



TOWN OF CLEAR LAKE, INDIANA  
REGULAR TOWN COUNCIL MEETING  
December 20, 2021

The Regular Council meeting of the Town Council of Clear Lake, Indiana was held at the Town Hall on Monday, December 20, 2021, at 7:00PM. Present were Town Council President Darin Thorp, Council Members Brent Schlosser, Dan Rippe, Molly Weber, and Tyson Johnston. Clerk/Treasurer - Jessica Swander, Marshal – Chris Emerick, and Zoning Administrator - Larry Lillmars were also in attendance. There were four residents who signed the guest register and three 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.

ELECTION OF OFFICERS:

Darin Thorp stated that due to a recent resignation there is a vacancy for Vice President.

Brent Schlosser nominated Tyson Johnston for Vice President and then withdrew his nomination.

Darin Thorp nominated Dan Rippe.

No further nominations were given.

Darin Thorp made a motion to appoint Dan Rippe Council Vice President. Seconded by Molly Weber. Motion passed.

COUNCIL ACTIONS:

1. Approval of minutes from the Special Town Council meeting held November 08, 2021, at 7:00PM. Darin Thorp presented the minutes to the Council. Darin then asked for any additions or corrections. No corrections were given.

Dan Rippe made a motion to pass the Special Town Council minutes as presented. Seconded by Tyson Johnston. Motion passed.

2. Approval of minutes from the Regular Town Council meeting held November 15, 2021, at 7:00PM. Darin Thorp presented the minutes to the Council. Darin then asked for any additions or corrections. No corrections were given.

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

3. 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:	\$89,541.94
Sewer Funds:	<u>\$32,009.94</u>
Total Disbursements:	\$121,551.88

Molly Weber made a motion to accept the Voucher Register with Warrants. Seconded by Tyson Johnston. Motion passed.

#### Unfinished Business:

1. Darin Thorp introduced the 2022 Rate of Pay. Darin stated that each employee has received their respective performance reviews and rate increases. All employee rates of pay fall within the approved Salary Ordinance and are provided on the 2022 Rate of Pay. Darin asked for Jessica Swander to read the rate of pay out loud.

Jessica Swander read 2022 rate of pay out loud.

Darin Thorp asked for any questions from Council. None were given.

Brent Schlosser made a motion to approve the 2020 Rate of Pay for employees. Seconded by Dan Rippe. Motion passed.

2. Brent Schlosser discussed status of parking issues. Brent stated that the contractors who were talked to about a parking policy stated that they would comply, however there could be issues when it came to pouring concrete or while doing spray insulation. Brent stated that it would include the Zoning Administrator and our Street and Sewer Superintendent in its enforcement. Dan Rippe stated that he wouldn't be in favor of the Zoning Administrator being a parking enforcer because it is a part time position, and most of the time is spent in the office, not out on the road. Dan stated that he does support the Town Street and Sewer Superintendent enforcing, however the one-hour window wouldn't be practical. Dan also stated that there would be an issue with a gap between four hours and the one-hour limit. Brent stated the Town would need to decide on one or the other. Chris asked that Tree, Lawn, and Utility be added to the definition. Chris stated that the ZA and the Superintendent would not have the ability to tow a vehicle. Dan stated an overhead aspect would need to be worked out. Brent stated that part of the ZA job description is to be out on the site for inspections. Tyson Johnston asked about the training for the ZA as it wouldn't always take up a lot of the time and it shouldn't be a stop gate for a long-term solution. Dan stated that inspection time periods are still in the process of being defined. Tyson stated that having the extra person that could enforce it would be beneficial, not as a main enforcer but as a backup.

Dan Rippe stated that he doesn't want to turn on its citizens and that he doesn't want it to seem like the Town doesn't want the business out here for our residents. Molly stated it was working out the logistics that she wanted to see. She stated she wanted to see how the fine process would work, from warning to first ticket then second. Chris stated that he would add the violations to the traffic system. Molly told Brent he has done a great job pulling everything together.

3. Plan Commission actions update was given by Dan Rippe. Identifying root cause for the process and method escapes leading to late community feedback. Implement corrective actions to the change process. Employ the updated process ensuring the community has ample opportunity to provide an informed opinion on all changes. Provide in process updates and a final report on findings to Town Council during standard Council meetings. Dan provided a slide for a visual on how the Plan Commission will move forward with the action items. Brent Schlosser stated that the initial survey needs to be email or text notifications but that leads you to one source, the Towns website. Darin asked how the initial survey will be done. Dan stated that he will use a broad spectrum and make it accessible on all platforms. We won't know participation rate until we get some responses back and it may take a few swings at it. Molly stated that there needs to be an explanation on what is legal posting and communication, and people need to understand what we can and can't do.

