



Town Council of the Town of North Judson
Regular Meeting Minutes

August 19th, 2024 – 6:30 PM

The North Judson Town Council met in Regular Session at the North Judson Town Hall, 310 Lane Street, North Judson, IN on the above date and time with the following present: Council President Rowe, Council Vice President Brown, Councilmember Banks, Felchuk and Lewandowski; Town Manager Leszek and Clerk-Treasurer Rowe were present as well.

The Pledge of Allegiance was recited.

Council President Rowe asked for approval of the agenda. Council Vice President Brown moved to approve the agenda. Councilmember Felchuk seconded the motion, and all Councilmembers present concurred.

Council President Rowe asked for approval of the Minutes from the Regular Council Meeting on August 5th, 2024. Council Vice President Brown moved to approve those Minutes. Councilmember Banks seconded the motion, and all Councilmembers present concurred.

Council President Rowe asked for approval of the Minutes from the Memorandum on August 14th, 2024. Council Vice President Brown moved to approve those Minutes. Councilmember Banks seconded the motion, and all Councilmembers present concurred.

Old Business:

2025 Budget Update

Clerk-Treasurer Rowe explained that he was able to send out the most recent Form 1 Budget Appropriations for 2025. He explained that there had been a few changes to insurance and the MVH Local Bridge and Road Matching Grant and that the numbers were as accurate as possible. He also stated that the budget included the two sidewalk projects and the match for CCMG 2025 Project within the MVH Fund. Rowe continued to say that the unappropriated side would apply to the Town's DES projects that would have 75% to 80% of funds returned to the Town, depending on the project. The other change to the budget was to the Local Bridge and Road Grant and Rowe explained that grant was \$260,000.00 with the Town's match being \$102,000.00. Rowe stated that they would be holding their Public Hearing and First Reading during their first meeting of September after the Form 3 is submitted on Friday, August 23rd, 2024.

New Business

Town Marshall Resignation

Vice President Brown read aloud a notification from Kelly Fisher that was received on Friday, August 16, 2024. The letter stated that Fisher has resigned her duties as Town Marshall requesting to receive the balance of her vacation and PTO time accrued.

Town Manager Leszek read aloud a statement from the Town regarding the Town Marshall resignation. The statement was follows, "The Town of North Judson was recently made aware of Cause No. 20D04-2403-CM-000557. We have no comment regarding the pendency of that case. The Town of North Judson has accepted the resignation of Kelly Fisher effective Thursday, August 15th, 2024. We will respect her privacy moving forward."

Vice President Brown made a motion to accept the resignation of Kelly Fisher from the North Judson Police Department effective Thursday, August 15, 2024, and to pay out her remaining vacation and PTO time. Councilmember Felchuk seconded the motion, and all members present concurred.

Fleis & Vandenbrink (F&V) – Park Sidewalk Project Update

Larry Lawler from F&V noted that there were questions regarding the proposed fees which Fleis & Vandenbrink have assessed relating to the Park Sidewalk Project. He stated that back in January 2023, they had submitted to INDOT the sidewalk plan for stage one and the technical review for the ADA sidewalks for which the design had been approved. He explained that in March 2023 they first had requests for the CAD drawings of the project. Then in October of 2023, the environment documents were approved which was a major step in getting this project approved by INDOT. He continued on to say that in January 2024 he had discovered that the request for CAD drawings from Troyer Group, advising the Town on the Park Improvements Project, was actually for an Indiana Department of Natural Resources (DNR) – Land & Water Conservation Fund (LWCF) Project. With it being an LWCF Project, that directly impacts their (F&V) environmental documents. He also informed the Council that he tried to check their (DNR) website to see if the project had been posted. At that point he called INDOT who informed him that he would need to submit additional information to make sure that the new LWCF information is within the plan. He stated that he was requesting that the Town of North Judson cover the cost of Fleis & Vandenbrink obtaining and submitting additional documents required by INDOT. Council President asked if Lawler knew whose fault it was for not catching this in the beginning. Lawler confirmed that the blame would be on the Town of North Judson and Troyer Group for not informing them that the project was an LWCF Project. Lawler stated that he did not coordinate with Troyer Group till the CAD drawings were requested. Mike Reese stated that Troyer Group had sent over everything that had been requested by F&V and they had previously carried out walkthroughs with other previous employees from Fleis & Vandenbrink years ago at this point. He also stated that they combined both consultants' plans and that they had minimal issues requiring F&V to update their designs. Council President Rowe asked how much the cost of the changes is. Lawler replied that the cost would be \$15,000.00 but Leszek asked if there was any way the cost could be lowered, and Lawler was able to get the final cost to be just over \$12,000.00. Council President Rowe asked what the \$12,000 would be paying for and Lawler stated that it was for several drawings that had to be redone to fix ADA sidewalk details and then rewrite portions of an environmental documentation. He explained that it would cover the cost of time and work going into these documents and he would not be able to begin on them until he had a signed agreement with the Town. Reese stated that Troyer Group's plans have been in Town Hall for several years at this point. Leszek mentioned that the project had been planned and working through DNR since 2022, but he also knows that F&V has had some employee turnover during the course

