

# Town of Darmstadt, Indiana

SETTLED 1822

INCORPORATED 1973

## Minutes of Aug 9th 2022

These minutes are not intended to be a verbatim transcript.

### TOWN COUNCIL

Paul Freeman, President  
Ken Godeke, Council Member  
Ray Engler, Council Member  
Jay Sollman, Council Member

### CLERK-TREASURER

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

Board president, Paul Freeman, called the town meeting to order at 7:32pm. In attendance were President Paul Freeman, Clerk-Treasurer Mallory Lowe, council members Ken Godeke, Ray Engler and Jay Sollman. Also present was Attorney Jason Spindler.

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

### CLERK-TREASURER'S REPORT:

**In the Town Clerk's office:** Lowe stated she has been working on our 2023 budget; the first deadline is next week when she meets with Robert Norris of the DLGF. Lowe noted she submitted our required new pre-budget report to state last month before that deadline on the State's Gateway Program.

Lowe advised she spent several hours last week gathering our bank reconciliations and reports to send off for verification confirmation from Larry Tippin retired SBOA auditor, for our state board of accounts internal control's requirements.

Lowe has been working to gather information for our insurance broker so that they can get us a quote from new municipal companies since our current insurance company Bliss-McKnight announced they are now dropping us after the claims and threats of future claims. Our last day of town insurance coverage will be Oct 1<sup>st</sup>. Our agent Glen mentioned he may have found a company out of Texas that might cover us but only if some changes are made. Lowe advised that her and Glen, the insurance agent, are working on gathering the town information, police report, investigation information and lawsuit info needed to answer all these questions from potential insurance companies. Lowe advised our laser check order came in from Boyce systems and she will be placing an order for an annual supply of sewer billing cards soon.

**In the Utility Department:** Lowe advised we have about a dozen people left on the sump pump inspection list that have still refused to comply and let our town maintenance department complete an inspection. Lowe stated according to the regulation's council set, the \$100 charge will be imposed on their bills until they comply.

**In General Town Items:** Lowe stated that AIM announced our next Roundtable meeting with them is Wednesday, Aug 31<sup>st</sup> in Montgomery, Indiana. Lowe stated she has only received a reply from Ray Engler, no other response has been received from the rest of the council since last month's meeting.

Lowe advised that our Aim Summit is this November in French Lick. This is a 3-day summit for town and city council members. They will have dozens of workshops on everything from completing ADA requirements to town policies and asset management. They will also host the Annual AIM Awards presented by Baker Tilly. Lowe stated that participation earns the annual required training credits in the State's Municipal Management Institute. Jay Sollman asked Jason Spindler if a quorum of council members could attend the Summit at the same time. Spindler responded yes, they can for training purposes but not a quorum at social gatherings that turn into talking about town issues, that is not allowed.

Lowe agreed that yes training and things like educational seminars are acceptable for a quorum of council members and even required at times. As of now, Ray Engler is the only council member that has ever attended a formal training session. She stated that it is unlikely we would have a quorum since no Darmstadt council members have ever participated and if Sollman was interested, that would be great. Lowe noted that unlike other towns and cities, Darmstadt has never had any trained Council members.

None of our council members have participated in any of the Elected Municipal Officials Training, MMI Training, annual AIM Summits or Annual State Conferences and they have not earned any public official training credits or certifications for their positions.' Lowe advised that registration opens next week.

### **Old Business**

#### **1. Performance Eval/Merit Bonus Overdue for 2021 & 2022 per Ordinance**

Tabled but keep on agenda per Jason Spindler

#### **2. Maintenance Dept Liaison – Cecil Poag**

Godeke made a motion, seconded by Sollman to have Cecil Poag along with Harold Grossman to be a liaison between the maintenance department and council. Motion passed by 4-0 voice vote.

#### **3. ARPA Fund American Rescue Plan Covid Grant Funds**

Freeman noted that we have received responses for the grant fund use and Debbie Bennett-Stearsman has organized responses. Freeman advised that we will wait to get with Debbie again to discuss. Lowe agreed.

Sollman stated he did not think that Ray Engler's gathering input on how our residents would like to use their grant funds should be included.

Ken Godeke added that he thought only the council should submit their requests on how the town resident's money should be used, not the residents.

Lowe stated that some grants like these, that could be used for a wide variety of improvements in the town, that sometimes the town or engineer firm over the grant, like to ask for the resident's input since it is their money.

Lowe advised that is what we also did on our downtown revitalization grant, the engineering firm took a mailed in poll of the residents of what they would like to see done in the town. Freeman agreed he remembered when that mailing was done.

Godeke added that he didn't think a poll in November would do anything.

Lowe advised that the poll the engineering firm did years ago, was not a question on an election ballot, it was a paper mailing out to each homeowner in town.

