



TOWN OF CLEAR LAKE, INDIANA
REGULAR TOWN COUNCIL MEETING
October 18, 2021

The Regular Council meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, October 18, 2021, at 7:00PM. Present were Town Council President Darin Thorp, Council Members Bonnie Brown, Brent Schlosser, Dan Rippe, and Tyson Johnston joined via teleconference. Clerk/Treasurer - Jessica Swander, Marshal - Chris Emerick, Zoning Administrator - Larry Lillmars, and Street/Sewer Superintendent - Guy Rodgers was also in attendance. There were seventeen residents who signed the guest register and two attendees 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 September 20, 2021, at 7:00PM. Darin Thorp presented the minutes to the Council. Darin then asked for any additions or corrections. None were given.

Dan Rippe made a motion to pass the Regular Town Council minutes as presented. Seconded by Bonnie Brown. 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:	\$41,888.13
Sewer Funds:	<u>\$45,594.79</u>
Total Disbursements	\$87,482.92

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

Unfinished Business:

1. Ordinance or Resolution for Appropriations and Tax Rates was introduced by Dan Rippe.

Dan Rippe made a motion to introduce Ordinance or Resolution for Appropriations and Tax Rates. Seconded by Brent Schlosser. Motion passed.

Dan Rippe read out loud Ordinance or Resolution for Appropriations and Tax Rates.

Dan Rippe Made a motion to open to the meeting to the public for comment. Seconded by Bonnie Brown. Motion Passed.

Resident Molly Weber stated she would have like to have seen it on the website or had a copy of it. Jessica Swander stated where the Notice to Taxpayers is located at the Town Hall and on the website. No further comment was given.

Dan Rippe made a motion to close the meeting to the public for comment. Seconded by Bonnie Brown. Motion passed.

Dan Rippe made a motion to Read Ordinance or Resolution for Appropriations and Tax Rates by title only for the final reading. Seconded by Bonnie Brown. Motion passed.

Dan Rippe made a motion to pass Ordinance or Resolution for Appropriations and Tax Rates for the year 2022. Seconded by Bonnie Brown Motion passed.

2. ARP Plan Discussion was had between Council members. Stated between members was that they were still trying to get better pricing on each project.

Dan Rippe made a motion for the ARP funds to be spent toward infrastructure and the Town to move forward with a resolution. Seconded by Brent Schlosser. Motion passed.

Dan Rippe went over the action items and asked Brent Schlosser to discuss the information he had gathered on a Cell Tower. Brent Schlosser discussed the information and cost to the Town between \$100,000- \$250,000.00. He stated it would be a long process and wanted to look further into information and even investigate getting 5G. Bonnie asked if there were any grants out there, and Brent said he would look into it.

Guy Rodgers talked about altering the current building for his needs but stated he has not been able to get his quote for his desired sewer projects to bring forward to Council. He isn't sure how much would need to be done until he would get into the project.

Dan Rippe still needed to get more pricing information for the new building concept outback which would be inclusive to the Town for vehicles and a wash bay. The current quote price is \$130,000.00. He asked council to look over the updated concept. It would give off season access to the watercraft for the Marshals, reduce time to perform overhead tasks, evidence room, along with bathrooms, and laundry room for Guy.

Dan Rippe made a motion to open to the public for input on spending the ARP. Seconded by Brent Schlosser.

Resident Molly Weber suggested Brent Schlosser looking into the Indiana Rural Affairs office for grants for Cell phone Tower grants.

Resident Dr. Todd Rumsey talked about fiber cost and the fact that he thinks they would not get much business out here.

Resident John Wilhelm talked about the new building concept or expansion and supports the space for our police department and the space for maintenance and leaf vac.

Dan Rippe made a motion to close the meeting from public comment. Seconded by Bonnie Brown. Motion passed.

3. Dan Rippe discussed Resolution Handbook Addition-Code of Conduct and the reasons behind him developing the section of the handbook for Elected Officials and Appointees. Dan was able to find other examples from State, Counties, Cities, and Towns. Dan received some questions and gave some answers and led to modifications with additions of two sections for the Open-Door Law and De-escalation.

Dan Rippe made a motion to introduce Resolution to Establish a Code of Conduct for Elected Officials and Their Appointees. Seconded by Tyson Johnston. Motion passed.

Bonnie Brown addressed Dan Rippe indicating that he wanted to see this as a training guide. She wanted to know why he didn't use the word training in the document. Dan Rippe stated it was only one benefit, but it is also a framework to co-exist and work together, to address the public, and to address the Town office and employees. Brent said he appreciated the additions but wanted the Open-Door Law also to be titled the Sunshine Law so that someone. Bonnie asked for more details on the Open-Door Law. Dan Rippe said he chose to reference it, because the Open-Door Law is over seventy pages and so that people would know where to go to find it and read it. Tyson said that there can always be changes and modifications over time, but that it is appropriate and needed.

Dan Rippe read out loud Resolution to Establish a Code of Conduct for Elected Officials and Their Appointees.

Dan Rippe read Section 803 Code of Conduct for Elected Officials and Their Appointees in its entirety.

Dan Rippe made a motion to open the meeting to the Public for Public comment. Seconded by Brent Schlosser. Motion passed.

Resident Molly Weber shared her experience as a former Council Member last year wanted to commend whoever put this in place. Her husband Brian Weber said he is very happy it is in place. Molly Weber pleaded and said they when employees and the Clerk Treasurer of the Town Hall sees something they need to say something.

