

The Santa Claus Town Council & Santa Claus Town Council met in regular session on April 10, 2023 at the Santa Claus Town Hall located at 90 N Holiday Blvd Santa Claus, In. The meeting was called to order by President, Kevin Burke at 5:30 pm

Pledge of Allegiance

YouTube- Yes

Town Council Members Present: Jason Little, Patricia Vaal, Kevin Burke, Seth Windell and Brian Warran

Absent: None

Also, Present: Clerk-Treasurer; Jane Lindsey, Town Attorney; Kevin Patmore, Fire Chief; Max Meyer, Park Superintendent; Zach Tischendorf, Police Chief; James Faulkenburg, Building Inspector; Todd Hays & Superintendent; Russ Luthy

MINUTES

Patricia Vaal made a motion to approve the March 13, 2023 meeting minutes and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 4-0 (Seth Windell arrived at 5:32 pm)

COMMENTS FROM THE FLOOR

Aaron Von Hoven from Clark-Dietz spoke regarding the invoice in the amount of \$41,054.31. This invoice was the overage above the original contract dated 11/23/2020. Von Hoven explained that the original contract was based on 9 months of time and 1300 hours and when the project was re-bid in May of 2021 INDOT allowed for extra time and extended the timeframe to 14 months and 2,000 hours. The actual time it took was 1,755 hours.

Clark-Dietz stated they tried to minimize the overage and they never increased the hourly rate from 2020 even though they had to increase the rate of pay for the employees. Patricia Vaal said the contract language states that the town is not responsible. Attorney Kevin Patmore agreed. Vaal said she understands that they have done multiple projects for the town. Russ Luthy confirmed that Clark-Dietz has done several projects for the town and commented that this is the first time Clark-Dietz has asked for an additional amount. Jason Little asked Von Hoven why Clark-Dietz did not adjust the contract when the project was re-bid. Von Hoven stated that they do not do that. INDOT expects them to submit contracts 6 months in advance of bids so the contract presented is based on a lot of assumptions. Kevin Burke stated that there was plenty of time to re-submit a new contract. Seth Windell stated that Clark-Dietz was not notified that there was a re-bid and the timeframe had been extended to 14 months. Seth Windell suggested the funds come from rainy day. Patmore said they could also come from TIF.

Seth Windell made a motion to pay Clark-Dietz in the full amount of \$41,054.31 from the A & C Tif Capital. Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried 5-0

COMMENTS FROM THE PRESIDENT

Kevin Burke reported that the town has not received any new updated from Riverview.

MARCH REPORTS FROM DEPARTMENT HEADS

FIRE DEPARTMENT MAX MEYER

First Responder EMR 6

Fire/Fire Alarms-2

Total Activities-8

Medicine Clean-Out Day is scheduled for April 22, 2023 from 8 am- 12 noon at the Firehouse. Max Meyer presented a new report that Meyer will be including each month. The report shows a detailed record of the runs they have made including date, time, reason, and location.

PARKS & RECREATION/COMMUNITY CENTER ZACH TISCHENDORF

SCCC Active Members-125, New Members-8, Daily-51, Big Room Rental-0, Big Room Hourly Rental-0.

COMPLETED PROJECTS-The sport fields and concession stands have been prepared for the start of spring sports. The new mower was purchased. They have not used it yet.

NEW/ONGOING PROJECTS-April 8, 2023 Spring Flings & Easter Things was a success with 350 in attendance. There were 4 food trucks and everyone seemed to enjoy the event. There have not been any applicants for the full-time position. Kevin Burke suggested they advertise for seasonal/part time. Kathy Reinke offered to post the job opening on her job search site. Zach Tischendorf reported that they are looking into purchasing a new floor scrubber and a new window for the foyer pending budget funds.

ITEMS FOR TOWN COUNCIL-

BUILDING INSPECTOR TODD HAYS

Number of ILPS Issued	10
Number of New Permits	7
Number of Post Hole Inspections	0
Number of 911 Addresses Assigned	0
Number of Electrical Permits Issued	0
Number of Solar Inspections	0
Number of Footing Inspection	2
Number of Foundation Inspections	1
Number of Rough in Plumbing Inspections	3
Number of Rough in HVAC Inspections	2
Number of Rough in Electric Inspections	4
Number of CenterPoint Inspections	0
Number of Gas Inspections	1
Number of General Inspections	6
Number of Framing Inspections	1
Number of Concrete Floors/Slabs	0
Number of Basements Walls Inspections	1
Waterproofing Foundations Inspection	1
Number of Underground Plumbing	0
Number of Electric Meter Inspections	4
Number of Final Inspections	0
Number of Certificate of Occupancy	0

Back 9 signs were approved on 3-9-23. Patricia Vaal asked if there were any updated on the 2 Melchior houses. Todd Hayes reported that nothing new. APC & BOZA meeting was held on March 20th. Hayes reported that he hand delivered a violation letter to Lake Rudolph for their sign and Hayes spoke to the management at Casey's General Store about the derelict vehicle in their parking lot. Hayes reported it was moved the next day.

