



JUNE 15 2023 TOWN COUNCIL REGULAR MEETING

Thursday, June 15, 2023 at 7:00 PM

Council Chambers – Bristol Municipal Complex and Via Zoom

AGENDA

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=ZkJGK2ZMcTZGNHBCaW9adUgvdUtYZz09>

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

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF INVOICES
6. APPROVAL OF MINUTES
7. PRIVILEGE OF THE FLOOR (AKA Public Comment)
 - a. Please state your name and address
8. PLANNING AND DEVELOPMENT ITEMS

REPORTS

9. TOWN MANAGER
 - a. Commonwealth Engineering - waste water project update and USDA funding opportunity.
Action for consideration: Motion to pursue USDA funding
10. CLERK-TREASURER
 - a. Auditor notes
11. TOWN MARSHAL
 - a. Russ Holman Scholarship Awarded to Allison Wojtysiak
 - [b.](#) May Board report

- c. May Call Report
- d. Code Enforcement May report

12. FIRE CHIEF

- a. FD June operations report
- b. Property use request

13. PARK BOARD

14. TOWN ATTORNEY

- a. Second reading ordinance 6-15-2023-12 Water and Sewer rates

Public Hearing

Action: Close Public Hearing

Action for consideration: Motion to approve Ord. 6-15-2323-12 Water and Sewer Rates

15. NEW BUSINESS

16. UNFINISHED BUSINESS

17. TOWN COUNCIL DISCUSSION ITEMS

- a. Doug DeSmith
- b. Andrew Medford
- c. Cathy Burke
- d. Gregg Tuholski
- e. Jeff Beachy

NEXT MEETINGS:

July 6 at 7:00 pm Council Meeting

July 18 at 7:00 pm Work Session

July 20 at 7:00 pm Council Meeting

18. MOTION TO ADJOURN

Bristol Police Department
May 2023

Traffic Enforcement:	Citations: 34
	Warnings: 63
Calls for Service:	567
Calls:	347
Vehicle Crashes:	Property Damage: 9
	Personal Injury: 1
	Fatal: 0
	Leaving Scene: 1
Criminal Enforcement:	Cases Taken: 47
	Cases closed by arrest: 10
	OWI: 1 Felony: 0
	Poss. Drugs and/or Paraphernalia: 3
Impounded Vehicles:	5
Miles Driven:	13,023

Criminal Enforcement: In May we investigated 47 cases and 10 of those cases were closed by immediate arrest. One criminal mischief, 1 criminal trespass, 4 thefts, 2 possession of marijuana, 1 possession of methamphetamine, 1 resisting law enforcement, 3 CHINS, 1 OWI and 5 warrant arrests. We continue to investigate several cases from this and previous months. As always, we wish to remind everyone that there are still many scams or attempts. Always know who you are dealing with and never give out pertinent information over the phone.

Traffic Enforcement: In May officers investigated 11 vehicle crashes of these 1 resulted in personal injury and 1 for leaving the scene. Officers issued 34 traffic citations, addressing speed, signal and sign violations. There were 5 of our citations that were for driving while license suspended or never receiving a license. They also issued 63 written warning tickets. As always, please drive defensively and never text and drive. Always wear safety restraints properly – **THEY DO SAVE LIVES.**

Please report any suspicious activity when you see it. Our continued work together can only make our community better and safer. Our thanks to all for your continued support and cooperation.

Together we can make a better community

Respectfully,
Michael W. Albin, Marshal

Elkhart County Public Safety Communications Center

Number Of Calls Report by Department

Section 11, Item c.