Dan went through the slide which included Problem Statement & Success Criteria Identified

Late (step 8 of 10) public feedback to Town Council resulted in PC recommended changes being tabled.

19 residents provided input to all proposed UDO changes at the August 2<sup>nd</sup> PC public meeting (step 5 of 10).

Resident action items resolved and presented at the November 1<sup>st</sup> PC public meeting (step 6 of 10).

34 residents wrote emails to Town Council preceding the November 15<sup>th</sup> meeting (step 8 of 10). TOCL residents have a recent history of low participation rate in PC change process.

2013 Comprehensive Plan- 158 of 662 (24%) of the households responded 51 (31%) owners and 89 (19%) seasonal.

PC Meeting in 2017- 16 of 662 (3%) of the households participated in the UDO change process.

PC Meeting in 2021- 53 of 662 (8%) of the households participated in the UDO change process.

Bulletin Board Survey in April 2021- 19 of 662 (3%) of the households participated in Washler garbage survey.

Participation rates affect the change process.

Problem Statement: Inadequate resident participation in PC UDO change process.

Initial success criteria established to measure process corrective actions.

Establish a method to communicate change to >75% (497) TBD of households.

Meet a > 25% (166) TBD public participation rate when establishing a recommendation to Town Council.

## Possible Root Causes and Action Items

Significant Root Cause (also referred to as Primary Root Cause) C.1 Change Poorly Communicated

PC meeting advertisement in "The Herald Republican" did not reach significant % of residents.  
TOCL web postings did not reach significant % of residents.

Action Item: Survey residents on preferred communication method/platform  
Moderate Root Causes.

C.2 Change process lacking unintended consequence assessment

Action Item: Develop and add assessment of unintended consequences to UDO change process

C.4 Low % of households participated in change process

8% (53 households) participated in 2021 UDO change process

Action Item: PC to assess synchronizing change process with seasonal households

C.5 Comprehensive Plan Compliance assessment

PC compliance assessment differed from late resident responses

Action Item: Assess if an update is required to the 2013 Comprehensive Plan

D.2 Households not performing their civic duty.

Participation ranges from 3% to 24%.

Action Item: Identify possible causes for households not performing their civic duty and compare to C.1.

E.1 PC gauged public interest by meeting attendance.

PC gauged public acceptance by meeting attendance and email responses.

Action Item: Establish a definitive measure of Public Awareness and set a threshold for recommending changes to Town Council (ref C.4).

### New Business:

1. Dan Rippe discussed Resolution to Transfer Appropriated Funds LIT. Expense is related to the Spillman service which provides our Marshals access to a database of warrants, and criminal records. The Spillman service is County wide and apportioned to its Cities and Towns. The cost of service was increased and approved by Clear Lake Town Council and apportioned in the budget. Payment was approved by Council in November, however an intra fund transfer is required to properly account for the expense.

Dan Rippe made a motion to introduce Resolution to Transfer Appropriated Funds LIT. Seconded by Brent Schlosser. Motion Passed.

Dan Rippe read out loud Resolution to Transfer Appropriated Funds LIT.

Dan Rippe made a motion to open to the public. Seconded by Tyson Johnston. Motion passed.

No comment was given.

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

Dan Rippe made a motion to read by title only for Second Reading. Seconded by Molly Weber. Motion passed.

Dan Rippe read out loud Resolution to Transfer Appropriated Funds LIT by title only.

Dan Rippe made a motion to approve Resolution to Transfer Appropriated Funds LIT. Seconded by Tyson Johnston. Motion passed.

2. Brent Schlosser presented the Steuben County Economical Development annual contract. Brent stated the cost of \$2,000.00 annually has stayed the same in the contract renewal. Paid in quarterly payments.

Brent Schlosser made a motion to open to the public. Dan Rippe added onto the motion to read the agreement out loud. Seconded by Molly Weber. Motion passed.

Brent Schlosser read the Annual Agreement for the Steuben County Economical Development.

Tyson Johnston made a motion to open to public comment. Seconded by Brent Schlosser. Motion passed.

Resident Dr. Todd Rumsey asked about standard reporting. Asking what the Town is getting from its payment to them. At what point is council accountable for reporting back to attendees. He stated that the criticism of the Economic Development is that they collect our \$2,000.00 but we don't receive anything in return.

