



REGULAR SCHEDULED COUNCIL MEETING

Tuesday, July 19, 2022 – 7:00 p.m.

[Join Zoom Meeting](#) – Link listed on website

<https://us06web.zoom.us/j/82463642878?pwd=MnpocVBoSHBQsXZVNEExOOHVRRmkxUT09>

[OR Join Via Phone](#) (646) 558-8656 Meeting ID: 824 6364 2878 Passcode: 777934

AGENDA

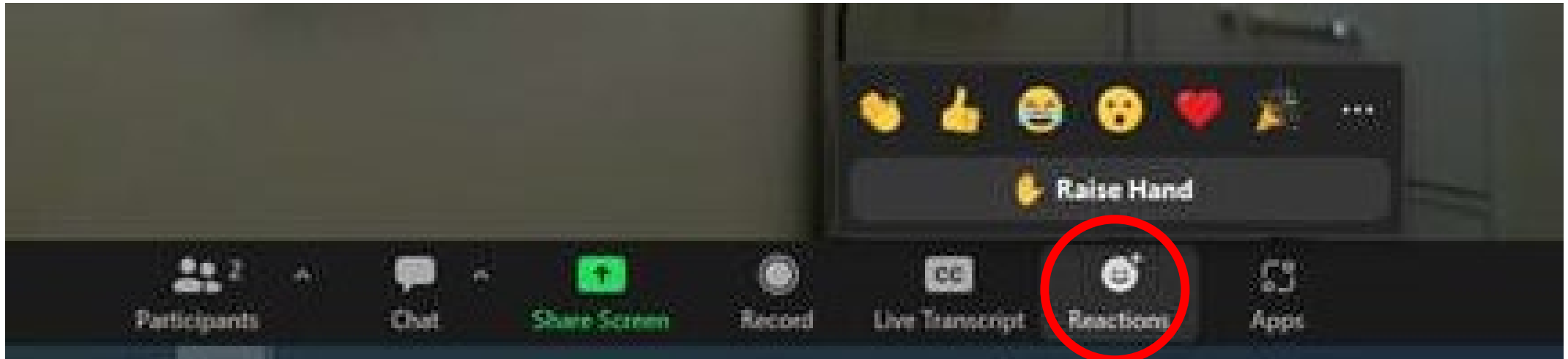
1. Call to Order Council President
2. Pledge of Allegiance Council and Attendees
3. Zoom Instructions Larry Lillmars
4. Approval of Monthly Reports
 - a. Minutes from June 21, 2022, Council
 - b. Voucher Register & Warrant..... Jessica Swander
5. Monthly Reports
 - a. Financial Report Jessica Swander
 - b. Marshal's Report..... Chris Emerick
 - i. Golf Cart Signage
 - c. Fire Department Report..... Brent Schlosser
 - d. Zoning Administrator's Report Larry Lillmars
 - e. Superintendent Report Guy Rodgers
 - f. Council Member's Reports Council
6. Unfinished Business
7. New Business
 - a. Public Hearing Hewes Property Council
 - b. Resolution Additional Appropriations- LR/Bridge Match Grant..... Council
 - c. Budget Progress Council
8. Training and review
 - a. Communications/Open Door Law Molly Weber
9. General Discussion..... Council & Attendees
10. Adjournment..... Council President

Next Council meeting:

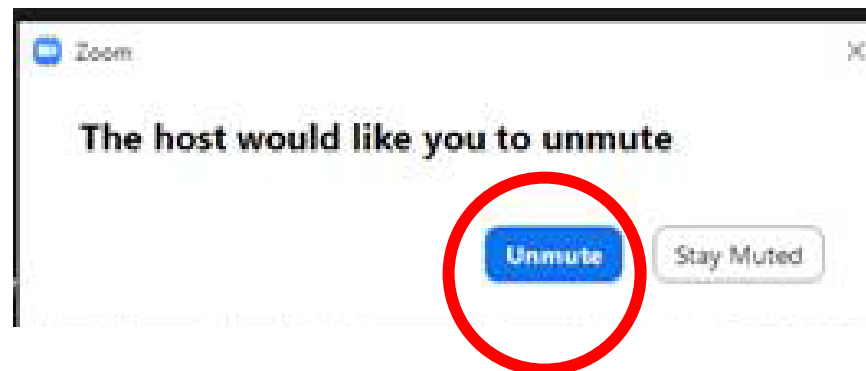
Tuesday, August 16, 2022 @7:00 p.m.

Public Feedback

- Chairman or President will open up the meeting for public input
- Raise your hand using the Reaction button



- You will be unmuted by host and you will also need to unmute yourself.





TOWN OF CLEAR LAKE, INDIANA
REGULAR TOWN COUNCIL MEETING
June 21, 2022

The Regular Council meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Tuesday June 21, 2022, at 7:00PM. Present were Town Council President Darin Thorp, Council Members Brent Schlosser, Dan Rippe, Molly Weber, and George Schenkel. Clerk/Treasurer - Jessica Swander, Marshal – Chris Emerick, Street & Sewer Superintendent- Guy Rodgers, and Zoning Administrator - Larry Lillmars were also in attendance. There were twenty-six residents who signed the guest register and three via teleconference.

Council President Darin Thorp called the meeting to order at 7:00 p.m. starting with the sighting of the Pledge of Allegiance.

COUNCIL ACTIONS:

1. Approval of minutes from the Regular Town Council meeting held May 17, 2022, at 7:00PM. Darin Thorp presented the minutes to the Council. Darin then asked for any additions or corrections. No Corrections were given.

Molly Weber made a motion to pass the Regular Town Council minutes as presented. Seconded by Brent Schlosser. Motion passed.

2. Approval of Voucher Register with Warrants – Jessica Swander presented the Voucher Register with Warrant details.

Disbursements on the Voucher Register are as follows:

Operating Funds:	\$81,318.09
Sewer Funds:	<u>\$36,017.27</u>
Total Disbursements:	\$117,335.36

Brent Schlosser made a motion to accept the Voucher Register with Warrants. Seconded by Dan Rippe. Motion passed.

Unfinished Business:

1. Status of Objectives was introduced by Dan Rippe. Objectives in progress were discussed by each lead on the objective and an update was given.
2. ARP Project Updates were discussed by Dan Rippe, who advised that departments are still in the process of receiving quotes and permitting information on the five different projects including the new Marshals building, changes to the current Maintenance

building, sewer grinder disconnects, parking lot upgrades, and moving of the current well.

New Business:

1. Ordinance Amending the UDO was presented by Dan Rippe. Dan discussed in detail the Plan Commissions actions for the UDO changes that were favorable at the June 7th, 2022, Plan Commission meeting and the unfavorable UDO changes at the May 4th and June 7th meetings.

Dan Rippe made a motion to introduce Ordinance Amending the UDO 2022-06. Seconded by George Schenkel. Motion passed.

Dan Rippe Read Ordinance Amending the UDO 2022-06 in its entirety.

Dan Rippe made a motion to open public comment. Seconded by Brent Schlosser. Motion passed.

Resident Kathy Schenkel asked why the Town is waiting for January 1 for the UDO changes to take effect.

Dan Rippe explained that all changes for the year will take effect January 1, 2023, because it takes time for the changes to be updated in the books, and the Zoning Administrator needs to make sure he has time to get the changes made correctly with it being the busy season.

Resident Denny Keiser stated that the percentage is less than 17% of the lake responded not 90% as was stated.

Molly Weber asked that residents state their names before speaking for the minutes.

Resident Brandy Brown asked about canopy trees and when does the Town enforce it and she has seen a lot of houses being built and no canopy trees being put up.

Larry Lillmars stated the discrepancy isn't whether they put them up or not but rather if they change where they put them. If they have current canopy trees they do count towards the requirement.

Resident John Wilhelm stated that he was in support of the changes that were favorable, and it is now a golden opportunity to pass them.

Resident Brandy Brown asked if there was a timeline for the ones that were not in favor to be brought up again and how often can they come back.

Dan Rippe stated there was no formal timeline however the Plan Commission is taking a much stricter view of the front end requiring a sponsor. A sponsor would be a Council member or Plan commission member so the hurdle would be larger to get into the process.

George Schenkel stated that UDO amendments should be driven by the Comprehensive Plan. The sponsor should look at the Comprehensive Plan and if it is out of balance, it should not move forward.

Resident Bill Koester stated he has been a resident for over 50 years and does own property across the road and he supports the Ordinance the way it is written.

Dan Rippe made a motion to close for public comment. Seconded by Molly Weber. Motion passed.

Dan Rippe made a motion to read Ordinance Amending the UDO 2022-06 for its second reading by title only. Seconded by George Schenkel. Motion passed.

Dan Rippe Read Ordinance Amending the UDO 2022-06 by title only.

Dan Rippe made a motion to pass and adopt Ordinance Amending the UDO 2022-06. Seconded by George Schenkel. Motion passed.

Molly Weber thanked the residents and employees on all the work that was put into the UDO changes.

2. Amended Salary Ordinance 2022-07 was discussed by Molly Weber.

Molly Weber made a motion to introduce and Read Amended Salary Ordinance 2022-07 for its first reading in its entirety. Seconded by George Schenkel. Motion passed.

Brent Schlosser asked about the previous percentages versus the current in the Amended Salary Ordinance. Molly gave the percentages which consisted of the Zoning Administrator, Billing Clerk, and Clerk Treasurer.

Molly Weber read Amended Salary Ordinance 2022-07 out loud in its entirety.

Molly Weber made a motion to open to the public for comment. Seconded by Brent Schlosser. Motion passed.

No comments were given.

Brent Schlosser made a motion to close for public comment. Seconded by George Schenkel. Motion passed.

Brent Schlosser made a motion to suspend the Rules and read Amended Salary Ordinance 2022-07 by title only. Seconded by George Schenkel. Motion passed.

Molly Weber read Amended Salary Ordinance 2022-07 by title only.

Molly Weber made a motion to pass Amended Salary Ordinance 2022-07. Seconded by Brent Schlosser. Motion passed.

REPORTS:

1. Financial Report – Jessica Swander presented the financial report showing financials through May 31, 2022. Report is on file.
2. Marshal's Report- Chris Emerick discussed Marshal activity around the lake. Report is on file.

Chris Emerick discussed adding an electric bike for a bike patrol program and costs. Chris stated that they would look at scheduling a demonstration at the Town Hall. The bike patrol could offset fuel costs, but he has three officers who are interested in the bike patrol. It would get the officers out in the public more for public interactions and approachability.

3. Fire Department Report- Brent Schlosser read the Fire Department Report. Report is on file.
4. Zoning Administrator- Larry Lillmars discussed activity around the lake. Report is on file.
5. Superintendent- Guy Rodgers discussed activity around the lake. Report is on file.

