

The Santa Claus Town Council met in regular session on December 13, 2021 at the Santa Claus Town Hall located at 90 N Holiday Blvd Santa Claus, In.

The meeting was called to order by President, Michael Johannes at 5:30 pm.

### **Pledge of Allegiance**

**Town Council Present:** Jason Little, Patricia Vaal, Michael Johannes, Kevin Burke, & Seth Windell

**Present by Zoom:** No zoom was set up for this meeting.

**Youtube:** The link was not working; meeting was not aired.

**Absent:** none

**Also, Present:** Water Board President; Scot Elliott, Building Inspector; Todd Hayes, Fire Chief; Max Meyer Clerk-Treasurer; Kelly Greulich, Town Attorney; Kevin Patmore, Police Chief; James Faulkenburg. Superintendent; Russ Luthy, Park Director; Zach Tischendorf

**Absent:** none

### **MINUTES:**

Jason little made a motion to approve the October 11, 2021 minutes and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

Jason Little made a motion to approve the November 22, 2021 special minutes and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

### **COMMENTS FROM THE FLOOR:**

Scot Elliott presented the Water Board 2022 Budget to the council for approval. A rate study will be conducted in 2022 concerning Santa Claus water rates, as you recall Patoka sent a letter stating they will have several rate increases over the next few years. Revenue is estimated at \$ 2,064,000.00 for 2022 and expenses are estimated at \$ 2,061,437.00.

Patricia Vaal made a motion to approve the 2022 water budget in the amount of \$ 2,064,000.00 in estimated revenue and \$ 2,061,437.00 in estimated expenses and Seth Windell seconded the motion.

Ayes: All Nays: None Motion carried

Elliott stated to the council available monies for capital projects in 2022 is about \$ 3,490,292.00. The projects include GIS mapping, Asset Management Plan, finishing the meter project, a 3<sup>rd</sup> water well, a 2<sup>nd</sup> line for Holiday World, a new water tower and possible a line to Mariah Hill. The water board has asked the County for ARPA funding for the water line to Mariah Hill and the water board is working with Regional 15 on a tourism grant for the Holiday World project.

Jason Little made a motion to approve the Capital Fund Budget for 2022 in the amount of \$ 3,490,292.00 and Seth Windell seconded the motion.

Ayes: All Nays: None Motion carried

Patricia Vaal wanted made a comment to the public that American Christmas Hometown puts on the fireworks and the parade several people thought the town did this and I just want to give credit where credit is due.

**BIDS FOR DUPLEX PERISTALTIC PUMP SYSTEM:**

Bids were received from the following companies:

Water Solutions Unlimited \$ 13,915.00, Living Waters Co. INC \$ 19,850.00 & B L Anderson \$ 14,389.00.

Seth Windell made a motion to approve the bid from Water Solutions Unlimited in the amount of \$ 13,915.00 pending all paperwork is in order, the bid meets the required specs Luthy enclosed and Kevin Burke seconded the motion.

Ayes: All Nays: None Motion carried

**COMMENTS FROM THE PRESIDENT:**

Michael Johannes stated there has been no update from Riverview or Dale Town Council at this time.

Mary Hess asked if Mr. Johannes has heard anything from Representative Stephen Bartels, Johannes no he has not.

Johannes stated the town received a letter from President Matt Eckert on December 10, 2021 from Koch Development Corporation they are asking for a voluntary annexation of 34.43 acres of real estate (part of the west half of the southwest quarter of section 31, township 4 south, range 4 west, Harrison Township, Spencer County, Indiana)

Discussions concerning HWY 24, waiting on an estimate from a second vendor on work that would need to be completed if the town would take the road over. No update on the donation letter Holiday World is working on for the trails.

Kevin Patmore introduced to the council for 1<sup>st</sup> reading ORDINANCE 2021-14 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SANTA CLAUS, INDIANA, ESTABLISHING WAGES AND SALARIES FOR 2022 EFFECTIVE ON THE FIRST PAY OF 2022.

Patricia Vaal made a motion for the 1<sup>st</sup> reading of ORDINANCE 2021-14 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SANTA CLAUS, INDIANA, ESTABLISHING WAGES AND SALARIES FOR 2022 EFFECTIVE ON THE FIRST PAY OF 2022 and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

The council set the Year End meeting for December 30, 2021 at 5:00 pm.

