

MINUTES-REGULAR
TOWN COUNCIL MEETING – March 9, 2022 – 6:00 p.m.

PUBLIC PRESENT: Citizens— Larry Hagedorn, Roger Flamion, Nathan Stanton, Bethany Grant, Mick Grant,

Bob Reynolds-London Witte, Chris Goffinet - Town Attorney

COUNCIL PRESENT: Roger Fella, Tina Gerlach, Bret Kleeman, Danny VanConey

ABSENT: Stephen Poehlein, Marshal; Brandon Kleeman

Called the regular meeting to order at 6:00 p.m. by Roger Fella, Board President

Agendas, Financials, minutes were distributed.

Approve and sign: Minutes, agenda, financial report.

MOTION by Bret Kleeman

SECONDED by Tina Gerlach

Discussion: None

MOTION carried: ayes 4; nays 0

Fire Department – No runs.

Utilities-Pudder Linne, Town Manager:

- We met with Ohio Scenic Railroad last month and they do not have plans for July 4, 2022 fireworks. We would like to have fireworks if the board approves. We will hold fireworks on Troy riverfront on Saturday, July 2, 2022 at 9:00 p.m. CST. This will be managed by the Troy VFD. We can have festival if we want to add those. We will need donations for fireworks. Approximate cost for fireworks is \$4,000.00. This would need approved by Troy Town Council and Troy landowners. Norman and Mary Lou Poehlein and Denny Palmer will allow people to sit or use their property as long as it is put on by Troy. In addition, Poehlein's will allow a band to set up on their shelter as in the past if festival is added.

MOTION by: Bret Kleeman

SECONDED by: Tina Gerlach

MOTION carried: ayes 4: nays 0

- KKIL Abatement - Linda Crawford stated, myself, Roger Fella, Pudder Linne and our attorney have met with them multiple time to discuss what has happened with their tax rates since original abatement was given to them six years ago. Perry County hit them with a very high tax cost due to the original business plan cost being not accurate for warehouse category. We as a town have an opportunity to help them by amending the original abatement and we are presenting an abatement reflecting tax relief. We will need public input and Troy Council vote for approval. We consulted with our attorney Chris Goffinet and our CPA Robert Reynolds from London Witte Group for additional input and review of documents presented by Cynthia Kuber and KKIL attorney. Chris Goffinet and Robert Reynolds are here to answer questions the Public or citizens have. We have verified this ordinance/resolution does not affect our residents, or schools or cities/towns in Perry County.

Roger Fella asked if this has anything to do with new construction at KKIL. Robert Reynolds answered no, this only pertains to current warehouse. Roger Fella asked if citizens had any questions or input.

Roger Flamion (citizen) said he is 100% against it. He said KKIL trucks have destroyed our roads, keep you awake all night and it is only going to get worse. It is all day long and all night long. Not 7 a.m. to 7 p.m. – 7 days a week. I am sick of it.

My next option is to leave Troy. Are they talking about building on out there? Roger Fella says it has been discussed but no timeline if building at all. I was told it would be 50 semis per day.

New Residents, Mick and Beth Grant (Gayer House) said they count 27 trucks per hour. Pudder Linne stated original abatement called for 100 semis per day. He said there are a lot more trucks than that per day. Beth Grant spoke they live near Roger Flamion at 500 Main St. in Troy. She stated not only is there truck traffic they shake our house but big issue is they speed. 75% of trucks speed up going to the light in order to make the light without stopping. Without a marshal or any control to obey speed limits, they could lose control of the speeding trucks. They also stop on our road and park to get food and drinks at gas station block Protsman Street when parking.

It would be easy to build the road through on McDaniel Street as they were going to do originally – this would keep trucks off Hwy 545. As long as we give them leverage in town they will never improve. We just moved here in September 2021 and did not know about the continuous trucks and the speeding trucks. At 4:00 a.m. it sounds like New York City outside our house. We feel the trucks do no respect the town.

Roger Flamion (citizen)-Have you seen the Flatridge Trucks? They are fast and loud. We need a police officer to slow them down even if it a part time officer.

Bret Kleeman stated the residents need to call the State Police dispatch. He says he does all the time and a few days later he sees them (ISP) have tons of trucks pulled over.

Roger Fella-Back in 1980's we had same problem with coal trucks in Troy.

Pudder Linne said we actually had 4 times as many of the coal trucks.

