Culver Town Council Meeting
6:30 p.m., Tuesday, August 11, 2020

The meeting was called to order at 6:30 p.m.

The council meeting was held under guidance provided by Governor Holcomb’s Executive Order 20-30 and the Culver Town Council Resolution 2020-002. Members of the Town Council and a limited number of the public were physically present at the Culver Union Township Public Library meeting room. The meeting also was broadcast via Microsoft Teams so that the public was able to participate remotely. At the start of the meeting it was explained that the meeting was being recorded and participation in the meeting was their consent to be recorded and to the rebroadcast of the recorded meeting. The recorded meeting will be available on the Town’s YouTube channel.

Clerk-Treasurer Karen Heim called roll with the following councilors physically present: William Cleavenger, Bill Githens, Ginny Munroe, Sally Ricciardi, and Rich West. Town Manager Jonathan Leist and Attorney Jim Cleavenger also were physically present.

Pledge of Allegiance
The council and those present recited the Pledge of Allegiance.

Approve of Minutes of Previous Meeting
Mrs. Heim asked to table the approval of minutes until the next meeting.

Chadwick Shores Access Road Speed Bump Request
Mrs. Munroe shared she and several of the council members drove past Chadwick Shores to view the issues.

Police Chief Wayne Bean shared he had mixed feeling about the speed bumps pointing out that it is an unnamed street and not generally used by the public, the speed limit is 20 mph, but cars shouldn’t be driving 20 through there, and if cars go over the speedbumps at a reasonable speed, there shouldn’t be any damage to the car. He also wasn’t sure if people would honor a crosswalk like they would a speed bump.

Mr. Leist shared he received letters from Ann Sobczak, Gary Trepina, and Sharon Gandy, residents who live on West Shore Drive beyond Chadwick Shores, who were against placing the speedbumps. He received a petition for placing the speedbumps from Chadwick Shores condo owners. Mr. Leist also shared concerns from Utilities Superintendent Bob Porter that this request would open the doors for requests for speedbumps from other areas of town and that a private citizens equipment was used rather than something the Town has inspected and reviewed. He suggested installing a painted crosswalk and yield to pedestrian signs similar to those on Lake Shore Drive which causes drivers to slow down and pay more attention. Mr. West, while concerned for the safety of the children, agreed that a crosswalk and signs as well as establishing a speed limit of 10 mph would be a better solution. Mr. Cleavenger agreed as there are no other speedbumps in Town and he didn’t want to get inundated with requests. The consensus of council was to start with the painted crosswalk and yield to pedestrian signs and rely on input from the area residents as to whether it is effective.

Ms. Sobczak, a permanent resident on West Shore, suggested letting the neighbors work together to find a solution. She said the speed bumps are now located in the road, but parallel, slow signs have been placed, and she is willing to purchase more if that would help.
Mrs. Munroe asked those present in support of the speed bumps if Ms. Sobczak’s proposal will work. As it is close to the end of the season, they were okay with going with the proposal for the rest of the season and revisit the subject next summer.

Mr. Trepina asked how many calls the police department received regarding speeding and safety issues and expressed some frustration that when calling dispatch, they did not know where Chadwick Shores was located. Chief Bean agreed that was an issue. Mr. Trepina was supportive of Ms. Sobczak’s proposal and believed the issue could be worked out between neighbors.

Mr. Cleavenger made a motion to place a crosswalk. Mr. West amended the motion to add with signs on the north and south side of the crosswalk and set the speed limit to 10 miles per hour and seconded it. The motion passed with five ayes.

Utility Relief

Mrs. Munroe asked council to consider providing utility relief to local schools and larger businesses similar to the small business utility relief program in June. Mrs. Heim provided information comparing usage and billing from 2019 to 2020.

Discussion took place regarding what the program would look like, who would be able to participate, and whether it was appropriate to include taxpayer supported entities like the schools, library, and town.

Mr. Githens made a motion not to do the program. The motion died for lack of a second.

Mr. West made a motion to authorize Mr. Leist to develop a proposal for utility relief for large businesses with more than 50 employees and government entities with no stipulation to the number of employees. Mr. Cleavenger seconded the motion. The motion passed with five ayes.

