

**Town of Vernon  
Vernon Gym  
Regular Meeting (7:00 PM)  
August 5, 2021**

**Regular Meeting:** The Town of Vernon Council meeting at the Vernon Gym, 29 Washington Street, Vernon, Indiana 47282, was called to order by Dan Wright at 7:00 PM.

Dan asked anyone from the public wishing to make a comment to sign in and let the Council know what they wished to comment on.

Town Officials and employees present:

**I. Call to Order – All Members Present**

Amber Fields – Clerk/Treasurer  
Eric Genda – Council Ward 1  
Jeff Walker – Council Ward 2  
Shelly Davers – Council Ward 3  
Dan Wright – Mayor  
Ron Hendershot – Maintenance/Works Manager  
Brit Burgmeier – Town Marshall

**II. Approval of July 1, 2021 minutes**

Dan asked if there were any comments or corrections to the July 1, 2021, Council minutes and recommended approval.

Eric Genda made the motion to approve the July 1, 2021 minutes. Jeff Walker made the second.

Three Yes votes, 0 No votes.

**III. Petitions or comments by the members of the public present:**

**Stacie Burns** asked if there was anywhere online that the community could look at the Trail Project since she owned property right by the river. Dan said that he would get that information out soon on the Website or Facebook. He also said that the project should not affect her property but ends at the Commons. The only properties the Trail Project will come close to are along the river from the County Park to the Vernon Commons. Stacie also wondered about the Environmental Impact. Dan said that they will be following strict environmental guidelines. Dan said his company will be doing the work for free.

Stacie also made a comment on the use of the chemical Round-up on trees. She said that it was illegal in some states.

**Susan Harding** asked if there were any plans for a port-o-let for the soccer fans and players when the field is finished. Dan agreed that would become an issue. Dan has thought about including a possible Port-o-let as a temporary solution until public restrooms are available. Dan said they most likely would not be playing on the field until next year, possibly June.

**Karen Chilman and Charlinda Evans** Co-founders of **Perceptions Yoga and Mindfulness** introduced themselves. The Yoga Studio is located at 139 Jackson Street in Vernon and has been presenting local artists through Art shows at the studio. The most recent event is a showcasing of the work of Tom Speer. The previous show presented the work of Betty Manning. Perceptions has also been working hand-in-hand with the Friends of Historic Vernon and the Jennings County Historical Society on projects like:

- Vernon Mural
- Crossroads Project
- Vernon Lollygag
- Vernon Labor Day Festival of the Art's
- Commons Labyrinth Grant
- Vernon Beautification Project

Because of Vernon's art history, Perceptions, together with the Friends of Historic Vernon, would like to take over the Maintenance of the Vernon "Rat Row" property beginning with an official name change of the property to: The "Vernon Art Park", or the "Brown Street Art Park". In addition, lawn care and flower planting on the property, and the installation of a "Free Little Library". (after the Sassafras Festival ends next April). The Brown Street Art Park would link with the property behind the Yoga Studio as "Sister" spaces to create community art spaces and host events for children and adults.

The Friends of Historic Vernon together with Perceptions staff would like to have permission from the Town to change the park name and maintain the Art Park on Brown Street through Grants and donations.

Dan thought an ad hoc committee would be best to approve the work to utilize the space. Dan asked for volunteers for the committee. Jeff volunteered to participate on the committee and asked how often the committee would meet. Dan also volunteered to be on the committee.

**John Post** voiced his concern about the property on the corner of the Highway and Pike Street. (Old Drugstore Building). John feels that with the Trails Grant trail going right past the building, it is dangerous as debris is on the sidewalk and falling from the



building. Brad said there was a hearing on the 16<sup>th</sup> with the Area Plan Commission regarding the building.

### **Reports from committees and officers**

#### **1. Town Mayor – Dan Wright**

##### **a. Trail Grant**

Dan said that a large portion of the project is tied in with the State and IDEM and that phase of the project is just beginning. The environmental portion of the project will most likely take until the end of the year and not much else can be done until they are finished. Work on the design details is also starting.

##### **b. SWIF Grant**

Dan reported that he went ahead and submitted a SWIF grant for the Water projects for approximately a \$175,000 project. The SWIF Water Grant would include the meters, Water Tower mixer. Grants are 50/50 split grants and basically match dollar for dollar.

Dan also put in for a SWIF grant for a Sewer project that would include replacement of two lift stations located at Perry Street and Ripley Street. Dan thought that we should know something by the end of this month on the SWIF Grants.