Guy Rodgers discussed the cost of ordering new grinders or rebuilding broken ones. Guy also discussed reordering the liquid bio block that breaks up sludge so that he doesn't have a problem with build up as it has worked well so far.

Dan Rippe made a motion to approve the six refurbished grinders. Seconded by Molly Weber. Motion passed.

Dan Rippe made a motion to purchase the bio block liquid for \$2,040.00 plus freight. Second by Brent Schlosser. Motion passed.

Guy Rodgers discussed a Catch basin near 708 South Clear Lake Drive where it is going South instead of going west and has caused extensive flooding. Guy stated he received three quotes and M&C Trenching came in at the lowest at \$3,539.50.

Dan Rippe made a motion to approve the new Catch Basin near 708 South Clear Lake Drive with the M&C Trenching quote of \$3,539.50. Seconded by George Schenkel. Motion passed.

COUNCIL REPORT:

Molly Weber gave a special thank you to Brandy Brown who volunteered to take the remainder of the old Council chairs to the Humane Society where they will be donated. The Clear Lake Conservancy did take a few but the majority will go to the Humane Society.

Molly Weber discussed the educational experience attending the recent Region 3A meeting and the grants available, but unfortunately would not work for the Town. The conservancy is still working with Region 3A on possible grant opportunities.

Darin Thorp discussed rearranging the agenda to move Monthly Reports to the top of the agenda.

Darin Thorp discussed changes to the Indiana Fire Territory and should be looked at.

Darin Thorp has had two complaints about the LED street lights and shields have been ordered from Nipsco and will be installed when they come in.

TRAINING AND REVIEW:

1. Avoiding Pitfalls Training was provided by Molly Weber. Molly stated that when Boards and Commissions establish rules and regulations and then don't follow them, it can create a pitfall and communication helps avoid them.

GENERAL DISCUSSION:

Resident Brandy Brown stated that there might be a grant for the electric bike for the Police Department. Brandy also asked about drainage and if they will require permits.

Darin Thorp stated he wasn't sure as the water is controlled by the DNR.

Resident Brandy Brown asked if registered golf cart owners must sign anything acknowledging the rules because of underage drivers.

Chris Emerick said there is nothing to sign, but they are given the rules when they register.

Molly Weber stated that she had a suggestion from a resident to put up a sign.

Resident John Wilhelm congratulated Council on the room and accomplishments. John also asked about the trees and trimming as at a height of 15ft and three feet from the road to protect out school busses, delivery trucks, and emergency services, fire trucks.

Darin Thorp stated that Nipsco should trim the trees in their right of ways, because within the Town we don't have most of the right of ways and the reason the easement issue needs to be resolved.

Resident Terry Brown asked about adding a new GIS system and if it would show easements.

Darin Thorp stated that the GIS systems he has been looking at would provide easements.

Resident Evelyn Schlosser stated that a few weeks ago 700 East flooded, and the lights were not working.

Guy Rodgers stated that he went to turn the lights on, and the batteries were dead and that someone borrowed the sign to the North.

Resident Curt Wilkinson suggested someone look at the seawall because it smells like sewage, and he doesn't want his grandkids swimming in it. A lot of stuff has blown to his lake frontage.

Dan Rippe stated that he and Guy Rodgers would come out and look.

Bill Koester asked about a lawsuit with the sewer system to Fremont that was for being billed as individual customers even though it was one line.

Brent Schlosser and Darin Thorp didn't believe that anything was ever filed on that.

Darin Thorp appointed Dan Rippe and Brent Schlosser to assist the Clerk Treasurer with the budget.

There being no further business or discussions, Council President Darin Thorp adjourned the meeting at 9:11 p.m.

Darin Thorp, Council President

Attest: Jessica Swander, Clerk/Treasurer

ACCOUNTS PAYABLE TOWN of CLEAR LAKE
Voucher Register for Operating Funds & Sewer Fund

For Period from 06/21/2022 through 07/19/2022

2022							
DATE FILED	VOUCHER NUMBER	NAME OF CLAIMANT	FUND	AMOUNT OF VOUCHER	Appropriation	CHECK/ WARRANT NUMBER	MEMORANDUM
7-Jul	Pay Fund	PAYROLL	General	\$8,176.64	Payroll/benefits	EFT	C/Trea,B.Clerk,ZA & Police/Council
7-Jul	Pay Fund	PAYROLL	MVH	\$1,949.80	Payroll/benefits	EFT	T.Manager & T. Worker
7-Jul	Pay Fund	PAYROLL	Sanitation	\$504.00	Payroll/benefits	EFT	C/Trea.B.Clerk
7-Jul	Pay Fund	Inpers	MVH	\$190.89	Inpers Town Ex	EFT	Employer retirement contribution
7-Jul	Pay Fund	Inpers	General	\$213.06	Inpers Town Ex	EFT	Employer retirement contribution
7-Jul	Pay Fund	Inpers	Sanitation	\$52.45	Inpers Town Ex	EFT	Employer retirement contribution
23-Jun	Pay Fund	PAYROLL	General	\$12,565.67	Payroll/benefits	EFT	C/Trea,B.Clerk,ZA & Police/Council
23-Jun	Pay Fund	PAYROLL	MVH	\$1,927.55	Payroll/benefits	EFT	T.Manager & T. Worker
23-Jun	Pay Fund	PAYROLL	Sanitation	\$283.01	Payroll/benefits	EFT	C/Trea.B.Clerk
23-Jun	Pay Fund	Inpers	General	\$213.08	Payroll/benefits	EFT	Employer retirement contribution
23-Jun	Pay Fund	Inpers	MVH	\$200.54	Inpers Town Ex	EFT	Employer retirement contribution
23-Jun	Pay Fund	Inpers	Sanitation	\$29.44	Inpers Town Ex	EFT	Employer retirement contribution
5-Jul		First Net AT&T	General	\$49.29	Telephone/Int		Marhsals MIFI, and ZA phone
26-Jul		Farmers State Bank Visa	General	\$620.00	Meetings		ILMCT
26-Jul		Farmers State Bank Visa	General	\$8.00	Meetings		Toll Road Fees for ILMCT
26-Jul		Farmers State Bank Visa	General	\$152.91	Building Maint.		Front Door Signs, HDMI Cable & Hallway Table
26-Jul		Farmers State Bank Visa	General	\$29.99	Other Prof.		Car Wash
26-Jul		Farmers State Bank Visa	LR Bridge	\$716.95	Street Repair		INDOT CCMG Repairment
27-Jul		New Focus HR	General	\$125.00	Other Prof.		Annual Employee Handbook
27-Jul		M & C Trenching	MVH	\$180.00	Street Material		Radar Sign Post (OD)
25-Jul		C & K Greenhouses	General	\$70.00	Building Maint.		Flower Pots
22-Jul		Fremont Hardware	General	\$3.79	Building Maint.		Velcro
29-Jul		Printing Place	General	\$116.19	Operating Sup		Golf Cart Registration Stickers
26-Jul		ACE Pest Control Inc	General	\$119.00	Ground Maint.		Spray
25-Jul		Fost Engineering & Consulting Co.	General	\$350.00	Other Prof.		Structural Inspection (130 PD)
23-Jul		All Service Glass	Lit	\$25.00	Equip rep		Attached Flashing Lights
25-Jul		Clear Lake Marina	General	\$263.03	Fuel		Fuel Boat
21-Jul		Jerod Eby	General	\$150.00	Building Maint.		Cleaning
22-Jul		Steven Jennings Softener Repair	General	\$24.00	Operating Sup		3 - 5 Gallons of water
20-Jul		Midsolve	General	\$489.00	Other Prof		Computer Updates & Fixing computer issues
22-Jul		Dunworth Automotive	MVH	\$6.62	Supplies		Wax
22-Jul		Dunworth Automotive	Lit	\$6.62	Supplies		Wax
28-Jul		Seely Office Solutions	CCD	\$18,587.49	Machine/Equip.		Table & Audio setup
24-Jul		KPC Media Group	General	\$24.00	Other Charges	EFT	Monthly newspaper
28-Jul		Mid-City Office Systems, Inc.	CCD	\$78.20	Other Prof		Quarterly Printer Use
28-Jul		Mediacom	General	\$212.99	Telephone/Int	EFT	Phone/Fax/Internet
15-Jul		Town of Clear Lake Sewer	General	\$94.12	Sewage	EFT	Monthly processing fee
28-Jul		Wex	General	\$469.31	Fuel		Marshal Fuel
21-Jul		NIPSCO	General	\$7.44	Electric		Light Replacement

ACCOUNTS PAYABLE TOWN of CLEAR LAKE
Voucher Register for Operating Funds & Sewer Fund

For Period from 06/21/2022 through 07/19/2022

2022							
DATE FILED	VOUCHER NUMBER	NAME OF CLAIMANT	FUND	AMOUNT OF VOUCHER	Appropriation	CHECK/ WARRANT NUMBER	MEMORANDUM
25-Jul		NIPSCO	General	\$24.44	Electric		Tornado sirens - 3
25-Jul		NIPSCO	General	\$452.63	Electric/Gas	EFT	Town Hall & Barn electric/Heat
8-Jul		NIPSCO	General	\$1,926.17	Street Lights	EFT	Town Street Lights
28-Jul		Hawk, Haynie, Kammeyer & Smith	General	\$1,610.00	Attorney Fees		General
28-Jul		Hawk, Haynie, Kammeyer & Smith	CCD	\$5,681.00	Attorney Fees		Plan Commission
		TOTAL ATTORNEY		\$7,291.00			
24-Jun		Washler, Inc.	Sanitation	\$175.25			Trash Collection 5% increase difference
25-Jul		Washler, Inc.	Sanitation	\$8,185.65	Trash service		Trash collection
		TOTAL OPERATING FUNDS		\$67,340.21			
		SEWER					
7-Jul	Pay Fund	PAYROLL	Sewer	\$2,674.20	Payroll/benefits	EFT	B.Clerk,T.Manager & T.Worker
7-Jul	Pay Fund	Inpers	Sewer	\$256.23	PERF town exp.	EFT	Employer retirement contribution
23-Jun	Pay Fund	PAYROLL	Sewer	\$2,776.57	Payroll/benefits	EFT	B.Clerk,T.Manager & T.Worker
23-Jun	Pay Fund	Inpers	Sewer	\$288.87	PERF town exp.	EFT	Employer retirement contribution
5-Jul		First Net AT&T	Sewer	\$80.30	Telephone/Int		Sewer Lines X3
29-Jul		Rainy Day	Sewer	\$42,500.00	Trans Out		Repayment of Loan
30-Jun		Farmers State Bank	Sewer	\$20.00	Other Prof	EFT	ACH Set up Fee
1-Jul		Farmers State Bank	Sewer	\$98.49	Other Prof	EFT	Check Processing Fee
26-Jul		Farmers State Bank Visa	Sewer	\$130.76	Postage		Stamps, Certified letters for mowing
26-Jul		Farmers State Bank Visa	Sewer	\$108.10	Shop Supplies		Detergent, Tires, Plasti Dip
26-Jul		Farmers State Bank Visa	Sewer	\$88.76	Supplies		Paper Plates, silverware
30-Jul		Enlow Enviro	Sewer	\$2,153.06	Shop Supplies		Liquid Bio Block
25-Jul		Eicher Sewer Service	Sewer	\$430.00	Cont Labor		Pumped Condos & Pub & Disposal Fee
22-Jul		Indiana Underground Plant Prot.	Sewer	\$105.45	Other Prof		2nd Quarter Ticket Fee (111 @ \$.95)
25-Jul		Parrish Excavating	Sewer	\$490.00	Cont Labor		Emergency @ Condos
22-Jul		Dunworth Automotive	Sewer	\$6.62	Supplies		Wax
28-Jul		Wex	Sewer	\$252.48	Fuel		Fuel Sewer
22-Jul		Fremont Hardware	Sewer	\$80.44	Shop Supplies		Rope, Silicone & Rain Gauge
30-Jul		Tri-Star Pipe & Supply	Sewer	\$374.92	Supplies		12 Valves
22-Jul		T.S. Electric	Sewer	\$1,420.00	Cont Labor		50 PC, 162-164 WCLD & Breaker changes
20-Jul		M & C Trenching	Sewer	\$1,130.86	Cont Labor		Inv. 19290
22-Jul		Unifirst Corp	Sewer	\$159.22	Prof. Services		Uniform rental - 8 weeks (6/21, 6/28, 7/5, 7/12)
8-Jul		Town of Fremont	Sewer	\$15,257.68	Sewage		Monthly processing
25-Jul		NIPSCO	Sewer	\$366.21	Electric	EFT	Lift station electrical usage
22-Jul		NIPSCO	Sewer	\$1,035.02	Electric	EFT	Grinders electrical usage
		TOTAL SEWER FUND		\$72,284.24			
		TOTAL ALL FUNDS		\$139,624.45			

