

## TOWN COUNCIL MEETING MINUTES

108 E Randolph ST., LaPaz, IN 46537

January 12, 2023 6:00 PM

### Council Members

Roger Ecker, Pres.

Ryan Young

Cathy Welch

**Council Members present:** Roger Ecker, Ryan Young, Cathy Welch

**Council Members absent** – none

Town Clerk- Treasurer – present

Town Attorney – present

**Call to order** – meeting started at 6:00PM

**Patrons:** Paul Tyler, Jerry Auer, Steve Stacey, Bruce Gadziola, Kevin Berger – Easterday Construction, Matt Haskins, Amber Godlewski, (Michael Sammartano, Scott Heming, Patrick Wheeland of Surf Internet), Mike Reese-Troyer Group, Shannon McLeod- PPR Grant.

**Election of Officers:** Clerk called for nomination for Council President and Vice President. Young nominated Roger Ecker for the President. Welch seconded the motion. Clerk asked if Ecker would accept the motion. Roll Call for Ecker to be President; Ecker-abstained, young-aye, Welch-aye. Motion carried 2-0. Ecker made motion to open nomination for vice president. Welch made a motion to nominate Ryan Young for vice president. Ecker asked young if accepting. Ecker seconded the motion. Roll call: Ecker-aye, Welch-aye. Motion carried 2-0.

**Approval of Minutes:** Ecker made a motion to approve the Council Minutes from December 20, 2022 as written. Young second the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

**Old Business: Park Update;** Shannon McLeod and Mike Reese appeared before the council to go over the scope of the park project. The masterplan was broken into 3 phases for construction and for cost of each. First phase cost would be \$245,000.00. Existing funding is; Stellar \$199,000.00, \$10,000.00 LaPaz town match, Marshall County \$25,000.00, which leaves a short fall for non-construction cost. There is a possibility for more funds from the county due to the trail project not being able to fund. Ecker questioned if the could demolition of the park buildings and fencing for ball park be done before hand by volunteers. If done, it would have to be before late March. In March the council will meet with the Township Advisory Board to go over the finalization of transferring the park to the town. All of Stellar projects have to be done by end of 2024. Discussion was when submitting of the grant would take place. Any volunteer work needs to be done before the submitting of the grant by June or September 2023. Shannon stating she would go to the Crossroad Community on January 19<sup>th</sup> meeting to see if any available funding to help with the gap. Clerk asked for the dollar amount of the current park to add into the capital assets for the town. Shannon will get back to the clerk as soon as the new plotted parcel was available.

**New Business: Surf Internet;** Patrick Wheeland CEO, Scott Heming Project Manager, & Michael Sammartano Construction Manager presented drawings of where they want to place the active cabinet fiber connection for the town. Discussion was where the best place would be out of the three locations presented. The best option was being in the right a way in front of the fire station. Ecker stated he and Young would go Sunday morning to measure out the space to see if any interference with the fire trucks traffic view. Clerk stated after speaking with Ty Adley regarding permits there were no permits needed, the town owns the streets.

## Minutes Continued – Page 2

Surf Internet Continued: They expect construction to begin February or March and take two or three months to complete. Monthly fees can range from \$85.00 to \$55.00 depending on the amount of gigs. All fiber will be underground, nothing overhead.

Zoning for 1020 Michigan Road: John Moore property. Ty Adley asked the council for the approval for changing the zoning from residential to commercial for the site of the old Swifty Station. John Moore wants to sell the property to a buyer to open the site for an automotive repair shop. After discussion of liens on the property and the curb appeal of the property, Ecker made a motion to approve the rezoning in anticipation of the new owner to make improvements to the building appearance. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried: 3-0.

MCEDC Contract: Clerk presented the council with the new contract with Marshall County Economic Development Corporation. LaPaz cost will be \$3000.00, paid in quarterly of \$750.00. Ecker made a motion to continue with MCEDC. Young seconded the motion. Roll Call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

MVH: Tyler reported the blacktop apron in front of the garage bay doors and along the west side of the building is in need of replacing. The main apron dimensions are 24' by 68' with the side of the building being 70' long. Ecker asked Tyler to get some estimates by the end of the month so as to add the work into the Community Crossings project he will be submitting in first round. The second round will be in July.

Sewer: IDEM came for an inspection today. Everything checked fine.

Police Dept.: Ecker asked Officer Gadziola to go to 201 Walnut, Van Duyne Properties and speak with the residents who are leaving large trash items out along the street (chair, Christmas décor and baby bed). They need to contact the trash service to order an extra pick up for which they are responsible to pay for. Discussion was made on abandon vehicles sitting on home owners properties.