##### **c. IDEM Water Inspection Report**

Dan sent a copy of the IDEM Water Inspection Report for Vernon to the Council. There were only two minor comments:

- 2021 Water Confidence Report to be made available to the public. That has already been done and the copies are available in the Town Water Department Office.
- Emergency Plan issue has already been addressed.

##### **d. Permission to close Streets on August 14 and September 4 for Car show and Vernon Art's Festival**

Dan asked that the streets to be closed (Pike St to the Highway and Brown Street from Pike Street to Posey St., and Posey St up to the Highway) on August 14 for the Hoosier Heartland Car Show around the Square and Scoop the Loop; and likewise the same closures for the Vernon Labor Day Festival of the Art's on September 4.

Eric made the motion to close from 8:00 AM to 3:00 PM for the Car Show on the 14<sup>th</sup> as described. Jeff Walker made the second.

Three Yes votes, 0 No votes.

Eric made the motion to close from Friday night at 5:00 PM to Saturday at 9:00 PM for the Art's Festival on the 3<sup>rd</sup> and 4<sup>th</sup> of September as described.



Jeff Walker made the motion to close the streets as described for the Art's Festival on the 3<sup>rd</sup> and the 4<sup>th</sup>. Shelly Davers made the second. Three Yes votes, 0 No votes.

**e. Information on a possible Funding Option through Property Tax Bonding**

Dan sent information from Barnes & Thornburg to the Council as an opening discussion about a possible funding opportunity through Property tax Bonding. Dan said that the Town of Vernon has never opted for that type of funding, but that the Council could consider it since we did not get the AARP Grant for the Gym improvements. The Town has made some improvements to the gym that need to be protected and would like to make the Gym a more useful space for the community and ADA accessible. No decisions to be made tonight.

**2. Ward 1 Council – Eric Genda**

- a. Eric asked who was responsible for the sidewalks on Pike Street in front of the Post Office as they are in disrepair. Dan said that the Town was responsible and have been getting quotes for repairs. Dan also mentioned that some asphalt work might be done with the Sewer project.

**3. Ward 2 Council – Jeff Walker**

- a. Jeff had a couple of updates that Wayne Zamora shared with him regarding the Soccer Field:
  1. Outdoor field work would start in late August or early September
  2. Indoor turf would be completed in the next week or two.
  3. The Muscatatuck Soccer Club plans to host an Open House, but they do not have a date as of yet.

**4. Ward 3 Council – Shelly Davers**

- a. Regarding the issues on the Meeting Minutes: Shelly said: "After discussing with a couple different attorneys, I got the final answer here. I talked with Brad and he agrees on how it was supposed to be and basically what has been said actually refers to a Memoranda, not the meeting minutes. The meeting minutes are actually owned by the legislative branch, which is the Council. We control what goes in them, we control what gets put out to the public, any changes that is all in our control. The Clerk Treasurer then is considered our secretary, reporter, clerk who takes care of typing those minutes. Those minutes are supposed to be done in full. So that means, they may get long, but depending on how long those meetings are but the whole point is we are supposed to have a full documentation of what happened in the meeting. I have several Indiana Codes here to share with

anyone if they have any questions. But essentially, that is what we need to do.”

Shelly asked that the minutes from May and June have the supplemental changes made, signed off on, and posted online.

Eric asked if the minutes needed to be word for word or just the spirit of the discussion. Dan said that based on his experience, the minutes do not have to be a verbatim accounting. According to IC, a general substance of what is being said should be recorded. A lengthy discussion continued about the grey area and details of the minutes, accuracy of the minutes, how the minutes are to be reported, what needs to be included in the Town minutes. No action taken.

- b. Shelly asked several questions of Ron regarding the Tree Trimming quote; however, he did not receive those questions in time for the meeting.

#### 5. Clerk Treasurer – Amber Fields

- a. Amber asked that the Financial Oversight policy be revised so that deadlines for the minutes to be returned to the Council and questions on Agenda items be returned at least two days before the next meeting. A discussion continued about changing the existing Financial Oversight policy regarding when the meeting minutes are provided to the Council.

Eric made the motion to rescind the existing policy and make a new policy on providing minutes to the Council within a week (the following Thursday) and then the following Thursday or a week later, any changes by the Council will be returned to the Town Hall office for consideration. Any corrected minutes will be returned to the Council within three days of the next meeting. Shelly made the second.

Three yes votes, 0 No votes.

- b. Amber advised that at the September 2021 meeting, the 2022 Budget will be heard and then adopted at the October 2021 Meeting.
- c. Amber explained the new look to the Fund Report and the new Boyce Program and the fuller picture of the finances. Amber also mentioned that she will be reducing the number of bank accounts that the Town currently has. Dan explained what the Water Reserve Fund was for.

