

MINUTES - REGULAR
TOWN COUNCIL MEETING MINUTES

April 12, 2023

PUBLIC PRESENT: Adam and Kathy Hoffman, Jane Hayden.

COUNCIL PRESENT: Roger Fella, Tina Gerlach, Bret Kleeman.

COUNCIL ABSENT: Danny VanConey, Brandon Kleeman

APPROVE and SIGN: Consent Agenda which includes: Minutes, Agenda, Financial Report:

Bret Kleeman stated he wished he would have had Minutes prior to this meeting? Linda Crawford stated they have been ready for pick up for 2 months.

MOTION: Tina Gerlach

SECONDED: Bret Kleeman

MOTION CARRIED: ayes 3 nays 0

5. TVFD FIRE DEPARTMENT : Pudder Linne -no runs

6. UTILITIES: WATER- We have a new requirement handed down by the Environmental Protection Agency (EPA) called the "LEAD AND COPPER RULE" this rule started on March 22, 2023. We must send out plumbing surveys to all our Troy Water customer's and have an inventory on file for each customer by October 16, 2024. This survey will ask year their home/business was built -if home built after 1988 it should not have lead or copper pipes. The survey asks what material the pipes in home and leading up to home are made of? Jane Hayden asked if it will be at homeowners' expense if the pipes need replaced? Pudder said yes it will – there will also be a grant available to help owners but this grant will be for the entire United States (US) so funds could deplete quickly? Pudder Linne stated once we get all the information from the survey it will our responsibility to put information online for public view no later than October 16, 2024. The survey request we send out will be requested to be returned by June 2023 and we will go from there to get all responses from owners. It is our responsibility to get this information?

WATER- Indiana Department of Environmental Management is requiring us to comply with Cyber Security at our Water Plant? We recently went through this Cyber Security with all our computers in the offices. Pudder asked Linda if the office was completed? Linda stated we had to change all of our emails from PSCI to a secure domain with Indiana.gov each computer/user has a "FOB" Secure Code device that sends them a secure code each time they log on? Pudder stated IDEM is requiring the same security for our SCADA water monitoring system? And security for anyone who enters the Water Plant.

ELECTRIC- The replacement Transformer information was given to you Monday at information meeting Monday night for your review prior to this meeting. The presentation was from engineers working with us from our Electric provider.

Our next step is to contact Tom Pitman from Thornburg to start timeline and information on a bond to cover cost of the new substation transformer due to the expense of this project.

Bret Kleeman asked the question if we need to hook up power transmission line to Rudy's or if we could do it at a later date? Pudder stated we could do it later but would not have a backup for new Transformer at the sub-stsion. We are going to DELTA DELTA power and the 1963 transformer we are currently using will not work on this system. So, the transmission line to Tell City is our back up until we can afford another transformer.

ZONING- Pudder Linne said there was a zoning meeting held March 13, 2023 for the property Owned by Matt Cole at the corner of Harrison and Sycamore streets – directly behind Dollar General. This property is currently zoned Mobile home and he is wanting to build 2 duplexes on the property (4-plex) the proposed duplexes would have garage and, brick front and siding back?

The zoning board voted unanimously to recommend to the Town Council to approve this zoning change.

MOTION: Tina Gerlach

SECONDED: Bret Kleeman

MOTION CARRIED: ayes 3 nays 0

JULY 2023 FIREWORKS: Tell City Mayor Cail is giving us first choice for the fireworks date and Tell City will plan theirs after that so the dates do not end up on same day. TVFD recommends Saturday July 1st 2023. We will need a MOTION for approval for that date.

MOTION: Tina Gerlach

SECONDED: Bret Kleeman

MOTION CARRIED: ayes 3 nays 0

NOTE: Pudder Linne left meeting to address utility emergency.

7. STREETS- JEFF EVERLY - The mulch for the park is going well and should be completed soon. He wanted to make known that John Taylor Trucking that charges \$250 per truck load of Mulch from Etienne has donated transportation for all three loads for a \$450 donation to Troy Parks. This is a very generous donation. We would like to thank them publicly.

February meeting, we had a request from a Crossley resident to put a Handicap sign at the home located at Hwy 545 and Walnut Street. A sign will be put on the Walnut side. We will need a

motion for this request. Adam Hoffman noted the Crossley's had parking issues recently when an event was going on at Senior Citizens Event facility next to Post Office ?