I here by certify that each of the above listed vouchers and the invoices or bills attached there to are true and correct and I have audited same in accordance with IC5-11-10-1.6.

ACCOUNTS PAYABLE TOWN of CLEAR LAKE
Voucher Register for Operating Funds & Sewer Fund

For Period from 06/21/2022 through 07/19/2022

2022							
DATE FILED	VOUCHER NUMBER	NAME OF CLAIMANT	FUND	AMOUNT OF VOUCHER	Appropriation	CHECK/WARRANT NUMBER	MEMORANDUM
Date		ALLOWANCE OF VOUCHERS					
19-Jul-22							Jessica Swander, Clerk-Treasurer
(IC5-11-10-2 permits the governing body to sign the Accounts Payable Voucher Register in lieu of signing each claim the governing body is allowing.)							
We have examined the vouchers listed on the forgoing accounts payable voucher register consisting of 3 pages, totaling \$139,624.45							
Dated this 19th day of July 2022							
X		X		X			
X		X		X			
SIGNATURE OF GOVERNING BOARD							

Installed by the TOWN OF CLEAR LAKE-2019
Fund Report

FUND TITLE	BALANCE BEG OF YEAR	REVENUE YTD	DISBURSED YTD	BALANCE BEG OF MONTH	REVENUE MTD	DISBURSED MTD	CURRENT BALANCE
SubTotal Bank Number 2	93734.09	409663.74	329062.47	151659.05	67961.97	45285.66	174335.36
*** GRAND TOTAL ***	1534487.38	1056722.70	852673.75	1511620.62	390332.21	163416.50	1738536.33

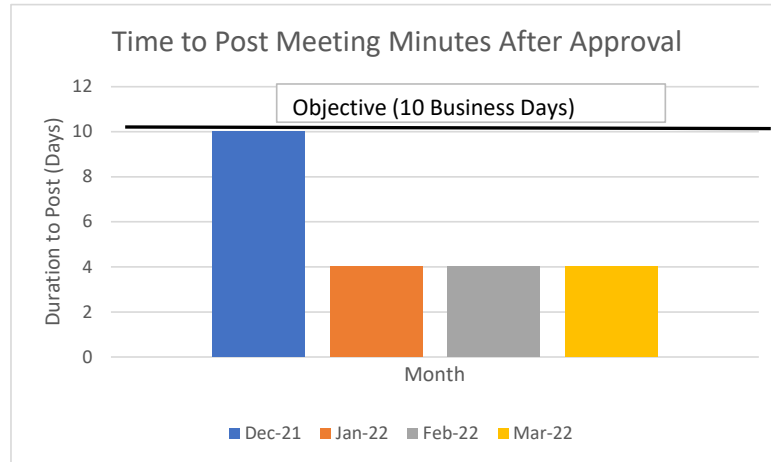
Description of Performance Measurement

Process being measured: Preperation of Meeting Minutes

Performance Measurement (Metric): Time to post minutes after board approval

Performance Objective: Post on Town Web page within 10 business days of board approval

Board/Commission	Minutes Lead	Meeting Date	Board Approval Date	Web Page Posting Date	Minutes Approved	Number of Days	Target Calendar Days	Comments
Town Council	Swander	12/15/2021 & 12/20/21	1/18/2022	1/28/2022	Dec-21	10	10	Standard Council Meeting, Special Council Meeting
Town Council	Swander	1/13/2022, 1/18/22, 1/24/22	2/15/2022	2/19/2022	Jan-22	4	10	Standard Council Meeting, Special Council Meeting, Special Council Meeting
Town Council	Swander	2/15/2022	3/15/2022	3/19/2022	Feb-22	4	10	Council Meeting
Town Council	Swander	3/15/2022	4/19/2022	4/23/2022	Mar-22	4	10	Standard Council Meeting
Town Council	Swander	4/19/2022	5/17/2022	5/20/2022	Apr-22	3	10	Standard Council Meeting
Town Council	Swander	5/17/2022	6/21/2022	6/24/2022	May-22	3	10	
Town Council	Swander				Jun-22	0	10	
Town Council	Swander				Jul-22	0	10	
Town Council	Swander				Aug-22	0	10	
Town Council	Swander				Sep-22	0	10	
Town Council	Swander				Oct-22	0	10	
Town Council	Swander				Nov-22	0	10	
Town Council	Swander				Dec-22	0	10	

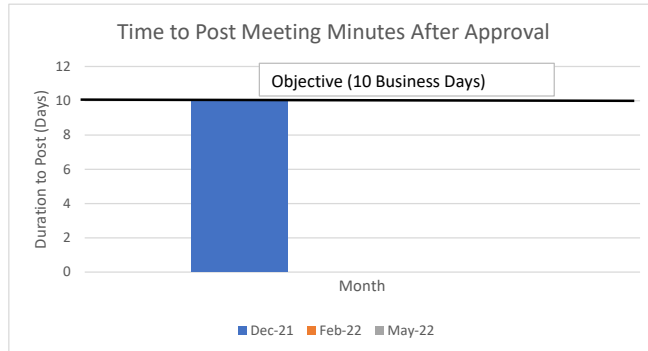


Description of Performance Measurement

Process being measured: Preperation of Meeting Minutes

Performance Measurement (Metric): Time to post minutes after board approval

Board/Commission	Minutes Lead	Meeting Date	Board Approval Date	Web Page Posting Date	Minutes Approved	Number of Days	Target Calendar Days	Comments
PC	Lillmars	12/13/2021	2/1/2022	2/11/2022	Dec-21	10	10	Standard Council Meeting, Special Council Meeting
PC	Lillmars	2/1/2022	5/4/2022	No Yet Posted	Feb-22	#VALUE!	10	Council Meeting
PC	Lillmars	5/4/2022			May-22	0	10	Standard Council Meeting
PC	Lillmars				Mar-22	0	10	Standard Council Meeting
PC	Lillmars				Apr-22	0	10	Standard Council Meeting
PC	Lillmars				May-22	0	10	
PC	Lillmars				Jun-22	0	10	
PC	Lillmars				Jul-22	0	10	
PC	Lillmars				Aug-22	0	10	
PC	Lillmars				Sep-22	0	10	
PC	Lillmars				Oct-22	0	10	
PC	Lillmars				Nov-22	0	10	
PC	Lillmars				Dec-22	0	10	

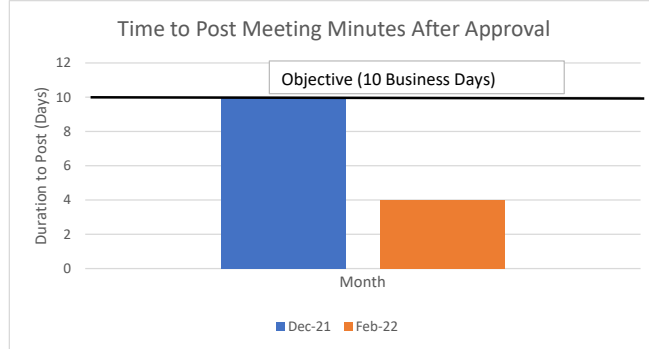


Description of Performance Measurement

Process being measured: Preperation of Meeting Minutes

Performance Measurement (Metric): Time to post minutes after board approval

Board/Commission	Minutes Lead	Meeting Date	Board Approval Date	Web Page Posting Date	Minutes Approved	Number of Days	Target Calendar Days	Comments
BZA	Lillmars	12/13/2021	2/8/2022	2/18/2022	Dec-21	10	10	
BZA	Lillmars	2/8/2022	4/12/2022	4/16/2022	Feb-22	4	10	
BZA	Lillmars	4/12/2022	Not Yet Approved		May-22	#VALUE!	10	
BZA	Lillmars				Mar-22	0	10	
BZA	Lillmars				Apr-22	0	10	
BZA	Lillmars				May-22	0	10	
BZA	Lillmars				Jun-22	0	10	
BZA	Lillmars				Jul-22	0	10	
BZA	Lillmars				Aug-22	0	10	
BZA	Lillmars				Sep-22	0	10	
BZA	Lillmars				Oct-22	0	10	
BZA	Lillmars				Nov-22	0	10	
BZA	Lillmars				Dec-22	0	10	






TOWN MARSHAL'S REPORT

Tuesday, July 19, 2022 – 7:00 P.M.

Summary: The Clear Lake Police Department took nine reports in the month of June, conducted four VIN checks, twenty-six golf cart inspections, issued forty-one traffic violations. The Steuben County Sheriff's Office handled two reports within the Town and three reports within the Township of Clear Lake.