Marshall County Economic Development Corporation Board Appointment

Mr. West made a motion to appoint Don Fox to the Marshall County Economic Development Corporation Board. Ms. Ricciardi seconded the motion. The motion passed with five ayes.

Sign in the Public Right of Way Request, 113 South Main Street (Café Max)

Mr. Leist presented a proposal from Café Max for a sign over the public right of way. Placement of the sign requires a variance from the Board of Zoning Appeals (BZA) and permission from the Town Council. There is a similar sign at Lucrezia (inherited from Corndance) and Lake House Grille but both were grandfathered in. Tim Overmyer, Vanaco Signs, provided a picture of the sign which would be placed over the main entrance. It is similar to the sign at Lake House Grille and would be internally lit.

Discussion took place regarding cohesive sign design, aesthetics, and setting precedent for sign requests from other businesses.

Ms. Ricciardi made a motion to approve the sign. Mr. West seconded the motion. The motion passed with four ayes. Mr. Cleavenger voted nay.

First Reading – Ordinance 2020-004 – Amending the 2020 Salary Ordinance

Mr. Leist presented Ordinance 2020-004 explaining the salary ordinance needed to be amended to show $23 per hour for the EMS Director.

Mr. Githens made a motion to approve Ordinance 2020-004 on first read. Mr. West seconded the motion. The motion passed with five ayes.

Mr. Githens made a motion to suspend the rules and pass Ordinance 2020-004 on second and third read. Mr. West seconded the motion. The motion passed with five ayes.

First Reading – Ordinance 2020-005 – Amending and Restating Parking Regulations

Mr. Leist presented Ordinance 2020-005 to allow for the drop off zone on the south side of Culver Elementary School.
Mr. Githens made a motion to approve Ordinance 2020-004 on first read. Mr. West seconded the motion. The motion passed with five ayes.

Mr. West made a motion to suspend the rules and pass Ordinance 2020-004 on second and third read. Mr. Cleavenger seconded the motion. The motion passed with five ayes.

**Proposed Water Tower Lease Agreement with Culver Community Schools**

Mr. Leist asked council to approve a lease agreement with Culver Community Schools for space on the water tower. The schools need to relocate the antenna for bus communication. The lease allows for equipment placement for two years at no charge.

Mr. Cleavenger made a motion to approve the lease agreement with Culver Community Schools. Mr. Githens seconded the motion. The motion passed with five ayes.

**Regional Stellar Plan Update**

Mr. Leist reported the trail application was approved by INDOT and has been entered into their budgeting system. Mr. Leist will proceed with a request for proposals and has shared it with a number of prequalified contractors. Proposals are due September 11.

**Stellar Plan Update**

Although the projects are complete, ribbon cutting dates for Cavalier Park and the Beach Lodge have not been schedule due to public health concerns.

**Town Manager Report**

*Special Event Permit*

Mr. Leist presented a special event request for a half marathon, September 12. He shared that entries will be limited to 50 people, face coverings are required at the start and finish line, and the race will use a staggered start. The race organizers will have reserve officers from Marshall County Sheriff present to assist. Race Director Dana Neer explained he organized a successful race in June using similar protocols and it worked well. Mr. West asked that documentation that the race is permitted to use the Academies path along the lake and asked that the protocols meet state and county guidelines with regards to COVID.

Mr. West made a motion to approve event request provided the state requirements are still the same in terms of the COVID pandemic and we have written confirmation from Culver Academies. Ms. Ricciardi seconded the motion. The motion passed with five ayes.

*Utilities*

Mr. Leist reported signs for Lake Shore Drive have been ordered and will be placed when they arrive.

*EMS*

Mr. Leist asked council to approve sending 14 accounts, totaling $9,068 to collections.

Mr. Cleavenger made a motion to approve sending the EMS accounts to collections. Mr. Githens seconded the motion. The motion passed with five ayes.

**Road Construction**

INDOT will repave and repair sections of State Road 17, between State Road 14 and State Road 10, and the bridge on State Road 17 over the Yellow River beginning late summer/early fall. There will be full road closures at times and the Town may experience increased traffic during this period. Emergency services departments will be made aware of the closures so they can plan appropriately.