**REPORTS FOR THE MONTH OF NOVEMBER:**

:

**FIRE DEPARTMENT: MAX MEYER**

First Responder (EMR)-8

Fire/Fires Alarm-3

Carbon Monoxide-1

12- Total Runs

In 2021 total number of runs were 189, 2020 total number were 171, 2019 total number of runs were 130, 2018 total number of runs were 171 & 2017 total number of runs were 147. 2022 Elections were held at the December fire department meeting Bernie Stallman as Assistant Fire Chief, Brad Bowen as Training Officer and Max Meyer as Fire Chief.

Seth Windell made a motion to approve Max Meyer as the Santa Claus Fire Chief for 2022 and Kevin Burke seconded the motion.

Ayes: All Nays: None Motion carried

Meyer had a little trivia for the everyone at the meeting in 1993 the “Dash” the name of the truck was brand new had a total of 57 runs that year. The cost of the truck in 1993 was \$ 189,000.00 next year the truck will turn 30 years old.

**PARK & REC/COMMUNITY CENTER: ZACH TISCHENDORF**

**SCCC MEMBERSHIPS, DAILY ADMITTANCE, ROOM RENTALS**

Active members 1138 (+13), New members 9 (+1), Daily Admits 41 (+13) Big room day rental 0  
Big room hourly rental 15

Tischendorf stated bids for Rubber flooring in the gym were sent to the following contractors:

All Pro Fitness Things amount \$ 14,771.40

Fitness & Exercise Solutions amount \$ 11,548.80

123 Wellness INC no bid received

The current staff will install the rubber flooring the bid is just for the product and the shipping. Jason Little asked Tischendorf if they install won't that null and void the warranty? Tischendorf stated he looked into the warranty and it will not.

Seth Windell made a motion to approve Fitness & Exercise Solutions with an amount not to exceed \$ 12,000.00 and Jason Little seconded the motion.

Ayes-All Nays-None Motion Carried

Jason Little asked Tischendorf to keep track of the hours to see what the savings is for the town.

**Completed Projects:**

Yellig Park has been winterized, installed an air compressor for maintenance needs and for winterizing the water lines at the park instead of an outside service company doing the work. Reorganized the maintenance building at the park. Yellig park bathrooms have new door stops, hand dryers and motion lights switches.

**New/Ongoing Projects**

Yellig Parking Signs-need to install 'no parking' signs, received \$ 2,500.00 from Southern Indiana Power for trash receptacles and bins at the Yellig, borrow pit at Yellig has been strawed and seeded for winter, Kimball donated \$ 8,000.00 to SCCC for treadmills & \$ 2,000.00 Yellig park.

**Items for Council to Consider**

Park Board recommends Jessi Mullen to a 4-year term. Ordinance 2021-15 1<sup>st</sup> reading amending community center fees.

Kevin Patmore has ORDINANCE 2021-15 AN ORDINANCE ALTERING SECTIONS OF THE MUNICIPAL CODE CONCERNING PARKS AND RECREATION FEES for a 1<sup>st</sup> reading.

Jason Little made a motion for the 1<sup>st</sup> reading of ORDINANCE 2021-15 AN ORDINANCE ALTERING SECTIONS OF THE MUNICIPAL CODE CONCERNING PARKS AND RECREATION FEES Seth Windell seconded the motion.

Ayes-All Nays-None Motion Carried

**BUILDING INSPECTOR: TODD HAYS**

Number of Post Hole Inspections	0
Number of ILPS issued	1
Number of New Permits	1
Number of Footing Inspections	2
Number of Foundation Inspections	2

12-13-2021 TOWN COUNCIL MTG

Number of Plumbing Rough in Inspections	5
Number of Rough in HVAC Inspections	5
Number of Rough in Electric Inspections	8
Number of Vectren Inspections	5
Number of Final Inspections	3
Number of Concrete Inspections	1
Number of Gas Inspections	3
Number of General Inspections	9
9Number of Certificate of Occupancy	2
Number of Framing Inspections	5
Number of 911 addresses	1
Number of Solar Inspections	0
Number of Underground Plumbing	2
Number of Waterproofing	0
Number of Basement Wall Inspections	1
Number of Temporary Electric	2

