The Town Council of the Town of Markle, Indiana, met in the meeting room at the Markle Fire Department Building on the 17th day of January 2018, beginning at the hour of 7:30 p.m. in accordance with the rules of the Council and applicable laws and appropriate notice. Town Council members present: President Jeff Humbarger and Councilmember Rick Bower. Vice-President Mark Hamilton was absent. Clerk-Treasurer Carolyn Hamilton was absent, as well. Deputy Clerk Stephenie Hensley and 15 additional people were also in attendance.

President Humbarger called the Regular Council meeting to order at 7:30 p.m. The Pledge of Allegiance was recited.

The first order of business was to be the election of officers. Councilmember Bowers suggested waiting until Vice-President Hamilton returned to hold the election of officers. President Humbarger stated that there had to be someone to oversee this particular meeting. After some discussion President Humbarger and Councilmember Bowers decided it best to wait until Vice-President Hamilton was in attendance to hold the election and that President Humbarger would oversee the meeting. Councilmember Bowers motioned to allow President Humbarger to oversee this meeting. President Humbarger seconded the motion. The motion approved 2-0.

Previously noticed public hearings for the water and wastewater rate increases were then opened. The rate increase ordinances, read at the November meeting, are Ordinance 2017-8 and Ordinance 2017-9. President Humbarger opened the floor to the public for questions and comments. There were none. President Humbarger then revisited the ordinances and explained again why the Town needs these rate adjustments. The public hearings were then closed. President Humbarger motioned to approve Ordinance 2017-8, Councilmember Bowers seconded the motion. Motion passed 2-0. President Humbarger then motioned to approve Ordinance 2017-9, and Councilmember Bowers seconded. Motion passed 2-0. President Humbarger thanked Mr. Jeffrey Rowe of Umbaugh for coming and for assisting the town with this.

Next on the agenda was the approval of minutes from the regular council meeting held on December 20, 2017. Due to the absence of President Jeff Humbarger at the December meeting and the absence of Clerk-Treasurer Carolyn Hamilton and Vice-President Mark Hamilton at this meeting, the approval of minutes will be postponed until the February meeting.

Mandy Woods of the Department of Community Development was in attendance to discuss Ordinance 2018-1. Ordinance 2018-1 is an ordinance modifying Section 1020 of the Zoning Code for The Town of Markle, Indiana. Approval of this ordinance would include adding sections F.1.c and F.1.d. These sections refer to setbacks for minor livestock operation buildings, pens, or confined feeding areas. The added regulations would require any sort of minor livestock operation to be 25 feet from any side or rear property line and 100 feet from any water well, which services a dwelling unit. Along with these additions, Section G was also revised to allow chickens in the corporate limit of the Town. President Humbarger mentioned that the Zoning Board has been through this and that they sent back a favorable recommendation to adopt. Ms. Woods responded that she went to a Planning Commission meeting a
week prior, and that it had passed unanimously with a favorable recommendation. She noted that two citizens where present to speak in favor of the changes and that there were no citizens present to speak in opposition. President Humbarger read the changes that would be made. President Humbarger motioned to introduce and consider the ordinance at the meeting with the first reading. Councilmember Bowers seconded. Motion passed 2-0. Councilmember Bowers then motioned to approve Ordinance 2018-1. President Humbarger seconded his motion to approve. The ordinance was approved 2-0. President Humbarger thanked Ms. Woods for her work on this.

Directly following Mandy Woods, President Humbarger read Ordinance 2018-2, an ordinance to amend the Town Code of The Town of Markle. This ordinance provides that Section 90.04 of the Town of Markle Code of Ordinances to be deleted in its entirety and replaced with a new Section 90.04 Exceptions to Keeping Domestic Farm Animals. A new section, Section 90.20 Rules Regulations, Penalties and Fines for Keeping Chickens Within Corporate Limits of the Town, will be added by this ordinance as well. Section 90.20 states any further measures one must take beyond what is required according to Section 1020(G) in Ordinance 2018-1. President Humbarger then opened the floor up for questions. President Humbarger motioned to present and consider the ordinance at the meeting of first reading. Councilmember Bowers seconded. The motion passed 2-0. President Humbarger opened the floor for questions and comments before further consideration of Ordinance 2018-2. Marshal Markley did ask if there would be any sort of inspection procedure to which President Humbarger answered that it would be up to the owner to understand the ordinance and do what the Town asks or the Town can stop them from having chickens. President Humbarger asked Ms. Woods if the County does any sort of inspection. She answered that they normally inspect on a complaint basis. Once there was no other discussion, Councilmember Bowers motioned to approve Ordinance 2018-2. President Humbarger seconded the motion to approve. Motion passed 2-0.

Next on the agenda was the appointment of Brian Clabaugh to the Board of Zoning Appeals. President Humbarger noted that Mr. Clabaugh has served on the Board of Zoning Appeals for quite some time. President Humbarger then made a motion to appoint Mr. Clabaugh. Councilmember Bowers seconded the motion. The certificate of appointment passed 2-0.