Brent Schlosser states that he attends monthly and reports back quarterly, but that a quarterly report would be beneficial. They have resources available that can benefit everyone.

Tyson Johnston made a motion to close to the public. Seconded by Molly Weber. Motion passed.

Brent Schlosser made a motion to approve the agreement. Seconded by Molly Weber. Motion passed.

Dan Rippe Nominated Brent Schlosser to continue as the appointment for the Steuben County Economical Development. Seconded by Darin Thorp. Motion passed.

3. Change Order #1 Final Clear Lake Cove & West Clear Lake Drive was introduced by Dan Rippe. API was in contracted 2020 to improve the West Clear Lake Drive culvert and Clear Lake Cove. Due to Covid and complications with drainage on CL Cove, the projects were recently completed. Street & Sewer Superintendent Guy Rodgers inspected the job sites and confirmed all work was completed satisfactorily and even though no significant rainfalls have occurred to provide verification, he recommends final approval. API is requesting final payment consisting of Change Order, Pay App 2, and Pay App Retainage. Dan stated the change order amount of \$261,291.82 comes in under \$955.93 the original awarded amount of \$262,247.75.

Brent Schlosser asked if there are solution if there are drainage issues. Dan Rippe stated that changes that were in a corrective action plan were done, and Guy Rodgers verified the changes. If the design doesn't work, then there was an error in design.

Dan Rippe made a motion to approve Change order #1 Final. Seconded by Tyson Johnston. Motion passed.

4. Clear Lake Cove & West Clear lake Drive API Pay App 2 was introduced by Dan Rippe.

Dan Rippe made a motion to approve and pay Pay app #2 for \$3,502.56. Seconded by Molly Weber. Motion passed.

5. Clear Lake Cove & West Clear lake Drive API Pay App Retainage was introduced by Dan Rippe.

Dan Rippe made a motion to approve and pay Pay App Retainage for \$13,064.59. Seconded by Molly Weber. Motion passed.

6. Resolution for Additional Appropriations Local Road & Grant Fund was introduced by Dan Rippe. Dan explained that this is the 75% match to pay the pay apps that the Town receives in Grants from INDOT.

Dan Rippe made a motion to Introduce Resolution for Additional Appropriations Local Road & Grant Fund. Seconded by Tyson Johnston. Motion passed.

Dan Rippe read out loud Resolution for Additional Appropriations Local Road & Grant Fund.

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

No public comment was given.

Brent Schlosser made a motion to close public comment. Seconded by Molly Weber. Motion passed.

Dan Rippe made a motion to read by title only for second reading. Seconded by Brent Schlosser. Motion passed.

Dan Rippe read out loud Resolution for Additional Appropriations Local Road & Grant Fund

Dan Rippe made a motion to approve Resolution for Additional Appropriations Local Road & Grant Fund. Seconded by Tyson Johnston. Motion passed.

7. Region 3A was introduced and read by Dan Rippe. Region 3A was formed 57 years ago in 1974 through Indiana statute I.C. 36-7-7. Region 3A represents 6 counties and 32 municipalities (Huntington, LaGrange, Noble, Steuben, Wabash, and Whitley Counties). Region 3A Development & Regional Planning Commission's sole purpose is advancing prosperity in Northeast Indiana by assisting communities with State & Federally funded economic development, transportation, and housing projects. Park planning, technology advancements in Town services, and small business development are just a few services that may interest the TOCL. Region 3A Development & Regional Planning Commission is governed by a Board of Directors (BOD) made up of local county and municipal officials and is requesting the TOCL's annual appointment to the BOD.

Dan Rippe nominated Molly Weber to be appointed to Region 3A. Seconded by Brent Schlosser. Motion passed.

#### REPORTS:

1. Financial Report – Jessica Swander presented the financial report showing financials through November 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- Darin Thorp discussed activity around the lake. Report is on file.

COUNCIL REPORT:

Dan Rippe gave Council a packet on objectives for 2022 and wants Council to add objectives so that things can be narrowed down on what we need to focus on.

GENERAL DISCUSSION:

Resident Dr. Todd Rumsey said figuring out how people want to communicate which will be a challenge. He also discussed lane obstructions for emergency vehicles and that some of it involves Town repairs also.

There being no further business or discussions, Council President Darin Thorp adjourned the meeting at 8:41 p.m.



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Darin Thorp, Council President



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Attest: Jessica Swander, Clerk/Treasurer