of the project so there is a definite lack of information continuity and follow-through when things ultimately fell to Lawler. He explained that Lawler was the fourth person F&V sent to represent them on the project which made it hard to know who would've received and entered/submitted what information. The matter in discussion was tabled for a later date.

Mike Reese – Troyer Group: LWCF Park Improvements Project Updates

Mike Reese was present on behalf of Troyer Group in order to give an update on the Town Park Improvements Project. He stated that the Park Project was going very well and that they would be hoping to reach completion by mid-September. After that the Town will be able to take over and start opening the park up to the public. He explained that the playground equipment and the pavilion should be finished within the next few weeks. Reese also informed the Council that DNR will be coming out to review the park to and conduct a walk-through. Rowe confirmed that the picnic tables have been ordered and they should be delivered within the next few weeks.

Recognition of Guest

Anita Goodman was present on behalf of WKVI and had nothing to present.

Larry Lawler was present on behalf of Fleis & Vandenbrink. Lawler had nothing to present at this time.

Scott Krzyzanowski stated that there were several properties on Franklin Street that were not keeping up with their backyards or the alleyway located behind the houses. He explained that the alley originally had two paths but now the vegetation is so overgrown you can only go down one way. He also had some neighbors stop taking care of their bushes and now they are overgrown over the sidewalks. Clerk-Treasurer Rowe stated that they have been working on sending out mowing letters and if these properties were not on the list, then they will start working on including them as well.

Chrissie Scutchfield explained that there were several members of the community interested in moving the Mint Festival closer to Norwayne Field in order to have the festival in a more central location. She stated that she and a few members of the community have started doing the legwork to see what would need to be done in order to do this. Scutchfield asked if they would need approval from the Town in order to move the festival from Lane Street to Keller Avenue and Main Street. She also asked if the Town would step in if the Mint Festival Committee was not interested in changes to the festival. Council President Rowe stated the Town approves the festival's Special Event Permit Application, but the Town would not want the responsibility of organizing the festival. He stated that he agreed that moving the festival would make things flow better, but he also knew that one of the problems with moving the festival was that there was not enough electricity for the vendors. Rowe mentioned that there have been discussions about the cost to move the electric in that direction, and whether the Town could assist in covering the costs. Scutchfield stated that she was meeting with NIPSCO tomorrow to discuss the cost. She also mentioned that she spoke to Clerk-Treasurer Rowe and to Mary Perren regarding funds and who is willing to donate money to the endeavor as well. Leszek stated that they are getting quotes to see how much it would cost the Town to fix some of the outlets around Norwayne Field. Scutchfield invited Leszek to join their meeting with NIPSCO which he agreed to.

Dana Carpenter asked if the Town would be willing to install some stationary trash cans around the Town in order to help reduce the litter. She also wanted to know who decides the dates for the Town-Wide Yard Sale. She was informed that the Billing and Deputy Clerk were in Charge of planning that event. Billing

Clerk Lewandowski mentioned that they were discussing moving the sales to the middle of July in order for children to get school clothes sooner. Carpenter asked if the Town received money from the infrastructure bill and if so, why would they be needing a grant to fix the roads around town. Clerk-Treasurer Rowe explained that they received money from the American Rescue Plans Act in previous years, and the money was able to help the Town replace their outdated equipment at the Water Plant, fix drainage issues on several local streets, repave local roads and put in new sidewalks. Carpenter felt that the grants were funded by the taxpayers, and she felt that the Town was not using these grants for the betterment of the community. Carpenter stated that adding a charging station for electric vehicles would not benefit the community. Rowe explained that a charging station would place us on a map that would allow people with electric vehicles to see our station which, ultimately, means more people would more likely visit our local establishments. She asked why not use the grants for the Water Department to help cover costs of the chemicals to help lower the water bills. Leszek stated that the water bills had to increase since the cost of the chemicals had increased and there were no grants currently available for consumable products.