Shelly asked if everyone on the Council would still be able to have an account to the new Boyce Program. Amber said that as far as she knew, yes, but the Council would not be able to make any changes if the accounts were set up. There was a discussion on the 2020 O’Mara invoice for \$13,765 which put the LRS fund in the negative. Shelly thought a decision was made in the fall of 2020 on where to pay the invoice from.

Amber also reminded the Council of the Water Bond Payment coming up in November and how the Water fund does not have enough to cover it. Amber added to the discussion about the Property Tax Bonding Program and how \$1,000,000 would greatly help the Town with improvements that need to be made. She also said that after speaking with the DLGF, the Town of Vernon would not be able to start the process until the 2023 Budget process started 2022.

#### 6. Town Legal Counsel – Brad Kage

- a. Brad said that the approved lease for Dakota Miller had been provided and was available to be signed.
- b. Brad explained the revised Wastewater rate ordinance that was voted on in 2015, could only be signed by Dan, since he was the only person still on the Executive Council at the time. He said that Amber could Attest it. Amber said that the Ordinance was sent electronically to the Council.
- c. Brad said that 30 days was almost up on the Steps eviction. No one had heard from Sarah Arnold up to this point.
- d. Dan informed the Council that he had collected rent from several groups renting the Gym.

#### 7. Town Marshall – Brit Burgmeier

- a. Brit informed the Council of a fight in John Lightner's group, in the Vernon Gym, that caused a boy to go to the hospital with a concussion. He said that the instigator of the fight had bad body language from the beginning. Dan said that we can and have individuals "Kicked out" of the Gym for fighting and other aggressive actions. Brit asked the Council if they would be ok if addressed these types of situations in the future. Dan said that as the Town Marshall, Brit already has the authority to address these types of situations in town. Ron said that he spoke with John Lightner about addressing this situation.

#### 8. Town Public Works Manager – Ron Hendershot

- a. **Roof for Auxiliary Gym** – Ron asked the Council if they wanted to decide on the roofing quotes for the Auxiliary Gym. The Council decided that they favored the standing-seam metal roof. Dan asked how long the quotes would be good. Typically, construction quotes are good for 60 days. Ron said that most likely the metal prices would be going up. Ron said that he would call the companies and ask if they would hold their prices. Dan recommended to go with the lowest price since the prices of materials were



most likely going to be rising. The Countryside Roofing quote was the lowest at \$17,270.

Discussion continued regarding how the roofing project would be paid for. Dan said that the Riverboat, CEDIT, MVH and Gift funds were options for paying for these types of projects but that we would not want to spend them down to zero.

Shelly made a motion to table the roof project for another month until we figure out financially where to pay for the project. Eric made the second. Three yes votes, 0 No votes.

- b. Ron informed the Council that the **Emergency Response Plan for Water** was now current. Copies are available at the Town Hall office. The plan spells out who to contact for different issues including leaks, tornadoes, other natural disasters, etc.
- c. Ron discussed the **Pike's Tree Care quote** for Tree trimming of all the trees in town for \$6,200. Ron said that the trees would be trimmed 15 to 20 feet above the road. The Pike quote includes taking down the dead tree on Ripley Street (cherry tree) and two trees down by the Commons.

Ron thought that we should wait on trimming the trees in the alleys and address them next year. This trimming should last 5 to 8 years. The Fire Department has called several times because the fire trucks are hitting the trees.

Pike's Tree Care is the company we worked with last time, and Ron felt this company was top notch. Pike's would be cutting, chipping and hauling all debris away. The quote does not include trimming trees on the highway. Shelly asked what would be happening with the wood chips down at the Commons. Ron explained that the chips must sit for a year before they can be used around trees. Ron mentioned that Winter Creeper was growing up most of the Town trees and needed to be sprayed. Ron also mentioned that since he was a Town employee, he is allowed to spray herbicide without an applicators license.

Dan said that we could pay for the tree trimming out of MVH but that the accounts need to be looked at so that we pay for the project out of the appropriate account. Discussion continued on where to pay for the tree trimming.

Jeff made a motion to move forward with the tree trimming and take the money from the MVH Fund and then CEDIT if the MVH didn't have the entire amount, then take the remainder from the CEDIT Fund. Eric made the second.

Three yes votes, 0 No votes.