Linda Crawford-The only thing I would like to comment is that there was never a plan for the McDaniel Road to go all the way through to Waupaca. That was misinformation. It was a rumor that started. Since I moved to Troy in 2012, the truck traffic on Hwy 66 has drastically increased, we now have heavily loaded ore, casting, and scrap trucks running to Waupaca. It shakes the homes and church on Hwy 66 and complaints have come from two blocks on either side of Hwy 66. These trucks are very loud and fast. Most of us are concerned about the structure damage to our homes. We are hoping the new improvements on Hwy 66 in 2023 will help the home and business vibrations subside from truck traffic.

Beth Grant (citizen)asked if we can make it a condition with KKIL to route the truck traffic away from Troy?

Pudder Linne-basically all we are doing tonight this abatement change is to help KKIL since there was a mistake made on the original business set up at the Perry County office. This just spreads tax relief to KKIL. This abatement goes until 2026 whether it is agreement to approve amendment or not approve.

Roger Flamion (citizen) asked if they can build a railroad spur to eliminate trucks like they did in Wisconsin?

The abatement change fell back to Troy since we gave them the original abatement.

Chris Goffinet (attorney) stated we are not making decision based on whether we like having KKIL here or not. This is just a minor adjustment to an ordinance.

Robert Reynolds stated if the board chooses not to approve this, they (KKIL) will still be here. We picked our time to review this so it would not affect tax payers and recipients this year. It levels out all taxes beginning next year. We did this so no one's budgets that rely on tax monies were affected.

Linda Crawford stated one thing the board can do is send KKIL a letter telling them about the complaints we received. We have done this in the past and issues were fixed.

Roger Flamion (citizen) said it would be a waste of time to send letter to KKIL.

Bret Kleeman stated She (Cynthia, owner) will come to the meeting and tell you what you want to hear, but she does not mean it.

Roger Fella said if there is not any additional input, we will vote on ordinance for KKIL abatement.

Bret – No – I am against abatement change

Tina – Yes

Danny – Yes

Roger – Yes

MOTION by Tina Gerlach

SECONDED by Danny VanConey

MOTION carried ayes 3; nays 1

Beth Grant(citizen) asked if there is anything we can do to get trucks to slow down?

Pudder Linne-said we can contact county sheriff about complaints, but the load trucks you hear is most likely the Flatridge trucks. The Flatridge trucks do not have muffler systems on their equipment. They work for Waupaca and are offenders of the jake brake sounds here.

Roger Flamion (citizen) stated the KKIL trucks have Wisconsin plates, do they ever pay Indiana taxes? Robert Reynolds said they would be paying transportation tax. Bret Kleeman said we get very little tax from KKIL truck transportation.

Bret Kleeman asked if KKIL has ever done anything for Troy? Have they donated anything? They promised a lot when they came here. Did they donate to our parks?

Roger Flamion (citizen) and Bret Kleeman stated we hear traffic all hour's day and night.

Pudder Linne: **Water and electric rate study is on the same page in handout for your review.**

Robert Reynolds, CPA with London Witte Group: Water Rates

- We looked at the water rates per the request of Troy Ridge Road water users when the last rate study was done for new water filtration plant. The Troy Ridge Customers stated they felt they should have same rates as town water users. Having the new water treatment plant there is no longer extra cost for Ridge Road users since water is not pumped up to Ridge users, therefore, we blended the rates together. As I was working on their study, I noticed all salaries were being taken out of Electric. I worked on reallocating the expenses for employees to make it even for all employees cost among "The Utilities" this is justified because some residents may only have one utility and this evens it up among all Utilities. This was the only adjustment I made. We used April 2021 to September 2021 for the test year costs and you were in the black. This salary adjustment will add \$48,000 increase in water utility revenue. This adjustment takes monies from Electric and add to Water which in long run takes burden off Electric revenue used for salaries.
- Robert Reynolds stated: In summary, once we blend the rates together you are on a one rate system, the impact to Ridge Road customers was no change after blended utilities and base rate increase of \$1.80. Non-Ridge Road residents saw 15% increase or \$8.13 increase. Each 1,000 gallons increase or decrease by \$1.58. Our average water cost is 4,000 gallons at \$50.19 and research shows national average is \$70.93 so we are below national average. Roger Fella stated it there are no more question we will vote on the Water Ordinance.

MOTION by Tina Gerlach

SECONDED by Danny VanConey

MOTION carried 4 ayes 0 nays

Utilities-Pudder Linne, Town Manager: Electric Rates

- Electric rate study as not been completed in over 10 years so no increase since then. No increases in 11 years actually 2 decreases. New regulations are beating up our costs on daily usage and maintenance.

