

**TOWN OF
DARMSTADT, INDIANA**

SETTLED 1822

INCORPORATED 1973

**Minutes of
May 11th 2021**

These minutes are not intended to be a verbatim transcript.

TOWN COUNCIL

Paul Freeman, President
Aaron Kendall, Council Member
Ken Godeke, Council Member
Ray Engler, Council Member

CLERK-TREASURER

Mallory Lowe
P. O. Box 20
Darmstadt, In 47618

Board president, Paul Freeman, called the town meeting to order at 7:30pm. In attendance were President Paul Freeman, Clerk-Treasurer Mallory Lowe, Council members Aaron Kendall, Ken Godeke and Ray Engler. Also, present was Asst. Superintendent Aaron Enlow, Mick Moreland and Attorney Jason Spindler. Superintendent Jeff Goerges was out sick.

Kendall made a motion, seconded by Godeke to accept the minutes from last month. Motion passed 4-0 voice vote. Godeke made a motion, seconded by Kendall to approve last month's financial report. Motion passed 4-0 voice vote. Kendall made a motion, seconded by Godeke to approve the accounts payable claims. Motion passed 4-0 voice vote.

CLERK-TREASURER'S REPORT:

Mallory Lowe stated: I attended the Indiana State Board of Accounts meeting on April 14th concerning our American Rescue Plan coming from the Federal Government this month. We passed the required resolution for the ARP at our council meeting last month.

Our realtor Kyle Bernhardt sent us the Purchase Agreement on the bank building to sign. I forwarded agreement to all council members and attorney Jason Spindler per email on April 15th. I received confirmations per email and also called Paul Freeman April 16th. We went over agreement, reviewed it again before signing and discussed access for new owner to begin cleaning, mowing & repairing leaking roof, Freeman approved and I digitally signed agreement on April 16th and sent back to Kyle, our realtor via email.

We received a property tax bill for our Old State Road property for a total of \$6,530. This was an unexpected bill to receive as that property is supposed to be tax exempt. A farmer farmed the land for \$2,565 last year without any agreements or contracts in place with the Town. We did not rent either of the 2 duplexes in the house. The \$6,530 would have put us in the hole deeper on this property adding to the expenses already incurred not counting the new debt issued. I called Vanderburgh County to work on getting this waived and notified the State Auditor.

After many phone calls and speaking to several people downtown, I finally spoke with Cara Schuster in the Appeals department on April 27th, who was finally able to waive the fees and agreed to record our property as tax-exempt. We received word from OCRA that the "Covid- Phase 3 grant for small businesses" was denied by the Federal Government. I contacted Andy Zellers from OCRA about it and he believes it was due to our not having enough low income in town.

I attended the IDEM Road grants webinar last month and LTAP Road surfacing webinar through Purdue on May 4th. Stan Schnautz of 811 Woodcreek Drive called me about drainage issues off Hoing Road and Hoing Court. I let Jeff know and for Stan to contact Jeff. I forwarded all Stan's photos to council and superintendent.

We also received more calls about the fallen tree too close to the road on the edge of intersection at Wortman Road and Old State intersection. I notified Jeff.

In the Utility Department: I mailed out 538 sewer bills at the end of April totaling \$59,968 along with the 3rd message notifying customers to call first before watering or filling pools for council's new policy.

We have a house at 120 W Inglefield that has used over 30,000 gallons last month and 16,000 gallons the month before. I notified Jeff about this to look into.

I recorded the data from all 99 Vectren bills and paid those this month and emailed Shop & Council about the sewer pump at 13000 St Joseph Ave. It was very high again for second month in a row. Its normally around \$25 a month, but last month it jumped to 3 times its normal usage at \$77 and then this month it was more than 7 times at \$185.

Aaron and Mick let me know they inspected and repaired the problem with the pump.

We have a newly built house at 121 W Inglefield which is hooked up to the sewer system and I will begin billing next month. The owner Jodi Harris called this week to let me know it's about finished. This house is outside of the town limits but will be on town sewer.

I received a call from Matt Helm who is building a house at 12830 Darmstadt Road and will begin hooking up to the sewer system soon.

In General Town Items: I contacted Amir at the Metropolitan Planning Organization and asked him to do a traffic study on Fleener Road for us at the request from Paul Freeman. He completed the study last week and submitted the report to me on Friday, which I forwarded to the rest of council and superintendent.

Next week, May 18 is the Indiana Clerk-Treasurer's League Meeting which will be virtual and on Thursday May 20th is our Indiana State Board of Accounts Budget Workshop for the 2022 Budget season. I will begin drafting next year's budget soon, budget season and first requirements with the state begin in June. I will be meeting with Robert Norris from the Department of Local Government Finance in August with my finalized budget report by then.

Old Business

1. Road Repaving Bid Openings-2021 Community Crossing Grant

Aaron Enlow stated that we were awarded the grant \$193,369.59 for the 2021 grant. Freeman noted that the bidding was submitted to us last month and he proposed that Metzger had the lowest price with the best specs. JH Rudolph bid \$249,912 and Metzger bid \$222,365.00. Godeke made a motion, seconded by Engler to accept Metzger's bid, motion passed by a 4-0 voice vote.

2. Update on Sump Pump & Illegal Connection Inspections

Aaron Enlow advised that we have completed 211 inspections, completed 12 inspections last month and served one violation. Enlow stated that the inspections continue.

New Business

1. Capital Asset Policy Resolution R-2021-3

Lowe advised that the capital asset policy will set the minimum value at \$10,000 for tracking and recording assets. Engler made a motion, seconded by Kendall to accept the capital asset policy resolution. Resolution passed by a 4-0 voice vote.

