



MEETING MINUTES
POSEYVILLE TOWN COUNCIL
Date of Meeting: Tuesday February 14, 2023

CALL TO ORDER: The meeting was called to order by Michael Baehl President at 5:30 PM.

PRESENT: Bruce C. Baker, Mike Baehl, Justin Rutledge, Council Attorney William Bender and Clerk Treasurer Christy Foster

Virtual Meeting held due to the Pandemic Virus, as well as in person

Virtual Attendee's: Judy Voegel, Jodie Rankin, Derick Wiggins

In person Attendee's: list attached to minutes.

APPROVAL OF PRIOR TOWN COUNCIL MEETING MINUTES January 10, 2023 and Special called meeting January 31, 2023

Motion was made to approve minutes from January 10, 2023 by Justin Rutledge 2nd by Bruce Baker

Roll Call Vote taken, Baker Yes, Justin Rutledge Yes and Mike Baehl Yes

Motion was made to approve minutes from January 31, 2023 by Justin Rutledge 2nd by Bruce Baker

Roll Call Vote taken, Baker Yes, Justin Rutledge Yes and Mike Baehl Yes

CLAIMS WERE PRESENTED at Town Hall at 12 pm on February 14, 2023

Motion was made to approve the claims by Bruce Baker and 2nd by Justin Rutledge

Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

Bank Reconciliation

Motion was made to accept the bank reconciliation as presented by Justin Rutledge 2nd by Bruce Baker

Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

Public Comment: Ryan Oeth from the Kiwanis was present he presented a spread sheet with the final numbers for the proceeds from the Bierstube 2022. Board and Ryan discussed the atmosphere of the event. The event was well received by the public. No incidents to report. Officer Carter asked that the fencing be changed for the next event. Officer Carter will get with the Kiwanis to discuss further. Ryan then asked permission to have another event this year. The board agreed that this was a good event and would like to have them come again next year to ask permission to make sure no changes needed as they grow.

Motion was made to allow A Bierstube sponsored by the Kiwanis this year in affiliation with Autumfest 2023 by Justin Rutledge and 2nd by Mike Baehl

Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

Bids for the improvements to the water plant for nitrates: A letter was read from engineers (Exhibit A) original bidder Melkay did not have bid in proper requested format causing bid to be higher than proposed Melkay was non responsive and responsible. The next lowest bid came from Huntingburg Machine Works which meet all the requirements with a bid of \$1,840,450.00 contingent on approval and financing. Letter from midwestern engineers exhibit A

Motion was made by Bruce Baker to award the contract to Huntingburg Machine Works for \$1,840,450.00 contingent on approval and financing

Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

Amending Ordinance 14-10-8-03: Ordinance was read by Clerk Treasurer Christy Foster. There was no additional discussion.

A motion was made by Justin Rutledge to except amended Ordinance 14-10-8-03 2nd by Bruce Baker
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

Amended and restated Ordinance 2023-02-14-01:

Mike Baehl stated that Bose McKinney & Evans LLP, attorneys of Indianapolis, employed by the Town as bond counsel, had prepared a bond ordinance that had been adopted on January 10, 2023. After examining the bids, the engineer and municipal advisor advised the Town that if they desired to do any work on the water tower in the future with these bond proceeds, that the project description in Exhibit A to the bond ordinance will need to be amended. The amended and restated ordinance for consideration by the Council this evening contains additional language in the Exhibit A authorizing the water tower rehabilitation as part of the approved water project.

However, prior to pursuing the water tower rehabilitation project, the Council will hold a public hearing to discuss both (i) the completion of the project within the original scope which may result in a lower financing amount or (ii) adding the water tower rehabilitation project to the scope of work. Included in that public discussion would be the resulting user rate impacts associated with both options. Documentation of the public hearing would be provided to the State Revolving Loan Fund representatives along with the final request to expand the financing to include the water tower rehabilitation project.

Mike Baehl then stated that it would now be in order for the Council to consider said amended and restated ordinance.

Mike Baehl then introduced the ordinance entitled “An Amended and Restated Ordinance concerning the construction of additions and improvements to the waterworks of the Town of Poseyville, Indiana, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said waterworks, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith,” and moved that said ordinance be numbered and placed on first reading, and that the same be read by title at this time.

Said motion was called for by Justin Rutledge seconded by Bruce Baker
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

The ordinance having been numbered Amended and Restated Ordinance No. 2023-02-14-01, and having been read by title, Mike Baehl moved that the ordinance be read a second time by title and opportunity be given for the offering of amendments.

Said motion was called for by Justin Rutledge seconded by Bruce Baker
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes

Ordinance No. 2023-02-14-01 was then read a second time by title and no amendments were offered. Mike Baehl moved that any applicable local rules be suspended and that unanimous consent of the members present be given for consideration of Ordinance No. 2023-02-14-01 on the day or at the meeting at which said ordinance was introduced and for third reading of Ordinance No. 2023-02-14-01 at this meeting without further consideration.