First Date: 05/01/2023

Jurisdiction: ECC

Last Date: 05/31/2023

	<i>Department</i>	<i>Number</i>
1	4	347

Total: 347

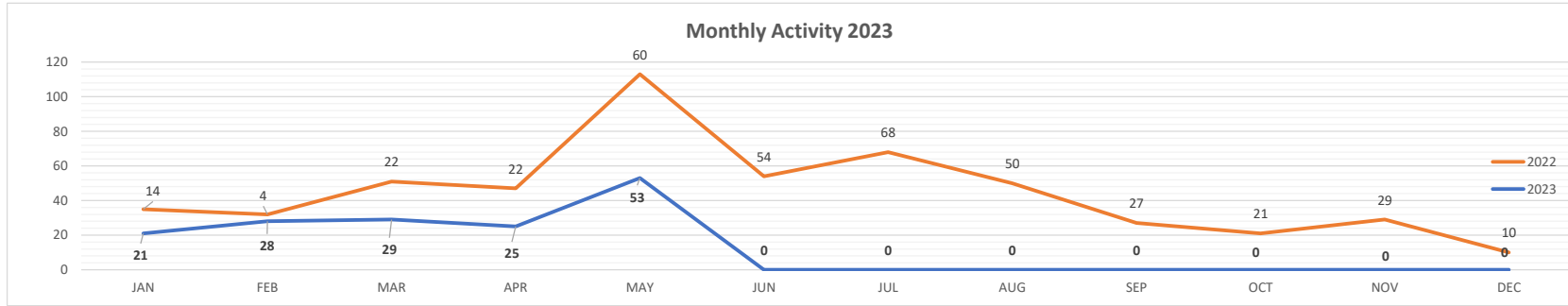
Code Enforcement Dashboard 2023

Section 11, Item d.

Measure	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Current 2023	2022	Warning Issued	Notice Issued	Parking Citation	Impound	Violation Corrected	Unfounded	Open
Abandoned & Junk Vehicles (Property)	6	2	0	0	0	0	0	0	0	0	0	0	8	51	8	0	0	0	6	1	1
Abandoned & Junk Vehicles (Street)	0	0	0	1	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	1
Animals	1	1	1	0	1	0	0	0	0	0	0	0	4	16	4	0	0	0	3	0	0
Bicycles & foot scooters	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Golf Carts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
High Grass	0	0	0	1	22	0	0	0	0	0	0	0	23	101	23	1	0	0	20	0	3
Illegal Parking	10	1	20	12	14	0	0	0	0	0	0	0	57	121	57	2	0	0	55	0	2
Improper disposal of trash	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0
Litter & Dumping	0	18	1	0	0	0	0	0	0	0	0	0	19	4	19	0	0	0	17	2	0
Loud Noise or disturbing the peace	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Nuisance issues	1	1	2	5	8	0	0	0	0	0	0	0	17	20	17	5	0	0	14	1	2
Snowmobiles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Snow and Ice from sidewalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Signs and devices	0	1	0	2	6	0	0	0	0	0	0	0	9	3	9	6	0	0	7	0	3
Trash on property	0	1	1	0	0	0	0	0	0	0	0	0	2	19	2	0	0	0	1	0	1
Trees & Bushes	0	0	2	0	0	0	0	0	0	0	0	0	2	10	2	0	0	0	2	0	0
Weeds & Rank Vegetation	0	0	0	0	0	0	0	0	0	0	0	0	0	19	0	1	0	0	0	0	0
Vehicles for sale on grass	1	0	0	2	0	0	0	0	0	0	0	0	3	4	3	0	0	0	3	0	0
Other	2	3	2	2	2	0	0	0	0	0	0	0	11	10	11	0	0	0	10	1	0
TOTAL	21	28	29	25	53	0	0	0	0	0	0	0	156	381	156	15	0	0	138	5	13

Citizens' complaints	2	4	5	3	7	0	0	0	0	0	0	0	21
Code enforcement officer	19	24	24	22	46	0	0	0	0	0	0	0	135

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
Chicken Permits Issued	0	0	0	1	0	0	0	0	0	0	0	0	1



14 4 22 22 60 54 68 50 27 21 29 10



BRISTOL FIRE DEPARTMENT

405 E. ELKHART STREET
BRISTOL, IN. 46507
Office 1-574-848-4155 / Fax 1-574-848-0459



Section 12, Item a.

Nicholas J. A. Kantz Fire Chief

James A. Hanes Jr. Assistant Chief

June 2023 Operations Report:

We responded to 97 emergency calls in May.

