

Minutes of Sweetser Town Council
August 26, 2021

I. The meeting was called to order by Chuck Briede at 7:00 pm; the roll was called as follows:

Roll Call:

Kyle Taylor-Present

Matt Stewart—Present

Travis LeMaster—Present

Dave Fox—Absent

Chuck Briede-Present

The roll was followed by the Pledge of Allegiance and a prayer.

II. Minutes

Matt Stewart made a motion to approve the minutes of the August 12, 2021, meeting as written. Travis Lemaster seconded the motion.

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Mat Stewart made a motion to approve the minutes of the capital planning meeting of August 5, 2021, meeting as written. Travis Lemaster seconded the motion.

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

III. Bills

After discussion, Travis LeMaster made a motion to approve the paying of the bills as amended. Matt Stewart seconded the motion.

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

IV. Public Forum

No comments.

V. Department Reports

Maintenance Department — Superintendent Devin Cole was in attendance.

- Devin reported that they had the final walkthrough with INDOT and Fleis & Vandenbrink for the sidewalk project.
 - The intersections at Franklin & Main and Greenburg & Main need some work where the asphalt meets the sidewalk. The contractor will be back in about two weeks to perform the required fixes.
 - The contractor is awaiting a recommendation from Fleis & Vandenbrink on what seed mixture to use to reseed the areas adjacent to the new sidewalks. The weed problem with the existing application is a result of reusing the topsoil that was removed from those areas: it was ground and reapplied and thus contained all the weeds and other grass varieties that were there before. Those weeds and crabgrass grew before the new seed application germinated. So, in addition to reseeding, the contractor will apply a weed & feed to try and knock back the crabgrass and weeds that have grown.
 - After those items are done the road signs will be replaced.
- Chuck asked if there was anything that could be done about the significant dip at the intersection of Sherron & Main where a street drain is located. Devin said that would be addressed in a future CCMG project, but in the meantime, he would get a quote from Bragg Excavating to install riser rings on the drain and fill-in with concrete to bring it up to level with the surrounding road.
- Devin reported that he attended a quarterly meeting with the engineer regarding the next phase of the sidewalk project. That phase is scheduled to be bid in 2024 with construction in 2025. Devin asked if the town wishes to bring that forward to the 2022 letting with construction in 2023; or to the 2023 letting with construction in 2024. After discussion, matter was tabled pending analysis of the 2022 budget.
- Chuck said the town was waiting to here from the 1812 Committee to know when and where to return the garbage cans the town borrowed for the Sesquicentennial.
- Clerk reported that the town had received the retainage invoice form Bragg Excavating for the CCMG project. Devin said they had fulfilled the contact and the invoice was okay to pay.

- Matt said on the west side of North Main there is a sizable drop off to the new ditch where the new asphalt is. Devin said he would take some pictures to send to the engineer to get that added to the punch list of items needing addressed.

Police Department — Marshal Ryan Hornback was not in attendance. Deputy John Gavin was in attendance.

- John recapped the department case activity the past two weeks (142 calls).
- John reported that the Grant County Prosecutors office is donating \$6,000 to the town for the purchase of two video camera systems for the town police vehicles.
- John reported the radar detector in the 2012 Tahoe is going bad. John said a guaranteed refurbished Stalker model is about \$1,700. Clerk reported there are sufficient funds in the Local Law Enforcement Education Fund to cover the purchase.
- Kyle reported that he had quotes from American Auto Body to repair the door on the 2012 Tahoe.
- Matt resumed the discussion of controlling large traffic through town. It appears that a few large trucks are not following the posted detour routes. Town counsel Michael Hotz said he is not aware of any provision in any current town ordinance that could be used to cite violations. Michael has been researching how other towns have addressed the issue to come up with proposed amendments to our current traffic ordinance. Matter tabled.
- John suggested that it could be beneficial to the town to reinstate the town ordinance bureau rather than having all the traffic violations go through the Gas City court.

Parks Department — President Steve Kelley was in attendance.

- Steve said Dennis Brinkman wants to try and sell some of the town compost this fall. Steve said our expenses would be to grind it up and possibly bag it (alternatively, it could be sold by the truck load). Council is okay with proceeding with the idea.
- Steve reported Garrett Geller's Scout project on the train cars and trail went well.

VI. Continuing Business

- Matt asked if we had custody of the Bragg Street property. Michael said the redemption period ends September 15. If not redeemed, we would then file a petition with the court and the property would belong to the town 30 days from the filing of the petition. Matt reported that the property will need some attention to bring it into compliance with the town nuisance ordinance.
- Kyle asked if the Delphi property had been notified again of violation of the nuisance ordinance. Michael thought the letter had gone out. Kyle asked what the next step for the town would be and when. Michael recommended against the town engaging a third party to remediate the property until after an ordinance violation had been filed with the court and the court finds there is a violation. Michael summarized how Marion code enforcement documents ordinance violations and recommended the town do something similar. Ryan Malott, Executive Director of the Grant County Area Plan Commission, and Nicole Bailey, Code Enforcement Officer, were in attendance. They said that Area Plan also has jurisdiction in this area and the town could utilize them to notify and proceed against violators.
- Travis said we are still taking orders for Hometown Heroes Banners up to Labor Day.