1. Statistics
 - a. Total hours worked – Road: 229 hours - Boat: 30 hours - Total: 259 hours
 - b. Total miles driven – 1245
2. Clear Lake Police Department
 - a. Two agency assists - SCSO
 - b. Four Alarms
 - c. Recovered Property
 - d. Property Damage Crash
 - e. Dog Problem
3. Steuben County Sheriff's Office in Clear Lake Township
 - a. Domestic
 - b. Vehicle Fire/Recovered Property
 - c. Property Damage Crash
4. Steuben County Sheriff's Office in Town of Clear Lake
 - a. Alarm
 - b. Personal Injury Crash
5. Areas of Concern – Golf Carts

Town Of Clear Lake Police Department		Month	Summary: The Clear Lake Police Department took nine reports in the month of June, conducted four VIN checks, twenty-six golf cart inspections, issued forty-one traffic violations. The Steuben County Sheriff's Office handled two reports within the Town and three reports within the Township of Clear Lake. Areas of Concern – Golf Carts							
2022		J U N								
Statistics										
	Monthly Hours Worked	259								
	Monthly Miles Driven	1245								
	Monthly Aquatic Hours	30								
Clear Lake Police Department			Steuben County Sheriff's Office in Town of Clear Lake			Town of Clear Lake Total	Steuben County Sheriff's Office in Clear Lake Township			Grand Total
Code	Sub Total	9	Code	Sub Total	2	11	Code	Sub Total	3	14
100	Agency Assists	2	100	Agency Assists		2	100	Agency Assists		2
101	Alarm	4	101	Alarm	1	5	101	Alarm		5
106	Property Damage Crash	1	106	Property Damage Crash		1	106	Property Damage Crash	1	2
107	Recovered Property	1	107	Recovered Property		1	107	Recovered Property	1	2
119	Domestic		119	Domestic		0	119	Domestic	1	1
121	Personal Injury Crash		121	Personal Injury Crash	1	1	121	Personal Injury Crash		1
122	Dog/Cat Problem	1	122	Dog/Cat Problem		1	122	Dog/Cat Problem		1
Detailed Reports Available			Detailed Reports Available				Detailed Report Available			

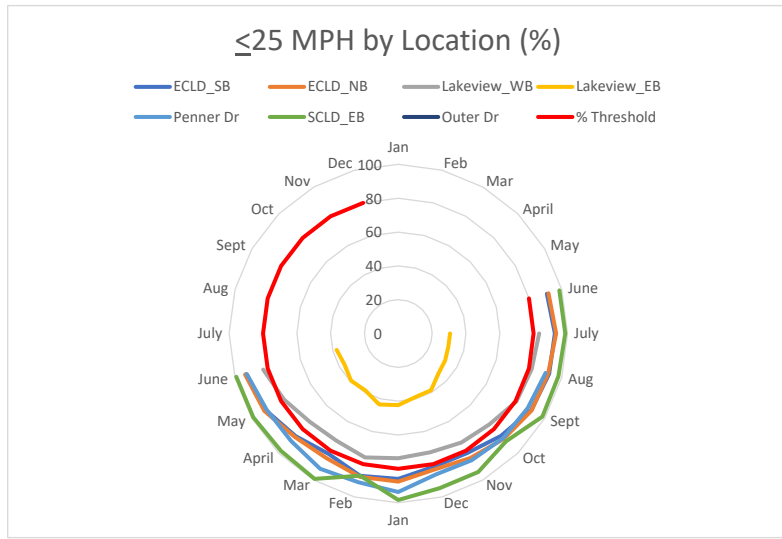
Map Location	Description	Jan	Feb	Mar	April	May	2021					2022							
							June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
1	ECLD_SB						90.9	92.6	92.3	90.7	85.7	81.6	81.5	85.9	87.1	82.2	85.9	90.66	93.2
2	ECLD_NB						91.9	93.3	91.7	91	88.1	85	83.2	87.5	87.7	85	86.5	91.52	93.8
3	Lakeview_WB							83.3	81.6	80.6	76.1	74.5	72.7	73.7	75.9	73.2	74	78.08	82.7
4	Lakeview_EB							30.63	30.6	32	33.6	38.7	39	42.3	43.5	38.9	39.5	36.75	37.7
5	Penner Dr								90.1	88.3	87.6	86.6	86.2	93.7	91	92.4	89.8	89.96	92.7
6	SCLD_EB						98.6	98.7	98	98.4	90.1	94.5	94.7	98.4	87	99.2	98.2	99	99.1
7	Outer Dr																		80
	% Threshold						80	80	80	80	80	80	80	80	80	80	80	80	80

≤25 mph % Legend

90-100 %
80-89 %
<80 %

Take Aways by Location:

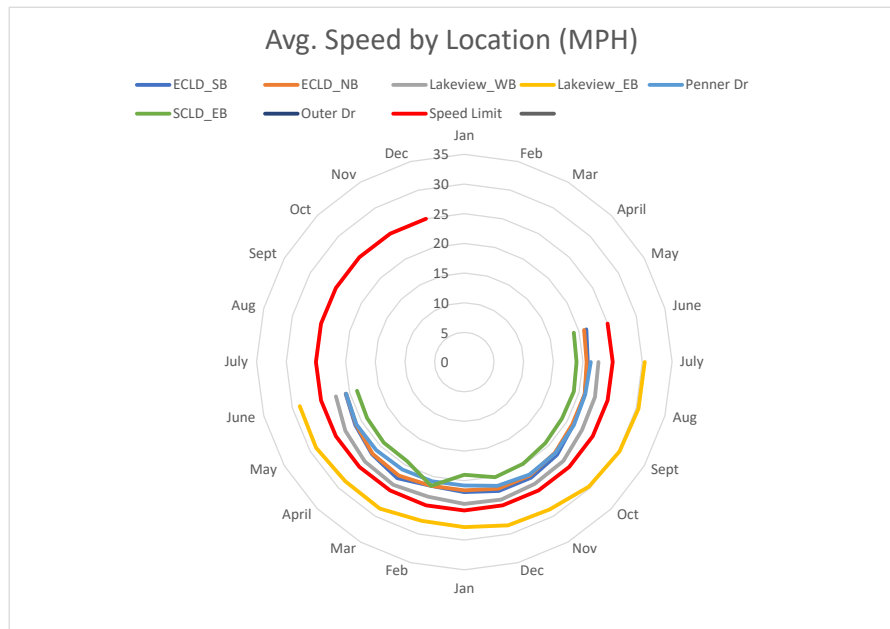
1. ECLD: Check for sub group of year round drivers who typically exceed 25 mph (Recommend Routine Patrol)
2. Lakeview: Significant number of drivers exceeding 25 mph (Recommend Routine Patrol)
3. Penner: Year round traffic slightly exceeding 25 mph (Recommend occasional patrol)
4. SCLD: Year round traffic generally maintains 25 mph limit (Recommend



Map Location	Descriptor	2021												2022					
		Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
1	ECLD_SB						21.3	20.8	21	21.2	22.1	22.5	22.5	21.9	21.6	22.6	22	21.21	20.7
2	ECLD_NB						20.9	20.6	21	21	21.6	22.1	22.1	21.6	21.6	22.1	21.88	21.05	20.6
3	Lakeview_WB							22.6	22.8	22.9	23.6	23.7	24	23.9	23.5	23.9	23.7	23.14	22.4
4	Lakeview_EB							30.4	30.4	30.2	29.7	28.7	28.5	27.8	27.7	28.5	28.4	28.86	28.7
5	Penner Dr							21.3	21.1	21.3	21.7	21.9	21.6	20.8	20.8	20.9	21	20.99	20.6
6	SCLD_EB						19.1	18.9	19.1	19	19.3	19.8	20.1	19	21.6	19.3	19.2	18.9	18.7
7	Outer Dr																		22.7
	Speed Limit						25	25	25	25	25	25	25	25	25	25	25	25	25

Avg mph Legend

- <25 MPH
- 26-30 MPH
- >30 MPH



Town Of Clear Lake Police Department		Month								
2022		J U N								
Statistics										
TOCL Logo	Monthly Hours Worked	259								
	Monthly Miles Driven	1245								
	Monthly Aquatic Hours	30								
Clear Lake Police Department			Steuben County Sheriff's Office in Town of Clear Lake			Town of Clear Lake Total	Steuben County Sheriff's Office in Clear Lake Township			Grand Total
Code	Sub Total	9	Code	Sub Total	2	11	Code	Sub Total	3	14
100	Agency Assists	2	100	Agency Assists		2	100	Agency Assists		2
101	Alarm	4	101	Alarm	1	5	101	Alarm		5
102	Criminal Mischief		102	Criminal Mischief		0	102	Criminal Mischief		0
103	Burglary		103	Burglary		0	103	Burglary		0
104	Disorderly		104	Disorderly		0	104	Disorderly		0
105	Juvenile Problem		105	Juvenile Problem		0	105	Juvenile Problem		0
106	Property Damage Crash	1	106	Property Damage Crash		1	106	Property Damage Crash	1	2
107	Recovered Property	1	107	Recovered Property		1	107	Recovered Property	1	2
108	Rescue		108	Rescue		0	108	Rescue		0
109	Structure Fire Residential		109	Structure Fire Residential		0	109	Structure Fire Residential		0
110	Suicide Attempt		110	Suicide Attempt		0	110	Suicide Attempt		0
111	Theft		111	Theft		0	111	Theft		0
112	Welfare Check		112	Welfare Check		0	112	Welfare Check		0
113	Harassment		113	Harassment		0	113	Harassment		0
114	Suspicious		114	Suspicious		0	114	Suspicious		0
115	Abandoned Vehicle		115	Abandoned Vehicle		0	115	Abandoned Vehicle		0
116	Animal Problem		116	Animal Problem		0	116	Animal Problem		0
117	Empolymnt Background Investigation		117	Empolymnt Background Investigation		0	117	Empolymnt Background Investigation		0
118	Property Damage		118	Property Damage		0	118	Property Damage		0


119	Domestic		119	Domestic		0	119	Domestic	1	1
120	Trespassing		120	Trespassing		0	120	Trespassing		0
121	Personal Injury Crash		121	Personal Injury Crash	1	1	121	Personal Injury Crash		1
122	Dog/Cat Problem	1	122	Dog/Cat Problem		1	122	Dog/Cat Problem		1
123	Lost Property		123	Lost Property		0	123	Lost Property		0
124	Vehicle Fire		124	Vehicle Fire		0	124	Vehicle Fire		0
125			125			0	125			0
126			126			0	126			0
127			127			0	127			0
128			128			0	128			0
129			129			0	129			0
130			130			0	130			0
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145			145			0	145			0
146			146			0	146			0
147			147			0	147			0
148			148			0	148			0
149			149			0	149			0
150			150			0	150			0
151			151			0	151			0
Detailed Reports Available			Detailed Reports Available				Detailed Report Available			