Consisting of

5 Structure fires, 1 Vehicle Fire, 1 Gas Leak, 11 Misc. Assistance Calls, 5 Fire Alarms, 5 Trash Fires, 1 Natural Vegetation/Grass Fires, 68 Ambulance calls.

362 Responses for April

Staffing:

We are currently short 1 Fulltime Firefighter/EMT but are currently filling that position with parttime staff.

Additional:

We ask our citizens to use extreme caution with the upcoming July 4th Holiday. It is very, very dry. We ask if you are going to do be doing fireworks on your property to have a supply of water available as well as wet down the area where you will be using fireworks.

We are looking forward to the Bristol Homecoming Festival.

**Thank you,
Nicholas J.A. Kantz
Fire Chief**



B-2 set backs

Front 55 feet

Side 10 Feet from street RW (east side)

Side from residential 25 feet

Rear 15 feet

Building coverage 75 %

Two FD lots total 12,196.8 aq. Ft. X 75% = 9,147.6 sq ft maximum size of mobile office

60 by 12 = 720 sq ft

ORDINANCE NO. 6-15-2023-12

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA
AMENDING CHAPTERS 51 AND 52
OF THE TOWN OF BRISTOL, INDIANA CODE OF ORDINANCES
WATER AND SEWER UTILITY RATE INCREASE

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, the Town owns and operates a municipal waterworks system for the treatment and distribution of potable water to the inhabitants of the Town of Bristol (the “Water Utility”), and a municipal sewer and treatment system for the transportation and treatment of wastewater and sewage for the Town of Bristol (the “Sewer Utility”) (the Water Utility and Sewer Utility collectively the “Utilities”); and

WHEREAS, the Town Council has established rates and charges for the Sewer Utility and Water Utility for customers connected to the Town’s municipal water and sewage systems; and

WHEREAS, the Town, through its advisors, is undertaking to expand, enhance, and improve the extent, capacity, and quality of the Town’s Utilities through investments in facilities and infrastructure (the “Utilities Expansion Project”); and

WHEREAS, pursuant to Indiana Code, this Council may modify or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, Indiana Code authorizes the Council to adopt by ordinance nondiscriminatory, reasonable, and just rates and charges for sewer and water services rendered by the Town's Utilities; and

WHEREAS, Indiana Code authorizes the Town to exercise powers to regulate the furnishing of water to the public; establish, maintain, and operate waterworks; and regulate the furnishing of the service of collecting, processing, and disposing of waste substances and domestic or sanitary sewage with four (4) miles of the Town’s corporate boundaries; and

WHEREAS, the Town has caused a rate study to be completed by Baker Tilly Municipal Advisors, LLC, for the purpose of determining whether the current rates charged for the Town’s Utilities produce an income sufficient to properly maintain and operate the Utilities through and after the completion of the Utilities Expansion Project; and

WHEREAS, it has been determined by the Town Council that the existing rates for the Utilities will be insufficient to meet the costs and demands of the Utilities Expansion Project and, therefore, should be amended and modified as provided for in this ordinance; and

WHEREAS, the Council now determines that proper notice has been duly given as required by Indiana Code § 8-1.5-3-8.1, and that a public hearing on the proposed schedule of rates and charges has been duly held on June 15, 2023;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, and after considering the needs of the Town’s Utilities, determines it is necessary to make changes and amend the sewer and water rates and charges in the Town of Bristol, Elkhart County, Indiana in the following manner:

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. As of the effective date of this Ordinance, Section 51.01 of the Code, entitled “Metered Water Rates and Charges,” shall be amended and replaced in its entirety with the new Section 51.01 attached as Exhibit A hereto and incorporated herein.
- Section 3. As of the effective date of this Ordinance, Section 51.02 of the Code, entitled “Minimum Water Charges,” shall be amended and replaced in its entirety with the new Section 51.02 attached as Exhibit B hereto and incorporated herein.
- Section 4. As of the effective date of this Ordinance, Section 51.04 of the Code, entitled “Hydrant Rental,” shall be amended and replaced in its entirety with the new Section 51.06 attached as Exhibit C hereto and incorporated herein.
- Section 5. As of the effective date of this Ordinance, Section 51.05 of the Code, entitled “Monthly Billing Charts for 40,000 Gallons or More,” shall be deleted in its entirety and replaced with the notation “Repealed by Ord. 6-15-2023-12.”
- Section 6. As of the effective date of this Ordinance, Section 51.06 of the Code, entitled “Rates for Sprinkler Systems and Public Drinking Fountains,” shall be amended and replaced in its entirety with the new Section 51.06 attached as Exhibit D hereto and incorporated herein.
- Section 7. As of the effective date of this Ordinance, Section 52.142 of the Code, entitled “Sewage Rates Schedule,” shall be amended and replaced in its entirety with the new Section 52.142 attached as Exhibit E hereto and incorporated herein.
- Section 8. As of the effective date of this Ordinance, Section 52.156 of the Code, entitled “Surcharge Fees for Conventional Pollutants,” shall be amended and replaced in its entirety with the new Section 52.156 attached as Exhibit F hereto and incorporated herein.
- Section 9. All ordinances and parts of ordinances, and all Titles, Chapters and/or Sections of the Bristol Code of Ordinances that conflict with the provisions contained herein are hereby specifically repealed as of the effective date of this Ordinance.
- Section 10. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity

of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 11.

The rates and charges herein set forth shall be in full force and effect for all billings of Water Utility and Sewer Utility services at the first full monthly billing therefor following the final passage and adoption of this Ordinance. All other provisions of this Ordinance shall be in full force and effect from and after its adoption and publication as required by law. All acts pursuant to the adoption of this Ordinance are hereby ratified.

* * * * *

ADOPTED THIS ____ DAY OF _____, 2023.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

EXHIBIT A

§ 51.01 METERED WATER RATES AND CHARGES.

There shall be and there are established for the use of and the service rendered by the waterworks systems of the town rates and charges based on the use of water supplied by the waterworks system determined by the Town Council and adopted herein by reference.

Monthly Metered Rates:		Rate per 1,000 Gallons effective July 1, 2023	
		Inside Town	Outside Town¹
First	15,000 Gallons	\$5.58	\$6.36
Next	105,000 Gallons	\$5.29	\$6.02
Over	120,000 Gallons	\$3.92	\$4.47

¹ Represents a 14% increase from Inside Town rates.

(‘97 Code, § 9-10) (Ord. 12-11-97(A), passed 12-11-97; Am. Ord. 10-21-99(A), passed 10-21-99; Am. Ord. 6-15-2023-12, passed 6-15-23.)

EXHIBIT B

§ 51.02 MINIMUM WATER CHARGES.

Each user shall pay a minimum charge in accordance with the size of meter installed for which the user will be entitled to the quantity of water set by the Town Council from time to time.

Minimum Water Charges		
Meter Size	Rate per month effective July 1, 2023	
	Inside Town	Outside Town¹
5/8 inch meter	\$11.15	\$12.72
1 inch meter	\$19.42	\$22.15
1 1/4 inch meter	\$29.56	\$33.71
1 1/2 inch meter	\$40.68	\$46.40
2 inch meter	\$72.63	\$82.84
3 inch meter	\$173.40	\$197.64
4 inch meter	\$333.31	\$379.78
6 inch meter	\$849.39	\$967.90

¹ Represents a 14% increase from Inside Town rates.

(‘97 Code, § 9-11) (Ord. 12-11-97(A), passed 12-11-97; Am. Ord. 10-21-99(A), passed 10-21-99; Am. Ord. 6-15-2023-12, passed 6-15-23.)

EXHIBIT C

§ 51.04 HYDRANT RENTAL.

The fire hydrant rental shall hereafter be charged at the following rates per annum, per hydrant, effective July 1, 2023, a copy of which is on file in the office of the Clerk-Treasurer during regular business hours.

Hydrant Type	Fee per hydrant per annum	
	Inside Town	Outside Town¹
Municipal	\$612.21	\$697.92
Private	\$378.45	\$431.43

¹ Represents a 14% increase from Inside Town rates.