**Reporting: November 1, 2021-December 1, 2021**

APC/BOZA meeting for American Legion Sign Variance. On November 22, 2021 stopped in and spoke to owner of Evergreen Boutique concerning the sign in the truck. A certified letter was sent in October to 5/3 Bank concerning the property located at 726 West Ornament Lane in Christmas Lake Village. The letter informed 5/3 of the condition of the property and informing the bank of this meeting concerning the property. Kevin Patmore stated he has the "Order" that states AN ORDER AFFIRMINGNEN FORCEMENT AUTHORITY ORDER AND IMPOSING CIVIL PENALTY on the property located at 726 West Ornament Lane Santa Claus, Indiana.

Seth Windell made amotion for council to approve and sign the order and impose the fine of \$ 2,500.00 and every 90 days additional \$ 1,000.00 until the property conforms with the town order and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

Kevin Patmore stated to the town council Breck Vinson hasn't made a BOZA meeting and sometimes it is hard to get a quorum to be present to conduct business. It was decided that Patmore will make contact with Vinson to see if he is still interested on being on the BOZA board.

**POLICE DEPARTMENT: JAMES FAULKENBURG**

Ryan Griebelbaur will attend the Academy starting January 24,2022

Off Duty Call Outs-10

Citations TOSC-22

Warnings TOSC-78

Crash Reports-6

Vehicle Inspections-5

Domestic Disturbances-3

Assist Other Departments-17

Medical Emergencies-3

Disturbances-24

Theft Reports-1

Verbal Warnings-0

Case Reports/Investigations-17/31

Warrant Service-1



**WASTEWATER: RUSS LUTHY**

Working on possible state funding for Asset management Plan. The first call for INDOT Projects will be January of 2022.

Seth Windell made a motion to approve \$ 120,000.00 from water and wastewater for Professional fees for the Asset Management Plan and Jason Little seconded the motion.

Ayes-All Nays-None Motion Carried

Luthy stated the ADA Title VI is still a voluntary compliance plan, the town should look into hiring a 3<sup>rd</sup> party to help us prioritize and compile our items.

Seth Windell authorized Russ Luthy to hire a 3<sup>rd</sup> party consultant concerning ADA& Title VI compliance for the town and Kevin Burke seconded the motion.

Ayes-All Nays-None Motion Carried

Kelly Greulich stated the town should consider adding the ADA & Title VI to the EDIT/CEDIT Plan to the County.

Luthy stated he has several employees that he would like to increase their hourly rate from the current \$ 15.63 to \$ 18.00 for 2022.

Kevin Burke asked if the employees have received certification in their field of work, Luthy not at this time.

Burke stated with the increase in 2022 of 11% on insurance I don't understand why \$ 18.00. Burke went on to say if they receive certification the salary ordinance allows for an increase in pay. Luthy said our employees are being recruited by neighboring towns that are paying more.

Seth Windell made a motion to increase the Technician pay at Russ Luthy desecration per employee and Jason Little seconded the motion.

Ayes-Little, Vaal, Johannes & Windell Nays-Burke Motion Carried

Kevin Burke stated the town will need to do a rate study in 2022.

**PLANT INFORMATION:** Treatment Nov. 2021- 11.67 MG, Nov. 2020- 13.75 MG

Precipitation Nov. 2021- 2.12 inches, Nov. 2020- 3.6 inches

**OPEN ACTION ITEMS:** Process control testing, plant O & M, construction continues on NPDES required P removal. Other items on file at WW Plant, effluent flow meter, SCADA.

**SSO(s)-** 0

**COLLECTION SYSTEM:** Routine station maintenance checks, repairs to pump/LS' # 8, new panel on LS # 23, Sewer main and lateral rehab-ongoing, begin manhole inspections-for rehab, installed emulsifier at # 26 Lift Station- Demonstration & other items on file at WW Plant.

**LATERAL INSPECTIONS:** Revolving total lateral inspections-34, New in November. -4, COC's completed - 0, requiring repairs-1, no repairs-3, exempt laterals-0.

**YEAR TO DATE:** Requiring repairs-15, no repairs-17, exempt-2.

**OSHA/SAFETY**

No lost time injuries. 0- facility inspection, 2- field hazard assessments- One 8" water main repair & a repair on salt storage building.

