

UNAPPROVED MINUTES
Earlham City Council Meeting
October 9th, 2023

The Earlham City Council met in regular session on Monday, October 9, 2023, at Earlham City Hall. Mayor Lillie called the meeting to order at 7:00 p.m. and the following answered roll: Fredericksen, Mudge, Nelsen. Absent: Baskin. Also present: Clerk Hibbs, Chief of Police Stringham.

Appointment of new council member to fill vacancy, and swearing in of new member.

Motion by Fredericksen, second by Mudge, to appoint David Miller to fill the seat vacated by Chris Swalla.

Roll: Ayes – unanimous. Motion passes.

Miller took the Oath of Office.

1. APPROVAL OF AGENDA

Motion by Fredericksen, second by Mudge, to approve agenda.

Roll: Ayes - unanimous. Motion passes.

2. PUBLIC FORUM.

Tony Hager inquired what the future plans were for 142 S Chestnut. He stated wrestling room at school is small for the growth of community. New room won't be available for 5+ years. They are looking for places they can move wrestling club. Mayor stated it was intended for expansion of fire department, which has been delayed due to water tower and lagoon projects. Possibly available for short term use. Directed him to talk to Chief Boyle.

3. CONSENT AGENDA.

a. Council meeting minutes for 9-11-23, 9-19-23. 9-26-23,

b. Treasurer's Report for 10-9-23

c. Claims and Receipts Report for 10-9-23

d. Consider approval of request for a sewer credit for 110 NE Maple Ave in the amount of \$227.70. (*Left hose on while out of town.*)

Motion by Mudge, second by Fredericksen, to approve consent agenda.

Roll: Ayes - unanimous. Motion passes.

4. DEPARTMENT REPORTS

a. Public Works - Gary Coffman, Public Works Supervisor
Coffman not available for report.

b. Police Department – Chief Matt Stringham

Homecoming events – no problems. Rasmussen attended School Resource School. He also attended a class on mental health training. Chief attended a Chief's Conferenced for small cities. Stated the Fall Festival went well with no problems.

5. BOARD, COMMISSION, COMMITTEE REPORTS - None

6. UNFINISHED BUSINESS

a. Discussion and possible action on Real Estate Gift Agreement draft with ECSD for water tower property Hibbs said Superintendent Kaster stated the school board meeting is this week and they will approve the Agreement and send back to us for signature.

Motion by Mudge, second by Miller, to approve the Real Estate Gift Agreement with ECSD, and authorize Mayor to sign agreement upon approval by the ECSD Board.

Roll: Ayes - unanimous. Motion passes.

b. Update, and possible action, on 28E Agreement with ECSD for shared use of City Librarian.

Mudge noted the duration date was stated as 2023 and it should be 2024. Hibbs stated she sent the agreement to insurance agent for review.

Motion by Nelsen, seconded by Mudge, to approve the 28E Agreement with ECSD for shared use of City Librarian, adjusting duration date, and pending insurance review, and authorizes Mayor to sign agreement upon approval by the ECSD.

Roll: Ayes – unanimous. Motion passes.

7. NEW BUSINESS

- a. Consider approval of motion to approve Pay Application #11 from Blue Ribbon Builders for the Lagoon Update Project in the amount of \$470,820.00.
Motion by Fredericksen, second by Mudge, to approve Pay Application #11 from Blue Ribbon Builders for the Lagoon Update Project in the amount of \$470,820.00.
Roll: Ayes - unanimous Motion passes.
- b. Consider approval of motion to approve Change Order No. 1 for the Sewer Lagoon Update Project in the amount of \$5,785.74. Hibbs mentioned Coffman stated these changes legitimate.
Motion by Fredericksen, second by Mudge, to approve Change Order No. 1 for the Sewer Lagoon Update Project in the amount of \$5,785.74.
Roll: Ayes – unanimous. Motion passes.
- c. Discussion on a third lighting option for downtown street lights.
At the September 26th, council reviewed two lighting options for downtown: Beacon Viper - \$40,110; and the Kim UR20 - \$79,254.00. Council approved the Beacon Viper. Mayor recently found a third option, He also mentioned after talking to KIM vendor again, they lowered the price to the mid 50's. The third option is approximately \$45,000.
- d. If needed, consider approval of motion to rescind motion made on September 26, 2023, approving new street lights.
Motion by Nelsen, seconded by Fredericksen, to rescind September 26, 2023, motion approving purchase of Beacon Viper, due to new information
- e. Consider approval of motion to purchase third lighting option.
Motion by Fredericksen, second by Miller, to approve purchase of the LSI Opulence light fixture.
Roll: Ayes – unanimous. Motion Passes
- f. Dio Ayala - Madison County Emergency Department report.
Ayala reported: working on Event Ordinance to cover large events; has done plans for each of our events; has been working with school. Stated he has good relationship with Earlham PD. Mentioned winter weather preparedness, and prepare for weather events. Noted it is still tornado season.
- g. Discussion on increasing Council/Mayor compensation.
Mayor noted council cannot vote themselves a raise. Hibbs stated council cannot adopt an ordinance changing compensation during the months of November and December in the year of an election. Mayor asked clerk to look into whether or not council compensation can be determined by number of terms they have been on council, due to the amount of experience they are bringing to the table. She will check on this.
Motion by Mudge, second by Fredericksen, to TABLE action on raising mayor/council compensation until 2024.
Roll: Ayes – unanimous. Motion passes.
- h. Consider approval of Resolution No. 23-29, A Resolution Determining the Necessity and Fixing a Date for a Public Hearing on the Matter of the Adoption of a Proposed Amendment No. 2 to the Earlham Urban Revitalization Plan, for November 13, 2023, 7:00 p.m.
Motion by Miller, second by Mudge, to approve Resolution No. 23-29, A Resolution Determining the Necessity and Fixing a Date for a public Hearing on the Matter of the Adoption of a Proposed Amendment No. 2 to the Earlham Urban Revitalization Plan, for November 13, 2023, 7:00 p.m.
Roll: Ayes – unanimous. Motion passes.

8. MAYOR'S REPORT – no report.

9. CLERK'S REPORT

- a. Historical preservation will request \$1000 at budget time for Historical District consultants, engineers, architects
- b. Food Trucks- need to be consistent with licensing. All trucks need a license.
- c. Need to entering into contract w/non-profit, i.e, Farm to Table Meal, Earlham Levitt Amp, when donating money. Contract must show how donation will be a benefit for both the non-profit and city.
- d. Golf cart – new state law driver needs to be at least 16 years of age. Current ordinance says 18 years of age. Hibbs will come back with new ordinance.
- e. Community Building Board will discuss their updated rental agreement regarding noise at their next meeting 10-11-23.

10. COUNCIL COMMENTS - none

11. ADJOURN

Motion by Mudge, second by Fredericksen, to adjourn.

Roll: Ayes – unanimous. Motion passes.

Being there was no further discussion, meeting was adjourned at 7:58 p.m.

Jeff Lillie, Mayor

Mary Sue Hibbs, Clerk/Treasurer