Jill Bejes asked why the Town waits until the week before the Mint Festival to clean up around the community. She wasn't sure why the crews waited so long to paint the curbs around town and try to get Norwayne ready right before the festival was getting ready to begin. Council President Rowe stated that what hurt the Town the most this year was that we've had some turnover of employees. He continued to explain that the Utility Crew had been understaffed most of the summer and that they were going to fill a full/part-time seasonal employee in the summer to help with the upkeep of all of our Parks and Town properties.

Christina Alexander was present but had nothing to discuss at this time.

Brenda Vlach stated that there were several properties located on High Street that have not been taking care of their yards. Leszek stated that he believed the properties have had several fines throughout the year, but it is difficult to get them to pay. The Council informed her that they would try and do everything they can to try and get the properties cleaned up.

Donna Henry was present on behalf of the Mint Festival Committee. She stated that the Mint Festival meetings have always been open to the public to get ideas from members of the community. Council President Rowe stated that he felt that the committee was not very open to change since they never try any of the ideas that get presented to them. Henry stated that they wouldn't mind changing things up but that the changes people were wanting required more funding. Henry wanted to thank the Council and the members of the community for their input and making their concerns aware to her. She stated that they will be having a meeting on Thursday, August 22nd at 6:30 PM at the North Judson – Wayne Township Public Library.

Bill Ramp asked if anyone knew where he would be able to dispose of medical diabetic needles properly. Leszek informed him that the local hospitals or doctor offices might take them or be able to point him in the right direction of disposing properly. Ramp also wanted to inform the Police Department that the speed radar was not working properly and was not recording the speed limit as people were moving near it. Ramp noticed that there was a house on Railroad Street that looked abandoned since nothing around it had been taken care of. He also mentioned that it would be a good contact the County Courts to see if they have people looking for community service opportunities in order to help clean up the Town. Ramp stated that the owners of the abandoned buildings need to be contacted since most of the buildings are becoming safety hazards.

Department /Representative Reports

Clerk-Treasurer - Andrew Rowe

Clerk-Treasurer Rowe presented the following Customer Adjustment Requests:

-There was an adjustment request on Account No. 1750002. The customer made an ACH payment for their bill due July 12, 2024, into the General Fund account instead of the Utility Clearance account on June 23, 2024. Requesting a credit of \$45.31 for penalty that was posted on July 16, 2024.

-There was an adjustment request on Account No. 2045001. The customer made an ACH payment for their bill due July 12, 2024, into the General Fund account instead of the Utility Clearance account on June 23, 2024. Requesting a credit of \$13.50 for their penalty that was posted on July 16, 2024.

Councilmember Felchuk made a motion to approve:

-There was an adjustment request on Account No. 1750002. The customer made an ACH payment for their bill due July 12, 2024, into the General Fund account instead of the Utility Clearance account on June 23, 2024. Requesting a credit of \$45.31 for penalty that was posted on July 16, 2024.

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Councilmember Banks seconded the motion, and all the members present concurred.

Rowe presented the following:

P.O. 2636 to North Judson San Pierre Athletic Department for White Sponsorship – 1 Year, in the amount of \$500.00.

P.O. 2637 to Recreation inSites, LLC for PPA-1 for the Town Park Improvement Playground Equipment and Installation, Invoice 1143, in the amount of \$245,203.00.

P.O. 2638 to Baker Tilly Municipal Advisors, LLC for Services related to ongoing support per the agreement dated January 31st, 2024, Invoice BTMA 26906, in the amount of \$1,671.50.

Council Vice President Brown made a motion to approve the following:

P.O. 2636 to North Judson San Pierre Athletic Department for White Sponsorship – 1 Year, in the amount of \$500.00.

P.O. 2637 to Recreation Insites, LLC for Town Park Improvement Playground Equipment and Installation, Invoice 1143, in the amount of \$245,203.00.

P.O. 2638 to Baker Tilly Municipal Advisors, LLC for Services related to ongoing support per the agreement dated January 31st, 2024, Invoice BTMA 26906, in the amount of \$1,671.50.

Councilmember Banks seconded the motion, and all members present concurred.

Rowe presented a Special Event Permit Application for Perk Express Block Party on Saturday, August 31st, 2024. Leslie Zank was present to explain what the event was. She explained that she would be hosting a block party on a lot that she owes in order for her neighbors to come together and enjoy food and entertainment. CT Rowe asked if the proper insurance policies would cover the block party, Billing Clerk Lewandowski stated that all the paperwork was filed correctly. Council Vice President Brown made a motion to waive fees and approve the permit. Councilmember Banks seconded the motion, and all members present concurred.

Rowe stated that regarding the recent Kroger Opioid Settlement, the State of Indiana had decided to opt in. He also asked if the final check for Kelly Fisher would be prorated based on her hours times the Town

Marshal salary divided by eighty-four hours to obtain an amount per hour. Vice President Brown made a motion to prorate Fishers final check based on her hours and the divided salary amount. Councilmember Banks seconded the motion, and all members present concurred.