**Department Head Reports**

*EMS*

EMS Director Jeff Koon was not present.
Fire
Fire Chief Ken Van De Putte was not present.

Police
Chief Bean had nothing to report.

Park
Park Superintendent Amber Cowell shared the official beach season came to an end Sunday.

She provided a proposed revision to the pier agreement. The revision would change the refund policy to add a $100 processing fee for slip refunds requested between February 15 and May 30, $200 processing fee for refunds requested between May 31 and June 30, and $300 processing fee for refund between July 1 and July 15. After July 15, no refunds will be granted.

Mr. Githens made a motion to approve the changes to the pier slip contract. Mr. Cleavenger seconded the motion. The motion passed with five ayes.

Ms. Cowell asked council to approve a not to exceed quote for $5,000 from Live Oak Electric to run new electric to the light posts at the west end of the park and repair the lights on the trail and at the basketball courts.

Mr. West made a motion to authorize repairs to the lights on the west end of the park for an amount not to exceed $5,000. Mr. Githens seconded the motion. The motion passed with five ayes.

Utilities
Utilities Superintendent Bob Porter not present.

Boards and Commission Reports

Plan Commission
No report

Board of Zoning Appeals
No report

Redevelopment Commission
Mr. West, Culver Redevelopment Commission president, shared the next meeting is Monday, August 17 at 5 via Teams.

Tree Commission
No report

Clerk’s Report

Claims over $1,500
Mrs. Heim asked for approval of the following claims over $1,500:

<table>
<thead>
<tr>
<th>First Response</th>
<th>2,500.00</th>
<th>Street - Contractual Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michiana Contracting, Inc</td>
<td>11,400.00</td>
<td>Beach Lodge</td>
</tr>
<tr>
<td>Miller Insurance Group</td>
<td>65,220.00</td>
<td>Property/Liability Insurance</td>
</tr>
<tr>
<td>THOMAS EXCAVATING</td>
<td>68,378.94</td>
<td>Cavalier Park</td>
</tr>
</tbody>
</table>

Ms. Ricciardi made a motion to approve the claims over $1,500. Mr. West seconded the motion. The motion passed with five ayes.

Sewer Forgiveness
Mrs. Heim asked council to approve a sewer credit of $156 for 421 N. Plymouth following a water leak. Mr. Porter confirmed the water did not go through the sewer.
Mr. Githens made a motion to approve a sewer credit of $156 for the resident at 421 N. Plymouth. Ms. Ricciardi seconded the motion. The motion passed with five ayes.

Utilities
Mrs. Heim presented a plan for returning to issuing late fees and shut offs as indications are Governor Holcomb will let the moratorium end August 14. The plan would involve sending a letter to accounts 30 days or more past due informing them of the end of the moratorium, the opportunity to sign up for a 24-month payment plans, and financial assistance available through various agencies. She stressed that those who are behind just need to communicate with Town Hall as she would rather work with a resident than shut them off.

Mr. Clevenger made a motion to approve the plan for utilities. Mr. Githens seconded the motion. The motion passed with five ayes.

July Financial Reports
Mrs. Heim asked council to approve the July financial reports.

Mr. West made a motion to approve the July financial reports. Mr. Githens seconded the motion. The motion passed with five ayes.

Attorney’s Report

709 Obispo
Mr. Clevenger reported the owners of 709 Obispo appeared at the hearing review and apologized for the lack of activity and communication. They agreed to get started on renovations or demolition. A review hearing was scheduled for 11 a.m., October 14 and the judge was clear that inactivity would allow him to entertain a motion by the Town to have the structure torn down at the landowner’s expense.

415 Lake Shore Drive
The owner of 415 Lake Shore Drive has until August 30 for any action. If there is none, Mr. Clevenger is prepared to move forward with filing for foreclosure on the property.

Utilities Shut Off/Ordinance Violation
No one was present.

Citizen Input

Paddocks Developer Kevin Berger asked council to allow the Utilities Department to move forward on purchasing meters for the Paddocks. Discussion took place on the process and the number of meters needed.

