



TOWN COUNCIL REGULAR MEETING

Thursday, July 18, 2024 at 7:00 PM

Council Chamber Bristol Municipal Complex

MINUTES

CALL MEETING TO ORDER

Regular Council Meeting called to order by Council President Jeff Beachy at 7:00pm on Thursday, July 18, 2024.

PLEDGE OF ALLEGIANCE led by Mike Yoder.

ROLL CALL

Members present: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy

Others in attendance: Town Manager Mike Yoder, Clerk-Treasurer Cathy Antonelli, Legal Counsel Alex Bowman, Town Marshal Steve Priem, Assistant Fire Chief Jim Hanes

APPROVAL OF AGENDA stands as published

APPROVAL OF INVOICES

- **Motion to approve the invoices** made by Doug DeSmith, Seconded by Gregg Tuholski. Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

APPROVAL OF MINUTES

- **Motion to approve the June 6, June 20 and July 16, 2024 minutes** made by Cathy Burke, Seconded by Gregg Tuholski. Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

PLANNING AND DEVELOPMENT ITEMS no reports this evening

REPORTS

TOWN MANAGER Mike Yoder

Agreements and Notice of Award for 2023 Water System Improvement Project-Contract B-Water Tower Construction, second half of the water project

- **Motion to award Contract B to Phoenix Fabricators and Erectors, LLC** made by Doug DeSmith; seconded by Jeff Beachy. Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Emails/website - Mike Yoder shared a concern about the Squarespace account. They maintain our domain and website, but the annual payment that historically has been a non-issue, is being challenged by the system, to the point that we have involved our IT department for assistance. Mike mentioned notification received that domain could be shut down on July 19, 2024 if not resolved and we are not sure if that would affect emails or just website at this time.

Splash Pad – Safety concerns were shared with regard to the uneven surfaces and drainage issues causing water to pool and become slippery. The staff has made several attempts to remedy the surface concerns with power washing and various cleaning solutions. Discussion followed which included thoughts of repair and/or rebuild of concrete pad, considering a hook up to Town water and an added lift station.

Since the purpose of the splash pad is for enjoyment and fun without injury, the Council determined it was in the best interest to close the splash pad until it has been deemed a safer space for the purpose.

- **Motion to close the splash pad until it is deemed safer** made by Cathy Burke; seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.** This will be effective tomorrow.

CLERK-TREASURER Cathy Antonelli

Amended Salary Ordinance No.7-18-2024-20 – adding base rate salary for the Marshal and two new police officers. Legal Counsel Alex Bowman made note of a previously noted scrivener’s error for a numeric correction on page 11. Cathy Antonelli will make that correction tomorrow.

- **Motion to waive the second reading and adopt Amended Salary Ordinance No. 7/18/2024-20 on first reading** made by Cathy Burke; seconded by Dean Rentfrow Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**
- **Motion to enact on first reading amended salary ordinance no. 7/18/2024-20** made by Jeff Beachy; seconded by Cathy Antonelli Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

TOWN MARSHAL Steve Priem

Marshal Priem reviewed the operations report from June, 2024, noting two new officers are to begin next week and this will increase the staff to eight officers, including himself and other applications being reviewed.

Insurance for Marshal Priem, he currently has a Goshen retiree plan and asked Council to consider paying that premium for continuity and Town savings purposes instead of obtaining the Town’s plan.

- **Motion to approve Steve using his existing insurance and the Town pays the premium** made by Dean Rentfrow; seconded by Cathy Burke Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Council President Jeff Beachy thanked the Marshal for all he and his officers do and offered prayers for their safety.

FIRE CHIEF Nik Kantz is on vacation. **ASSISTANT FIRE CHIEF** Jim Hanes standing in.

- Assistant Fire Chief Jim Hanes reviewed the June Operations report, noting that they are still short staffed one fulltime firefighter/EMT and one fulltime firefighter/Paramedic.
- The department was pleased to report that they had no fireworks incidents.
- Construction finalization is almost done on a new ambulance and will start being built next month
- Training facility now has a new driveway and the department will start utilizing it more.
- Thanks to the Homecoming Committee for such an enjoyable event.

