

BOURBON TOWN COUNCIL MEETING

OCTOBER 10, 2023

A regular meeting of the Town Council for Bourbon, Indiana was held at 6:00 p.m. on Tuesday, October 10, 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.

PLEDGE OF ALLEGIANCE

MINUTES: Member McFarland made a motion to approve the minutes of the September 12th and 26th, 2023 meeting, Member Clemens seconded and carried by a vote of 3 Ayes, 0 Nays.

OLD BUSINESS: Approval of 2024 Budget with corrected CCD Rate. Member Clemens motioned to accept, Member McFarland seconded the motion, and it passed 3 Ayes, 0 Nays.

NEW BUSINESS: Susie Schaeztle, President of the Plan Commission, presented an ordinance request from the Plan Commission to limit solar panel installation to roofs only. President Byers asked Attorney Hoover to draw up an Ordinance to be reviewed in November.

President Byers presented Pay App #1 from Niblock Excavating in the amount of \$124,970.65. Member McFarland motioned to approve the Pay App #1, Member Clemens seconded the motion, and it passed 3 Ayes, 0 Nays. Niblock Change Order #1 was presented with an underrun of \$54,909.47. Roger Terry stated that crack fill was eliminated from the project. Member McFarland motioned to approve the change order, Member Clemens seconded the motion, and it passed 3 Ayes, 0 Nays. Niblock Pay App #2 was presented in the amount of \$13,885.63. Member Clemens motioned to approve the Pay App #2, Member McFarland seconded the motion, and it passed 3 Ayes, 0 Nays.

President Byers then presented Pay App #5 from Crosby Construction in the amount of \$314,719.00. Member McFarland motioned to approve the Pay App #5, Member Clemens seconded the motion, and it passed 3 Ayes, 0 Nays.

Ordinance 2023-10 was introduced to increase the pay for active full-time officers by an amount of \$5,000.00. This will be paid in 5 different payrolls at an extra \$1,000.00 per pay beginning with Pay #22 on October 27, 2023. Member McFarland moved to suspend the rules, Member Clemens motioned to second and the motion passed 3 Ayes, 0 Nays. Then Member McFarland motioned to approve Ordinance 2023-10, Member Clemens seconded the motion, and it passed 3 Ayes, 0 Nays.

President Byers asked for a discussion for pay increase for employees, other than police personnel, for 2024. Member McFarland asked Roger Terry his thoughts and he stated that he

needed time to do some research. President Byers asked for a work session to discuss this issue on October 25, 2023, at 6:00 p.m.

Member McFarland asked the members to consider hiring Susie Schaetzle for the Building Commissioner & Zoning Code Enforcement Officer. Being no contract or job description was presented to Ms. Schaetzle, McFarland motioned to approve the hiring pending review of a contract, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays.

REPORTS FROM DEPARTMENT HEADS: Ms. Berger asked for approval of claims 5797-5870 in the amount of \$527,113.77. Member McFarland motioned to approve the claims, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays.

Berger presented the Emergency Contingency Plan for the Water Department. Member Clemens motioned to approve the Plan, Member McFarland seconded the motion, and it passed 3 Ayes, 0 Nays.

Berger presented Fence Quotes from Mullet's Fencing & Supplies to replace the fence along the east side of the Town's property that houses the Lift Stations. Discussion ensued with Brandon Chapman representing Gerald Anderson, adjoining property owner, and a dispute that they have with the survey lines. Member Clemens motioned to have the fence installed where it currently sits at a cost of \$4,359.93, Member McFarland offered the second and the motion passed 3 Ayes, 0 Nays. Member McFarland disputed the survey and asked Attorney Hoover to draw up paperwork to vacate a strip of land 5 feet to the north and 10 feet to the south. Member McFarland motioned to vacate the strip of land, Member Clemens offered the second and the motion passed 3 Ayes, 0 Nays. Roger Terry asked for approval to install a gate in the amount of \$2,109.92, inside the current fence to allow patrons access to the yard waste dumping area. Member Clemens agreed and motioned to approve, Member McFarland seconded it and it passed 3 Ayes, 0 Nays.

Berger stated that Dustin's Place was doing a Luminary Walk in Bourbon on Thursday, November 2nd to bring awareness to the Grief Support that they provide to members of the community.

