

TOWN OF LAPAZ TOWN COUNCIL MEETING  
July 9, 2020 6:00 pm

**ATTENDANCE:** Roger Ecker Council President, Kelli Chavez Council Member, Ryan Young, Council Member, Lorraine Dove Clerk-Treasurer, Tony Wagner Town Attorney, Paul Tyler, Bill Reed and Jerry Auer. Patrons: Pill Ellinger, Sherri Sharpe, and Kevin Berger of Easterday Construction Company.

**APPROVAL OF MINUTES:** Roger read the minutes from June 11th. He found no correction. Roger made a motion to accept the minutes as printed. Ryan seconded the motion. Motion carried 3-0.

**OLD BUSINESS:**

**Apartment Project:** Kevin Berger gave the board an update on the apartment project. He met with Dave Albert to put an option on the property and to start the tax abatement process. Tony will handle the tax abatement. He invited the board to do a walkthrough of the current project in Culver since it is similar.

**Fire Arm Ordinance:** Roger made a motion to pass the Fire Arm Ordinance 2020-04 on the second and third reading. Ryan seconded the motion. Motion carried 3-0.

**Website:** Kelli is still talking with Josh.

**Credit Card Ordinance:** Tony is working on it as a resolution. It is not done at this time.

**Fire Contract:** Roger asked the clerk to send our contract to the township trustee to have the township board sign it.

**Message Board:** Roger spoke to the fire department and the trustee. They were in agreement that the most suitable place for the message board would be in front of the fire department since it is centrally located. It would replace the existing message board.

**Ordinance violations update:** Patron Sherri Sharp came to the meeting to make a complaint to the board about Javier Figueroa's property at 117 S. Michigan Street. The complaint was about the awning and the bad condition of the building itself as a public nuisance. She had brought pictures she had taken of the property. She also complained about the bus and car parked behind the building owned by James & Coleen Card at 123 S Michigan Street. This building is being leased by John Marshall. The clerk stated she sent Mr. Figueroa 2 letters regarding the awning. One on the 16<sup>th</sup> of June and one on the 24<sup>th</sup> of June with no response. A bill for the mowing on his property was sent July 7<sup>th</sup> the amount of \$467.50. Lorraine stated she had sent Chuck DeWitt an email regarding the condition of the awning the week before with no response for him either. Tony advised the board they will have to get a court order to go on Mr. Figueroa property to remove the awning. The clerk advised the board she had sent out bills for mowing and clean up to Joe Frascetti for \$380.00, to Juan Nergron for \$178.00 and Doug Rice for \$152.50. She is awaiting payment. The clerk also stated that Marshall County's Unsafe Building Ordinance # 2020-12 stated the fines for the 1<sup>st</sup> offence was \$50.00 per day, 2<sup>nd</sup> offence was \$100.00 per day and the 3<sup>rd</sup> offense was \$200.00 per day. The clerk asked the board again to hire additional officer to enforce the ordinances and to address the people with their very negative responses to the letters.

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Roger asked Ryan to get an estimate for the removal of the tree regarding the tree in the sidewalk at the residence of Dale Shepard on Walnut Street. Mr. Shepard asked the town to half on the replacement of the sidewalk. Ryan is to get bids as well on the two trees across from the post office for removal. Kelli reported on the property on the apartments at 102 and 104 Church Street. She took pictures of the trash problems to give to the clerk.

**MVH:** Paul reported the garage doors are finished. Roger asked Paul to get prices on sealing Michigan Street. Roger asked for Paul to check with Indiana Striping for a quote to paint Michigan Street. Paul said he got a quote for \$322.00 for paint if they did it themselves but it would take several weeks and \$3000.00 for the yellow paint. Roger said he would reach out to E&B Paving for a name to do the striping. He asked if Marshall County would do it.

**Sewer Department:** The question of sewer tank replacement for the homeowner was discussed. Per the town sewer ordinance, the homeowner is responsible for the replacement. It has to be done to the towns specifications. The permit for sludge and waste permit will be expiring. Bill will be taking care of the renewal. No update on the price for the new bucket on the tractor yet. Jerry did put new mower blades on it.

**Update on COVID Funds:** Lorraine reported the town has funds \$17,811.00 available for reimbursement through the CARES ACT. She advised the board she will be submitting the \$1500.00 LaPaz gave to the "Fund the Essentials" Campaign. Also submitting the masks, hand sanitizer and web cam purchased for COVID. The clerk then submitted to the board the proposal for enclosing the clerk's office with plexiglass to be compliant with COVID regulations. The bid from Mint City Builder's was \$2400.00 to do the work. This would qualify for reimbursement through the CARES ACT. It would also make us compliant with the directives from SBOA for keeping all records safely locked away. Roger made a motion to approve the work by Mint City Builders. Ryan seconded the motion. Motion carried 3-0.

**NEW BUSINESS:** The clerk asked the board if the trash toters could be picked up by the street department from the delinquent accounts. The toters would be returned upon payment. The clerk also suggested capping off the sewer of nonpayment residents. Discussion was made on the issues. To be continued at the next meeting. Tony proposed to amend the sewer ordinance to include the sanitation bill for the purposes of filing a lien on the service. Roger asked Tony to do so for the next meeting.

**Albert Ditch:** Roger asked the clerk to request Wayne Mishler to spray the weeds along the drainage ditch. He wants it done annually.

**PATRON COMMENTS:** Phil Ellinger complained about fireworks being fireworks being shot off in the air around the houses. Tony stated the state statue regulates the time of day and the number of days fireworks can be used. The problem is having an officer to enforce it. Roger said he would prefer Tony to draw up an ordinance specifically for fireworks.

**FINANCIALS:** Roger made a motion to approve all APV's from June 12<sup>th</sup> through July 9th. Ryan seconded the motion. Motion carried 3-0.

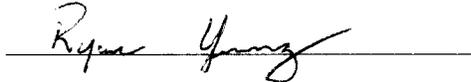
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**ADJOURNMENT:** Roger made a motion to adjourn. Kelli seconded the motion. Motion carried 3-0. Meeting adjourned at 6:40 PM. Next board meeting will be August 13, 2020 at 6:00 PM.

 8-13-2020

Roger Ecker, Council President

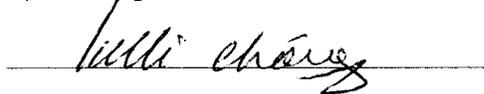
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8-13-2020

Ryan Young, Council Member

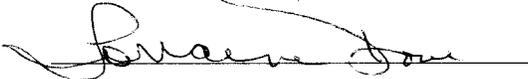
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8/13/2020

Kelli Chavez, Council Member

date



8/13/2020

Lorraine Dove, Clerk Treasurer

date