Council President Jeff Beachy thanked the Assistant Chief for all he and the department do and offered prayers for their safety as well.

PARK BOARD Linda Powell

Linda reviewed the notes from the July park board meeting.

Gator – Park Board approved for Perry Nelson to use the gator when working on Town beautification projects, no personal use.

Congdon Park – The Bristol Library will be hosting another car show to be held August 17 from 11:00-3:00. The Park Board was approached by the library and has agreed to purchase a two-sided banner for the car show, using the funds from the summer program. Total cost \$717.83 and would like to coordinate on more future events.

Eric Funkhouser, Street Department Superintendent reported graffiti on the concrete pad in the park gazebo. Graffiti neutralized and will be cleaned up or painted over. Marshal Priem requested later in the meeting to be sure to report anything like that to the department for their follow up. This happened prior to the new Marshal coming on board and they assured him that it was reported.

Linda noted that the Pavilion is getting old and should be looked at to be rebuilt or upgraded, Monogram may assist with this project.

Kayak launch slant is very steep and difficult to maneuver. Mike Yoder has a plan for this.

Cummins Park – Mulberry tree in Cummins is dropping berries on the walking path and needs to be removed. Mike Yoder said it was removed already.

Eric had a meeting with Wendy, a playground consultant, who revealed that we are not compliant in several areas, such as mulching needs, higher borders and cement obstructions in the play areas. Eric to get quotes on how much it would cost to become compliant in the recommended areas. Park Board plans to include this in the five-year plan.

Park board spoke to the splash pad issues, but Council covered that earlier in this meeting.

Pickleball courts – concerns with cost of lighting, thoughts of changing the timer setting or have a fundraiser for LED lighting. Questions from the public why the lights are on if the park closes at dusk and people aren't permitted down there. The answer was for security and Jill Swartz noted that the lights turn off at 10p

Hermance Park- during the park board meeting, park board member Mikel Ropp talked about the landscape timbers on the East side of the pavilion will need to be removed and native plants will be put in, not to interfere with the boat and trailer parking. Hopes of eventually having a walking path in this area as well.

Community Garden – during the park board meeting Mikel Ropp shared that tools for the garden are beginning to disappear and an investment in a small shed is being considered. Costs to be presented.

Meeting for discussion and feedback on the five-year plan will be on Thursday, September 5 at 6p at the Bristol Library - discussion and feedback from the public on the five-year plan.

Next Park Board meeting is August 13, 2024 6p at the Bristol Town Hall

TOWN ATTORNEY Alex Bowman

Annexation Ordinance No. 8/15/2024-18 An Ordinance of the Town Council of the Town of Bristol, Indiana Annexing Certain Territory and Declaring the Same to be a Part of the Town of Bristol, Indiana - First reading and Public Hearing, as required by statute

Alex shared a view of the map of the five parcels of land, consisting of approximately 155 acres. The petition was submitted by the landowner and the parcels are currently zoned A1, GPUD M1, GPUD M2, GPUD B3, M1 & M2. A fiscal plan will be presented at the next meeting to be at 8/15 meeting. Notice

was published in the Goshen News on June 27, 2024 which complies with the statutory requirements.

A public hearing was opened by Council President Jeff Beachy at 7:43pm. Clarification by Legal Counsel Alex Bowman that any remonstrators only to the annexation may be entitled to speak, any other public comments may take place during council meeting during the privilege of the floor section.

Cindy Kimes, Twin River Trail - Is this where the bypass is going to go? (Jeff Beachy replied yes.) Will there be industry there? (Jeff replied that they do not know. No determination on the use of the property) Roundabouts? (Traffic studies to be done. Property owner has come to the Town and asked for their property to be annexed into the Town. The tax revenue would then go to the Town) What does that do for the property owner? (They will have access to water, sewer, police and fire protection. Annexing doesn't impact anyone else's taxes.)

Tim Irions, 905 Mottville Road – Tim is not for any more development for industrial. Towns people totally against anymore factories in this town. Discussion followed surrounding annexation and planning and zoning. Jeff asked Alex to clarify the zoning on the property, which listed a number of designations. (five parcels in total)

The public hearing closed at 7:56pm.

