

**Town Council
Regular Meeting Minutes
August 14, 2023**

The Town Council of the Town of Kouts, Indiana met in the Kouts Town Hall, 210 South Main Street, Kouts, Indiana 46347 on the 14th day of August, 2023 at 6:00 p.m. for the purpose of conducting their regular monthly meeting.

Council President Tyler Brock called the meeting to order and the Pledge of Allegiance was recited by all present.

Roll call was taken and the following members were present: Councilors Tyler Brock, Robert Forster, Blake Jefferson, Harold Salyer and CJ Wittmer. Also present, Clerk-Treasurer Laurie Tribble, Attorney Robert Schwerd, Orville Jefferson, Park Director/Bldg. Insp, Tammy Dubbels, Code Enforcement and Fire Chief Jeremy Gettler.

Approval of Minutes: The minutes of the July 10, 2023 regular meeting minutes were submitted to the council for approval. Councilor Salyer motioned to approve the minutes as submitted and Councilor Forster seconded the motion. Motion carried 5-0.

Approval of Claims: The Accounts Payable Docket for July 10 to August 14, 2023 was presented to the Council for approval. Councilor Wittmer motioned to approve the Accounts Payable Docket as submitted and Councilor Salyer seconded the motion. Motion carried 5-0.

Departmental/Contractual Reports:

***Clerk-Treasurer-**Laurie Tribble reported the next meeting will be the budget public hearing and the SRF and OCRA public hearings.

***Attorney-**Attorney Schwerd reported he sent the Attorney handling the Restrictive Covenant an email with the question Laurie asked regarding putting a parking lot in the back of the building. How much will the remediation cost now or in the future? How long would the testing and/or remediation take to do should the building be destroyed by fire or tornado? The response was no testing is required for paving or construction of a carport type structure. The offer of \$15,000 is based on an estimated cost of future testing according to Gen Pro. If remediation is required the \$15,000 would not cover those costs. If the Town Hall is destroyed by fire or tornado, I believe the testing would take a minimum of 1 year since IDEM requires 4 quarters of testing. The time frame for remediation is unknown since at this point the amount of any remediation is unknown. Atty. Schwerd

believes over time the required remediation would be less and less as the product or contamination continues to dissipate.

***Engineering-** No Report.

***Park-** No Report.

***Police Department-** No Report.

***Code Enforcement-** No Report.

***Plan Commission-** No Report.

***Building Inspector-** No Report.

***Storm Water Board-** The Church Street Project is out for bid, bids will be opened at the next Storm Water Meeting on Sept. 6, 2023 at 7pm and be awarded at the next council meeting Sept. 11, 2023.

***Economic Development Commission-** No Report.

***Fire Department-**Chief Gettler reported the Fire Department will be having a pork chop lunch on the day of the Pork Fest.

New Business

Resolution 2023-10 A Resolution Recognizing the Public Service and Retirement of James Smith- Councilor Brock read the resolution out loud to the audience. James Smith was present and was congratulated and applauded by all. Councilor Forster motioned to approve the resolution and Councilor Jefferson seconded the motion. Motion carried 5-0.

Town Marshal Appointment-Councilor Salyer motioned to appoint Mike Cairns as the new Town Marshal and Councilor Jefferson seconded the motion. Motion carried 5-0.

Any Other Matters That Come Before the Council

***Code Enforcement Officer Tammy Dubbels** resigned as Town Code Enforcement Officer effective immediately. She handed a resignation notice to the Council Members and the new Town Marshal Mike Cairns.

*Jill Stricker asked why can't the public choose a new Town Marshal? Councilor Brock stated they council has been working on this for quite some time and has conducted several interviews and executive discussions. Attorney Schwerd stated the Council has the authority to appoint the Town Marshal. She asked how the public was informed and he further stated the appointment is made during a public meeting. Several other questions were asked by the public regarding how the decision was made. How often the Town Marshal appointed? How much is the public considered when making that decision? Councilor Brock stated they received a lot of comments from the public, those comments were taken into consideration. Has Town Marshal always been appointed? Councilor Brock stated yes at the January meeting each year. Officer Behrendt asked when was the Marshal's official first day in office? Who would take over until then? Mike Miller stated his eight years didn't matter, he would not run the department, he stated he would be going down to silver badge. Jason Bogue asked if the emails were available for public examination? He further stated he would be putting in a request for those documents.

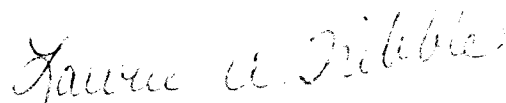
*Ricco Semento stated as far as he knows all the paperwork is in regarding the Pork Fest. He asked the council to consider making the Pork Fest two days officially. Councilor Wittmer stated he will not consider adding another day until the communication is better with the council. The council would like to see the Pork Fest Committee attend more council meetings to better inform the Town on what is happening.

*Mr. Semento, 702 W Elizabeth also talked about his driveway flooding during rain storms. Councilor Salyer stated the storm drains to the ditch have been cleaned so that should significantly help. Mr. Semento asked about the sidewalk issue. That issue will be further looked into, but may be at a limit as far as the town is concerned. The rest of the expenses would be on the homeowner.

Adjournment:


Councilor Forster motioned to adjourn the meeting at 6:35 p.m., and Councilor Jefferson seconded the motion. Motion carried 5-0.


Respectfully submitted,

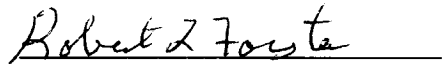


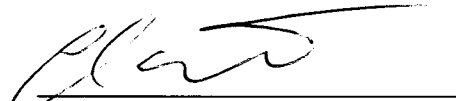
Laurie A. Tribble
Clerk-Treasurer


(Signatures on the next page)


Tyler Brock


Blake Jefferson


Robert Forster


CJ Wittmer


Harold Salyer