VII. New Business

- Ryan Malott, Executive Director of the Grant County Area Plan Commission, and Nicole Bailey, Code Enforcement Officer, were in attendance.
 - Nicole recapped for the council how the code enforcement process is done in the county, with particular emphasis on demolitions, property clean-ups, and abandoned vehicles. Chuck asked that since the town has a nuisance ordinance, how does county code enforcement determine when the county ordinance applies and when the local nuisance ordinance applies. Nicole said the stricter of the two ordinances is used.
 - Ryan said one of the reasons for attending the meeting was to help make the town aware that many of the Area Plan ordinances overlap with existing local ordinances and the code enforcement personnel are available to help the town address potential violations.
 - Chuck said we have a couple of properties in town that will probably need demolished and ask if Area Plan had funds to assist with the costs. Ryan recapped the demolition budget and backlog and the prospects for additional funding and resources in the future.
 - Council will obtain and review the Area Plan Area Wide Ordinances.
 - Kyle said there is a town resident who has inquired about requesting the town vacate a property and was not sure where to start. Ryan said the resident could contact Brenda Harrison, Area Plan Zoning Coordinator, and she could assist with the issue.
- Chuck reported another reason Ryan was in attendance was to present some proposed amendments to the current County Area Wide Zoning Ordinance. The proposed amendments were presented to the Area Plan Commission and the Commission gave them a favorable recommendation. The next step is to take them to the towns prior to presenting them to the county commissioners. The first proposed amendment is to Section 153.120 Yards and Setbacks. The second proposed amendment is to Sections 153.12 and 153.125 and adds a definition and permitted uses of Cargo Containers.

Travis LeMaster made a motion to approve the proposed General Ordinance from the Board of Commissioners of Grant County, “An Ordinance Amending the Section on Yards and Setbacks in the Grant County Area Wide Zoning Ordinance”. Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to approve the proposed General Ordinance from the Board of Commissioners of Grant County, “An Ordinance Amending Definitions and Accessory Structures in the Grant County Area Wide Zoning Ordinance”. Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

- Ryan related that Area Plan is working on an ordinance for digital/animated signs that updates the regulations about the signs and clarifies where such signs are permitted. He said Area Plan is also working on an ordinance regulating solar farms.
- Kyle suggested that we need to look at budgeting more funds for town Marshal and Deputy pay.
- Clerk reported that as the town has applied for and received funds from the CARES Act and has applied for and will be receiving funds from the American Rescue Plan Act, the town needs to establish by ordinance funds to receipt those monies into.

Travis LeMaster made a motion to adopt on first reading General Ordinance 2021-2, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the CARES Act Grant Fund (Fund 264). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to adopt on second reading General Ordinance 2021-2, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the CARES Act Grant Fund (Fund 264). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to suspend the rules and permit a third reading of General Ordinance 2021-2, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the CARES Act Grant Fund (Fund 264). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to pass on the third and final reading, General Ordinance 2021-2, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the CARES Act Grant Fund (Fund 264). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to adopt on first reading General Ordinance 2021-3, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the ARP Coronavirus Local Fiscal Recovery Fund (Fund 180). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to adopt on second reading General Ordinance 2021-3, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the ARP Coronavirus Local Fiscal Recovery Fund (Fund 180). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to suspend the rules and permit a third reading of General Ordinance 2021-3, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the ARP Coronavirus Local Fiscal Recovery Fund (Fund 180). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

Travis LeMaster made a motion to pass on the third and final reading, General Ordinance 2021-3, “An Ordinance of the Town Council of Sweetser, Indiana, Establishing the ARP Coronavirus Local Fiscal Recovery Fund (Fund 180). Matt Stewart seconded the motion.

Roll Call:

Kyle Taylor-Aye

Matt Stewart-Aye

Travis LeMaster-Aye

Dave Fox-Absent

Chuck Briede-Aye

- Clerk reported he will be having a final budget planning meeting with the DLGF on Monday, August 30. The proposed budget adoption schedule is:
 - September 9, 2021, First Reading
 - September 23, 2021, Public Hearing and Second Reading
 - October 14, 2021, Third Reading and Adoption
- Matt said that at a future meeting we should discuss making town equipment available for lease by other towns.
- Travis provided a recap of the Sesquicentennial celebration, which by all account’s was well attended and quite the success. Chuck said a meeting will be scheduled to soon to determine items to be placed in the next time capsule.

VIII. Adjournment

There being no further business before the council, the meeting was adjourned at 8:43 pm.

Respectfully Submitted,
John Potter