- **Motion to advance Annexation Ordinance No. 8/15/2024-18 to second reading** made by Doug DeSmith, Seconded by Gregg Tuholski. Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Annexation Ordinance No. 8/15/2024-19 An Ordinance of the Town Council of the Town of Bristol, Indiana Annexing Certain Territory and Declaring the Same to be a Part of the Town of Bristol, Indiana -First reading and Public Hearing

Alex shared a view of the map of the three parcels along SR 15. The petition was made by the property owner and is a voluntary annexation. It is approximately 38 acres, physical plan yet to be developed. This is set for public hearing. A notice of the public hearing was published by the Goshen news on 6-27 -2024 and is currently zoned A1.

A public hearing was opened by Council President Jeff Beachy at 7:59pm to hear any questions or concerns regarding Ordinance No. 8-15-2024-19.

Jan Noble, Trout Creek Rd. – Jan noted that over 100 citizens signatures had been gathered. He read through a prewritten letter sharing concerns for boaters, wildlife, riverfront owners and zoning.

Rosanna Boersma, 806 Trout Creek Rd continued reading the letter. Respectfully requesting the property not be rezoned and that their concerns are heard and considered.

Jim Winesburg, 910 Trout Creek Rd, which is directly across from the island on the river. Jim also has concerns with wildlife loss if manufacturing goes in across the river.

Cindy Kimes, Twin River Trail, shared that the homeowner told her she wanted the property to stay farmland. Heard that it may be a housing development and access wanted through the Twin River Trail development and Twin River Trail does not want her property (formally Jim Weavers) to have a new road going through the subdivision to the new development.

Tim Irions, spoke to a previous meeting and the owner selling land to the neighbors or neighborhood – suggested keeping it a quiet neighborhood and possibly putting in medical offices that are only open during the days, instead of industry.

Mark Boersma, 806 Trout Creek Rd - Noted that this conversion impacts many people and asked what's the decision-making process? (Jeff explained that initially these first steps bring the property into the Town. He also explained that the request for rezoning sits with the Council if the

annexation goes through, if it doesn't-it stays with the County. Jeff also stated that he hears the concerns that are being brought to them). The public hearing was closed at 8:22pm.

- **Motion to advance Annexation Ordinance No. 8/15/2024-19 to second reading** made by Jeff Beachy, Seconded by Doug DeSmith. Cathy Burke clarified that this is for annexation only and not zoning. Voting Yea: Doug DeSmith, Dean Rentfrow, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Legal Counsel Alex Bowman noted that both Ordinances are anticipated to have second readings at the August 15, 2024 meeting and fiscal plans being presented by Baker Tilly. A public hearing will not be required.

PRIVILEGE OF THE FLOOR (Public Comments to Council)

Public comment opened at 8:25pm

Lester Otto, 18686 CR 23, wanted to thank whoever took charge of the mowing of the weeds at the intersection near MJB. Dean Rentfrow stated that the State Highway took care of that the next morning.

Jim Winesburg - park lights. If the park is closed at dusk, why are the lights on if we're not allowed to be down there after dark. (security reasons). Is it necessary to close the parks at dusk?

Cindy Kimes- Twin River Trail – concerns with the home on the corner of her street and a property in the neighborhood. It's starting to look like hillbilly heaven. Cindy offered to help post notices. Marshal Priem will talk to our code enforcement officer Randy Cripe and see if they can't help with the enforcing that area.

Linda Dempster, Twin River Trail - cars parked in the street near Cindy on the curve. It's dangerous on the weekend. Marshal Priem spoke to the situation and he will verify how it's zoned out there.

Tim Irions, spoke with Marshal Albin about the ORV (off-road vehicle). Alex is working on a Town version, (razor, four-wheeler, side-by-side) on town roads, not state roads.

TOWN COUNCIL DISCUSSION ITEMS – no comments this evening

NEXT MEETINGS:

August 1, 2024 - Jeff will not be here. Doug DeSmith asked to run the meeting.

MOTION TO ADJOURN made by Cathy Burke, Seconded by Gregg Tuholski. All in favor.

Meeting adjourned at 8:39pm.

Jeff Beachy, Council President

Cathy Antonelli, Clerk-Treasurer