Fremont Fire Department

Calls for Service June 2022

1. June 3rd 11:18 A.M. Medic Assist Town of Fremont.
2. June 4th 3:39 P.M. Vehicle Fire Jamestown Twp.
3. June 5th 5:57 A.M. Lift Assist Town of Fremont.
4. June 5th 3:20 P.M. Vehicle Accident with injury Town of Clear Lake.
5. June 5th 3:22 P.M. Medic Assist Town of Fremont.
6. June 9th 8:19 A.M. Medic Assist Town of Fremont.
7. June 9th 11:59 A.M. Oil Spill Town of Fremont.
8. June 9th 10:37 P.M. Medic Assist Jamestown Twp.
9. June 10th 1:48 P.M. Medic Assist Jamestown Twp.
10. June 12th 5:05 A.M. Medic Assist Town of Fremont.
11. June 12th 2:16 P.M. Mutual Aid for the Angola Fire Department on a Structure Fire Pleasant Twp.
12. June 12th 3:59 P.M. Possible Hazmat Town of Fremont.
13. June 12th 11:44 P.M. Lift Assist Town of Fremont.
14. June 13th 3:41 P.M. Lift Assist Town of Fremont.
15. June 13th 9:21 P.M. Lift Assist Town of Fremont.
16. June 13th 9:23 P.M. Fire Alarm Town of Clear Lake.
17. June 13th 9:24 P.M. Down power line Town of Clear Lake.
18. June 13th 9:27 P.M. Fire Alarm Town of Fremont.
19. June 13th 9:53 P.M. Down power line Town of Fremont.
20. June 14th 12:01 A.M. Fire Alarm Town of Fremont.
21. June 14th 7:06 A.M. Structure Fire Town of Fremont.
22. June 14th 8:06 A.M. Medic Assist Jamestown Twp.
23. June 14th 4:27 P.M. Vehicle Fire Jamestown Twp.
24. June 15th 2:38 A.M. Lift Assist Town of Fremont.
25. June 15th 2:06 P.M. Medic Assist Town of Fremont.
26. June 16th 3:22 P.M. Medic Assist Town of Fremont.
27. June 17th 2:27 P.M. Medic Assist Town of Fremont.
28. June 17th 2:54 P.M. Medic Assist Scott Twp.
29. June 17th 8:16 P.M. Medic Assist Town of Fremont.
30. June 18th 12:21 A.M. Stand by for the Orland Fire Department.
31. June 18th 6:05 A.M. Medic Assist Town of Fremont.
32. June 19th 4:49 P.M. Lift Assist Fremont Twp.
33. June 21st 12:56 A.M. Medic Assist Town of Fremont.
34. June 21st 5:17 A.M. Lift Assist Town of Fremont.
35. June 21st 1:17 P.M. Lift Assist Town of Fremont.
36. June 21st 6:43 P.M. Medic Assist Town of Fremont.

37. June 23rd 3:09 P.M. Medic Assist Jamestown Twp.
38. June 23rd 3:26 P.M. Vehicle Fire Town of Fremont.
39. June 23rd 7:24 P.M. Fire Alarm Town of Clear Lake.
40. June 23rd 10:02 P.M. Hazmat Spill Jamestown Twp.
41. June 24th 10:45 A.M. Medic Assist Fremont Twp.
42. June 25th 2:07 A.M. Lift Assist Town of Fremont.
43. June 25th 9:10 A.M. Medic Assist Jamestown Twp.
44. June 25th 9:29 A.M. Medic Assist Town of Clear Lake.
45. June 25th 10:30 A.M. Assist Police Town of Fremont.
46. June 25th 4:27 P.M. Lift Assist Town of Fremont.
47. June 25th 8:14 P.M. Medic Assist Clear Lake Twp.
48. June 25th 11:23 P.M. Medic Assist Jamestown Twp.
49. June 26th 12:01 P.M. Medic Assist Town of Fremont.
50. June 26th 1:20 P.M. Lift Assist Town of Fremont.
51. June 26th 3:25 P.M. Down power line Town of Clear Lake
52. June 26th 3:37 P.M. Fire Alarm Town of Clear Lake.
53. June 26th 6:45 P.M. Medic Assist Jamestown Twp.
54. June 27th 4:48 A.M. Medic Assist Clear Lake Twp.
55. June 27th 7:31 A.M. Mutual Aid for the Angola Fire Department on a Structure Fire
Jamestown Twp.
56. June 27th 1:42 P.M. Dive Team stand by.
57. June 27th 2:02 P.M. Lift Assist Town of Fremont.
58. June 28th 5:09 A.M. Vehicle Fire Clear Lake Twp.
59. June 28th 8:17 A.M. Smoke Investigation Town of Fremont.
60. June 28th 3:11 P.M. Medic Assist Town of Fremont.
61. June 28th 10:42 P.M. Medic Assist Fremont Twp.
62. June 29th 8:04 A.M. Medic Assist Town of Fremont.
63. June 30th 7:50 A.M. Fire Alarm Town of Fremont.

Town Of Clear Lake Fire Department Report		Month	Areas of Concern/Interest: None		
2022		J U N	Topics: Welcome for training exercises and learn more about new fire territory plans		
Statistics					
	TOCL Incidents	8			
	Mutual Aid	2			
	Region Totals	11			
Fire Department Activity within the Town of Clear Lake			Fire Department Activity within Clear Lake Township		
Code	Sub Total	8	Code	Sub Total	3
100	Asssit-Agency (Mutual Aid)	2	100	Asssit-Agency (Mutual Aid)	
101	Asssit - Law Enforcement (CLPD)		101	Asssit - Law Enforcement (CLPD)	
102	Asssit - Lift		102	Asssit - Lift	
103	Asssit - Medical	1	103	Asssit - Medical	2
107	Alarm	2	107	Alarm	
120	Down Power Line	2	120	Down Power Line	
134	Fire - Vehicle		134	Fire - Vehicle	1
146	Vehicle - Accident W/Injury	1	146	Vehicle - Accident W/Injury	
Detailed Reports Available			Detailed Reports Available		



TOCL Zoning Administrator Report

July 19th, 2022

ILP's Issued:

ILP #	Date	Applicant	Property Address	Property Owner	Description
2022-17	7.8.22	Lynn Delagrang Homes	426 Point Park Drive	Wagner	New Home- Issue with setbacks
2022-19	Pending	Welling Home	116 Sunset Bay	Joost	New Garage – waiting for additional information
2022-20	Pending	NDB Construction	708 SCLD	Moody	New Home – waiting for additional information
2022-21	6.21.22	Doug Brown	168 WCLD	Dewert	Extended sidewalk with Pavers
2022-22	6.21.22	Walter	1224 Quiet Harbor Dr.	Walter	Replace Generator
2022-23	6.27.22	Sherry Phillips	112 Lakeside Court	Sherry Phillips	New Gazebo
2022-24	Pending	Bob Buescher	356 ECLD	Greiwe	New Home – In review

Plan Commission Hearing:

Case #	Hearing Date	Applicant	Property Address	Rezoning	Status
2022-01	8.2.22	Skinner	416 Point Park Drive	Across the road portion of lot rezoning from CO to LA. Rezoning to be able to build garage.	

BZA Hearing:

Case #	Hearing Date	Applicant	Property Address	Variance	Status
2022-03	8.9.22	Wagner	426 Point Park Drive	Structure exceeds lake yard setback	
2022-04	8.9.22	Wagner	426 Point Park Drive	Structure in lake yard	
2022-05	8.9.22	Bob Buescher / Schenkel	72 WCLD	Home setback to road property line	
2022-06	8.9.22	Bob Buescher / Schenkel	72 WCLD	Hot Tub setback to lakeside building line	
2022-07	8.9.22	Bob Buescher / Schenkel	72 WCLD	Garage setback to rear property line	

Projects:

Item	Status
UDO updates	<ul style="list-style-type: none">• First group of UDO changes approved by Town Council on May 17th.• Second group of UDO changes - Town Council approved PC recommendation• Third group of two changes will be discussed at the August 2nd PC meeting
Unsafe Hewes Home	<ul style="list-style-type: none">• Mr. Hewes would like to repair the home and give it to his son. The home has been emptied with drywall and insulation removed.• Inspection completed with Structural Engineer.• Order of Enforcement was sent to Mr. Hewes on July 1st• Order of Enforcement Hearing is July 19th at Town Council meeting

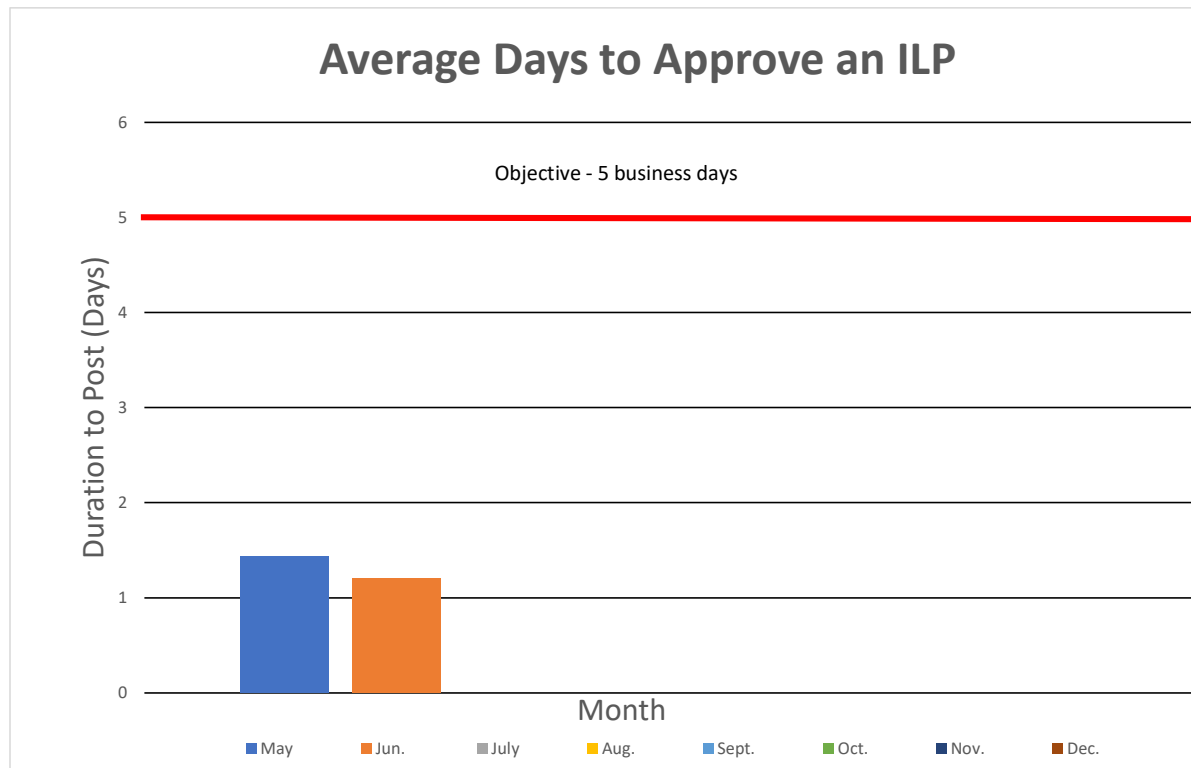
Description of Performance Measurement

Process being measured: ILP Compliance Assessment

Performance Measurement (Metric): Duration required for ILP approval once all required information is received

Performance Objective: 5 days to process

Month	Number of ILPs	Average days to approve	Target Calendar Days	Comments
May	7	1.43	5	
Jun.	6	1.20	5	
July			5	
Aug.			5	
Sept.			5	
Oct.			5	
Nov.			5	
Dec.			5	





SUPERINTENDENT'S REPORT

Tuesday, July 19th, 2022 – 7:00 p.m.