**WATER: RUSS LUTHY**

Work Orders-Total Received-30

Work Orders Completed-29

Work Orders Pending-1

**OPEN ACTION ITEMS:**

Monitor boring crews, prepare for capital projects & well head protection plan.

**INDUSTRIAL PARK:**

Russ Luthy asked the council how much land does the town want to keep where the water towers are? A discussion followed, keep 4 to 5 acres.

**TOWN ATTORNEY: KEVIN PATMORE**

Gosnell update was during police department, Patmore sent Brad Eckerty an email concerning the appraisal of Parcel # 74-05-01-104024.000-005 waiting on a response.

Patmore has ORDINANCE 2021-11 FOR A 2<sup>nd</sup> READING & ADOPTION AN ORDINANCE AMENDING THE ARPA CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND TO ADD GIS MAPPING.

Patricia Vaal made a motion for the 2<sup>nd</sup> reading & adoption of ORDINANCE 2021-11 AN ORDINANCE AMENDING THE ARPA CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND TO ADD GIS MAPPING and Seth Windell seconded the motion.

Ayes-All Nays-None Motion Carried

Patmore stated the process for the annexation, Koch Development approached the town for annexation of the land, a voluntary annexation still has to meet all the requirements to be annexed. A public hearing, an ordinance, appeals process. The public hearing is set for the January 17, 2022 town council meeting.

Seth Windell made a motion to authorize Kevin Patmore to handle the advertising of the public hearing for January 17, 2022 and Jason Little seconded the motion.

Ayes-All Nays-None Motion Carried

**CLERK TREASURER: KELLY GREULICH**

**Fund/Bank Report for September**

General Bank-\$ 4,489,764.63

Water-4,231,153.76

Wastewater- \$6,148,561.83

TIF- \$ 557,344.09

Greulich asked the council for a motion to pay Barnes & Thornburg \$ 400.00, \$ 200.00 from each utility budget. The agreement states on page two an additional amount may be charged of \$ 200.00 from water and wastewater.

Seth Windell made a motion to pay Barnes & Thornburg \$ 400.00 total from the work on the bonds and Jason Little seconded the motion.

Barnes & Thornburg \$ 400.00

**MISCELLANEOUS**

None

**VOUCHERS**

Seth Windell made a motion to approve the general vouchers in the amount of \$ 262,219.53 and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

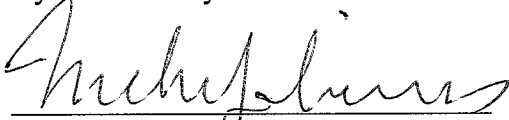
Seth Windell made a motion to approve the wastewater vouchers in the amount of \$ 148,422.14 and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

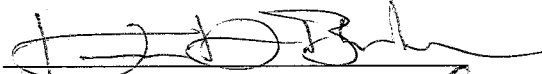
**ADJOURNMENT:**

Patricia Vaal made a motion to adjourn the town council meeting at 8.01 pm and Seth Windell seconded the motion.

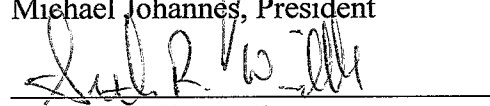
Ayes: All Nays: None Motion carried



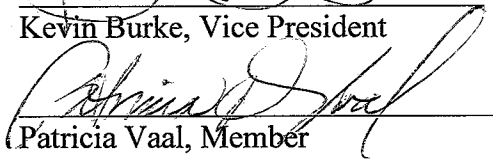
Michael Johannes, President



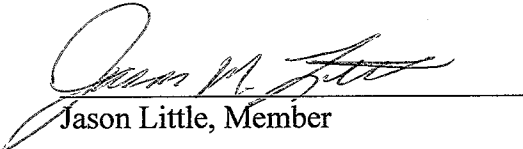
Kevin Burke, Vice President



Seth Windell, Member

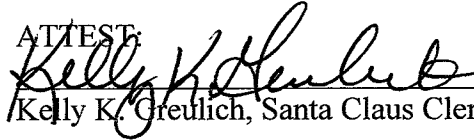


Patricia Vaal, Member



Jason Little, Member

ATTEST:



Kelly K. Greulich, Santa Claus Clerk-Treasurer



## ORDER

### AN ORDER AFFIRMING ENFORCEMENT AUTHORITY ORDER AND IMPOSING CIVIL PENALTY

**WHEREAS**, on October 22, 2021, Todd Hays, as the Town's Building Inspector and Enforcement Authority, issued an ORDER REQUIRING ACTION RELATIVE TO UNSAFE PREMISES to Fifth Third Bank NA; 5001 Kingsley Drive Mail Stop #1MOB-BW; Cincinnati, OH 45227 concerning certain real property and structures located at on Lot 315 in the Fifth Subdivision (Holly Shores); 726 West Ornament Lane in Santa Claus, Indiana, being Parcel # 74-05-03-404-032.000-005; and,

**WHEREAS**; Fifth Third Bank NA is the record owner of Lot 315 in the Fifth Subdivision (Holly Shores); 726 West Ornament Lane in Santa Claus, Indiana, being Parcel # 74-05-03-404-032.000-005 ("Property")

**WHEREAS**, the Order determined the structure located on the Property to be an unsafe structure, and ordered Fifth Third Bank NA, within thirty (30) days of the date of receipt of the Order:

1. To exterminate all vermin in and about the unsafe premises; and,
2. To remove all trash, debris and other items laying around and about the property; and,
3. To remove, or if possible repair or rehabilitate, the unsafe building to bring it into compliance with standards for building condition or maintenance required for human habitation, occupancy, or use by Indiana laws and rules; and,
4. For an unsafe building that will be sealed for a period of more than ninety (90) days:
  - (A) sealing against intrusion by unauthorized persons and the effects of weather;
  - (B) exterior improvements to make the building compatible in appearance with other buildings in the area; and
  - (C) continuing maintenance and upkeep of the building and premises; and,

**WHEREAS**, Fifth Third Bank, NA was notified in the Order of its right to a hearing, and that the hearing would be conducted on December 13, 2021, at 5:30 o'clock, p.m. CDT in the meeting room of the Town Hall of the Town of Santa Claus, Indiana at 90 North Holiday Boulevard; Santa Claus, Indiana; and,

**WHEREAS**, Fifth Third Bank NA failed to appear at the hearing, and the Town conducted the hearing on December 13, 2021, at 5:30 o'clock, p.m. CDT in the meeting room of the Town Hall of the Town of Santa Claus, Indiana at 90 North Holiday Boulevard; Santa Claus, Indiana.

**IT IS THEREFORE ORDERED** by the Town Council of the Town of Santa Claus, Indiana, as the hearing authority that:


1. Fifth Third Bank NA has failed to comply with the Order of the enforcement authority;
2. A civil penalty is imposed in an amount of Two Thousand Five Hundred Dollars (\$2,500.00), and a civil penalty is imposed in an amount of One Thousand Dollars (\$1,000.00) every ninety (90) days hereafter if Fifth Third Bank NA continues to fail or refuse to comply with the order;
3. The enforcement authority shall proceed to solicit bids to remove the unsafe building


and all debris on the Property, and provide notice of such solicitation of bids to Fifth Third Bank NA as required by law;


4. The Town's average processing expense that will be incurred on taking the technical administrative, and legal actions necessary under the unsafe building law in the sum of Ten thousand dollars (\$10,000.00) is hereby imposed against Fifth Third Bank NA and the Property.

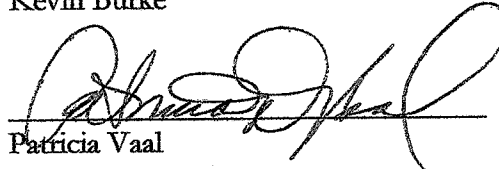
**SO ORDERED** by the Town Council of the Town of Santa Claus, Indiana on the 13<sup>th</sup> day of December, 2021.

SANTA CLAUS TOWN COUNCIL

  
Michael Johannes President

  
Kevin Burke

  
Jason Little

  
Patricia Vaal

  
Seth Windell

Attest:

  
Kelly Gréulich, Clerk-Treasurer

**AMENDED ORDINANCE 2021-11**

**AN ORDINANCE TO ESTABLISH THE ARP CORONAVIRUS LOCAL  
FISCAL RECOVERY GRANT FUND (FUND #176)**

**BE IT ORDAINED BY THE SANTA CLAUS TOWN COUNCIL OF THE TOWN OF SANTA CLAUS,  
INDIANA:**

1. The Town Council of the Town of Santa Claus, Spencer County, Indiana, recognizes that a need now exists for the establishment of the ARP Coronavirus Local Fiscal Recovery Grant Fund (Fund #176) pursuant to Indiana Code 5-11.