- d. **Water Rate Study** Ron presented the Water Rate Study from SBM. The Tracker was removed. Dan said that the tracker was originally placed in the

Ordinance approximately 20 years ago so that each time NV Utilities raised their rates, the Town of Vernon would not have to raise their rates. The Council chose to remove the tracker in this study, so this rate presented is the rate. SBM was asked to incorporate a 2% increase each year as that seems to be what NV Utilities has done in past years. This rate with a 2% increase per year for five years would be adjustable by the Council. The Council can review and choose not to increase the rate or freeze the rate in any given year. Dan said that the Council must schedule a public hearing, but must decide tonight whether to move forward with a rate increase based on the SBM study.

Shelly asked when we would find out about the sewer grants that were applied for which would pay for some of the items listed in the study and rate recommendation. Dan said that we should find out around the end of August whether we got the grants. The Council may adjust the rate depending on if the grants received and increases can be amended at the hearing process. Dan said it is a lot easier to decrease the rate than increase it. Dan explained that the hearing is for the public to give their input.

Eric made a motion to accept and advertise the rate increases based on the study and set up a hearing at 7:00 PM on September 2, 2021, and just suspend the regular meeting for the hearing for the water rates. Jeff made the second.

Three yes votes, 0 No votes.

Brad said that he would get the Notice of Public Hearing to Amber at the beginning of next week for posting in three places.

- e. Ron mentioned a possible **Wastewater Study** and asked the Council to submit any ideas or questions they want in the study. Dan said that the study would cost approximately \$1,000 to \$2,000 more than the Water rate study, or \$6,500 to \$7,000. Ron said it would take a while to get the information together.
- f. Ron said that he talked with Madison and their utilities department. He will be going to Madison to look at how they work with Pubworks and incorporate GIS program. The IDEM sanitary survey rep asked if we had a GIS program in place. Also lead testing in the future will require the GIS programming. Ron will report back to the Council on what he learns in Madison.

#### IV. New Business

##### a. New Policies

##### Approval of Contracts Policy

Shelly recommended corrections to the Payment of Claims Policy, and the Approval of Contracts Policies however, the changes were not received before



the meeting. Shelly felt the oral contract portion of the Policy should be stricken. Amber said that since the Town did not use Purchase Orders the Oral Contract language should remain since most every contract the Town makes is oral in nature. Jeff made the motion to adopt the Approval of Contracts Policy as written. Eric made the second.

2 Yes votes, 1 No vote.

**b. Travel Payment and Reimbursement Policy**

Eric made the motion to adopt the Travel Payment and Reimbursement Policy as written. Jeff made the second.

3 Yes votes, 0 No votes.

**c. Payment of Claims Policy**

Amber said that she wanted protection on pre-payment of claims. Shelly said that the IC covers the pre-payment of claims. Amber doesn't believe it covers everything. Jeff felt like the reference to the IC is redundant since we are already covered by it. Jeff made a motion to table the Payment of Claims Policy until the next meeting. Shelly made the second.

3 Yes votes, 0 No votes.

**V. Claims**

Eric made a motion to pay the claims with the correction of Ron's salary from the Water Fund. Shelly made the second.

3 Yes votes, 0 No votes.

- A. The Clerk Treasurer provided a **Fund Report** for the month of July 2021.

**VI. Miscellaneous Business**

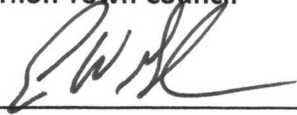
**A. Donations & Other**

- a. Shelly is concerned that we are violating our Salary Ordinance on Ron's salary. Amber said that any salary payments for Ron made from something other than the Water Fund have been corrected. However, the Salary Ordinance needs to be addressed since the Water Fund is low in funds.

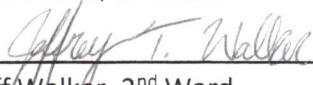
- VII. Shelly Davers made the motion to Adjourn the meeting at 9:12 PM, Jeff Walker made the second.  
3 Yes votes, 0 No votes.

**Next Regular Meeting:** The next Regular Vernon Town Council Meeting will be Thursday, September 2, 2021, at the Vernon Gym, 29 Washington Street, Vernon, Indiana 47282. There will be an Executive Session beginning at 5:00 PM and the Regular meeting will begin at 7:00 PM.

**Vernon Town Council**



Eric Genda, 1<sup>st</sup> Ward

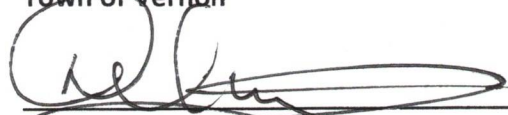


Jeff Walker, 2<sup>nd</sup> Ward

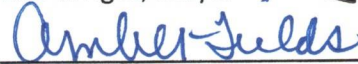


Shelly Davers, 3<sup>rd</sup> Ward

**Town of Vernon**



Dan Wright, Mayor



Amber Fields, Clerk Treasurer