Robert Reynolds, CPA with London Witte Group: Electric Rates

- Test date year is April 2021 to September 2021 Troy Electric endured a \$279,000 loss – this loss is a big signal you need an Electric increase. The Electric Utility was footing cost for salaries and as mentioned in water rate study the salaries need to be blended. When we decreased salary there still was \$204,000 loss which was better but still indication an increase is needed.
- We saw that Troy base rate was lower than surrounding towns so we did increase that from \$6.00 to \$16.00, which keeps us lower than other nearby cities and towns but still keeps us in line. The base rate is a fixed charge so you have a known amount for users who do not use their property but maintain a meter.
- The total recommended increase is 18.83% which includes the base rate increase. The current average electric bill is \$98.44. The recommended \$8.00 increase would be \$106.49 average – the Town Council requested we introduce the increase in 3 phases on April 2022,2023, 2024. - (Phase I), \$114.00 (Phase II), \$122.00 (Phase III). The national average is \$114.00 , but we know that with all the changing regulation in the next few years all numbers such as national average most likely change.

Roger Flamion-question: I have a separate meter in my garage so what you are saying the base rate will go up on this meter to \$16.00 per month?

Robert Reynolds replied: Yes, that is correct.

Beth Grant-question: Do Commercial and Residents have the same electric rate?

Robert Reynolds-replied: Yes, then Industrial has a different rate because of demand factors.

Beth Grant-question: What will happen to Industrial rates it seems like they use more, why do they not have increase?

Robert Reynolds-We keep the presented material to show residential and commercial for interest purposes only but to answer your question yes, industrial will increase by 18% also. Industrial rates are higher in cost therefore they absorb more of the cost for electric.

Pudder Linne-commented: Industrial is 80% of Troy electric usage.

Robert Reynolds-stated: With the 3-step phase in if you would have a new subdivision or new business come in you can decrease the phase in cost, but you cannot increase it more than the approved rate increase amount. Increase goes into effect April 1, 2022, but we may not see it on our bills until June or July 2022. It takes that long for Keystone to set up billing once Ordinance is approved. Roger Fella stated if there are no more questions we will vote on Electric Ordinance.

MOTION by Tina Gerlach

SECONDED by Danny VanConey

MOTION carried 4 ayes 0 nays

Pudder Linne: The Troy Town Council decided to do the increase in 3 phases versus one large increase so the impact was less on residents and businesses.

Pudder Linne-Cemetery Cleanup: We will send out reminders to get flowers and shepherds hooks etc. removed. Must remove anything not attached to headstone to allow mowers to get mowing completed.

Pudder Linne: Spring Cleanup will be April 7-8. It is earlier this year due to Good Friday being April 15. Office is closed on Good Friday.

Citizens:

Nathan Stanton: I own Stanton's Detail next to Barge Inn and would like to organize a car show on Saturday, April 23, 2022 in conjunction with Dogwood Festival. Part of the proceeds would go to Troy Park Project. I decided not to have it on the Sunday to avoid parking issues with St. Pius Church chicken dumplings on Sunday, April 24, 2022. It will be held along Troy River front from 10 a.m. to 3:00 p.m. mainly in dock area. There will be prizes but I have just tentative layout for now. Nathan presented a color handout of tentative Car Show layout.

Pudder Linne: Are you requesting to close Water Street along river?

Nathan Stanton: He was going to check with SynEnergy to see if they will allow vendors to set up in that area. If so, he will not need to close Water Street. He will make sure residents along Water Street can get out of their driveway if it is closed. Boats will be able to reach dock.

Roger Fella stated: Keep us updated on the car show.

Larry Hagedorn: I am here to check if I can use a little back hoe to dig graves in future. Now that new part is in use it would be easier to use back hoe. 21 HP back hoe will be considered. Pudder Linne agreed this would be a good idea and does not think there is anything documented that says he cannot use a back hoe within reason.

Linda Crawford stated it was brought up in a past meeting that it is in our best interest to re-write our cemetery ordinance. The current one is vague. Copies of current and suggested cemetery ordinance will be provided at next meeting.

Beth and Mick Grant asked if they could pick up driftwood on river front for use in art projects? They were not allowed to pick up drift wood in their prior town of Jeffersonville. The Board said yes, help yourself to driftwood.

Beth and Mick Grant asked about why street light was so bright recently. Pudder Linne explained new bulbs will all be the brighter LED lights. Old type of bulbs/lamps have been discontinued.

Roger Flamion-nothing.