Deputy Clerk Maci Helton advised that the Fall Fest that was scheduled for Saturday, October 14th was possibly going to need to be cancelled due to the forecasted inclement weather.

Berger also reminded the public of the upcoming early voting to be held at the Matchett Center on October 28th from 8 a.m. to 3 p.m. and Trick or Treat will be held on Tuesday, October 31, 2023, from 5 p.m. to 7 p.m.

Chief Martin submitted the Police Department's monthly report. Chief Martin asked for conditional offers of employment pending background checks and home visits to Callie Prater and Brock Vermillion. Member McFarland motioned to accept, Member Clemens seconded the

motion, and it passed 3 Ayes, 0 Nays. Chief Martin submitted a letter of retirement from Dave Mitchell who served as a Reserve Officer for the Town of Bourbon. The Council thanked Mitchell for his service to the Town. Due to the lack of Police personnel available at the present time, Chief Martin stated that his department would be going to, at times, on call status. Martin was given his blessing by the Council and was told that the Sheriff's Department offered assistance when needed. Unused vacation days was addressed and Member Clemens made the motion to pay those at the last pay of the year, Member McFarland seconded the motion and the motion passed 3 Ayes, 0 Nays. Chief Martin was urged to use what days was allotted when he could.

Roger Terry, Supervisor of Public Works, presented the activity reports of the departments. Terry stated that fall leaf pickup will begin around October 18th.

Chad Stepp, Fire Chief, advised the council that the department had 7 calls in August. He stated that the tanker is awaiting the installation of light bars and should be in service within the next several months.

TOWN ATTORNEY: Mr. Hoover stated that a trial date of November 13th had been set to try the Jan Lemler case. Hoover also advised that he had sent documentation to Ms. Holm's attorney and was hopeful for a resolution,

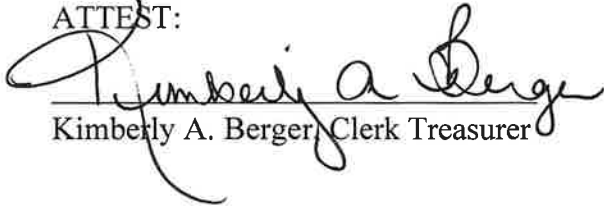
PATRON'S COMMENTS: Jonah Best commented on how well the council worked together during the meeting.

COUNCIL MEMBER COMMENTS: Member McFarland presented a copy of the Town's Ordinance that addressed members of the council that can call an executive session. McFarland asked Attorney Hoover to respond and give his interpretation concerning the Ordinance and stated that a majority of the council can call an executive meeting.

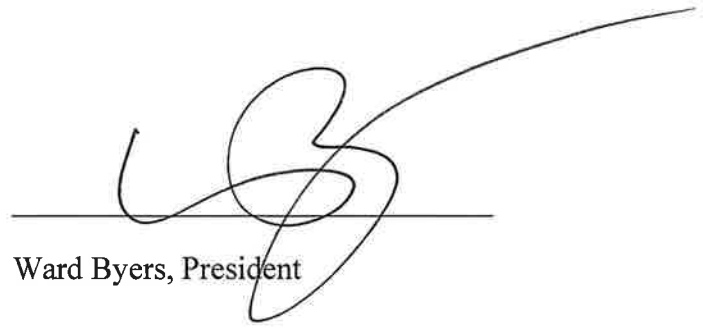
Member Clemens addressed social media comments that were made in a recent post on the Town's Facebook page and feel that it is not healthy for employees to comment. He stated he believed that the Town of Bourbon's handbook addressed this situation. Member Clemens also addressed if hunting was allowed on the grounds of the wastewater ponds. Clerk-Treasurer Berger advised him that it was not allowed due to insurance reasons. Clemens then stated that he was approached by a citizen asking if there could be lights added to the pickle ball courts and speed bumps placed on Sunset drive close to the park due to traffic moving too quickly. He also shared a letter from Helen Johnson on the DAR banners, that due to the size of them, the cost was more and wanted the town to reimburse that expense. The letter was given to Clerk-Treasurer Berger to find a resolution.

ADJOURNMENT: Being no further business to come before the Council, Member Clemens made the motion to adjourn at 7:01 p.m., a second was offered by Member McFarland and carried by a vote of 3 Ayes, 0 Nays.

ATTEST:



Kimberly A. Berger, Clerk Treasurer



Ward Byers, President