

BOURBON TOWN COUNCIL MEETING

JUNE 13, 2023

A regular meeting of the Town Council for Bourbon, Indiana was held at 6:00 p.m. on Tuesday, June 13, 2023, with Council Members, Ward Byers, Terry Clemens, Les McFarland, Attorney Alex Hoover, and Clerk-Treasurer Kimberly Berger present in person. The meeting was opened to the public and livestreamed via You Tube.

MINUTES: Member Clemens, made a motion to approve the minutes of the March 14, 2023, meeting, which was seconded by Member McFarland and carried by a vote of 3 Ayes, 0 Nays.

OLD BUSINESS: Ordinance 2023-6 was presented for the second time after language in the ordinance was changed in regards to the authorization of presenting a duty weapon to a retiring Police Officer. The verbiage was added to include officers hurt in the line of duty as well as Council discretion. Member Clemens motioned to approve Ordinance 2023-06, Member McFarland offered the second and the motion passed 2 Ayes, 1 Nay.

NEW BUSINESS: President Byers presented the appointment of Mike Chapman to the Board of Zoning Appeals. Member Clemens motioned to approve Chapman, Member McFarland offered the second and the motion passed 3 Ayes, 0 Nays.

President Byers introduced the LPA Consulting Contract with VS Engineering in the amount of \$19,060.00 for right-of-way acquisitions for the upcoming INDOT project concerning safe walking routes to school. Member Clemens motioned to approve the proposal, Member McFarland offered the second and the motion passed 3 Ayes, 0 Nays.

President Byers presented Resolution 2023-04, Marshall County Multi-Jurisdictional Mitigation Plan. Member McFarland motioned to accept, Member Clemens offered the second, and the motion passed 3 Ayes, 0 Nays.

Resolution 2023-5 was introduced to join the AIM Medical Trust effective July 1, 2023. The change in insurance plans will offer the town a saving of approximately \$60,000.00. Member McFarland motioned to approve Resolution 2023-05, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays.

Due to recent changes in the Zoning/Planning contract, President Byers presented an employment advertisement for approval. Member McFarland motioned to accept, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays.

President Byers opened a discussion pertaining to outside seating in the downtown area. The Town of Bourbon's current ordinance 1977-3 states it is unlawful for anything to obstruct the sidewalks. Several downtown business owners, Jim and Kim Kephart and Jayne Fuller were present to speak in favor of allowing outdoor seating and they felt it made the downtown area

more inviting. Member McFarland was concerned for lack of communication with the Town Council Board and stated that he felt some necessary changes needed to be made to the current ordinance to allow sidewalk obstructions as long as it did not impede ADA standards, nothing fixed permanently, and the business owners accept liability. Mr. Kephart stated that he had prior communication with President Byers, The discussion will move forward to the July meeting after a review of a drafted ordinance.

REPORTS FROM DEPARTMENT HEADS: Ms. Berger asked for approval of claims #5436-5529, Payrolls #10, #11, #12 in the amount of \$430,608,64. Member McFarland motioned to approve the claims, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays. Berger presented Pay application #1 for approval from RE Crosby, contractor for the Water Plant project, in the amount of \$106,590.00 to the members. Member Clemens motioned to approve Pay application #1, Member McFarland offered the second and the motion passed 3 Ayes, 0 Nays.

She also advised the Council of issues that have arose at the Ecker Street property that houses the main lift station, wastewater ponds and structure, and the shooting range. With recent visits from our IDEM inspector, our wastewater permit states that the area needs to be secured from the public. Berger asked that the area be secured at all hours and that a place be constructed outside the fence so residents can drop yard waste. Council agreed to the suggestion.

Ms. Berger reminded those in attendance of the upcoming Music in the Park on Friday, June 23rd at 6:00 p.m.

Chief Martin submitted the Police Department's monthly report. Martin stated that they had received 10 applicants for the patrolman position and that testing will take place on June 24, 2023.

Roger Terry, Supervisor of Public Works, presented the activity reports of the departments. Terry gave thanks to the Lippert employees and the Bourbon Fire Department for their assistance in cleaning up areas of the parks and town property. Terry sought advice from the Council concerning Railroad property located to the north of the tracks that runs behind Family Express. He has received numerous complaints about the condition of the area. The council advised Terry to reach out to the owners of the property to find a solution to the rather large ruts in their right-of-way.

President Ward Byers, acting Zoning Department Commissioner, advised the Council that the BZA had two cases that was presented to them on June 12, 2023. One case involved a setback issue and the other was for a sign to be erected at the Bourbon Truck Stop. Both variances received a favorable vote from the BZA Members. Byers announced that the owner of the Bourbon Truck Stop is hoping to be opened to the public by the end of June 2023.

President Byers gave the Fire Department report in Chad Stepp's absence. Byers reported that the department had 4 calls last month and that they will be assisting Bremen's Fire Department with a 5K fun during the Fireman's Festival.

TOWN ATTORNEY: Mr. Hoover informed the Council that he had nothing to report currently, however, in July, he will have several items to report on.

PATRON'S COMMENTS: Francis Berkey asked the Council for sponsorship of the Summerfest Parade in the amount of \$220.00. Member McFarland motioned to approve, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays. The funds will come from the MCCVB grant. Lonny Berkey was present to give an update on Summerfest activities and stated that the festivities will be held on August 12th and 13th and will take place on the grounds of Triton School Corporation. Mr. Berkey also recognized the help of the Utility Department employees with the construction of his recent building.

Gerald Anderson was present disputing a recent letter he received from Attorney Hoover. Mr. Anderson feels that he should be able to access town property through a fence that aligns his property with the Town of Bourbon's. Member McFarland stated that the letter was issued without Town Council discussion or approval and whom issued the letter. McFarland was again concerned with the lack of communication and needs improved. Member Clemens motioned to have the fence line surveyed then replace with new fencing, with President Byers offering the second. Motion passed 2 Ayes, 1 Nay.

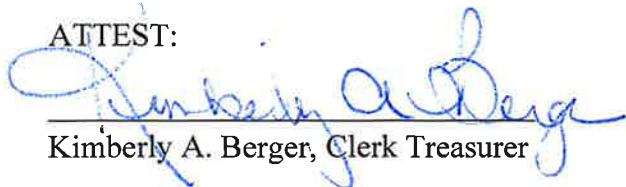
Jayne Fuller showed appreciation from the Redevelopment Commission in the assistance of replacing sidewalks in front of their establishment. She also questioned if there was a curfew for minors.

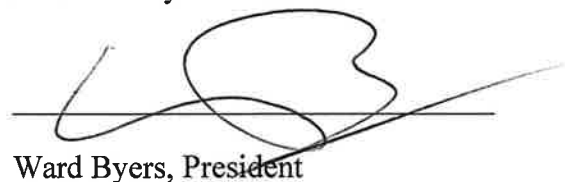
Dena Wattenbarger was concerned with the "Dump" area being closed to the Town's patrons because they like to discard their grass clippings. She was informed that there would be something placed outside of the fence to take care of that disposal.

COUNCIL MEMBER COMMENTS: Member McFarland explained that he believed more work sessions were needed so all members of the council would be involved on discussions and actions of interest for the Town.

ADJOURNMENT: Being no further business to come before the Council, Member McFarland made the motion to adjourn at 7:02 p.m., a second was offered by Member Clemens and carried by a vote of 3 Ayes, 0 Nays.

ATTEST:


Kimberly A. Berger, Clerk Treasurer


Ward Byers, President