POLICE DEPARTMENT JAMES FAULKENBURG

Off Duty Call Outs-8

Citations TOSC-10

Warnings TOSC-78

Crash Reports-3

Vehicle Inspections-3

Domestic Disturbances-0

Assist another Department-15

Medical Emergencies-3

Disturbances-57

Theft Reports-3

Verbal Warnings-0

Case Reports/Investigations-11-71

Warrant Service-2

Gun Permits-2

Arrests-2

Assist Motorist-4

Reserve Hours for the month of March are as follows: Jazyk-8 hrs, Kennedy-16 hrs, Goffinet-28 hrs.

James Faulkenburg said things are slowly starting to pick up. Patricia Vaal said she has received questions asking why there was a police car parked at Stone Ridge. Faulkenburg said he would update her on that situation after the meeting. Vaal stated that people are noticing that the police department is a presence in the community and that is good. Vaal also said she received a huge compliment about Ryan Griebelbauer on his job performance and professionalism. Vaal thanked Griebelbauer on a job well done. Jason Little asked if the police department had any runs to the campground. Faulkenburg responded only 1. Little inquired whether they had their own security and Faulkenburg said he would reach out to them and ask about their security measures. Kevin Burke asked if there was an update on Sarah Winter's concern regarding the stray cats presented at the March meeting. Faulkenburg responded that he provided her with the ordinance and that she had shared it on her social media page. Faulkenburg asked if the ordinance could be updated to remove the part about kennels at the water treatment plant since they are no longer there. Faulkenburg stated that it is hard to issue fines on the stray cats because no one will claim them.

TRAILS RUSS LUTHY

Russ Luthy presented the council with verbiage on the signs and asked the council if the verbiage was acceptable. The council agreed to the verbiage. Luthy also informed the council that there would be an invoice for \$1200 for the new signs and they would be posted at every entrance point on the trails. Luthy also reported he was working on a grant to upgrade the town's Christmas decorations. The upgrade would include new garland and lights. The application deadline for the grant is Tuesday, April 11, 2023. Luthy reported they were working on a top coat for the trails. Patricia Vaal inquired about whether flashing lights could be installed at the road crossings on the trails. Luthy stated that he was looking in to the flashing lights. Kevin Burke said that Holiday World had completed their crossing. Seth Windell asked about the concrete being broken on part of the Yellig Park trail. Luthy said that was on the punch list and that it had repaired.

STREET DEPARTMENT

STREET OPEN ACTION ITEMS

Kevin Burke asked for update on the street light bulb replacement. Russ Luthy said they were transitioning to LEB bulbs and they were waiting on parts to be shipped. Patricia Vaal suggested that we ask the public to help notify us if there are street lights that are out. Vaal said that there were 2 out on Elf Lane for awhile and the town did not know about it. Jason Little commented that the street lights at Holiday Village seem to be off one minute and on again the next. Kevin Burke suggested that the trees be trimmed. Russ Luthy gave an update on the Hydro-Vac. Luthy reported that he went with the higher bid by Best because the lower bid given by Vermeer could not provide a part per the specs. Vermeer could not provide a boom swing out arm and that part was a necessary part.

Mowing- No

Sign-replace/repair/install- No

Complaints- No

Street Repairs- Yes

WASTEWATER

PLANT INFORMATION: Treatment March 2023 27.08 MG, March 2022 35.56 MG

Precipitation March 2023 9.72 Inches, March 2022 2.0 Inches

OPEN ACTION ITEMS:

The water towers and erections are complete. Painters will be working in the next couple months. Russ Luthy said they will be locating the water main this week and connector next week. Well #3 is up and running but not compliant. They have 60 days to get the temperature regulated. They will be doing daily temp readings. Luthy said disinfection season has started.

PSA: Russ Luthy asked the public to not flush wet wipes. This is a problem nationwide and it is costing billions of dollars. They clog the pipes and cause costly damages. Luthy asks that the public dispose of wet wipes in the trash.

Russ Luthy asked the council if they could vote on extending the FMLA for one of his employees until July 1, 2023. Jason Little asked if there was light duty he could be doing. Luthy explained that there would be duties he could perform upon his return. Luthy said this is a dedicated employee and wants to hold out for him to return. Seth Windell asked if Luthy was training someone if he is unable to return and Luthy replied that it takes about 3 years to learn and no one is wanting to move up. Luthy said that the council needs to look at higher wages and better benefits in order to get qualified people.

