

**TOWN OF OSGOOD
EXECUTIVE MEETING
TUESDAY, MARCH 21, 2023
6:00 P.M.
CLERK-TREASURER'S OFFICE**

Present at the meeting were Tammy Wilhoit, Chris Kuhn, Holley Rose, Bill Roberts, Steve Wilhoit, and Lynn Fledderman.

RE: IC 5-14-1.5-6.1 (b) (B)

Motion to adjourn executive session to go into regular meeting. Holley 1st, Bill 2nd
3 – ayes

**TOWN OF OSGOOD
REGULAR MEETING
TUESDAY, MARCH 21, 2023
7:00 P.M.**

Present at the meeting were Tammy Wilhoit, Chris Kuhn, Holley Rose, Bill Roberts, Lynn Fledderman, Daniel Craig, James and Reyna Jackson, Matt Wirth, Alex Wilhelm, and John Bunselmeier.

Pledge of Allegiance.

Roll Call – all present

Motion to waive the reading and adopt the pre-read minutes. Holley 1st, Bill 2nd
3 – ayes

Old Business: none

Introducing for the first reading Ordinance 2023-1: An Ordinance Amending Rates and Charges for Potable Water Service to Customers of the Town of Osgood Water Utility. The Town of Osgood employed Baker Tilly Municipal Advisors to undertake a study of cost of providing potable water to the customers of the Town's Water Utility. Baker Tilly rendered an opinion to the Town Council that the Town's current rates and charges are not adequate to pay for the cost of providing potable water to the customers of the Town's Water Utility. It is unlawful for the Town to charge less than the Town's cost of providing potable water to the customers. Baker Tilly has recommended a utility rate increase to be phased in over a five year period. A public hearing will be held on Tuesday, April 18th at 7:00 p.m. for the proposed rates and charges.

Motion was made to approve the first reading and preliminary adopt Ordinance 2023-1. Holley 1st, Chris 2nd
3 - ayes

Introducing Ordinance 2023-2: An Ordinance Amending Rates and Charges for Sewer Service to Customers of the Town of Osgood. The Town of Osgood has employed Baker Tilly Municipal Advisors to undertake a study of cost of providing sewer services to the customers of the Town's Sewer Utility; and Baker Tilly has rendered an opinion to the Town Council that the current rates and charges are not adequate to pay for the cost of providing sewer services to the customers of the Town's Sewer System. Baker Tilly has recommended a phased in rate increase over the five years which the Town Council find just and reasonable. A public hearing will be held on Tuesday, April 18th at 7:00 p.m.

Motion was made to approve the first reading and preliminary adopt Ordinance 2023-2. Bill 1st, Holley 2nd
3 – ayes

Commonwealth Engineers Project Memo: Matt Wirth
Water Improvement Project –

- The project design is complete, and they are coordinating with Utility and Permitting Agencies. IDEM has responded with additional questions and they are working with them on the response.

- They are on track for advertising for bids upon receipt of applicable permits.
- A 90 extension was approved by OCRA for the grant.

Motion was made to approve Commonwealth's claim for Final Design and Permit Application Fee: \$6,339.16. Holley 1st, Bill 2nd
3 – ayes

An amendment for \$0 was presented to move money from the soil boring line item to the permitting line item.

Motion to approve Commonwealth's Amendment to Owner-Engineer Agreement, subject to the attorney's review. Bill 1st, Holley 2nd
3 - ayes

2022 Round 2 Community Crossing Project –

- Bids were opened March 14th:
Johannigman Excavating, Inc. - \$921,534.82
Dave O'Mara Contractor, Inc. - \$1,279,000.00
- Commonwealth is recommending a tentative award be made to Johannigman Excavating, Inc.

Motion to award the contract to Johannigman Excavating. Holley 1st, Bill 2nd
3 – ayes

Motion to approve Commonwealth's claim for Final Design: \$41,857.08. Bill 1st, Holley 2nd
3 – ayes

2021 Round 2 Community Crossing Project –

- All-Star Paving requests for additional funds have been denied by Commonwealth.
- All-Star appealed to the Town for reconsideration.

Motion to have Lynn send response to All-Star Paving. Bill 1st, Holley 2nd
3 – ayes

Motion was made to approve the application to the Rising Sun Regional Foundation for a grant up to \$40,000 to purchase a police vehicle. Holley 1st, Bill 2nd
3 – ayes

Police Department – Daniel Craig reported everything was good.

Reyna Jackson was present and stated the problem at Hometown Auto is worse. Lynn Fledderman advised that it is still in litigation.

John Bunselmeier was in attendance and approached the Council with an issue, concerning storm water drainage at his property on State Road 350. He asked when the Town would be maintaining the storm water release and repair the damage to his property. He spoke to someone at the county level concerning his storm drainage issue and they are saying it's not their problem. He stated that storm water is being released into the unnamed tributary that runs on his property. He is requesting information on the 2019 Culvert Project the Town did per the Freedom of Information Act. Lynn Fledderman asked him to submit his inquiries in writing so there is no confusion. Mr. Bunselmeier asked if an email from the Ripley County Surveyor, Jeff French, concerning the drainage issues had been read by council. Lynn stated that the email was read and that it did not state the Town is liable for any drainage issue on his property. She stated that we've already concluded that it's not damage that the Town had created and in response to his concerns a written response was sent to his attorney. Mr. Bunselmeier stated he did not receive it. Lynn advised him to seek that information from his legal counsel. He stated he did not have legal counsel. Mr. Bunselmeier submitted a letter to Council requesting the documents from the 2019 Culvert Project. Lynn stated that the Town will respond to the public record request.

Claims were signed.

Motion was made to adjourn the meeting, Bill 1st, Chris 2nd
3 = ayes

Yamara Wilcox
Clerk-Treasurer

[Signature]
President

[Signature]
Member

[Signature]
Member