2. The sources of funding for the newly established fund will include monies allocated to the Town from the American Rescue Plan Act of 2021 (ARPA). The monies within this fund shall be used for eligible purposes of the ARPA.

3. Expenditures from the ARP Fund must be made in accordance with the Plan adopted by the Town Council that corresponds to the provisions of Title VI of the Social Security Act (42 U.S.C. 801 *et seq.*), as amended Section 9901(a) of the ARP and the Indiana State Board of Accounts State Examiner Directive 2021-

1. Expenditures from the ARP Fund may be used only for the purposes prescribed in Title VI of the Social Security Act (42 U.S.C. 801 *et seq.*), as amended Section 9901(a) of the ARP. Those eligible uses are:

To cover costs incurred by the Town of Santa Claus, Indiana by December 31, 2024:

A. To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including: assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the Town that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

C. For the provision of government services to the extent of the reduction in revenue to the Town due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; or

D. To make necessary investments in water, sewer, or broadband infrastructure.

The Clerk-Treasurer will review the requested use of monies for compliance with ARPA requirements. The Clerk-Treasurer will also maintain detailed accounting record of the fund to provide for future audits of the ARP fund. The Town's existing internal control policies, as amended from time to time, shall apply to administration of the ARP Grant Fund.

The Town Council has developed a plan that details the specific uses of the Fund ("the "Plan"). The Plan is to utilize all available ARP funds as follows:

- i. If the Town receives a State Water Infrastructure (“SWIF”) Grant from the Indiana Finance Authority, all ARP funds received in 2021 and 2022 shall be used to accomplish the water utility infrastructure projects contained in the Town’s SWIF Application submitted July 15, 2021;
- ii. If the Town does not receive a SWIF Grant, the Town will use the ARP Fund to make necessary investments in water and/or sewer infrastructure, including GIS Mapping of Water and Wastewater infrastructure.

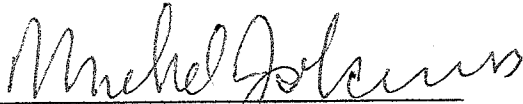
This Ordinance and the Plan may be amended as any other Ordinance or Plan as long as the amendment complies with the requirements of the ARP and any other formally issued guidance of the SBOA. Any specific appropriations approved by the Town Council shall be deemed a part of the Plan or an amendment to the Plan, as appropriate, when such appropriations are made.

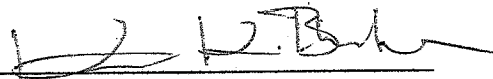
4. Non-Reverting Fund - Any and all monies in the ARP Grant Fund at the end of the calendar year shall not revert to another fund but shall remain in said fund as a separate non-reverting fund.

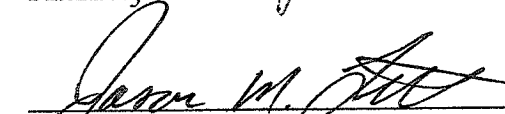
5. This Ordinance be in full force and effect from and after its passage by the Town Council.

**PASSED AND ADOPTED** by the Town Council of the Town of Santa Claus, Indiana, this 13<sup>th</sup> day of December, 2021.

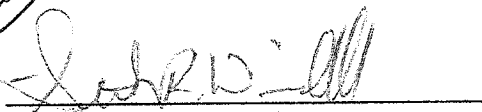
SANTA CLAUS TOWN COUNCIL

  
 Michael Johannes, President

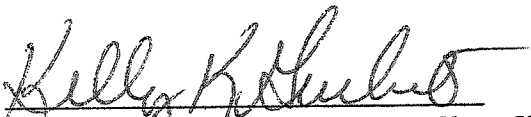
  
 Kevin Burke, Vice President

  
 Jason Little, Member

  
 Patricia Vaal, Member

  
 Seth Windell, Member

Attest:

  
 Kelly K. Greulich, Town of Santa Claus Clerk-Treasurer