(‘97 Code, § 9-13) (Ord. 12-12-96, passed 12-12-96; Am. Ord. 10-21-99(A), passed 10-21-99; Am. Ord. 9-16-04, passed 9-16-04; Am. Ord. 8-21-08B, passed 8-21-08; Am. Ord. 6-15-2023-12, passed 6-15-23.)

EXHIBIT D

§ 51.06 RATES FOR SPRINKLER SYSTEMS AND PUBLIC DRINKING FOUNTAINS.

(A) The rates for sprinkler systems and public drinking fountains shall be determined by the town.

(B) Until otherwise modified, the rate for building sprinkler systems as determined by the diameter of the service line for the system is as follows:

Size of Line	Annual Fee	
	Inside Town	Outside Town ¹
4 inch	\$130.29	\$148.53
6 inch	\$378.45	\$431.43
8 inch	\$806.51	\$919.42

¹ Represents a 14% increase from Inside Town rates.

(‘97 Code, § 9-15) (Ord. 5-21-1966, passed 5-2-66; Am. Ord. 12-11-97(A), passed 12-11-97; Am. Ord. 10-21-99(A), passed 10-21-99; Am. Ord. 2-21-13, passed 2-21-13; Am. Ord. 6-15-2023-12, passed 6-15-23.)

EXHIBIT D

§ 52.142 SEWAGE RATES SCHEDULE.

For sewage customers who are metered customers of the municipal water system and industrial customers with private supply of water, the charge for sewage service shall be based upon the quantity of water used and returned to the sewage plant for treatment as determined by the Town Council.

Base Monthly Charges (includes 2,000 gallons of usage)		
Meter Size	Rate per month effective July 1, 2023	
	Inside Town	Outside Town ¹
5/8 – 3/4 inch meter	\$14.80	\$16.88
1 inch meter	\$37.05	\$42.24
1 1/4 inch meter	\$59.20	\$67.49
1 1/2 inch meter	\$85.85	\$97.87
2 inch meter	\$148.00	\$168.72
3 inch meter	\$340.40	\$388.06
4 inch meter	\$592.00	\$674.88
6 inch meter	\$1,346.00	\$1,535.35

Minimum Monthly Rates for Unmetered Users		
Class of User	Rate per month effective July 1, 2023	
	Inside Town	Outside Town ¹
Single family residence/unit	\$45.15	\$51.47

Monthly Metered Flow Rates		
Flow	Rate per 1,000 Gallons effective July 1, 2023	
	Users Inside Town	Users Outside Town ¹
All Gallons	\$7.40	\$8.44

¹ Represents a 14% increase from Inside Town rates.

(‘97 Code, § 9-30) (Ord. 12-11-97(B), passed 12-11-97; Am. Ord. 10-21-99(A), passed 10-21-99; Am. Ord. 6-15-2023-12, passed 6-15-23.)

EXHIBIT E

§ 52.156 SURCHARGE FEES FOR CONVENTIONAL POLLUTANTS.

(A) Surcharge fees (additional charges) based on the strength of sewage and liquid wastes shall be made on the following basis:

- (1) There shall be an additional charge of \$0.31 per pound of biochemical oxygen demand for BODs received in excess of 200 milligrams per liter of fluid.
- (2) There shall be an additional charge of \$0.27 per pound of suspended solids for total suspended solids received in excess of 200 milligrams per liter of fluid.
- (3) There shall be an additional charge of \$1.19 per pound of ammonia for ammonia received in excess of 20 milligrams per liter of fluid.
- (4) There shall be an additional charge of \$5.04 per pound of phosphorous for phosphorous received in excess of 10 milligrams per liter of fluid.

(B) The surcharge will remain in effect until the user provides proof satisfactory to the Bristol Utility Director that the strength of liquid wastes and sewage being disposed of by user have been reduced to levels that would cause the surcharge to be no longer appropriate. For purposes of calculating the surcharge, the Director may consider either actual measured flowage or estimate using available information. The user shall have burden of showing the surcharge is excessive.

(Ord. 10-21-99(A), passed 10-21-99; 6-15-2023-12, passed 6-15-23.)