



DECEMBER 7, 2023 TOWN COUNCIL REGULAR MEETING

Thursday, December 07, 2023 at 7:00 PM
Council Chambers – Bristol Municipal Complex and Via Zoom

MINUTES

This meeting can be accessed via Zoom. Virtual attendance for the public is encouraged however, the Bristol Municipal Complex is open for in-person participation.

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/2011667863?pwd=ZkJK2ZMcTZGNHBCaW9adUgvdUtYZz09>

Dial in to 312-626-6799 / Meeting ID: 201 166 7863 / Passcode: 1czEDo

Call in any time after 6:30 / meeting will begin at 7:00PM

BRISTOL TOWN COUNCIL MEETING WAS CALLED TO ORDER by Council President Jeff Beachy on Thursday, December 7, 2023 at 7:08m.

PLEDGE OF ALLEGIANCE was led by Cathy Antonelli

ROLL CALL:

MEMBERS PRESENT: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, and Jeff Beachy.

OTHERS PRESENT: Legal Counsel Alex Bowman, Clerk-Treasurer Cathy Antonelli, Assistant Town Manager Jill Swartz and Fire Chief Nik Kantz

APPROVAL OF AGENDA:

- **Motion to approve the agenda** was made by Cathy Burke, Seconded by Gregg Tuholski. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy.

APPROVAL OF INVOICES:

- **Motion to approve the invoices** was made by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy

APPROVAL OF MINUTES:

- **Motion to approve the previous meeting minutes from October 19, November 2, 14 and 16, 2023** was made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

PRIVILEGE OF THE FLOOR (AKA Public Comment) – no public comments this evening

REPORTS

ASSISTANT TOWN MANAGER Jill Swartz

Pay Application No 1 - Chaptoula Street repairs (stormwater and street) \$21,895

- **Motion to approve payment of Pay Application No. 1** for the Chaptoula Street repairs was made by Andrew Medford, Seconded by Gregg Tuholski. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Elimination of the current COVID-19 policy/guidelines-after researching further, suggestion made to remove the covid guideline/policy and recommend that our employees follow the CDC guidelines. add on day of personal leave .

- **Motion to remove the COVID guidelines/policy and follow the CDC guidelines** was made by Cathy Burke, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Council consideration on adding one day to give employees five days total for personal leave time. (may be used as sick time, as Town does not offer time off for illness), currently able to use or rollover unused 32 hours. Employee handbook will need to be updated to add the extra day. After Council discussion, continue to be able to rollover the 32, not the 40.

- **Council fully supports the modification of the 2024 salary ordinance with an addition of a fifth personal day**, but only allowing the 32 hours as an option for rollover. **All were in favor.**

Approve Pay No. 5 to Niblock for the **RR crossing/Stonemont project**. RR crossing project is complete and final inspection has been completed \$45,524.30

- **Motion to approve payment of Pay Application No. 5 to Niblock** was made by Gregg Tuholski, Seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

CLERK-TREASURER Cathy Antonelli

FINAL reading Amended 2023 Salary Ordinance 12/07/2023-29. This amendment is to add our new street department superintendent, Eric Funkhouser

- **Motion to approve Amended 2023 Salary Ordinance 12/7/2023-29** was made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

2024 Salary Ordinance 12/7/2023 - 30

This is the final approval of the 2024 salary ordinance and has been amended to include the previously supported request to add a fifth day for personal time leave time.

- **Motion made to approve on final reading and as amended, the 2024 Salary Ordinance 12/7/2023-30** was made by Andrew Medford, Seconded by Jeff Beachy. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Motion to approve the 2024 calendar for Council Meetings and work sessions was submitted to share with the media and a list of dates for Park Board meetings for 2024 was shared with the Park Board.

- **Motion to approve the 2024 calendar of Council Meetings** was made by Cathy Burke, seconded by Doug DeSmith. Open for discussion, noted a meeting was scheduled for July 4. Council agreed to forego that meeting on the holiday. **Motion by Cathy Burke**

was revised to approve all but the July 4th meeting, seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Public notification to Council: The Town was awarded their petition appeal of the excess levy in the amount of \$145,513

TOWN ATTORNEY Alex Bowman

First Reading of the Voluntary Annexation Ordinance 12/21/2023-31 Phase II of the annexation that was completed November, 2023. (contiguity piece)

A public hearing opened at 7:27pm to take comment on the annexation of the property south of town. Hearing no comments, the public hearing was closed at 7:27pm

- **Motion to advance on first reading Ordinance No. 12/21/2023-31** made by Cathy Burke, Seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries to advance to second reading at the December 21, 2023 meeting.**

CTI commercial drive variance request

Alex introduced Debra Hughes, a civil engineer with surveying and mapping in Elkhart and representing CTI. CTI is asking for a second driveway to keep trucks off the street and give better access for emergency vehicles.

- **Motion to approve the Town manager's recommendation and find that the variance is a minor variance request** made by Andrew Medford; seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

MOU (Memorandum of Understanding) with St Joe River Basin to use Monsanto settlement funds (\$17K) to fund water monitoring on St Joe or Little Elkhart River. MOU comments were approved and Counsel recommends approval by Council.

- **Motion to approve the St. Joe River Basin funding** made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy.

Accept donation of easement for new lift station made by Pete Liegl

- **Motion to accept the donation and execute the temporary construction agreement and permanent utility agreement** made by Cathy Burke, Seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Resolution No. 12-07-2027-28 approving acquisition by Eminent Domain regarding access to real property within the Town of Bristol. The offer was rejected and Eminent Domain proceedings authorize the Town Council of Bristol to act on behalf of the RDC. Legal Counsel recommends Council to adopt corrected Resolution No. 12/7/2023-28 approving acquisition by Eminent Domain

- **Motion to adopt Resolution No. 12/7/2023-28** was made by Cathy Burke, seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

NEW BUSINESS – no new business this evening

TOWN COUNCIL DISCUSSION ITEMS

Doug DeSmith – thanked the fire department and everyone involved (Jill, Cathy, Linda) in the Town Christmas Tree lighting event. Very well attended.

Andrew Medford-no comments this evening

Cathy Burke-no comments this evening

Gregg Tuholski-no comments this evening

Jeff Beachy-no comments this evening

NEXT MEETINGS:

December 19 work session. Review new Right of way acquisition request with Ken Jones Sr, Town Manager update on residential and commercial growth in 2024

December 21 Council meeting

MOTION TO ADJOURN made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy.

Meeting adjourned at 7:45pm