Attorney Update: Wagner presented the council with Resolution 01-2023 Allocation of Funds for Fire Territory Study. Whereas it was not stated in the current fire contract any mention of costs for doing a fire territory study, the LaPaz Town Council had pledged \$1000.00 towards the total bill of \$4,467.50 for the study done by Baker-Tilly. Ecker made a motion to approve Resolution 01-2023 with the spending of \$1000.00 towards the cost of the study. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion Carried 3-0. The next resolution presented to the council was Resolution 02-2023 Allocating Additional Funds for Fire Equipment. This states the clerk can pay up to the allowed \$20,000.00 voted on March 11, 2021 for fire equipment for the new pumper tanker truck #653 that was purchased with funds from North Township. Ecker made a motion to accept Resolution 02-2023. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0. Wagner then presented an: Addendum To The LaPaz North Township Volunteer Fire Department Service Contract. In it was spelled out referencing the additional funding and purchase of vehicles whereas the town would not have to pass a resolution to contribute monies beyond fire services. Ecker made a motion for the council to approve the addendum, sign, and give to the North Township Advisory Board for their approval at their March meeting. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion Carried 3-0. The last resolution presented by Attorney Wagner was Resolution 03-2023 Approving a Plat of Real Estate. This spells out the exchange of properties between the LaPaz Volunteer Fire Department and the Town of LaPaz to create a more appealing design of the LaPaz Park. Ecker made a motion to pass the Resolution 03-2023. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion Carried 3-0.

**Minutes Continued page 3**

Attorney Update continued: Presented to the council was the revised version of the golf cart ordinance. Wagner had changed the item addressing driver's age and the need not to have a valid driver's license. It was added the driver must have a form of ID while driving. Occupant seating will refer to manufacture's recommendations. Ecker made a motion to approve Ordinance 2023-01 on the first reading. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0. The ordinance will be published in the paper and voted on at the February 9<sup>th</sup> meeting. Clerk asked to update the Ordinance 05-03 permission to pay bills. She wanted to expand the language to cover the same monthly bills for the same amount each month. Discussion followed. Wagner will look into the Ordinance.

Financials: Ecker made a motion to approve APV's for December 21, 2022 –January 12, 2023 # 3997-#4037 for the amount of \$63,681.25. Young seconded the motion. Roll Call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0.

Patron Comments: Chief Haskins stated that Polk Township had a meeting November 2022 regarding joining the fire territory with the trustee, board members and patrons. The Polk Township Trustee stated he is not in favor of a territory and never will be. Two of the board members were present. One in favor of the fire territory but want to go with Walkerton, one member was on undecided; the third board member was not present. Haskins was at the meeting to present information to the public. They are having another meeting January 26<sup>th</sup> at 6:00 PM at the Polk Township Community Building. Chief Haskins asked if one of the LaPaz Town Council members as well as a member North Township Board would attend the meeting to gain support. Amber Godlewski asked the council what is to be done with the abandoned house located at 227 S Michigan Street. Discussion was made. No actions taken as of now. The property will go into foreclosure by the bank. Possibly the town can do something about the yard and outer grounds of the home.

Clerk Update: Ty Adley held a meeting with the area clerks regarding building permits and the county. The some of the towns are having problems with the building inspections and with Clyde DeWitt. Adley wants to see if the towns want to go with Marshall County handling all of the zoning and permits. He showed a chart of what permits cost and the cost of implementing the process in regards to inspection. Adley will hold a meeting with the members of each town's representatives to further discuss the options.

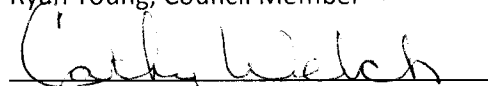
Adjournment: Ecker made a motion to adjourn. Young seconded the motion. Roll call: Ecker-aye, Young-aye, Welch-aye. Motion carried 3-0. Meeting adjourned at 7:30PM

  
\_\_\_\_\_  
Roger Ecker, Council President

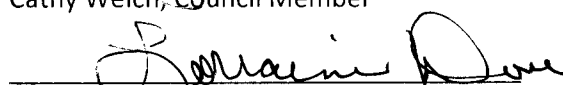
2-9-2023  
date

  
\_\_\_\_\_  
Ryan Young, Council Member

2-9-2023  
date

  
\_\_\_\_\_  
Cathy Welch, Council Member

2-9-2023  
date

  
\_\_\_\_\_  
Attested: Lorraine Dove, Clerk-Treasurer

2/9/2023  
date