2. Side by Sides & ATVs on Darmstadt Public Streets

Cecil Poag a resident on Fleener Road stated he was representing a few neighbors from Fleener Road who would like to legalize ATVs inside the Town of Darmstadt limits. Freeman noted that we asked Noah Robinson from the Sheriff's department to review and give information on this subject.

Deputy Noah Robinson explained the reason the county legalized the use of ATV's on only certain county roads was originally for the farmers need to drive between their fields. Noah stated that he brought a map to show the legal and illegal areas in the county to ride ATVs. Noah pulled some stats for Darmstadt to show the traffic situation and crashes in Darmstadt. Noah stated that over the last 15 years along Darmstadt Road there has only been one fatal crash outside of the Darmstadt town limits but there have been 5 deaths on Darmstadt Road inside the town limits.

Ken Godeke stated that we would have to widen roads and everything.

Noah Robinson stated illegally driving ATVs was a Class C infraction. No changes to the ATV laws were made.

3. Sewer Billing Adjustment Requests

Lowe state she and Jeff had received calls from customers that had filled their pools prior to knowing about the new policy of having to check out a portable meter and requested an adjustment. Lowe advised we don't pay EWSU for water that does not enter the sewer so we would be charging residents for a service we did not provide. Godeke stated they should be charged anyway. Kendall made a motion, seconded by Engler to allow one adjustment per property for this year for water that did not enter the sewer since we are not providing sewer service for that water usage.

Motion passed by 3-0 voice vote. Godeke voted nay.

Aaron Enlow advised that there have been several meters checked out that are using less than the current 2,000 gallon minimum and suggested that we lower our adjustment minimum to 1,000 gallons.

Kendall made a motion, seconded by Engler to change the minimum adjustment from 2,000 gallons down to 1,000 gallons on portable meter usage to take off outside water usage off the sewer billing. Motion passed by 4-0 voice vote.

4. Budgetary Discussion of 3rd Full-Time Maintenance Position

Freeman noted that he has spoken with Mallory Lowe about approving Mick Moreland into a full-time position. Freeman advised that we would like to maintain Moreland in a full-time maintenance position and begin providing him benefits starting this June 2021. Engler asked Aaron Enlow what kind of job he thinks Mick Moreland is doing. Enlow replied that Moreland is doing an excellent job.

Engler made a motion, seconded by Godeke to approve Moreland for full-time and begin benefits for that position this June 2021. Motion passed by a 4-0 voice vote.

Superintendent Report

Aaron Enlow advised that he and Mick has done some brush clearing for School Busses. They have done Repairs to the edge on Martin and Hoing Road. Enlow advised that the tractor we have now is a 75hp tractor when we actually need about a 90hp tractor to safely handle the mowing attachment.

Fire Dept Report

Fire dept was not in attendance

Deputy Sheriff Report

Chief Noah Robinson explained that he was attending as a private citizen and if the council had any questions about the report for Darmstadt. Noah stated that the activity report was fairly normal. There was a break in on Oak Trail Drive on April 12th while the residents were home. Noah did state they made an arrest in Darmstadt for a habitually traffic violator.

Board member comments

Ken Godeke stated that pertaining to the ATV driving requests, he said he has mixed emotions and glad to see that it was brought to our attention. Ken added that he thinks Fleener Road is just too narrow and curvy.

Ray Engler advised that the Evansville legal council had not been responsive at all about the situation the business at Inglefield across from Railroad Street is causing. Kendall will make some calls. Engler noted that the road continues to deteriorate.

Kendall asked if there was a timeline on the American Rescue Plan revenue.

Attorney comments

Jason Spindler stated he had no further comments.

Resident comments

Cecil Poag stated he would like ATVs legalized in Darmstadt.

Kate Potter advised that she also would like to see ATVs legalized in town.

Eric Gries stated he agreed to have ATVs on the roads in town. Gries added that he has agreed to clean up the tree on the side of Wortman Road. Gries asked if council had reviewed the need for the rumble strips to stay at the Boonville-New Harmony and St Joseph Ave intersection as they stated previously they would. Freeman replied no council hadn't.

Mark Lowe stated that bicycles are allowed on town roads which are also dangerous especially during busy times of the day, over blind hills and narrow roads without shoulders.

Larkin Lottes stated that he would like to see ATVs legalized. Lottes asked what would happen in front of his house since the utility lines have been located and flagged. Freeman noted that the locates were to shoot elevations and the gas line is

about 2 feet below. Lottes noted that water runs across road from Tycheks and if the council could come take a look. Freeman stated that this was not justified because he's just worried about his mower getting stuck. Aaron Enlow advised that he could try to improve some of the drainage along that area. Council agreed to allow Aaron Enlow to make the drainage improvements on Fleener Road.

Shelly Lottes advised that the council keeps bringing up the safety about kids and if kids would be driving these ATVs but she stated that kids shouldn't be driving ATVs.

Carol Schlumpf stated that she agreed the town needed a better tractor and mower setup. Carol Schlumpf asked if anyone has seen the new lights used in the county that perhaps would allow us to get rid of the rumble strips.

Stan Schnautz stated that he lives off of Hoing Court and is representing his neighbors. Schnautz noted that he built a home there in 1984 and has taken care of the private road of theirs on Woodcreek Lane with previous resident Alan Reiniga. Stan advised that over the last few years there has been some drainage problems in the area. He brought several photos to show council the problems and explained the drainage and flooding issues. Council reviewed. Freeman stated this is a private road and the town has no jurisdiction or responsibility on private roads. Freeman advised that the neighbors living on this private lane could have an engineer come out to look at the situation and give advice. Aaron Enlow added that he believes the private culvert on their lane may be too high.

The meeting adjourned 9:15pm

Attest:
Mallory Lowe
Clerk-Treasurer


