



AUGUST 3, 2023 TOWN COUNCIL REGULAR MEETING

Thursday, August 03, 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=ZkJKGK2ZMcTZGNHBCaW9adUgvdUtYZz09>

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

MEETING CALLED TO ORDER by Council President Jeff Beachy at 7:00pm.

PLEDGE OF ALLEGIANCE was led by Jill Swartz

ROLL CALL:

Council Members Present: Doug DeSmith, Andrew Medford, Jeff Beachy, Cathy Burke, Gregg Tuholski

Others in attendance: Town Manager Mike Yoder, Deputy Clerk-Treasurer/Assistant Town Manager Jill Swartz and Legal Counsel Alex Bowman

Absent: Clerk-Treasurer Cathy Antonelli

APPROVAL OF AGENDA - The agenda will stand as published.

APPROVAL OF INVOICES

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

APPROVAL OF MINUTES

Motion to approve the previous months minutes was made by Cathy Burke, Seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy

PRIVILEGE OF THE FLOOR (AKA Public Comment)

Cathleen Beachy 802 W Vistula concerns of ecoli in the St Joseph River, due to the recent event in Michigan. Town Manager Mike Yoder spoke to this and that the Health Dept tested and results came back safe.

PLANNING AND DEVELOPMENT ITEMS

- **Motion to approve the first reading of Ordinance No. 8/17/2023-14 in relation to rezoning (R1-R3 single to multi-family) of the Bristol apartment complex** was made by Gregg Tuholski, Seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy

A public hearing will be held on August 17, 2023 for the final review and adoption.

Bristol apartment complex Ord. 8.17.2023-14 **First reading.** Presentation and public hearing on August 17

REPORTS

TOWN MANAGER Mike Yoder

Project updates: Paving

Town Manager Mike Yoder gave an update of existing projects which include the new rail crossing at railpark-road to be completed this month and signals in October, main street partial closures from 15 N to 15 S, Dean Rentfrow, Bristol St Dept spoke to Chestnut and Elkhart Street being redone. Mike and Dean stated that going forward we will rebuild our streets, not just mill and fill. South Maple Street repaving will be starting soon, then the signals and closure signs will be posted.

Niblock pay application 2 for \$137,628.67

- **Motion to approve Niblock pay application No. 2** was made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Niblock Change Order No. 1 CCMG 2022-2, no dollar amount changes, but like the last one revising and replacing "Thermoplastic" with "Paint"

- **Motion to approve Niblock change order No. 1** made by Doug DeSmith, Seconded by Andrew Medford. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

CLERK-TREASURER

DCT/ATM Jill Swartz shared that we have hired a new employee for the water/sewer department. He started July 31, 2023. Kristen Ploeger will be continuing on as the Parks Coordinator position. There were some changes made regarding work schedules/hours/breaks. With this ordinance approval, the employee handbook will also be updated.

- **Motion to approve Final Reading of Amended Salary Ordinance No 8/3/2023-17** made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

TOWN ATTORNEY

Voluntary annexation **first reading** ord. 8.17.2023-15

A brief overview by legal counsel Alex Bowman and Scott Frissell, followed by a public hearing being opened to take comments about the voluntary annexation of the two parcels of property on the west side of town. Hearing no comments, the meeting was then closed. Cathy Burke noted that the parcel zoning should be A1 not R1 to R3, changes by Counsel to be made for second reading.

- **Motion to approve the first reading of the Voluntary Annexation Ordinance No. 8/17/2023-15** (State Road 120 parcels) made by Andrew Medford, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

General Obligation Bond **first reading** Ordinance 8.17.2023-16

Attorney Scott Frissel reviewed the first reading of Ordinance of 8/17/2023-16 for the issuance of general obligation bonds for specific purchases (fire truck) and certain improvements to main street and the construction of a pedestrian bridge in the amount not to exceed \$1,610,000 and an interest rate not to exceed 6%. The bonds will be paid from the tax revenues of the town. The bonds may be issued for up to ten years and may be sold to the Indiana Bond Bank. Application to be submitted to IBB the week of August 23, 2023. The application will be considered by the IBB Board on Sept 13 with possible closure later in the year.

- **Motion to approve the first reading of Ordinance No. 8/17/2023-16 for the issuance of general obligation bonds** made by Jeff Beachy, Seconded by Cathy Burke. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion carries.**

Ordinance 8.3.2023-18

Counsel recommends following the first reading that Council suspend the rules and adopt the Ordinance without the necessity of second reading. This Ordinance declares that the Clerk-Treasurer or designee has the authority to issue cemetery deeds.

- **Motion to waive the rules, pass and adopt amended cemetery Ordinance No. 8/3/2023-18 on first reading** made by Cathy Burke, Seconded by Doug DeSmith. Voting Yea: Doug DeSmith, Andrew Medford, Cathy Burke, Gregg Tuholski, Jeff Beachy. **Motion passes.**

Purchase easement, Bristol Self-Storage, for water project. \$30,000.00

\$13,172.32 is the market value of the site, with a claim of \$16,827.68 for damages. Totalling \$30K.

- **Motion to approve the purchase of the easement in the amount of \$30,000.00** made by Doug DeSmith, Seconded by Gregg Tuholski. Voting Yea: Doug DeSmith, Andrew Medford, Gregg Tuholski, Jeff Beachy. Voting Nay: Cathy Burke.

Discussion about Town ordinance and County ordinance conflicts regarding land use issues. Billboards, chickens, and other animals.

Land use issues and permitting issues or conflicts of between Town issuance and County issuance and which is enforceable? (billboards, chickens, for example) Possibly allow County to issue permits and Town enforce, but no solution at this time. Alex will continue to work on this.

NEW BUSINESS - none

UNFINISHED BUSINESS - none

TOWN COUNCIL DISCUSSION ITEMS – no discussion items this evening from any Council member.

NEXT MEETINGS:

August 15 - Redevelopment Commission meeting and work session

August 17- Regular board meeting

Jeff will not be able to attend the August 17 meeting. Andrew Medford will run the meeting in his absence.

MOTION TO ADJOURN

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

Meeting adjourned at 7:58pm

Jeff Beachy, Council President

Jill Swartz, Deputy Clerk-Treasurer