Patricia Vaal made the motion that the employee's FMLA be extended to July 1, 2023 and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Russ Luthy brought up that there were 19 lots in Holiday Village not served by the sewer currently. The council asked Luthy to get a cost on getting these 19 completed. Luthy said that currently they are using a pressured sewer system and the owners would have a pump to maintain. Luthy suggested they look into a gravity sewer system and estimated that it could cost around \$300,000 and Luthy suggested the council could do a bond refinance to pay for it. Kevin Patmore said it is in the covenants at Holiday Village. Seth Windell stated that this is not the town's responsibility and the town would never recover the money at \$20,000 per lot. Kevin Burke said the first option is the land owners should review their covenant and contact Koch Development. Burke asked if the lots had water. Luthy said they do have water mains but not necessarily water ran to the lot.

OSHA

No lost time injuries, 4- field hazard assessments: water service install, 1 service leak and main repair 245 & LJ Koch and 2 tree removals.

WATER RUSS LUTHY

January Work Orders-Total Received- 16
Work Orders Completed- 16
Work Orders Pending- 0

OPEN ACTION ITEMS:

INDUSTRIAL PARK

Nothing to report.

TOWN ATTORNEY KEVIN PATMORE

No date yet on the hearing for Matthew Gosnell. Torte claim involving Jason Terry has a new attorney involved and we should take off next agenda until they have a new update. 2nd reading **ORDINANCE 2023-03 AN ORDINANCE DESIGNATING NEW PUBLIC STREETS AND AMENDING SECTION 6.08.045 OF THE MUNICIPAL CODE OF THE TOWN OF SANTA CLAUS CONCERNING TRAFFIC MOVEMENT** for the council.

Seth Windell made a motion for the 2nd reading of **ORDINANCE 2023-03 AN ORDINANCE DESIGNATING NEW PUBLIC STREETS AND AMENDING SECTION 6.08.045 OF THE MUNICIPAL CODE OF THE TOWN OF SANTA CLAUS CONCERNING TRAFFIC MOVEMENT** and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Attorney Kevin Patmore gave update on the donation to It Takes a Village. Patmore said the town could not donate however the council could enter into a contract with It Takes a village to provide an animal control service for the town. Patmore said it would have to go out to bid through a RFP. Jason Little asked Police Chief James Faulkenburg how many animals a month is the police department having to transport. Faulkenburg said that it averages about 2 a month. Faulkenburg also stated that the bids should include that they would deliver within a 10-mile radius of the county. Community member Chuck Botsko spoke from the floor stating his concern that It Takes a Village would only accept animals they deemed adoptable and were not sick or aggressive. Botsko agreed that there is a need for this service as there is a problem with stray animals. Faulkenburg said that would have to be part of the agreement that they would accept any animal the police department transports to them. Kevin Burke asked if James Faulkenburg and Kevin Patmore to work together on a RFP.

Patmore updated the council on investing money in a CD and reported that the council can only deposit money into a depository that was approved by the State Board of Accounts. Patmore also confirmed that any interest that was gained would remain in the same fund as the original balance. Seth Windell made the motion for the 1st reading of **ORDINANCE 2023-04 AN ORDINANCE ADOPTING INVESTMENT POLICY FOR THE TOWN OF SANTA CLAUS, INDIANA**. Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Patmore asked that the council suspend the rules and allow a second reading of **ORDINANCE 2023-04 AN ORDINANCE ADOPTING INVESTMENT POLICY FOR THE TOWN OF SANTA CLAUS, INDIANA** in order for the funds to be invested sooner for more benefit for the town.

Jason Little made the motion to suspend the rules and allow a second reading of **ORDINANCE 2023-04 AN ORDINANCE ADOPTING INVESTMENT POLICY FOR THE TOWN OF SANTA CLAUS, INDIANA** and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Seth Windell made the motion for the 2nd reading and adoption of **ORDINANCE 2023-04 AN ORDINANCE ADOPTING INVESTMENT POLICY FOR THE TOWN OF SANTA CLAUS, INDIANA** and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Seth Windell made the motion to hear the 1st reading of **ORDINANCE 2023-05 AN ORDINANCE ESTABLISHING CHIRP GRANT FUND** as read. Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Clerk-Treasurer asked that the council suspend the rules and allow for a second reading of **ORDINANCE 2023-05 AN ORDINANCE ESTABLISHING CHIRP GRANT FUND** due to hours worked by officers would fall on this current payroll. Seth Windell made the motion to suspend the rules and allow a second reading of **ORDINANCE 2023-05 AN ORDINANCE ESTABLISHING CHIRP GRANT FUND**. Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Seth Windell made the motion to hear and adopt the 2nd reading of **ORDINANCE 2023-05 AN ORDINANCE ESTABLISHING CHIRP GRANT FUND** as read. Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

CLERK TREASURER JANE LINDSEY

Unfinished Business: 2023 February Unreconciled

General- \$5,523,629.51

Water- \$2,554,620.92

Wastewater-\$4,854,008.07

TIF A&C-\$777,760.49

2023 March Unreconciled

General-\$5,485,491.70

Water-\$2,349,381.94

Wastewater-\$4,855,567,.02

TIF A&C-\$777,760.49

Jane Lindsey asked the council to amend a previous vote that was made during the March 13th town council meeting allowing council President Kevin Burke to sign the DocuSign agreement for the opioid settlement. Lindsey stated the Clerk-Treasurer was actually the person who needed to sign the DocuSign agreement and asked for permission for her to sign the document.