Rowe stated that American Legal Publishing had requested our Town Code Updates via all ordinances and resolutions adopted since late 2022. He stated that we have a new person that the Town will be working with in order to make sure all of our Town Ordinances are properly published and implemented w/in the Town Code. He mentioned that they will also be including any Indiana or Federal codes or guidelines that have been passed as well.

School Board – Doug Wilde

Council President Rowe stated that Wilde will working in the evenings and will not be able to attend the Council Meetings on a regular basis. Rowe explained that Wilde wanted to share the school year was having a great start and that he would be available by phone if anyone had any questions.

Building Inspector– Nick Radtke

Nick Radtke stated that Steindler Signs contacted him about installing an archway at the beginning of the trailhead in Town and were wondering if they would have to pay a fee for the permit. Council Vice President Brown made a motion to waive the sign permit fee for the Erie Trailhead signage. Councilmember Lewandowski seconded the motion, and all members present concurred.

Radtke also mentioned that he had been busy handling pool permits and electrical issues throughout Town.

Clerk-Treasurer Rowe stated that he had been working with Leszek regarding the abatement of some of the unsafe issues, most of them being building and sheds within town. He explained that they have gotten the forms needing to be filled out, but they would need to attach the proper Town and IC Codes. Radtke stated that he would be able to get with them later in order to get them the proper codes for unsafe structures.

Code Enforcement – Chief Deputy Thomas

Nothing Presented.

Unsafe Hearing

Nothing Presented.

BZA/Planning Commission

Nothing Presented.

Redevelopment Commission

Clerk-Treasurer Rowe stated that there would be another meeting sometime in the middle of September. He stated that it would all depend on how the billing would come in and that he would inform the Commission if they needed to meet sooner.

Park Board – Nick Radtke

Radtke stated that the pickleball courts have been very active since they've been open. He informed everyone that they are currently waiting for the lighting to go up over the courts so people can use them for a few more hours in the evenings. He stated that the Park looks beautiful and that he is very excited for it to be open for the public to enjoy. Council President Rowe asked if they figured out if they were planning

on locking the courts at night. Radtke stated he didn't believe there was a lock yet; Leszek confirmed that they were not locking the courts yet but if any issues raised then they would be sending the night shift police officers to lock them up in the evening.

Radtke asked if the Council wanted the water to be turned on for the ribbon cutting ceremony since it will be late in the season. Council President asked when the crews normally shut the water off for the season. Leszek stated that they usually turn the water off in October depending on weather conditions. Mike Reese mentioned that it would be a good idea to turn the water on in order to make sure all of the water facilities were working properly and if an issue pops up then the contractor will be able to fix it there instead of discovering any problems in the spring.

Police Department – Chief Deputy Thomas

Town Manager Leszek stated that they sent the 2022 Dodge Durango to Winamac Dodge and they were informed that the throttle body on the transmission had gone bad, but it was replaced under the warranty. They were also told that the fuel pump was going bad and that was the cause of their starting issues. Leszek informed the Council that everything had been fixed and that the Durango had no problems. He also mentioned that he and Thomas had taken the Tesla to Patrick Auto Group in order to get new tires and belts replaced. Officer Thomas stated that the Durango is running fine as of now but there were still some minor problems going on. He wanted to inform the Council that they should be thinking about getting rid of the Durango's sooner rather than later given their extensive mechanical issues.

Leszek stated that he had spoken with DC Garage Doors about replacing the garage doors at the Police Department. The company was able to get all of the parts ordered and they planned to come replace the doors on Wednesday, September 4, 2024.

Leszek recommended Chief Deputy Frank Thomas assume the role of Interim Town Marshal to fill the void as they move forward to the Town Council. He also discussed making sure that Thomas was compensated for the position as well.

Vice President Brown made a motion to move Frank Thomas up to the Interim Town Marshal position. Councilmember Felchuk seconded the motion, and all members present concurred. Council President Rowe discussed the wage structure for Thomas.

Fire Department – Fire Chief Todd Jackson

Fire Chief Jackson was not present. Town Manager Leszek stated that Chief Jackson was currently out of Town on business. He informed the Council that the Department will be having a solar training session this Saturday, August 24th in San Pierre. The training session will be going over how the systems work so if there was ever a fire in the area the local Fire Departments would know how to handle it.