MOTION: Bret Kleeman

SECONDED: Tina Gerlach

MOTION CARRIED: ayes 3 nays 0

Our insurance carrier from ASTRA came down to review work done on the new playground equipment. He also reviewed swings, teeter tatter and old equipment left from previous park equipment. He had good reviews for the Troy Park containment and work completed. One of the recommendations was to change our hours allowed in Troy parks? He would like them to say closed dusk till dawn instead of current 11pm until dawn. Jeff noted we are working on parking for the park.

The Veteran's Wall is complete and we hope to have the two large Town of Troy plaques this week to install on the Wall. We erected an flag pole on top of the wall to allow easy change of flags when needed. Lights will be installed also. Jeff said he would like to see an ordinance for the Veterans wall that all plaques must be purchased through Troy Town in order to keep it consistent and neat looking. This would keep anyone from applying their own plaque. Linda stated it would easy to incorporate this in the Parks Ordinance when we change the park open times?

- Jane Hayden asked if we could put the trash can back on the Troy Dock area since it is boating season again? Jeff said he would look the area and make a recommendation at the next meeting for a better location prior to installing it again?
- Roger Fella asked Jeff why Devin is riding on the back hoe while picking up trash? He said it looks very unsafe ? He said he has had complaints about Devin riding on the side? It looks dangerous? Jeff said even if we had a trash truck someone will need to ride on back to pick up trash? Jeff stated the rule is they can ride as long as speeds are under 10MPH. Roger stated it looks dangerous.

8. Stephan Poehlein – What is the update on my contract? Bret Kleeman said at this point in time I do not want to approve Stephan's contract. Roger Fella stated his contract was approved in February 2023 meeting pending you and Brandon approval of his written contract that we need to sign? Brandon requested a copy of the contract be emailed to him and all board members? Bret Kleeman stated he did not get a copy of the contract? Linda Crawford's stated it was sent to all board members. In addition, a hard copy was dropped off at Brandon's shop. Bret said he did not get the contract? Linda said I have proof on my email that it was sent to you? Bret said I did not get it? Bret said he wants Linda to prove she sent it?

Linda Crawford stated if we do not approve his contract, we will need to cancel all the services used by the Marshal - there are several we have been keeping on hold during Stephan's

Deployment. The temporary disconnect was held until January 4, 2023 when Stephan said he was available to return. We have been holding these services off for payment until the Contract vote to re-hire. That was 90 days ago I cannot hold off paying them any longer. Linda stated we are required to hire him back due the requirements of the Uniformed Services Employment and Reemployment (USERRA)Act. Bret Kleeman do not pay the invoices turn them over to Chris Goffinet the worse case is we have to give him (Stephan) back pay for 2 months. Linda stated we will be liable for all Stephan attorney fees and more if we do not follow USSERRA Act requirements. Bret said turn it over to Chris Goffinet.

Bret made a MOTION not to hire Stephan and hire the Reserve Doug Dunn that applied for the job. Jane Hayden asked – so we will not have a Marshal? Bret said hire Doug Dunn the reserve that applied. Linda said - We cannot hire Doug Dunn without a Marshal to work under? Bret said that is not true Alan Malone told me we can swear him in today? He will have one-year to complete his training? Linda Stated the training working under our marshal is \$545 if we send him to school as a town it will cost excessively more?

ADAM HOFFMAN stated we have a qualified Marshal that wants the job? Roger Fella stated we have the most qualified Marshal this town has ever had I do not understand if other board members have a personal vendetta or grudge against Stephan or what the reason is for not hiring him for rest of the year until his 2023 contract ends? I want it on record if something happens to one of our residents, I am not responsible? I do not understand this reasoning- do not call me in future call the board members that do not want to hire him and hire a reserve with no Marshal experience and is going to cost the town thousands of dollars to train him. We have a qualified Marshal that wants the job and agreed to train the reserve? Give me one good reason why we cannot hire Stephan? Bret Kleeman said I do not like his attitude? Ask him where he is and he said in Cognito ? I have other people that do not like him either? Roger asked who that is? Bret said I am not going to mention names – Roger stated so you have a personal issue with Stephan? Roger asked Tina Gerlach on her thoughts about hiring Stephan? Tina said Why hire the reserve if we already hired Stephan in last meeting?