**Said motion was called for by Justin Rutledge seconded by Bruce Baker
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes**

Mike Baehl stated that the motion for the suspension of the rules and such consideration of Ordinance No. 2023-02-14-01 having been carried by unanimous vote of the members present, final action on said ordinance would now be in order. Mike Baehl then directed the Clerk-Treasurer to read said ordinance a third time by title.

Said ordinance having been read a third time by title, Mike Baehl then moved that the ordinance be adopted as read

**Said motion was called for by Justin Rutledge seconded by Bruce Baker
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes**

Mike Baehl announced that there being at least two-thirds of the members elect of the Council present at the meeting and the motion for adoption having been carried by a two-thirds vote of all such elected members, Ordinance No. 2023-02-14-01 had been duly passed and adopted.

For financial purposes Clerk Treasurer Christy Foster ask the board to allow payments to Midwestern Engineer and any preliminary work by others associated with the SRF loan/grant to be paid at the closing.

**Motion was made by Bruce Baker to pay any SRF preliminary cost at closing 2nd by Justin Rutledge
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes**

Police Department: Officer Carter reported: Weather is getting warmer beware of kids darting in and out. Also, a reminder the stop arms on the bus is not a suggestion. It means stop. There have been 3 violations this year. This is a criminal offense. These offenses are being sent to prosecutor.

Utility Dept: Utility department wanted to remind users if you receive a late letter, please contact the office. The Office, if necessary, will make arrangements for payments.

Fire Dept: Fire Chief Mike Crawford presented a receipt of donations to the board where they had pad Wilderman's with donation money.

Mike also presented a change order for the new fire truck. Documents are now on file.

Mike is working with Principal Fischer to start a program for Junior and Seniors to get them interested in firefighting. They are looking for grants for this program. Alyssa Brooks is heading up the grant writing process for various programs that are available to them. Mike also reported that Home Depot is donating the lumber for their training center. A very generous donation. Mike thanked Home Depot for this gracious donation. Some of the grants they are looking at have a 5% match. They are working on getting the money for that match. Mike Baehl and Bruce Baker thanked the fire department for all they were doing to fund their needs. Mike is getting flow test for the air packs and will need battery replacements cost is 960.00. there is allocation for this. Also turn out gear is in pretty good shape. The only thing they will need is boots the cost per pair is \$320.00 they need 6 pair. Christy checked their appropriations line for turn out gear and found it adequate for their need.

Mike has attended the trustee meeting. He was discussing the budget. the cost of running things have increased but the budget has not. He wants to request a budget increase. Christy said that if he could get his budget together soon, she would sit down with him and discuss it. Christy requested he get this to her no later than April. Mike let the board know that he takes his job seriously. He is working to protect the assets. He said he was disheartened that at an insurance meeting he was not allowed have a declaration at the meeting. He then asked officially for that document. A discussion concerning freedom act was brought up by Justin Rutledge. Justin felt like this was a "a pissing match between Mike Crawford and Mike and Bruce" "we just need to work together". Mike tried to explain the insurance meeting was not a place to make decisions. Bruce Baker then explained that for all insurance needs he should contact the Clerk Treasurer. That she was the coordinator for insurance. Any questions concerning this she could answer. Mike Crawford was not happy with this stating he did not want to wake someone up in the middle of the night for a claim. Christy asks the board to speak to this. Christy tried to explain that claims are not immediate. That he can wait to call the next day. He has her number and she will file all claims and make adjustments to policies as needed. We do not need multiple people involved. It is much smoother with one person coordinating. Discussion was closed with a motion.

**Motion was made by Justin Rutledge to approve the request for the declaration.2nd by Mike Baehl
Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge Yes, and Mike Baehl Yes**

Street Dept: Just a reminder to those that have mud and rock on the roads in front of them. If you wash this off it goes in sewer system clogging up the pipe line and could cause damage. Please be mindful.

Scoop and remove

Parks Dept: N/A

Community Center: NA

Cemetery: N/A

Misc. Business: Christy made the council aware of a letter from an organization that wanted to file for the renewal of our FCC license. The suggestion from Christy was to save money she could do this on line herself. Doing this in house will save the \$120.00 fee. She had contacted the FCC to see what was the fee if done by her. They told her no fee if done by Clerk Treasurer. They sent instructions for her to be able to do this process. Board agreed save money and Clerk Treasurer could file. She will submit this request in June if done to early the FCC said it would cause issues.

NEXT MEETING:

The next meeting of the Poseyville Town Council for 2022 will be held **Tuesday March 14, 2023** at 5:30 PM, This will be a in person and virtual meeting.

THERE BEING NO FURTHER BUSINESS, the meeting was adjourned.
With a motion made by Justin Rutledge and 2nd by Bruce Baker the meeting was closed.

Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes

Respectfully submitted,

Christy Foster

Christy Foster, Clerk/Treasurer

ATTEST:

Michael Baehl

Michael Baehl, Council President