

ANDREWS TOWN COUNCIL MINUTES OF PUBLIC MEETING HELD AUGUST 22, 2016

A public meeting of the Town Council of the Town of Andrews, Indiana convened on August 22, 2016 at 6:00 p.m. in the Andrews Municipal Building in accordance with applicable law and pursuant to appropriate notice.

ROLL CALL:

Council Members John Harshbarger, Bonnie Walker and William Johnson were present. Clerk-Treasurer Laura Dillon declared a quorum was present and the meeting would continue.

APPROVAL OF MINUTES

Bonnie Walker made a motion to approve the council minutes with a correction for the meeting of August 8, 2016, seconded by William Johnson. Motion passes unanimously.

OLD BUSINESS

Councilmember Harshbarger questioned if Tim Guy, Huntington Township Trustee had made contact with the town regarding the contract between the Town of Andrews VFD and Huntington Township. Clerk-Treasurer Dillon replied that she has had no discussion to increase the contracted funding from \$25,000.00 to \$35,000.00.

Mark Wickersham from Huntington United County Economic Development explained the Terrell Street Project Phase I to engage in an environmental site assessment and testing services. Wickersham said HCUED is constantly looking for opportunities to expand economic development. In the beginning of these projects the goal is to find out if the properties are viable for development. Most lending institutions will require an environmental assessment in order to loan funds. He discussed at length the liability to both the HUCED and the Town of Andrews. Council did not have the edited version of the contract. The access agreement is tabled until the next meeting.

NEW BUSINESS

Kaitlyn Ashbaugh, 737 Colorado Street, Andrews appeared before council with her attorney Mr. William T. Myers, 323 E 2nd Street, Marion, Indiana to dispute a violation ticket from the Deputy Marshall Matthew Farthing for a dog running loose. Attorney Adrian Haverstat was present to representing the Town of Andrews. Mr. Myers spoke as to the violation given Miss Ashbaugh. The violation #201 that Deputy Marshall, Matthew Farthing gave to Miss Ashbaugh did not include the specific Code of Ordinance Violation number on the ticket. Miss Ashbaugh does have an electric fence around the yard and attorney Myers asked council to dismiss the violation ticket. Ashbaugh stated her dogs were in the house at the time of the incident. There was conversation as to the reliability of electric fencing. Karen Houlihan, 240 Columbia Street stated she watched the dogs break through fencing to approach a lady with her small child. Ashbaugh was questioned as to a written statement made by Mike Bryant at 673 N Colorado Street. Bryant's statement included the dog showed up at his garage and he chased them away with a ball bat. Ashbaugh stated this incident happened before the invisible fence was put around her property. In a statement by council member Harshbarger he informed Miss Ashbaugh her dogs are a safety concern for other animals and people. Our residents do not feel it is safe to walk down our street or go out on their own property. The dogs need to be confined to the property. This is not your first offence but needs to be your last. Council does not want to hear about any additional threats or injuries to anyone and animals by your dogs. Harshbarger recommended to council that they uphold violation #201 given by the police department and any further violations be handled consistence with the maximum penalty provided by the Town of Andrews Code of Ordinances. Council member Johnson also made a statement as to the safety to the community and suggested possibly a small pin or change link fence. Johnson agreed with Harshbarger and stated the citation should stand and that the situation will not be accepted. Council member Walker does not like the invisible fences and would like to see something more substantial therefore siding with other council members.

Ordinance 2016-9, An Ordinance Replacing Chapter 92: Nuisances and Amending Sections 71.99 and 130.99 of the Town of Andrews, Indiana Code of Ordinances was read by synopsis. Attorney Haverstat explained the biggest change to the Ordinance is the enforcement process for issues referring to junk piles, abandoned vehicles, vehicles that are permanently parked on the grass and giving the property owners specifics on what the concerns are and what they need to do to correct the situation. The attorneys will provide templates to the Clerk-Treasurer's to issue notice of violation. Clerk-Treasurer Dillon questioned Halverstadt as to mailing letters and certified letters. Adrian stated certified mailings do not need to be sent with grass violations but need to go to tax billing address on file with the County Auditor's Office.

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Other violations, general nuisance, trash and junk piles, abandoned vehicles, issues the town is going to treat as a nuisance you have to send to the owner and anyone with a vested interest to the property are to be sent certified mail and regular first class mail. Bonnie Walker made a motion to adopt Ordinance 2016-9 on the first reading. Seconded by William Johnson, motion passes unanimously. William Johnson made a motion to suspend the rules and Ordinance 2016-9 and read a second time. Seconded by Bonnie Walker, motion passes unanimously. Bonnie Walker made a motion to adopt Ordinance 2016-9. Seconded by William Johnson, motion passes unanimously.

DEPARTMENT REPORTS

Matthew Farthing, Deputy Marshall warned residents to lock their cars because of recent thefts to cars, but stated most cars are unlocked. Kathy Gamble asked what could be done to enforce the curfew laws. Harshbarger has spoken to Marshall Bullock as to the enforcement of the state statute. All council members were in agreement to let the police department enforce the state statute.

Utility Superintendent Colin Bullock reported the removal of sidewalks for the Jefferson Street Project has been done and are waiting for the contractor to arrive this week. Mr. Fleck will start Wednesday to start the Main Street project. Colin told council the new town signs are being framed and should be up shortly.

Dillon informed council of quotes for a new warning siren. Council member Johnson stated a friend of his that lives in the Norwood Subdivision heard the warning siren in Andrews and felt he no need for a new siren with all the warnings by cell phones and television. Council discussed the generators for the fire department and the Town Hall but Harshbarger stated the quotes were not consistent with what they needed. An electrician will probably be needed to prepare a specification sheet to get all the quotes together. Johnson is requesting a five year or long term asset management plan from each department. There is a Indiana Association of Cities & Towns conference at French Lick on October 4th through 6th, 2016. All members want to attend the conference and instructed Dillon to make registration arrangements.

Julie Newsome, Chair of the Andrews Summer Festival would like to thank the council for their support to the 2016 festival.

Bonnie Walker made a motion to approved accounts payable claims, seconded by William Johnson. Motion passes with a unanimous voice vote.

APPROVED BY _____ as
JOHN HARSHBARGER COUNCIL PRESIDENT

APPROVED BY _____ as
BONNIE WALKER COUNCIL MEMBER

APPROVED BY _____ as
WILLIAM JOHNSON COUNCIL MEMBER

ATTEST BY _____ as
LAURA A DILLON CLERK-TREASURER