1. Time allocation
 - a. Sewer – 80 hrs.
 - b. Street – 80 hrs.
 - c. Other – road cut permits 0, Demo Permits 0 and 1 letter of non-objection

2. Sewer Department Statistics
 - a. Locates – 20
 - b. Alarm calls – 13
 - c. Grinder pumps
 - i. Replaced – 1
 - ii. Repaired – 0
 - iii. Set-up – 4
 - iv. New or repaired pumps ready to be placed into the system – 25
 - d. Average flow – 49,683 GPD (Gallons per day)

3. Sewer Department Summary
 - a. Denver has been working on getting all locate wires ran up the posts.
 - b. Bio blocks and degreaser is in and being used.

4. Street Department Summary
 - a. Denver has been working on clearing brush and limbs away from street signs.
 - b. I'm getting prices on repairing the asphalt where we have had to cut it to replace check valves.

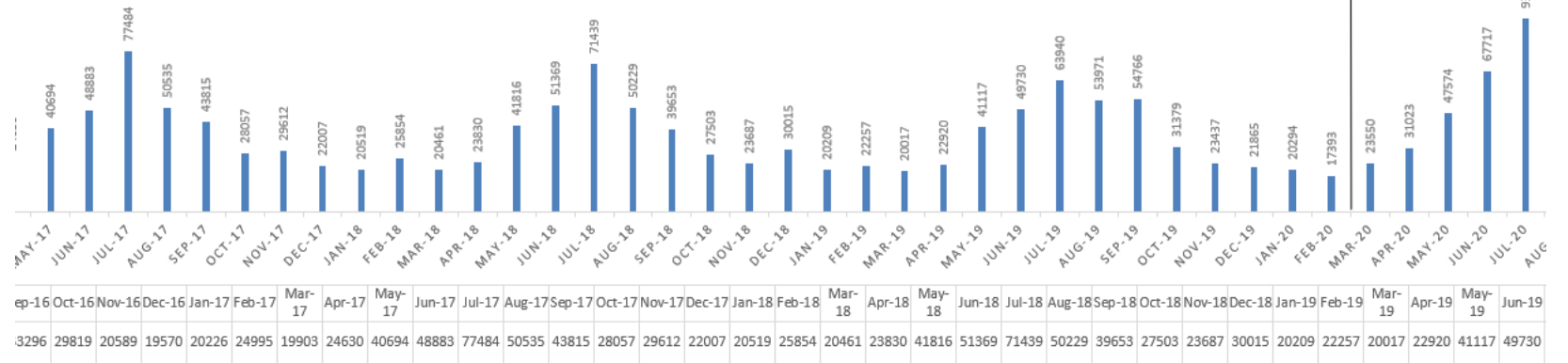
Guy Rodgers
Street/Utility Superintendent

Street & Utility Superintendent

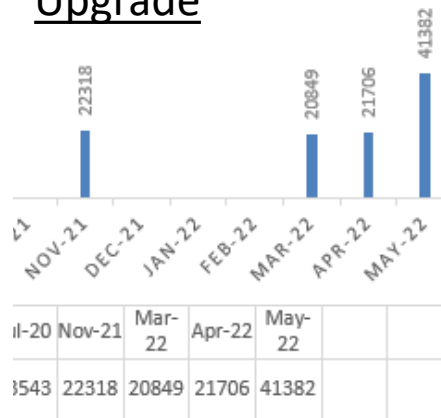
Sewer Flow Rate

- **Process being measured:** Lift Station Transfer Rate
- **Performance Measurement (Metric):** Average Sewage Transfer (Monthly, Peak & Yearly)
- **Performance Objective:** Measure of System Process Rate

AVG DAILY FLOW (GALLONS)



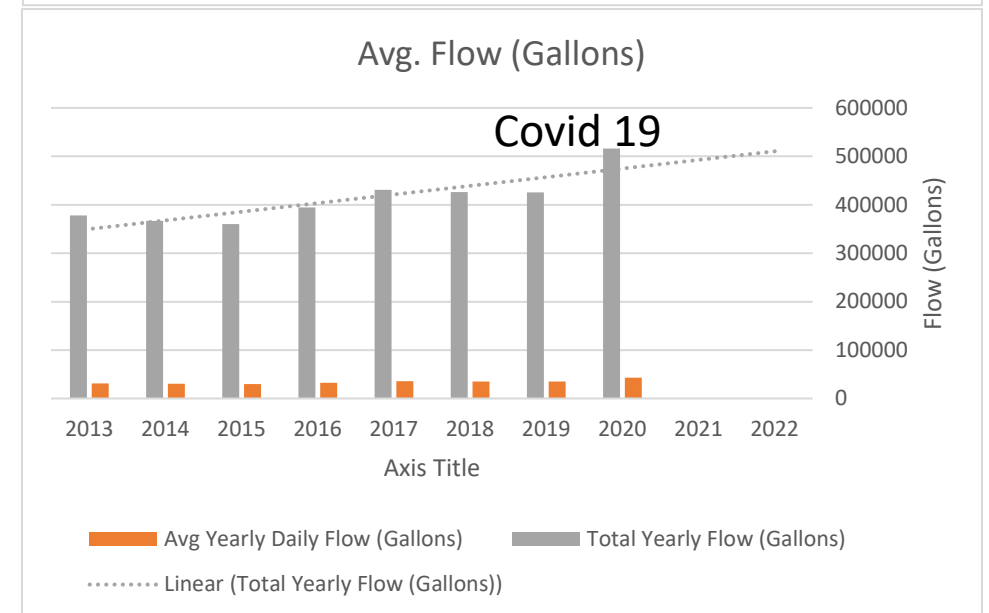
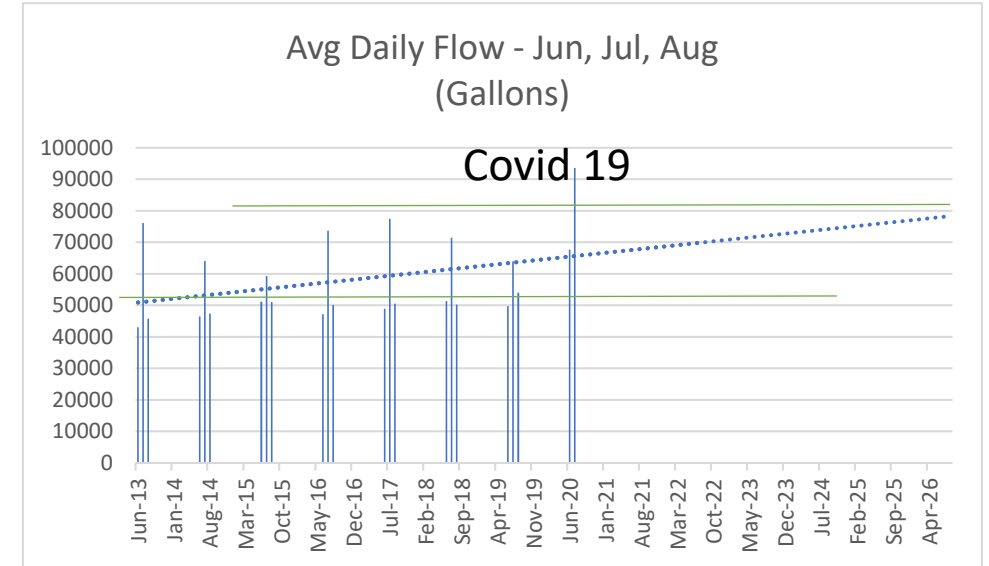
Resuming Metric
Post Lift Station Upgrade



Street & Utility Superintendent Cont.

Sewer Flow Rate

- **Process being measured:** Lift Station Transfer Rate
- **Performance Measurement (Metric):** Average Sewage Transfer (Monthly, Peak & Yearly)
- **Performance Objective:** Measure of System Process Rate



Unsafe Home Hearing

Location: 130 Penner Drive

Owner: Jerry Hewes

Background

- The home has been uninhabitable for years
- Over time the home has become unsafe due to lack of upkeep.



Timeline:

- Oct. 14, 2021 - Certified letter was sent to Mr. Hewes expressing concerns on the condition of his home and requesting an inspection per Clear Lake Unsafe Ordinance section 152.11(C). Mr. Hewes did not respond to request.
- Dec. 2, 2021 – Second notice certified letter was sent. Mr. Hewes did not pickup the letter.
- May 4, 2022 – Inspection warrant from the court was issued
- May 6, 2022 – Inspection was executed by a Structural Engineer and the Zone Administrator.
- July 1, 2022 – Order of Enforcement, Notice of Order of Enforcement, and Structural Engineering report was served by Clear Lake Officer to Mr. Hewes. The same documents were also sent certified mail and received July 7th.

CORRECTIVE MEASURES:

Issue 1: The risk of fire is very high due to water intrusion and wiring for the home being hot. **Action:** De-energize home during repairs **Repair Deadline:** July 20th, 2022.

Issue 2: The perimeter siding (vinyl and wood) is in very poor condition and is damaged in many areas. **Action:** Remove moderate to heavy areas of damage and replace siding. **Building permit in place by:** Aug. 30th, 2022.



CORRECTIVE MEASURES (Continue):

Issue 3: The roof rafters, decking and shingles is unsafe. **Action:** Replace of rafters exhibiting moderate to heavy deficiencies. Remove and replace roof decking and shingles. **Building permit in place by:** Aug. 30th, 2022.



CORRECTIVE MEASURES (Continue):

Issue 4: The flooring in the first and second floor is in poor condition and in many areas is unsafe. **Action:** Replace floor rafters and decking exhibiting moderate to heavy deficiencies. **Building permit in place by:** Aug. 30th, 2022.



Issue 5: Mold could be present due to the years of being open to the elements **Action:** Certify that no mold is present by State certified company **Building permit in place by:** Aug. 30th, 2022.