Seth Windell made the motion to amend the previous vote and allow Clerk-Treasurer Jane Lindsey to sign the DocuSign agreement for the opioid settlement. Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

04-10-2023 TOWN COUNCIL MTG.

Lindsey reported that her Deputy Clerk was planning to retire in July and was going to be using her accumulated PTO time prior to her last day beginning around May 19th and ending in July. Lindsey stated that the employee had 34 PTO days to use. Lindsey was concerned about being without a deputy for that length of time stating that if she had to wait until the notice was given and completed prior to advertising that would leave her office short for approx. 3-4 months. Lindsey requested that the council allow her to go ahead and post the position immediately and hire the new deputy so they could be trained under the current Deputy Clerk. Council discussed multiple possible solutions. Jason Little suggested that the council look into modifying the handbook regarding the use of PTO time. Council agreed that this is something that should be looked at next meeting. Jason Little made the motion that the Clerk-Treasurer could advertise and hire a new Deputy Clerk. Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried 5-0

MISCELLANEOUS

Jason Little said there was no progress on the town manager position and it should be tabled to a later date and removed from the agenda. Kathy Reinke from Spencer County Chamber of Commerce spoke from the floor about her support for hiring a town manager. Reinke was concerned that the position would not be filled and asked for an update on why it was taking so long to hire if it had been approved. Patricia Vaal stated that although they had set money aside in the budget for a town manager it had not been approved and they were still working on an agreed job description. Vaal also stated that she did not expect anyone to be hired prior to year end. Reinke also voiced concern over the difficulty businesses were having with getting sign approvals. Reinke stated that she had heard multiple complaints on the town being hard to work with regarding signs. Reinke also reported that the county was in the second round of Readiness money and stated that the town really needed infrastructure. Reinke gave an update of upcoming events that included the Chamber's annual awards dinner on April 19th, a car show at Santa's lodge on April 29th and a Health Coalition Walk also held on April 29th. Reinke invited the council and the public to attend. Kevin Patmore reported that the Kimball abatement was for projects already in place and not new projects. Patmore recommended that the Kimball abatement be tabled. Clerk-Treasurer updated the council on the fees associated with establishing a link for the donations to the trails. Spencer County Bank would set up a new account for the funds to be deposited in. There would be a \$199 set up fee and a monthly expense of \$30/month. If the donations reached \$5,000 in a month, then the \$30 fee would be waived. Patricia Vaal said she does not feel like we should move forward with this. Seth Windell said he does not think we would receive enough donations to make the fees worthwhile. Zach Tischendorf agreed. Kevin Burke said the fees come from the link and not the bank. No updates on the food and beverage tax. Zach presented 2 conflict of interest forms. The council had no issues with the forms presented. Kevin Burke presented a letter from Pamela McColl who submitted a request the council to write a proclamation announcing December 23, 2023 as a special day to honor the poem 'Twas the Night Before Christmas. Patricia Vaal said that the book was published on December 23rd and that is why they chose that day and not the 24th. McColl is wanting to announce the proclamation at a speaking event on July 22. Council agreed this would be something they should participate in.

VOUCHERS

Seth Windell made a motion to approve general vouchers in the amount of \$97,861.45 and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Seth Windell made a motion to approve payroll vouchers in the amount of \$79,023.44 for the month of March and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried 5-0

Seth Windell made a motion to approve wastewater vouchers in the amount of \$92,935.23 and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried 5-0

ADJOURNMENT

Seth Windell made a motion to adjourn the town council meeting at 7:55 P.M. and Jason Little seconded the motion.


Ayes: All Nays: None Motion carried 5-0

The next Town Council meeting will be May 8, 2023 at 5:30 pm

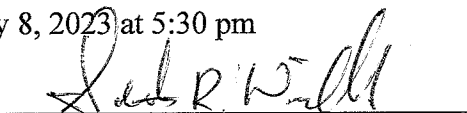
Kevin Burke



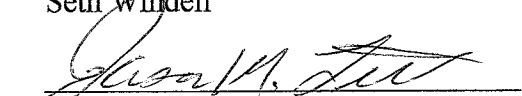
Patricia Vaal



Brian Warran



Seth Windell



Jason Little

ATTEST:


Jane Lindsey, Santa Claus Clerk-Treasurer