Sollman added that facebook comments are not official and not everyone uses facebook. Lowe agreed, it is not but that Ray Engler was trying to do his job by gathering some responses from the residents that the council works for and represents. Lowe suggested to Sollman that he could do a door knocking poll in his district or mail letters if he would like to get his district's input for which he works for and represents. Lowe added how does he know what his residents want to do with the money if he doesn't communicate with them or offer them any input.

Freeman and Lowe agreed, that we need to talk to Debbie before making any decisions. Freeman advised we will wait until we can sit down with Debbie to discuss this.

#### **4. Tractor Replacement**

Freeman noted this will also go with the ARPA grant and we will talk with Debbie on it.

#### **5. Rip Rap on Martin Road Edge**

Cecil Poag advised that Mick Moreland set up a meeting this Friday to meet with the homeowner and that Cecil will also attend.

#### **6. TV Parts now road damage Lawsuit**

Spindler noted there was no new info on the lawsuit, it's still going forward. Freeman stated that Mike Wathen wanted to speak about the lawsuit damage situation on Vanderburgh county's road around the private business of TV Parts Now. Wathen then displayed a slideshow of ditches and drainage around the county road and the TV Parts Now private property.

Harold Grossman advised Wathen again, that all drainage culverts that run under public roads in Darmstadt are the responsibility of the county and they maintain and replace them, not Darmstadt. Freeman agreed and added that he spoke to Jeff Hatfield, a Darmstadt resident, who is a county commissioner about it.

Lowe advised that we should prioritize our inventory list of culverts in town by their condition ratings as to which we think may need to be replaced in the next couple years and send that to the county to go ahead and have them on the list.

Freeman stated that he has submitted a list of culverts that need to be replaced to Scot Wischer and calls him periodically to see where those culvert replacements are on the scheduled list.

Engler asked if Cecil Poag could come up with a proper list of culverts that will need to be replaced in the next several years to submit to the county. Cecil replied yes, he could.

### **New Business**

#### **1. Roof damage to Town Shop Building – Insurance Estimate**

Lowe advised that the insurance adjuster emailed out a total for \$11,042.55 payment. We received one quote from Midwest Roofing-Sheet Metal for \$12,977.00. Sollman made a motion, seconded by Engler to accept Midwest Roofing's quote and move forward with repairs. Motion passed by 4-0 voice vote.

Lowe stated that since this is the second tree that fell on the town building, the insurance company told us the rest of the dead trees need to be taken down. Mick Moreland got a quote from Brandon Wortman to take down the dead trees, haul all the dead trees away and completely clean up the area for \$5,500. Sollman made a motion, seconded by Engler to have Brandon Wortman handle the dead tree project up to \$5,500. Motion passed by 4-0 voice vote.

### **Maintenance Dept Report**

Cecil Poag advised that the backhoe is at the CAT shop getting its regular service plus an estimate for repairing the transmission. Poag noted that their price to rebuild the transmission would be \$5k. Freeman stated to go ahead and make a motion so we are not waiting. Godeke asked Poag to get the estimate in writing. Godeke made a motion seconded by Engler to also repair transmission up to \$5k. Motion passed by a 4-0 voice vote.

Cecil Poag advised that they have received a quote from JE Shekell to remove the manholes on the sewer system. That quote was very detailed, removing the 12 manholes backfilling and putting in cleanouts for \$7500 each. Cecil mentioned that he also may want to get a quote from Alan Franz and perhaps Alan Relleke.

Cecil Poag asked Spindler if the mag meter calibrations have been scheduled. They have not yet been scheduled.

### **Fire Dept Report**

Brandon Zimmer advised that last month there were 22 runs in town and 12 of those were from the fair. Average response time was just under 5 minutes. There were several runs during the storm.

### **Sheriff Report**

Noah Robinson advised there were 2 accidents last month hit and run on the 31<sup>st</sup> in the parking lot and a crash during fair week on the 4H grounds. There were 2 vehicles that were keyed on Hoing Road.

### **Attorney comments**

No further comments

### **Board Member comments**

Ken Godeke asked Ray Engler if he could look into getting town emails for all of the council members and setup the record retainage and for litigations. Engler noted that yes, he could agree do that for the town free of charge when he can work it into his schedule, but would like to step back from it afterwards as not to be a conflict of interest.

Jay Sollman advised that he has been looking into the Old State property and when we can sell it. Lowe stated that we must wait the 3 years required on the agreement which Spindler stated will be up July of 2023. Lowe advised that, after that, there are still regulations we have on our bond company agreement. Freeman agreed with Lowe, that we have a waiting period.

### **Resident comments**

No residents' comments allowed at this time

The meeting adjourned 9:06pm

Attest:

Mallory Lowe  
Clerk-Treasurer