Stephan said Doug Dunn has agreed to go to training school for 8 weeks with no pay or per diem costs? It will cost Troy \$545 working under me to train in the reserve? He has about 5 years' experience as a reserve?

Roger said we will need a motion to rehire Stephan-

Bret Kleeman – NO

Tina Gerlach – No

Roger Fella - Yes

MOTION CARRIED NOT TO RE-Hire: ayes 1 nays 2

Stephan Poehlein stated he will be contacting the Depart of Labor about the USSERRA Act violation and other violations. Stephan left the meeting.

9. CITIZENS-

- Jane Hayden – What was the meeting about Monday night? I did not see any information about a meeting? Pudder stated it was a meeting about substation transformer information members needed to review prior to this meeting? Jane asked if there was more than 2 board members there? Linda stated we are allowed to have information meeting as long as no decision is made? Many towns have information each month prior to their regular meetings – this allows the board members to review in depth or detailed information to be discussed at Regular meeting. It is legal as long as no decisions are made?
- Jane asked what is the plan now that we do not have a marshal? Bret Kleeman stated ALAN Malone told him Doug Dunn has his 40 hour and all he will need is the 5-week program. Alan Malone said to remind him he is not allowed to issue tickets until he finished his training? Bret stated Brandon told Roger that gives us 5 weeks to find a car while he is in training?
- Linda Crawford stated she wants to make it clear we are in violation of USERRA ACT if we hire someone for Marshal and do not offer Stephan his job back – if we hire no one we are not in violation – but if we hire Doug Dunn, we are offering another person the position and not hiring Stephan back – just want to make it known that I put copies of the USERRA Act in your folders for your review. Bret said let our Attorney take care of this?
- Adam Hoffman- The drainage/ water flow is still a problem on my property? Jeff said he would get with Adam later next week to look at the drainage issue?

New Business- None

Old Business- None

Roger Fella - none

Brandon Kleeman – Absent

Bret Kleeman – none

Tina Gerlach – I have a complaint about Kristen Johnson residence located on corner of Hwy 66 and Harrison streets. The complaint is they are parking vehicles on the sidewalk? This causes residents to walk in street to get past vehicles? Pudder Linne said the sidewalks are a INDOT issue but before we turn the complaint in, he will talk with Kristin as a courtesy?

Linda Crawford - Did we have the employee meeting with Devin Meunier for his 90-day evaluation? Bret and Brandon said they would meet with him and Pudder on Monday after

February meeting? I need update for his files? Pudder stated he has been late 13 times since hired? Linda Stated we cannot discuss employees in public meeting? Bret Kleeman asked who hired Devin ? Pudder stated me and Roger interviewed him and Linda was present. Bret asked if we instructed him on employment requirements? Pudder said yes and we gave him an Employee Handbook?

We were deciding to purchase an Backup Generator for the office? Bret said that would be a good item to have when we have power outages.

MOTION: Bret Kleeman

SECONDED: Tina Gerlach

MOTION CARRIED: ayes 3 nays 0

We hired a new office employee Casie Heflin-. Tina Gerlach, Linda Crawford and Roger Fella interviewed her and offered her a job. We need motion to hire her.

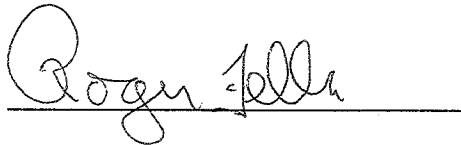
MOTION: Bret Kleeman SECONDED: Tina Gerlach MOTION CARRIED: ayes 3 nays 0

Any Correspondence: None

ADJOURMENT: There being no further business, a motion was made by Bret Kleeman and seconded by Tina Gerlach to adjourn the meeting at 7:45pm . All in favor. Motion carried.

Next meeting May 10, 2023 6:00pm CST

Roger Fella, Board President



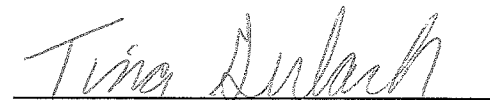
Bret Kleeman, Board Member



Brandon Kleeman, Board Vice President

Danny VanConey, Board Member

Tina Gerlach, Board Member



ATTEST: Linda Crawford, C/T