Additional requirements:

Item 6: Key structural elements in the garage / basement are saturated **Action:** Provide documentation from manufacturers or professional structural engineer stating that existing structural members provide design strength after moderate to significant water saturation. **Report due by:** Aug. 30th, 2022.

Item 7: Design of all repairs must be performed by a Professional Engineer, licensed in the State of Indiana, with records and qualifications for repairs be submitted to the Town of Clear Lake for review and approval prior to any repair / reconstruction efforts starting.

Item 8: All repairs / reconstruction efforts shall be pre-approved by the Town of Clear Lake.

Item 9: A fourteen (14) day notice (at minimum) shall be provided to the Town of Clear Lake by owner prior to any request to begin making repairs.

Item 10: Any deviation from noted repair efforts identified in items 1-9 (above) shall permit the Town of Clear Lake to reevaluate decision of possibly reconstruction and demand demolition.

Additional requirements:

Item 11: For all scope of work enhancements submissions, the owner shall include a defined level of repairs / reconstruction / construction tasks and a defined schedule of tasks. The scope of work shall also include a defined anticipation of Town of Clear Lake Agent reviews after completion of each scope of work task at 25% / 50% / 75% / 100%. Any delinquent tasks at each level shall not extend past the next level (i.e. deficiency at 25% shall not extend beyond 50%). **Schedule due date:** Aug. 30th, 2022

Results:

IF CORRECTIVE MEASURES 1 AND 6 ARE NOT COMPLETED BY AUGUST 30, 2022, AND YOU HAVE NOT CONTACTED THE ZONING ADMINISTRATOR TO SCHEDULE A REINSPECTION, THEN THE DWELLING UNIT REFERENCED HEREIN WILL BE DEMOLISHED.

ORDER OF ENFORCEMENT

Common Address: 130 Penner Dr., Fremont, IN, 46737

Tax Identification No.: 76-01-18-000-007.040-002

Enforcement Authority: Zoning Administrator, Town of Clear Lake, Indiana
Clear Lake Town Hall
111 Gecowets Drive
Fremont, Indiana 46737
(260) 495-9158

On or about the 6th day of May, 2022, the Zoning Administrator, together with R. Jerry Frost, P.E., conducted an inspection of the dwelling unit located at the above-referenced address. The Steuben County property records reflect that you own this property. Please be advised that during the course of this inspection, the following violations of the Town of Clear Lake and/or State unsafe building laws were found:

A. UNSAFE VIOLATIONS:

Pursuant to TOCL § 152.12 your property has been deemed unsafe because the following conditions or defects exist to the extent that the life, health, property, or safety of the public or its occupants or potential occupants are endangered or such conditions constitute a nuisance which may endanger life, limb, health, morals, property, safety or welfare of the general public:

1. Whenever the walking surface of any aisle, passageway, stairway or other means of exist is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic;
2. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location;
3. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;
4. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so

anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the building code for new buildings or similar structure, purpose or location without exceeding the working stresses permitted in the building code for such buildings;

5. Whenever the building or structure, or any portion thereof, because of:

- (a) Dilapidation, deterioration, or decay;
- (b) Faulty construction;
- (c) The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building;
- (d) The deterioration, decay or inadequacy of its foundation; or
- (e) Any other cause, is likely to partially or completely collapse.

6. Whenever the building or structure, exclusive of the foundation, should 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing or outside walls or coverings;

7. Any condition or conditions in violation of other applicable ordinances of the town and/or the building standards or codes of the State of Indiana.

B. CORRECTIVE MEASURES REQUIRED:

1. The risk of fire is very high due to water intrusion and wiring for the home being hot. The home is not safe. Immediately de-energize home during repairs. Owner SHALL obtain any necessary Improvement Location Permit (“ILP”) from the Town of Clear Lake and/or building permit from Steuben County, with approval of defined scope of work, prior to any repair / construction action.

2. The perimeter siding (vinyl and wood) is in very poor condition and is damaged in many areas. Remove moderate to heavy areas of damage and replace siding. Owner SHALL obtain any necessary ILP from the Town of Clear Lake and/or building permit from Steuben County, with approval of scope of work, prior to any repair / construction action.

3. The roof is in very poor condition and will require significant repairs. The shingles are also in very poor condition. The roof rafters, decking and shingles is unsafe. Complete all roof rafter replacements that are exhibiting moderate to heavy deficiencies (i.e. roof openings extending at a minimum of 15ft from open roof locations). Remove all roof decking in its entirety with minor to heavy water damage due to elements. Replace with new deck. Remove and replace with new roof seal and shingle deck system. Owner SHALL obtain any necessary ILP from the Town of Clear Lake and/or

building permit from Steuben County, with approval of scope of work, prior to any repair / construction action.

4. The flooring in the first and second floor is in poor condition and in many areas is unsafe. Significant to heavy repairs are required. Owner SHALL obtain any necessary ILP from the Town of Clear Lake and/or building permit from Steuben County, with approval of scope of work, prior to any repair / construction action.

5. No test was completed for mold. Many areas of existing drywall are saturated and in poor condition. Complete internal drywall removal is recommended. Remove ALL existing drywall and replace with new - only after home roof and walls are dry & sealed from water intrusion. Once home is sealed and drywall is removed, provide a State certified company report that displays mold eradication tests are negative (in all levels of home) in accordance with State and Federal levels. Owner SHALL obtain any necessary ILP from the Town of Clear Lake and/or building permit from Steuben County, with approval of scope of work, prior to any repair / reconstruction action.

6. The key structural elements in the garage are saturated. Further deflection and movement of these elements is expected. Provide documentation from manufacturers or professional structural engineer stating that existing structural members provide design strength after moderate to significant water saturation. This request is for all structural elements (i.e. garage level, first floor level, and second floor level). This step is prior to any and all repair/construction action efforts. Owner SHALL obtain any necessary ILP from the Town of Clear Lake and/or building permit from Steuben County, with approval of scope of work, prior to any repair / construction action.

7. Oversight / design of ALL repairs must be performed by a Professional Engineer, licensed in the State of Indiana, with records and qualifications for repairs be submitted to the Town of Clear Lake for review and approval prior to any repair / reconstruction efforts starting.

8. All repairs / reconstruction efforts shall be pre-approved by the Town of Clear Lake.

9. A fourteen (14) day notice (at minimum) shall be provided to the Town of Clear Lake by owner prior to any request to begin making repairs. No repair / reconstruction steps shall progress without Town of Clear Lake approval. If repair / reconstruction steps are taken without approval, a 45-day delay order shall apply to allow for building evaluation.

10. Any deviation from noted repair efforts identified in items 1-9 (above) shall permit the Town of Clear Lake to reevaluate decision of possibly reconstruction and

demand demolition. Town of Clear Lake holds position of a structural inspection during reconstruction efforts for proper Town of Clear Lake, State and Federal building reconstruction adherence.

11. For all scope of work enhancements submissions, the owner shall include a defined level of repairs / reconstruction / construction tasks and a defined schedule of tasks. The scope of work shall also include a defined anticipation of Town of Clear Lake Agent reviews after completion of each scope of work task at 25% / 50% / 75% / 100%. Any delinquent tasks at each level shall not extend past the next level (i.e. deficiency at 25% shall not extend beyond 50%).

12. If the Town of Clear Lake identifies non-performance in accordance of ANY scope of work items, a thirty (30) day notice shall be issued for "lack of performance in accordance to agreement" and demolition shall be considered for order.

C. TIME PERMITTED FOR COMPLIANCE:

The owner has twenty (20) days from the date of this Order to comply with this Order of Enforcement by completing corrective measure number 1 (i.e. to de-energize the home).

Further, the owner shall have sixty (60) days from the date of this Order to comply with this Order of Enforcement by completing corrective measure number 6 (i.e. Providing documentation from manufacturers or profession structural engineering agent that existing structural members provide design strength after moderate to significant water saturation. This request is for all structural elements, including the garage level, the first floor level and the second floor level).

The Owner, if and only if sufficient documentation has be provided to address the concerns regarding the structural integrity of the home at issue, shall have ninety (90) days from the date of this order to obtain the building permits required in corrective measure numbers 1 through 6 and to submit its defined schedule of work as called for in corrective measure number 11.

IF CORRECTIVE MEASURES 1 AND 6 ARE NOT COMPLETED BY AUGUST 30, 2022, AND YOU HAVE NOT CONTACTED THE ZONING ADMINISTRATOR TO SCHEDULE A REINSPECTION, THEN THE DWELLING UNIT REFERENCED HEREIN WILL BE DEMOLISHED.

Demolition shall include the removal of all contents, building materials, and concrete. All foundation areas shall be filled with the proper material to match the surrounding grade and the area seeded with grass seed.

If personal property remains on the premises after August 30, 2022 and demolition is not complete, the Zoning Administrator must assume you are the rightful owner and have abandoned that property, and have consented to any disposition of the property that the Zoning Administrator deems to be appropriate.

If this Order of Enforcement, as adopted or modified by the Zoning Administrator, is not complied with within the time specified, the Town of Clear Lake, Indiana, may complete the action(s) required at the cost and expense of each person who holds any legal or equitable interest in this property. The aforesaid costs and expenses may include the actual cost of the work, legal fees, and any other related expenses, all due upon completion of the work. The costs and expenses, if unpaid, may become a lien on the property.

D. HEARING TIME AND PLACE:

A formal public hearing by the Town of Clear Lake has been scheduled before the Clear Lake Town Council on July 19, 2022 at 7:00 p.m. in the Clear Lake Town Hall to consider this Order. After the hearing the Town Council will adopt, reject or make modifications to the Order.

E. RIGHT TO BE HEARD:

At the hearing you have the right to appear, with or without legal counsel, to present evidence, to cross-examine opposing witnesses, and to present arguments.

F. NOTICE RELATING TO TRANSFER OF PROPERTY:

You are also notified of the provisions of I.C. § 36-7-9-27, which provides that:

(a) A person who has been issued and has received notice of an order relative to unsafe premises and has not complied with that order:

(1) must supply full information regarding the order to a person who takes or agrees to take a substantial property interest in the unsafe premises before transferring or agreeing to transfer that interest; and


(2) must, within five (5) days after transferring or agreeing to transfer a substantial property interest in the unsafe premises, supply the enforcement authority with written copies of:

(A) the full name, address, and telephone number of the person taking a substantial property interest in the unsafe premises; and

(B) the legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

(b) If a judgment is obtained against the department, enforcement authority, or other governmental entity for the failure of that entity to provide notice to persons holding an interest in unsafe premises in an action taken by the entity under this chapter, a person who failed to comply with this section is liable to the entity for the amount of the judgment if it can be shown that the entity's failure to give notice was a result of that person's failure.

