

The Town Council of the Town of Markle, Indiana met in its meeting room at the Markle Fire Department Building on the 28th of May, 2014, at the hour of 7:30 p.m. in accordance with the rules of the Council and applicable laws.

Town Council Members present: Jeff Humbarger, Mark Hamilton, and Rick Bower. Clerk-Treasurer Shelley Monticue and (12) additional townspeople were in attendance.

The meeting was called to order at 7:30. The Pledge of Allegiance was recited.

First order of business were the minutes from the April 16th Meeting. Vice President Hamilton motioned to approve the minutes as written, seconded by President Humbarger. Motion carried 3-0, and Minutes were signed.

Second on the Agenda, Town Attorney Mike Hartburg presented a draft agreement between NC2, LLC, which is the parent company of Novae Corp, and the Town regarding a CEDIT grant. NC2, LLC will be planning, engineering, site developing, and constructing another facility at Six Novae Parkway valued at approximately \$5.9 million and adding 75 new jobs. NC2, LLC purchased the land from Huntington County United Economic Development (HCUED), and Mr. Hartburg presented a map of the 20 acre parcel to the Council. The need for retention pond and storm water drainage across land owned by HCUED and Lund Farms to the McCulloch-Roche Ditch has led to a proposed joint drainage project for the Markle Redevelopment Commission, HCUED, Lund Farms, Huntington County Commissioners, and the Town. Thanks to an easement granted by Lund Farms, approximately 60 acres of the Industrial Park will benefit from the drainage project.

Since the Huntington County Commissioners have already approved a CEDIT Advisory Grant of \$50,000 to be given to the Town to fund a portion of the project, the Town would in turn distribute the funds upon receipt of certified invoices from NC2, LLC. The draft of the CEDIT grant agreement proposed between NC2, LLC and the Town sets out expectations of the parties, statutory authority of the Town to distribute CEDIT Funds, and the total amount to be billed by NC2, LLC to the Town. When work has been completed and invoiced, NC2, LLC will submit a cover sheet certifying that the invoice is directly related to the drainage project. Provisions would include that the Town's portion of the project would not exceed \$50,000, that the deadline for project completion would be either December 2015 or as contractually extended, and the Town would have the ability to inspect the work both through the duration and upon completion of the project. Should NC2, LLC fail to meet the investment amount or uses the funds improperly, NC2, LLC would reimburse the amount distributed from the CEDIT Advisory Grant.

Mr. Hartburg stated that the plan is for Council to approve the agreement, after any questions have been answered, giving President Humbarger authority to sign upon final approval by Steve Bermes, with the Town's approval contingent on no material changes in the agreement being made. Should the Council approve the agreement this evening, Mr. Hartburg would get the draft to Mr. Bermes on May 29th to receive his approval.

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President Humbarger then confirmed that the Town would pay NC2, LLC from additional CEDIT funds sent from the County Commissioners in the form of a CEDIT Advisory Grant. He then asked about the amount approved by the Redevelopment Commission. Mr. Hartburg stated that the TIF Funds would be placed in an escrow account maintained by the Huntington Neighborhood Development Commission for disbursement. Vice President Hamilton motioned to approve the draft CEDIT Grant between NC2, LLC and the Town, giving President Humbarger authority to sign contingent on no material changes by NC2, LLC. This motion was seconded by President Humbarger, and motion carried 3-0. Mr. Hartburg will deliver the draft to Steve Bermes of NC2, LLC for approval per the plan.