Utility Department – Utility Supervisor Kimberly Kapp

Utility Supervisor Kapp wanted to remind all Town residents to keep in mind that the "flushable" wipes are not actually flushable. She explained that their lift stations pumps have a hard time with the wipes and that residents need to only flush toilet paper. Kapp also stated that her crew was able to remove trees and stumps from Highland Cemetery in order for the new fence to be installed. Leszek stated that the fences have been installed and that they look nice. He mentioned that they would probably have to go back and level some areas but that would be later down the road. Kapp stated that her crew has also been keeping up with some maintenance and mowing.

Kapp presented the following:

P.O. 2630 to Utility Supply Company for 5/8 Coon for Iron Meter (20) and ¾ Conn for Iron Meter (20), Invoice 1492397, in the amount of \$1,480.00.

P.O. 2631 to Flow Technics, Inc. for Annual Lift Station Audit & Inspection, Invoice INV000011074, in the amount of \$2,750.00.

P.O. 2632 to USA Blue Book for Lab Supplies, Invoice INV00447858, in the amount of \$741.61.

P.O. 2633 to Republic for Removal of two Sludge Dumpsters, Invoice 0717-001630307, in the amount of \$4,196.10.

Council Vice President Brown made a motion to approve the following:

P.O. 2630 to Utility Supply Company for 5/8 Coon for Iron Meter (20) and ¾ Conn for Iron Meter (20), Invoice 1492397, in the amount of \$1,480.00.

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Councilmember Banks seconded the motion, and all members present concurred.

Kapp also wanted to inform everyone that they will be starting to install the Radio Read Meters around town within the following days.

Town Manager – Joe Leszek

Town Manager Leszek stated they have finished a few INDOT vouchers in order to get reimbursed for some of our federal projects so the Town should be seeing those checks soon. He met with the curbing contractor and soon as they are able to get to an area where hill excavating is finished with their part then they will be able to start curbing near the playground and the parking lot.

Council President Rowe asked if P.O. 2619 needed to be paid for. Leszek stated that the reason why this looked like a newer bill was because this was the first time they sent an officer to ILEA which is a military style training academy where the officers must stay on campus in a dorm like setting. Marshal Thomas explained that most of our officers were sent to NILEA, which is an academy nearby, and the officers are allowed to go home at the end of the day. Leszek stated that we had to pay the P.O. since the officer did not finish at the academy.

Leszek presented the following:

P.O. 2634 to Gary & Sons for Highland and Pioneer Mowing, in the amount of \$2,000.00.

P.O. 2635 to White's Fencing for Labor and Installation of Highland Cemetery Fence, Invoice 240820, in the amount of \$6,825.00.

P.O. 2619 to ILEA for Tier 1 Basic Course for B. Menke, Invoice 2024-60, in the amount of \$1,035.00.

Council Vice President Brown made a motion to approve the following:

P.O. 2634 to Gary & Sons for Highland and Pioneer Mowing, in the amount of \$2,000.00.

P.O. 2635 to White's Fencing for Labor and Installation of Highland Cemetery Fence, Invoice 240820, in the amount of \$6,825.00.

P.O. 2619 to ILEA for Tier 1 Basic Course for B. Menke, Invoice 2024-60, in the amount of \$1,035.00.

Councilmember Felchuk seconded the motion, and all members present concurred.

Legal Updates – Town Attorney Justin Schramm

Schramm discussed that code violations are more complicated than the average citizen would believe. He explained that when people go to sue others for unsafe buildings the process can drag out for two to three months. He also stated that mowing liens can be attached to the properties but then the houses can go up for tax sale and the liens get scrubbed off. Sometimes people are willing to pay the liens and others are not so it can make the process very complicated. He commented on how Leszek and the Police Department have done an excellent job sending out violations and following through to clean up properties around Town.

Additional Business Deemed Necessary by the Council:

Council Vice President Brown made the motion to move the Monday, September 2nd (Labor Day) Council Meeting to Tuesday, September 3rd, 2024. Councilmember Banks seconded the motion, and all members present concurred.

Payment of Claims:

Council Vice President Brown made a motion to pay Payment of Claims in the amount of \$198,684.53. Councilmember Banks seconded the motion, and all members present concurred.

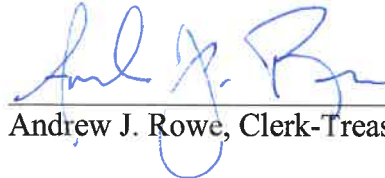
Councilmember Felchuk made a motion to adjourn, Councilmember Banks seconded the motion, and all members present concurred.

Meeting adjourned at 8:30 P.M.



John Rowe, Council President

Attest:



Andrew J. Rowe, Clerk-Treasurer

Next regular scheduled meeting – Tuesday, September 3rd, 2024, at 6:30 P.M.