Resident Eric Strasser seconded Molly's statements with his experience and said he applauds the Town for putting this in place

Resident Don Lupke echoed that it is highly important that all officials need to be respectful of all opinions. He asked if it applied to all board members that are appointed. Dan stated that yes it applies to all. Don also stated that not all Town business is being conducted on Town email and that an individual is using their business address with their business being advertised and the Town needs to address it.

Resident Chris Rippe asked when this will be implemented and rolled out. Darin said it will be rolled out to all the board and once its approved it will be in place.

Resident Erick Strasser stated that it is the Presidents responsibility to hold these people accountable. He stated that it is a lot of responsibility and asks if there a process in place. Dan Rippe stated that any individual can hold another person responsible for an action, but it depends on the situation on how it gets escalated weather in a private conversation or in public.

Dan Rippe made a motion to close the public meeting for public comment. Seconded by Bonnie Brown. Motion passed.

Dan Rippe made a motion to read by title only. Seconded by Bonnie Brown. Motion passed.

Dan Rippe read out loud by title only Resolution to Establish a Code of Conduct for Elected Officials and Their Appointees.

Dan Rippe made a motion to approve and pass Resolution to Establish a Code of Conduct for Elected Officials and Their Appointees with the two-additions, adding section 803 and adding Sunshine Law with the Open-Door Law section title. Seconded by Tyson Johnston.

New Business:

1. Dan Rippe introduced the 2022 Salary Ordinance.

Dan Rippe made a motion to read out loud Ordinance Setting Salaries and Wages of the Officers and Employees for the Town of Clear Lake, INDIANA for the Year 2022.

Jessica Swander read out loud Ordinance Setting Salaries and Wages of the Officers and Employees for the Town of Clear Lake, INDIANA for the Year 2022.

Brent Schlosser wanted to know about the pay dates for Plan Commission and the BZA being different. Brent wants members to be paid per meeting. Dan Rippe stated there are hidden costs on extra meetings and Jessica would have to figure out how to pay the bill. Dan Rippe stated that moving it to a fixed cost so that there were no surprise costs while adding that into a quarterly payment. Dan Rippe discussed the extra meetings this

year, but now there is a process in place so that the extra meetings are not needed. Bonnie stated that you must have several meetings in the spring to get the UDO changes discussed between members. Council members discussed how to pay members, quarterly while still staying within budget. Council members agreed that six meetings per year would be appropriate for Plan Commissions planned number of meetings.

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

Don Lupke said that per meeting per attendance would be best.

Chris Rippe asked what the difference was between executive committee and the rest of the members. Bonnie Brown stated they meet more often, they have the availability to make small decisions, organize and get things together for the meetings.

Dan Rippe made a motion to close the meeting to the public for comment. Seconded by Bonnie Brown. Motion passed.

Dan Rippe made a motion to Read by title only. Seconded by Bonnie Brown. Motion passed.

Jessica Swander read out loud by title only Ordinance Setting Salaries and Wages of the Officers and Employees for the Town of Clear Lake, INDIANA for the Year 2022.

2. Rate Study for Utilities was discussed by Dan Rippe. Repair, usage, equipment, and over all operating expenses are exceeding out revenue. Dan discussed an update rate recommendation and ensure the Town has the funds for repairs and operating expenses.

Dan Rippe made a motion to approve the Town on obtaining a rate study and the costs incurred. Seconded by Bonnie Brown. Motion passed.

3. The 2022 meeting Calendar was discussed by Jessica Swander and the need to change to Tuesdays and three of the Council meetings fall on Holidays which causes our Town Employees to come in on their day off to attend, also one of our BZA meetings falls on a Holiday. Jessica Swander requested that the meeting dates be changed to Tuesday. Council discussed the Holidays and the need to keep the days consistent on the same day.

Tyson made a motion to change Council, Plan Commission, and BZA meetings for the future Calendar years to Tuesdays.

REPORTS:

1. Financial Report – Jessica Swander presented the financial report showing financials through September 30, 2021. Report is on file.
2. Marshal's Report- Chris Emerick discussed Marshal activity around the lake. Report is on file.
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.

COUNCIL REPORT:

Dan Rippe stated that our Sanitation contract is up next year and will be looking at getting bids but would be looking for public input on what we would like.

GENERAL DISCUSSION:

Devon McArdle passed out folders containing information she felt needed attention from the Council members. Devon discussed a proposed purchase of property between Bonnie Brown and Larry Lillmars, she felt was insider information due to Bonnie being the Plan Commission President and the acting Zoning Administrator, along with text messages from a community member. Devon stated she felt intimidated by the text messages. She stated she address Council Member Bonnie Brown at the August 2nd Plan Commission meeting where the proposed UDO changes were discussed. She stated she is concerned regarding the home business ordinance. Devon stated that she had spoke with Town Employee Brenda Ebby and was told that Bonnie had asked her to remove public comment from her for that Plan Commission meeting. Devon also stated that there is a permanent pergola owned by a relative of Bonnie Browns without an ILP, yet her family member has a temporary one and was fined \$300. She encouraged people to run against Bonnie Brown when her term is up.

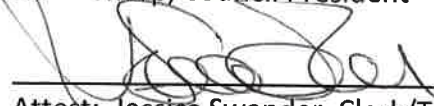
Jerry Wamsher stood up and had some issues with the proposed purchase and said he didn't like the conflict of interest going on.

Darin Clarified that legally until that had went further no notification would have been needed.

There being no further business or discussions, Council President Darin Thorp adjourned the meeting at 9:54 p.m.



Darin Thorp, Council President



Attest: Jessica Swander, Clerk/Treasurer