Third on the Agenda, Jay Stankiewicz of DLZ, Indiana, gave an update on the Tracy Street renovation project:

- Supplemental Agreement #2 regarding an extension of the “letting date” window by INDOT was presented to Council. After discussion that the contract was boilerplate and would not apply to our project since it was running ahead of schedule, Councilmember Bower motioned to approve Supplemental Agreement #2, seconded by President Humbarger. Motion carried 3-0, and Supplemental Agreement #2 was signed.
- Mr. Stankiewicz stated that DLZ, Indiana has completed a drainage analysis of the project and has three options for the Town:
 - Parallel storm sewer system independent of Forest Cove Subdivision would be installed with the outfall to be drained in one of two ways:
 - Through the Army Corp of Engineers property under State Road 116.
 - Through a manhole tie-in and utilize outfall pipe east of Town. This is a cheaper option and does not require a collaborative agreement with the Army Corp of Engineers and is 100% independent.
 - A tie-in to the Forest Cove Subdivision drainage system, with an ensuing discussion with the Wells County Planning Department restricting development. Mr. Stankiewicz did not feel that this was feasible.
 - Drainage going west on Countryside Drive, aligning the storm sewer into Walkway Park, and upgrading the pipe there from a 24” pipe to a 30” pipe. This pipe would outfall to the ditch running east of the Church of Christ, which is an open ditch to the tributary. This ditch has the capacity to handle the 100 year storm requirement as mandated by INDOT, with the water just moving at a faster rate.
- Mr. Stankiewicz recommends the parallel system moving the water east of Town. While draining to the open ditch would be approximately \$40,000 cheaper than the parallel system, the overload to the Wabash River would be substantial and the Town initially wished to move the water to the east of Town. Furthermore, no parcel owners would be affected by the parallel

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system. If the Town could tie into the manhole that already diverts east, that would negate much of the \$40,000 difference. Upon recommendation of the Council, Mr. Stankiewicz will talk to INDOT regarding Right of Way to go under State Road 116. While INDOT usually does not allow open cuts, it might since this is its project. He will also contact the Army Corp of Engineers regarding how long it would take to be granted an easement.

- The final parcel to be acquired has been contingent on the storm sewer drainage pipe to run along the property line rather than across the property. Since this issue has been reengineered, it is estimated that the Right-of-Way Acquisition Process will be completed within the next 60 days.
- Concurrently, the Stage 3 (Construction Phase) plans have an estimated completion timeline of 90 days. This is ahead of schedule, so Mr. Stankiewicz plans to petition for a "let date" of Spring 2015 rather than the current date of Fall/Winter 2015. This would coincide with a good time to have a construction contractor bid process in Winter 2014. Furthermore, this would allow for tree removal work to be done prior to April 1st, which is restricted between April 1st and November 15th for larger trees due to the fall foraging area habitat of the Indiana Bat.

Fourth on the Agenda, Diane Wedler of the Markle Wildcat Festival came to receive approval for a temporary shut-down of State Road 116 between Miller Street and Clark Street on August 23rd from 8:00 A.M. to Midnight. Council agreed by consensus. Ms. Wedler also notified the Council of a circus to be held on June 21st on the land owned by the Markle Church of Christ along Parkview Drive. It will be a fundraiser for the Festival and all the Certificates of Insurance are in place, and she only needs the 501(c)(3) paperwork for the Chamber to receive the permit from the Department of Homeland Security. President Humbarger, who is also the Chamber President, stated that he has said paperwork and will get to Ms. Wedler this week.

Fifth on the Agenda, Brian Campbell of Randall Miller & Associates, Inc. came representing Indiana Fiber Network. He requested an easement along the property located at 501 Tower Drive in order to install fiber optic cables. His firm needs to acquire seven easements within the Town including INDOT in order to bore fiber optic cable underneath Interstate 69. Town Supervisor Rick Asher stated that he would prefer if the Firm ran the fiber optic cable on the north side of Tower Drive in order to avoid the water main along the fence by INDOT's property line. He stated that an 8" gas main also exists on the south side of Tower Drive, and although it is only a 2" sleeve, it would be "cleaner" to run the cable on the north side where fiber and phone lines already exist. Since it is already difficult to have accurate "locates" on Tower Drive, it would be beneficial to run the line north of Tower Drive. Mr. Campbell will work with Mr. Asher prior to the June Meeting in order to sort out the issues, whereupon approval of Council, the easement paperwork would then be reviewed by Town Attorney Mike Hartburg. President Humbarger stated that Council should be fine with the easement if Mr. Asher is satisfied with the location. Councilmember Bower summed it up by saying, "If Rick's happy, I'm happy." The issue is then tabled to Old Business at the June Meeting.

