:00pm. March's meeting will be on the 14th after the planning meeting. All meetings will be at the Lion's Club. Asked if budget has been made yet. Retherford is working on closing the end of the year, once that is done then they will have an amount for the budget. There is still an open seat on the Parks Committee.

Redevelopment:

New member, Nate McKeon is now on board. Still need 2 members that are a resident of the town to apply and be voted to join the Redevelopment Commission.

Office:

Need to be thinking about how to appropriate the ARPA money. It must be spent this year or dated to be spent next year. Kimley-Horn bill is \$19,000 and still needs to be paid but needs an appropriation. Interviews are set up for next Thursday.

No comments, questions or concerns from council members.

Approval of Claims:

Retherford sent a copy of allowance docket to emails. Motion to approve claims as presented made by Washmuth, 2nd by Robertson. All in favor.

Motion to approve the Allowance Docket made by Washmuth, 2nd by Blake. All in favor.

Motion to adjourn made by Blake, 2nd by Fouse. All in favor.

LAPEL TOWN COUNCIL MEETING

MARCH 21, 2024

In attendance: Chad Blake, Lindsey Washmuth, Gary Shuck, Teresa Retherford, Clerk-Treasurer and Town Attorney, Evan McMullen

7pm meeting called to order.

PUBLIC COMMENTS AND CONCERNS:

None

PRESENTATIONS:

Brian Moench with Moench Engineering shared information on a project that arises in Pendleton jurisdiction but does have some impact on Lapel. Pendleton approved a new concrete batch plant. CR 700 S improvements was a commitment they made to Pendleton when they rezoned this property. Improving the road to handle the heavier traffic will now be the primary access to get to the concrete plant. Phase 1 is 30 feet pavement width. Phase 2 is making it a 4-lane road instead of 2. They need Lapel's approval for the right of way on the North. Improvements will be made mid-2025. Blake will have to reach out to our engineers to see if our plans will match what they are wanting to do.

David Eoriatti and Jeremy Burton with Comcast Services-No Show

Liability Insurance Renewal: Retherford tried to get more quotes, but time was not in our favor. Possibly can get more quotes towards the end of the year. It's with the same company who had all the town's information already. **Motion** to approve insurance pending review by Blake, 2nd by Shuck. All in favor.

Beard and Mustache Society: Jeramiah Crafton, founder and president of Tri County Beard and Mustache Society. Nonprofit charity that raises money for musical education. There are 40 members in this Society. They would like to get their name put on a town sign to keep growing and help others out. They do have a quote from W.C. Signs. Blake states that the signs on the outside of town are more for sports recognition. Don't think this would be the correct place to post their sign. Town needs to get a new sign for all the organizations and will work on it.

Shane Booker: Executive Director of Hamilton County Emergency Management, which sounds our emergency sirens. Asking Town Council to approve the addition of online software. Two items asking for consideration to update the memorandum of agreement to include destructive tag if issued by National Weather Service and to allow them to do auto

activation. There is no cost to the town to do this. **Motion** to approve the update to our MOU by Blake, 2nd by Shuck. All in favor.

Hershel Hinkle wants the approval to buy 75 flags for the town. **Motion** to approve purchase made by Washmuth, 2nd by Gary. All in favor.

Hershel Hinkle states that Village Fair is July 12-13. Would like to make sure the assistance needed is going to be available. Blake states an event permit will need to be filled out. He will stop in at the Town Hall to pick up the permit from Retherford.

Stellar Pathways: Clay Woodson asking for a commitment to have a seat at the table on April 3rd in Lapel. Woodson asks for a vote from the town board to officially sign on to letter of intent, showing Lapel is supportive of their efforts. **Motion** to join the Stellar Pathways by Washmuth, 2nd by Shuck. All in favor.

CLERK-TREASURER REPORT:

Minutes for September and November 2023 are done. New hire's background check and drug screen has been done. If everything comes back in time, she will start April 1, 2024. Attorney McMullen explains that a motion should be made that she is hired on at the certain salary wage due to Perf reasons. **Motion** that the approval for Utility Clerk salary wage is \$24.00 per hour by Blake, 2nd by Shuck. All in favor.