Mr. West made a motion to authorize the purchase of 50 water meters and allow Mr. Leist and Mr. Porter to determine the best cost for them. Ms. Ricciardi seconded the motion. The motion passed with five ayes.

Council Issues

Mr. West asked that council consider reviewing the Golf Cart Ordinance and raise the fee to $100 per golf cart. It will be added to the agenda.

Mr. Githens had nothing further.

Ms. Ricciardi had nothing further.

Mr. Clevenger had nothing further.

Mrs. Munroe had nothing further.
Adjourn to Claims

Mr. Githens made a motion to pay the bills and adjourn to claims. Ms. Ricciardi seconded the motion. The motion passed with five ayes.

Claims totaled $297,870.46

The August 7 payroll totaled $52,567.28.

The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Karen Heim
Clerk-Treasurer

Culver Town Council

Ginny Munroe, President

Bill Githens, Vice-President

William Cleavenger

Sally Ricciardi

Karen A. Heim
Clerk-Treasurer

Rich West

Official signed minutes may be requested at the Clerk's Office.
<table>
<thead>
<tr>
<th>Items</th>
<th>Motion Made By</th>
<th>Seconded</th>
<th>Vote (For – Against)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place a crosswalk with signs on the north and south side of the crosswalk and set the speed limit to 10 miles per hour (at Chadwick Shores access road)</td>
<td>Mr. Cleavenger</td>
<td>Mr. West</td>
<td>5 – 0 Approved</td>
</tr>
<tr>
<td>Authorize Mr. Leist to develop a proposal for utility relief for large businesses with more than 50 employees and government entities with no stipulation to the number of employees</td>
<td>Mr. West</td>
<td>Mr. Cleavenger</td>
<td>5 – 0 Approved</td>
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<td>Appoint Don Fox to the Marshall County Economic Development Corporation board</td>
<td>Mr. West</td>
<td>Ms. Ricciardi</td>
<td>5 – 0 Approved</td>
</tr>
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<td>Approve the sign (for Café Max above the right-of-way)</td>
<td>Ms. Ricciardi</td>
<td>Mr. West</td>
<td>4 – 1 Approved&lt;br&gt;Mr. Cleavenger voted against</td>
</tr>
<tr>
<td>Approve Ordinance 2020-004 on first read</td>
<td>Mr. Githens</td>
<td>Mr. West</td>
<td>5 – 0 Approved</td>
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<td>Suspend the rules and approve Ordinance 2020-004 on second and third reading</td>
<td>Mr. Githens</td>
<td>Mr. West</td>
<td>5 – 0 Approved</td>
</tr>
<tr>
<td>Approve Ordinance 2020-005 on first read</td>
<td>Mr. Githens</td>
<td>Mr. West</td>
<td>5 – 0 Approved</td>
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<td>Suspend the rules and approve Ordinance 2020-005 on second and third reading</td>
<td>Mr. West</td>
<td>Mr. Cleavenger</td>
<td>5 – 0 Approved</td>
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<td>Approve the lease agreement with Culver Community Schools (for space on the water tower for two years at no charge)</td>
<td>Mr. Cleavenger</td>
<td>Mr. Githens</td>
<td>5 – 0 Approved</td>
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<td>Approve event request (for half-marathon September 12) provided the state requirements are still the same in terms of the COVID pandemic and we have written confirmation from Culver Academies (of permission to have the race on their lakefront path)</td>
<td>Mr. West</td>
<td>Ms. Ricciardi</td>
<td>5 – 0 Approved</td>
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<td>Approver</td>
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<td>Ms. Ricciardi</td>
<td>5 - 0</td>
</tr>
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<td>Approve plan (for returning to issuing late fees and shut offs) for Utilities</td>
<td>Mr. Cleavenger</td>
<td>Mr. Githens</td>
<td>5 - 0</td>
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<td>Approve July financial reports</td>
<td>Mr. West</td>
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<td>Approve purchase of 50 water meters and allow Mr. Leist and Mr. Porter to determine the best cost for them</td>
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<td>Mr. Githens</td>
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