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Sixth on the Agenda, William Etzler of Engineering Resources, Inc., came to introduce himself and offer his firm's services to the Town but stated that the Town was already "in good hands."

Seventh on the Agenda was a CF-1 by HJM, LLC doing business as Wayne Metals. It is year nine of ten year abatement for a 36,000 square foot addition in 2005 for an estimated cost of \$1.3 million and actual cost of \$250,000. The current payroll is 181 employees with a \$6.4 million payroll. Vice President motioned to approve the CF-1, seconded by Councilmember Bower. Motion carried 3-0 and the CF-1 was signed.

Town Council Correspondence was next on the Agenda. There was none.

Next on the Agenda, Town Supervisor Rick Asher submitted his monthly report:

- The new mixer was installed at the water tower. The contractor was unable to remove the old one without draining the tank, where the tank was then disinfected. The old mixer stopped working when ten feet of extra chain had wrapped around it.
- AA Lifts submitted a new contract for maintenance of the elevators at the Town Hall. Since the building is slated for demolition within the next twelve months, Council approved a twelve month maintenance/inspection agreement by consensus.
- Mr. Asher requested approximately \$9,000 for a new mosquito fogger. Since the old one is 23 years old and frequently is out of calibration, it uses a drum of chemical annually rather than a drum lasting approximately four years. A new mixer would have a GPS to document where the mosquito repellent is spread. Town General Assistant Mike Grant stated that parts are no longer available, and with so much chemical being expended, it would be in the best interest of the Town to either replace the fogger or not use it. Councilmember Bower motioned to approve the purchase of a new fogger, seconded by President Humbarger. Motion carried 3-0.
- Mr. Grant gave a report regarding approval by the Army Corp of Engineers to dredge the part of the Wabash River near Old Mill Park. The river would be dredged approximately one foot deep to increase storage capacity and alleviate odors during periods of lower precipitation. Mr. Grant stated that the backhoe would be used to remove the sludge and that the Huntington County Landfill would not charge anything to dump dirt. Council approves the cleanup by consensus.

Marshal John Markley submitted his monthly report and noted that the Department is preparing for the Wildcat Festival.

Next on the Agenda was time allowed for Public Comment. Jeff Stockman, former Councilman and of 245 Lee Street, stated that the Council should consider the parallel system to drain Tracy Street. He stated the outfall to the Wabash River downtown already must be pumped over the levy during high rainfall. Adding additional water downtown would only increase the Army Corp's need to pump at Pump Road.


In Old Business, the Town Attorneys recently emailed a final update to the Employment Handbook. Upon review of the final update, the Handbook will be tabled to Old Business at the June Meeting.

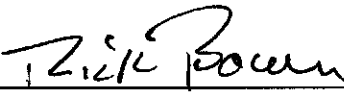
At this time, Clerk-Treasurer Monticue delivered her report. Clerk-Treasurer Monticue submitted 117 vouchers totaling \$200,563.46 for approval: 60 vouchers from the General Fund totaling \$117,112.06,

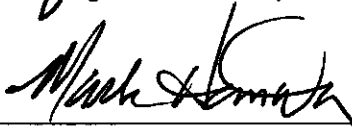
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36 from the Water Fund in the amount of \$45,463.04, and 21 from the Wastewater Fund in the amount of \$17,988.36. Councilmember Bower motioned to approve all vouchers, seconded by Vice President Hamilton. Motion carried 3-0, and vouchers were signed.

Upon hearing no other business, President Humbarger motioned to adjourn at 8:35 P.M.

By 
Jeff Humbarger President

By 
Rick Bower Councilmember

By 
Mark Hamilton Vice-President

Attest: 
Shelley Monticue Clerk-Treasurer