Linda Crawford, Clerk Treasurer:

- **Park Update:** As we spoke about last meeting, we met our goal for the \$25,000.00 Patronicity Match Grant and the \$25,000.00 match went into our account this week for a total of \$50,000.00 to purchase park equipment. The equipment will be ordered this week and the lead time has increased to 20 weeks. We want to get this installed as soon as possible. We also discussed a basketball court in the park and if no one else is putting in a request we would to put in the Perry County ARP Grant for basketball court funds. We will work to get funds for full court with lights and fence 84'x50' with 4" concrete so it will be costly. This will be multipurpose pickleball court and has games for all ages. We submitted a grant for DNR Trail Grant which will include a shelter house trail head. The trail head shelter will be multipurpose with picnic tables but can be used for bands or farmer market.
- A Public Park meeting is scheduled for Monday, March 28, 2022 at 6:00 pm . We will discuss the July 02, 2022 fireworks. We sent a letter of invite about this Public Meeting to all Riverfront residents.

Citizens:

Nathan Stanton commented a half basketball court might be sufficient due to small town usage.

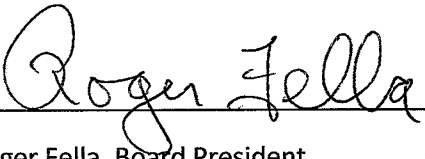
Bret – none
Roger – none
Tina – none
Danny – none
Stephen – Military leave
Brandon – Absent.

Correspondence: none

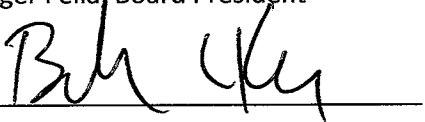
NEW BUSINESS: none

OLD BUSINESS: Linda Crawford asked Chris Goffinet for legal advice on the Marshal contract? His contract ended on December 31, 2021 but he is on Military leave and will not return until October 2022. Does the Uniformed Services Employment & Reemployment Rights Act (USERRA) take precedence over the contract?
Chris Goffinet stated he would contact an attorney with employment expertise and get back with us.


ADJOURNMENT: There being no further business, a motion was made by Bret Kleeman and seconded by Danny VanConey to adjourn the meeting at 7:08 p.m., CST. All in favor. Motion carried. The next meeting will be on April 13, 2022 at 6:00 p.m., CST.



Roger Fella, Board President



Brandon Kleeman, Board Vice President



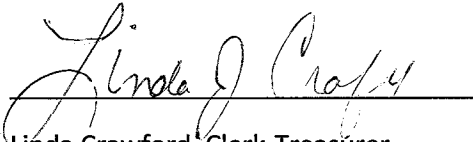
Tina Gerlach, Board Member



Bret Kleeman, Board Member



Danny VanConey, Board Member



Linda Crawford, Clerk-Treasurer

AGENDA

TROY TOWN COUNCIL MEETING - PUBLIC

April 13, 2022 – 6:00 P.M.

EVERYONE NEEDS TO PLEASE SIGN IN ON THE SIGN-IN SHEET.

THE SIGN-IN SHEET WILL BE ATTACHED TO THE MINUTES AND BECOME PUBLIC RECORD. THANK YOU.

PLEASE BE ADVISED THESE MEETINGS ARE BEING RECORDED.

- 1 PLEDGE OF ALLEGIANCE - Council
- 2 CALL TO ORDER – 6:00 pm
- 3 DISTRIBUTION OF:
 - a. Agenda
 - b. Minutes
 - c. Financial Reports
 - d. (Sign time-sheets)-returned
- 4 Approve & Sign **CONSENT AGENDA**: which includes
 - a. Agenda
 - b. Minutes
 - c. Financial Reports-current (**1-MOTION NEEDED FOR ALL**)
- 5 Fire department report—
- 6 UTILITIES: Town Manager, Pudder Linne
 - a. Electric
 - b. Water
 - c. Sewer
- 7 STREET: Jeff Everly, Street Superintendent
- 8 CITIZENS—INPUT/QUESTIONS (you will each be given a turn to speak and this will be your time – limit 5 minutes – to address ALL your issues at this time so we may keep the meeting on track)
- 9 Linda Crawford
- 10 Roger Fella
- 11 Brandon Kleeman
- 12 Bret Kleeman
- 13 Tina Gerlach
- 14 Danny VanConey
- 15 Stephen Poehlein-Military Leave

- 16 OLD BUSINESS
- 17 NEW BUSINESS
- 18 ANY CORRESPONDENCE
- 19 ADJOURN MEETING (**MOTION**)
- 20 NEXT MONTHLY MEETING-May 11, 2022 AT 6:00 P.M., CST

NOTES:

In accordance with the Americans with Disabilities Act, if anyone wishes to attend, hear or present evidence at the public meeting on the above-referenced matter(s) and is in need of reasonable accommodations, please contact the Office of the Town of Troy-Clerk/Treasurer, so that accommodations can be made. The Troy Clerk/Treasurer may be contacted by mailing to Town of Troy, POB 57 - Troy, IN 47588 or telephoning 812.547.7501.