Retherford notes that the of the year is all closed out. January and February bank recs are all done. There is a new fund and appropriation report emailed out. Fund accounts need to be consolidated. Retherford is asking permission from the council to work with Janet to transfer funds to limit how many different funds for water, sewer and gas. **Motion** for Clerk-Treasurer to work with Janet, our Budget Advisor, to prepare a consolidation of accounts made by Washmuth, 2nd by Blake. All in favor.

APPROVAL OF MEETING MINUTES:

September 21, 2023 and November 16, 2023 **Motion** of approval meeting minutes as presented for both meetings by Blake, 2nd by Washmuth. All in favor.

PUBLIC HEARINGS:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Ordinance 04-2024, allowing to create a donation fund for the police department. First read for Ordinance 04-2024.

Ordinance 05-2024 to establish a fund for SRO. First read for Ordinance 05-2024. McMullen wants to review before passing the ordinances and a few things need revised for the ordinance for the SRO.

DEPARTMENT REPORTS:

POLICE: Chief Naselroad states Officer Nevans has begun working at the school and is still waiting for equipment to come in. Officer Petty graduated from Field Training Officer School and Officer Montgomery graduated from Instructor Development School. Officer Diaz signed up to go to Instructor Development School in April. Flock cameras had 1,116 hits out of 50,363 reads. Responded to 469 calls for service and dispatches from 2/8/2024 to 3/14/2024. Reserves covered 86 hours. 11 arrests were made. In April, Captain Buffington is going down to academy again. Officer Montgomery is going to become stop certified. Officer Petty is going to field standardized testing instructor.

PLANNING: Andrea Baldwin gives report. Old business the blue church on 9th and Erie's monthly reports have not been being made. The last report was in December 2021. Attorney McMullen will review this and have an update at the next meeting.

Tuscany has HOA that is yet to be utilized by residents.

Shell station at Pendleton Ave and Ford Street is in violation. There is a variance from the last owner. The same variances would carry over to the tenant. They are in violation of the new agreement.

New business: Applied for application is Willis Excavating and Trampest.

UTILITIES:

Nikoloff has got a new estimate for the water tower. There is a 3-year maintenance plan with this company. After the 3 years, there would be a service plant to maintain it that they would do. Dan is willing to come in and put on a presentation at the next town meeting. Legal and Engineers will review this.

Atlas showed up on Wednesday and did a permanent repair on the pipe that came apart on February 24, 2024 on 5th Street that Culy had temporarily fixed for the town.

Lead and cooper inventory is completed. Chris is working on putting it in the portal.

Nikoloff is working with Rod from Commonwealth on replacing galvanized lead lines with the SRF fund money available.

Tuscany sewer system was backed up due to not being made a loop system.

CDL permits and physicals have been done by 2 employees now. Will get something figured out with Attorney McMullen.

There was a bad water leak in front of the water plant on Vine Street following the pipe down to the creek. Commonwealth and utility department worked with Theineman's to fix this.

Sage drilling with fiber optics bored through or hit something and hit our 2-inch line that is going down to our wastewater treatment. The leak is following their bore line so we do not know where it is. Ben Ross from Sage Drilling was contacted to let them know they need to fix it.

PARKS:

None

REDEVELOPMENT COMMITTEE:

No meeting, 1 of 3 members were not available.

Attorney McMullen spoke that parks department at their last meeting requested for him to their attorney on record. It can be done through their own contract or the one that the town already has. Mr. Graham can amend the contract for \$150.00 per month. Once the draft is ready, it will be reviewed at the next meeting.

COUNCIL MEMBER COMMENTS AND CONCERNS:

Shuck is looking into getting a quote on streetlights. They would like to replace all of them. One quote is \$72.39 each. There are 59 streetlights that need to be replaced. That is just to replace the light, not installation.

APPROVAL OF CLAIMS:

Motion to approve claims by Shuck, 2nd by Washmuth. All in favor.

ADJOURN:

Motion by Blake, 2nd by Shuck. All in favor.