The Town Council opened two bids for work that will be completed with money from the Community Crossings Grant. President Humbarger stated that the Town has several upcoming street projects to be completed. He noted that the Council has spoken numerous times about the Community Crossings Grant and the awards the Town has received to do several projects. The two bids received were from E&B Paving and Brooks Construction. The bid from E&B Paving totaled $187,505.00. The bid from Brooks Construction totaled $218,765.00. The bids were then taken under advisement and sent with a Josh Padgett of JPR to be looked over. JPR will attend the February meeting with their thoughts on which direction the Town should go.
Markle Fire Department Chief Duane Brumbaugh was in attendance to discuss the purchase of a new fire engine. The Fire Department would like to replace Engine 901, which is over 20 years old. They would also like to eventually get rid of a rescue truck as well. The plan is to get one truck that will take the place of both of these trucks. As of right now, the department has to take two trucks to accidents and with a new one, they could just take one. They have found a truck in Texas that is around six years old with an asking price of $339,000. This is compared to the price of a new truck that would be around $500,000. This amount would be divided equally between the Town and the four townships. Chief Brumbaugh described the truck as being in “beautiful condition” with the only known issue being a squeaky fan belt that has been repaired. Chief Brumbaugh noted that the members of the Fire Department will be familiar with the new truck because it is similar to one they already use. The department wants to work quickly due to other departments being interested in the truck as well. They decided to send four individuals to Texas to look at the truck next week.

Chief Brumbaugh also mentioned that some of their tools were becoming obsolete and would need to be replaced at some point and wondered if they could replace the tools at the same time as purchasing the new truck. The total for the new tools would be around $40,000.

President Humbarger suggested the possible need for a special meeting or a meeting with the Township Trustees once the Department is certain that they want to go through with this truck purchase. He then asked if Chief Brumbaugh was just going to go ahead and take these yesses now and go ahead and do it. Chief Brumbaugh responded that he thought the Department would have to make a decision when they get to Texas, unless they give them a certain timeframe that they can use to get things ready.

President Humbarger noted that he told Chief Brumbaugh over the phone that he is relying on the Department to know if it will meet their needs and if it is going to be a good truck for them. He stated that it makes a lot sense that if they could find something only 6 years old and $300,000 less than if they were to purchase a new one that they would go that route. Councilmember Bowers asked if there would be any value to the truck the Department was planning to sell. Chief Brumbaugh stated that he thought the Department could get $20,000 to $25,000 from the sale of the other truck.

Mike Grant asked if it would be possible to take a deposit of $10,000 with them. President Humbarger stated that he was fine with that. Councilmember Bowers asked where the money would come from. President Humbarger responded that it would most likely come from Rainy Day, and that Council will check with Clerk-Treasurer Hamilton to ensure that the cost of the truck and tools could be covered. The total will be around $80,000. President Humbarger stated that he wasn’t certain when Clerk-Treasurer Hamilton would be back, but that they would get with her to get this going. Deputy Clerk Hensley stated that she didn’t believe Clerk-Treasurer Hamilton would return this week, but that she would surely be in contact with her. If Clerk-Treasurer Hamilton gave the okay, then Deputy Clerk Hensley could write a check for a deposit. By consensus, Council agreed to this course of action.
Resolution 2018-1 was discussed next. The resolution is asking Council to allow Clerk-Treasurer Hamilton to receipt dormant checks back to the fund from which they were written. The checks, from 2015, are check numbers 983 and 1535 with a total of $253.17. Councilmember Bowers motioned to approve Resolution 2018-1. President Humbarger seconded his motion. The resolution passed 2-0.

President Humbarger read a letter addressed to Mike Grant from the Wells County Historical Society thanking him for attending Business Before Hours at the Wells County Historical Museum.

During his Superintendent Report, Rick Asher noted that the work completed by Brooks Construction for Novae Parkway and North Tracy Street was completed on November 14, 2017. Per contract, the Town is required to release the retainer to Brooks Construction. He stated that the Town was ready to pay that in the sum of $48,161.97.

Rick Asher discussed some issues that have been happening at the Wastewater Plant. He stated that release valves on the blowers need replaced every one to one and a half years. He noted that the Town’s old blower release valves are from around 1965 and still in working condition. He asked Council to consider allowing him to replace the newer style release valves with ones like the old ones due to them lasting substantially longer. He said they need three at $300 per release valve. Council agreed.

Rick Asher told Council that the circular clarifier at the Wastewater plant was down that day and that they were going to have someone come take a look at it to find out what is wrong.

President Humbarger asked if there were any questions for Rick Asher. There were none. President Humbarger then thanked Rick and the Town Employees for keeping the streets cleared.

Marshal Markley submitted to Council his written report. He then stated that he was hoping to receive more Deputy applications in the next two days before the deadline of Friday, January 19, 2018.

Marshal Markley mentioned that the Park Board had appointed their officers and that Rich Asher is President, Hal Mason is Vice-President, and that he himself was appointed Secretary.

There were no other public questions or comments. There was no old business.

Deputy Clerk Stephenie Hensley reported a total of 95 vouchers amounting to $163,697.66. Sixty-five were from the General Fund with a total of $133,696.94, 16 were from the Water Utility with a total of $10,717.35, and 14 were from the Wastewater Utility with a total of $19,283.37. President Humbarger and Councilmember had no questions about the vouchers. President Humbarger motioned to approve the vouchers, Councilmember Bowers seconded the motion, and the motion to approve the vouchers passed 2-0.

Hearing no other business to come before Council the meeting was adjourned at 8:05 p.m.