Dated: July 1, 2022




Larry Lillmars,
Town of Clear Lake Zoning Administrator

STATE OF INDIANA)
) SS:
COUNTY OF STEUBEN)

Before me, the undersigned, a Town of Clear Lake Clerk-Treasurer in and for said County and State, this 1st day of July, 2022, personally appeared Larry Lillmars - Zoning Administrator of the Town of Clear Lake, Indiana, and acknowledged the execution of the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

My Commission Expires: 12/31/2022 Attest: 
Town of Clear Lake Clerk-Treasurer

Resident of Steuben County, IN

RECORD OF HEARING
AND CONTINUOUS ENFORCEMENT ORDER

Action taken by the Town Council for the Town of Clear Lake, Indiana as the Hearing Authority, at a hearing held relative to an Order of Enforcement issued by the Zoning Administrator of the Town of Clear Lake, Indiana, the Enforcement Authority, pursuant to the provisions of I.C. § 36-7-9 and Ordinance 152.

Hearing Date: July 19, 2022

Issue Date of Order: July 1, 2022

Property Owner: Jerry D. and Julie K. Hewes

Property Address: 130 Penner Dr., Fremont, Indiana, 46737

Tax I.D. Number: 76-01-18-000-007.040-002

Order Being Reviewed: Order of Enforcement dated July 1, 1022.

A. FINDINGS OF FACT:

1. Proper notice of the Order of Enforcement was given to all persons with a substantial property interest in the real estate affected.
2. The following persons with a substantial property interest in the real estate affected were present at the hearing: _____
_____.
3. Evidence was presented by all persons with a substantial property interest who wished to be heard.
4. The structure is unsafe as alleged in the Order of Enforcement being reviewed, and said order is incorporated herein by reference.
5. The persons with a substantial property interest in the real estate affected have commenced work in an effort to rehabilitate the property.
6. The premises has had and is having a negative effect on property values and the quality of life of the surrounding area.

7. The premises is determined, pursuant to TOCL § 152.12 to be deemed unsafe.
8. There has not been a willful failure to comply with the Order by the persons with a substantial property interest in the real estate affected.

B. DECISION OF THE HEARING AUTHORITY:

1. The Hearing Authority affirms the Order of Enforcement as issued on July 1, 2022.
2. At this time, no civil penalties are assessed due to any willful failure to comply with the Order.
3. The property owner shall have additional time to:

4. The Town Council of the Town of Clear Lake as Hearing Authority hereby issues this Continuous Enforcement Order for compliance with the Order of Enforcement and for abatement of the unsafe premises such that:
 - a. the Order remains in full force and effect on the property without further requirements to seek additional compliance or abatement authority or orders for the same or similar violation;
 - b. this Continuous Enforcement Order authorizes ongoing compliance and enforcement activities if the unsafe premises requires re-inspection; and,
 - c. this Continuous Enforcement Order can be enforced, including assessment of fees and costs, without the need for additional notice of hearing.

5. The Enforcement Authority may be contacted at the following address, telephone number or email address:

Larry Lillmars
 Zoning Administrator
 Town of Clear Lake, Indiana
 111 Gecowets Drive
 Fremont, Indiana 46737
 (260) 495-9158 (Office)
 (260) 243-6701 Mobile)
zoning@townofclearlake.org

**TOWN COUNCIL OF THE TOWN OF CLEAR LAKE, INDIANA
 HEARING AUTHORITY**

	YEA Signature	NAY Signature
Darin Thorp President		
Dan Rippe Member		
Molly Weber Member		
George Schenkel Member		
Brent Schlosser Member		

ATTEST:

Jessica Swander
 Clerk-Treasurer

Local Road and Bridge Matching Grant
 ADDITIONAL APPROPRIATION RESOLUTION 03-2022

Whereas, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the 2022 annual budget: now, therefore:

Sec.1. Be it resolved by the Town Council of Town of Clear Lake, Steuben County, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified to appropriate Matching Grant Funds for Street Projects subject to laws governing the same:

Fund Name: Local Road and Bridge Matching Grant

Fund Number: 2402

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED</u>
BY: FISCAL BODY		
Major Budget Classification: Local Road and Bridge Matching Grant Street Repair	\$ <u>716.95</u>	\$ <u>716.95</u>
TOTAL FOR FUND: 2402 Local Road and Bridge Matching Grant	\$ <u>716.95</u>	\$ <u>716.95</u>

Adopted this 19th day of July, 2022.

NAY _____ _____ _____ _____ _____	AYE _____ _____ _____ _____ _____
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ATTEST:

 Jessica Swander -Clerk/Treasurer

TOCL 2023 Property Tax Budget Status

(Jessica Swander, Brent Schlosser, Dan Rippe)

July 15, 2022

Process Overview

- ✓ Interviews conducted with TOCL department heads July 13th
- ❑ Council review and comment on department inputs July 19th
- ❑ Initial budget loaded into Gateway worksheets
- ❑ Initial budget reviewed with George Hilton from Department of Local Government Finance (DLGF)
- ❑ Detailed budget analysis and review conducted with Council Representatives (Schlosser & Rippe) by August 26th
- ❑ Changes implemented into Gateway worksheets
- ❑ Final budget analysis and review conducted by September 5th
- ❑ Council review and approve on September 20th during Regular Council Session

TOCL Department Budget Inputs

- ▶ TOCL Departments include Marshal, Street, Zoning and Clerk/Treasury
- ▶ Inputs will be considered when setting appropriations and do not constitute approval by Council to purchase identified materials/services
- ▶ Department inputs have been prioritized to support appropriations process
 - ▶ 1- Operational Increase, Health and Safety, 2022 Carry Over
 - ▶ 2- Operational Risk Mitigation and/or Improvement
 - ▶ 3- Nice to have

Marshal

Priority

- 1 ▶ Gas for Watercraft and Tahoe -
 - ▶ Lake time same as 2022
 - ▶ Inflationary increase for oil, fuel & tires
- 1 ▶ New Marshals Vehicle (Carry over from 2022)
- 1 ▶ New Marshals Vehicle Equipment (Carry over from 2022)
- 1 ▶ Uniforms/Equipment (9.5% increase for inflation)
- 1 ▶ Radar Signs (\$9000)
 - ▶ Maintenance/batteries (\$2000 - 2 batteries/sign)
 - ▶ New Signs (Qty 3 - Cty. Rd 700 East (qty 2 E & W bound) + qty 1 SCLD Westbound) (\$7000)
- 2 ▶ Add 115 hours of Deputy coverage on Summertime Evenings, Holidays and Weekends

Street

Priority

- 1 ▶ Tree Trimming (\$8500)
- 2 ▶ Develop Engineering Plan to address flooding @ 176-180 WCLD (\$2500)
- 3 ▶ Cold patch WCLD before & after bridge to round lake (\$1000)
- 1 ▶ Diesel Fuel (\$4000)
- 1 ▶ Signage (\$3000)
- 1 ▶ Sand/Salt (\$3500)
- 3 ▶ Parking Lot Expansion (\$38,000) - API estimate
- 3 ▶ Drainage for Town Hall (\$15,500) - API estimate
- 2 ▶ Jet Pipe Cleaner for drainage pipes (\$10,000)
- 2 ▶ New culvert at 24 WCLD (\$5000)
- 1 ▶ Establish/Correct Sewer & Drainpipe Easements (\$4000)
- 1 ▶ Capital equipment purchases (carryover from 2022)

Zoning

Priority

- 1 ▶ Steuben County building permit charge (\$3000)
- 1 ▶ 6 PC meetings & 6 BZA meetings (same as 2022)
- 1 ▶ Attorney Fees (\$14,000 same as 2022)
- 1 ▶ Professional Engineering Services (\$3000)
 - ▶ Drainage
 - ▶ Structural engineers
- 2 ▶ Zoning Map (Digital) - We are required to have digital map (\$10,000)
- 2 ▶ Unsafe House Teardown (\$20,000)

Clerk Treasurer

Priority

- 1 ▶ Town Hall Postage (\$800)
- 1 ▶ Employee Health Insurance (same 2022)
- 1 ▶ Employee Meeting/Travel expenses - mileage (increased to \$56 cents) (\$3000)
- 1 ▶ Town Hall Utilities - Heat (\$2500)
- 1 ▶ Other Professional Services (Reach Alert, Mailouts, Zoom (\$12,000)
- 1 ▶ Daily office supplies/services including new digital phone contract
- 3 ▶ Building Maintenance (\$15,000)
 - ▶ Conference room dedicated HVAC
 - ▶ Insulation
- 1 ▶ Legal Notices (\$1200)
- 1 ▶ Ground Maintenance (same 2022)
- 2 ▶ Security System (\$14,000)
- 3 ▶ Storage Cabinets for Document Room (\$4000)
- 1 ▶ Town Hall Sewer Utility (\$1400)
- 1 ▶ Pay raise for current employees (3-5%)
- 3 ▶ Part Time Community Outreach/Manager (\$10,000)



Objective 1: Training for Council, Plan Commission and Board of Zoning Appeal members

Communications/Open Door Law

Importance of Communication

A key element in building a strong relationship between a board and the community is the ability to make informed decisions that are consistently in the best interest of the entire community. The below helps to provide that framework.

Types of Meetings [IC 5-14-1.5-1]

Public Meetings: must be noticed in advance, most communities publish a yearly calendar

Public Hearings: purpose of taking public comment on matter requiring official action; legal notice required [IC 5-3-1]

Public Forums: held to gather information and encourage the exchange of ideas; informal and no official action can be taken

Work Sessions: may be needed to complete a specific project or training/education; media must be notified and public allowed to attend and observe

Executive Sessions: permitted for limited purposes and can be closed to the public depending on topic [IC 5-14-1.5]

Conducting Public Meetings

Tips for Effective Public Meetings

- Goal is for open and fair meetings; allow for thorough discussion of the issue
- Board members should be prepared, public treated fairly, agendas available

Orderly Conduct

Legal Requirements for Meetings

Open Door Law [IC 5-14-1.5-1]

- Open to the public, agenda posted at the entrance and minutes taken
- 48 hour posting and media notification; excludes Saturday-Sunday-legal Holiday

- Notice needs to include: Date, time and place of the meeting
- Agendas are not required, minutes are required
- Notice of regular meetings only needs to be done once a year

Making a Public Record: minutes need not be a verbatim transcript

Notice of Public Hearings [IC. 36-7-4]

- Published notice required
- Due notice to interested parties

Types of Communications

Includes internal and external communication, community education and social media

Resources:

Indiana Code, Sections 5 and 36

American Planning Association, Indiana Chapter, Citizen Planning Guide, Chapter 4; Indianaplanning.org

Town of Clear Lake Handbook, Section #803, Code of Conduct for Elected Officials and Their Appointees, August 2021