

Waterloo Town Council Meeting  
December 14, 2021

A meeting of the Waterloo Town council was held December 14, 2021, at 6:00p.m. at the Waterloo Historic Train Depot present were:

Jess Jessup	Ken Surber
Katherine Hobbs	Josh Caudill
Greg Iddings	Pam Howard/Town Manager
Renee Duszynski/ Clerk Treasurer	

The following business was discussed, and action taken: Unless specified all votes were unanimous.

**Public Hearing:**

**1. Unsafe Building:**

Hearing Opened at 6:01 p.m.

Kruse began hearing. The property owned by Rustina Bizwell at 260 North Wayne has been brought to the council, acting as the unsafe building, committee to determine the outcome. Kruse explained the process of the public hearing. Kruse introduces Code Enforcement officer, Jon Williams. Williams stated he investigated. In accordance with violation of the non-compliance of business use. During that time, it was thought to also be a fire hazard. Ms. Bizwell had four-teen (14) days to comply (building not to be used as storage). Upon Williams' return trip, September 9, 2021, it was found that no progress had been made. Williams informed Ms. Bizwell on September 9, 2021, she was going to be further inspected and is in violation. Bizwell agreed to the inspections. On November 10, 2021, Scott Lehman, building inspector, and Williams re-inspected with Ms. Bizwell's approval. Williams and Lehman found electrical, basement and stacking deemed to be unsafe. Mr. Lehman prepared a report on November 15, 2021. This report was sent to owner, Ms. Bizwell, with a notice to comply and clean up. Kruse asked the board for questions. Jessup verifies Ms. Bizwell has until December 16, 2021, to comply. Surber clarified that the storage was not a business and was just personal items. Ms. Bizwell had no questions for Williams. Williams calls Scott Lehman for questioning.

Lehman stated he has done building and fire inspections at the property. The outside condition was reviewed and then the inside. Lehman found numerous code violations. The biggest concern is a fire, but the electrical was also in violation. Lehman used the Indiana General guidelines to come to this conclusion. Lehman described how the electrical boxes are a fire hazard. Lehman also described the combustible storage, such as cardboard, paper, and wood being piled up. There is also a lawn mower, which is also a violation due to not having a sprinkler system. A gas dryer was found to be unvented causing a fire and carbon monoxide issue as well. Kruse asked the board for questions. Jessup confirmed the storage is less than 2 feet from the ceiling. Lehman confirmed that it was that way throughout the basement and upper floor. Ms. Bizwell has no questions for Lehman.

Kruse gave Rustina Bizwell the chance to give her story. Ms. Bizwell is a 27-year business owner. Once Ms. Bizwell purchased the property, she began fixing up the building. With Waterloo not having any restaurants, Rustina moved equipment from storage units with the intentions to live at the top and run a restaurant in the downstairs. Rustina stated the property taxes are high and she has put a lot of money in to making it livable. Rustina stated the dryer is not vented because the roof was in good shape and didn't want to vent out causing damage to the roof. Rustina stated the plumbing was professionally installed. She stated the new drywall and linoleum in the building are to start the restaurant. Ms. Bizwell advised the building had not been worked on in a while when Waterloo started having businesses close. Ms. Bizwell was unaware of the culture in the town. She was also unaware of the fuse situation; it was purchased that way. Ms. Bizwell stated, "It takes time, and for what?! It's a commercial property with commercial equipment." She lives upstairs and needs somewhere to keep her mower and camping equipment. She also stated, had the board asked how to help instead of trying to defeat her, things may be different. Jessup asked how long she has owned it. Ms. Bizwell stated she's owned it for fifteen (15) years. She stated she is unsure when it could be completed. Jessup confirms that she is asking for time on a project that may never happen. Ms. Bizwell responded, "this town has went to hell since I bought it." Kruse asked her for any other questions. There were none.

Council deliberates. Iddings asked Rustina if she's had all these items for fifteen (15) years are they even useable? Jessup stated for fifteen (15) years the building has been in violation and upkeep may be hard. The first floor is to be commercial and that is not in compliance. There are three (3) options; adopt inspection report (errors could be fixed if needed). Then affirm, modify, or rescinding the order. Caudill is concerned it is storage but emphasizes the fire code violations. The fire violation effects the buildings on either side. Hobbs sympathizes of the stress but does not feel there is an option with these violations. Motion to move to adopt the inspection report and affirm the order. Motion made by Caudill (Iddings) passed unanimously.

Jessup explained since it was enforced there will be a time frame for completion. Williams explained the process for granting extensions. To get that done, Jessup clarified it would only be if substantive work will be completed.

Motion to approve a thirty (30) day extension from date of start with substantive work made by Iddings (Surber) passed.

Hearing Closed at 7:04 p.m.

#### **Regular Meeting:**

Regular Meeting Opened at 7:05 p.m.

**Communication from President:** None

#### **Communication from Town Manager:**

Chris Baryo contacted Howard about a dental lab property. Baryo is interested in purchasing the Lions Club. It is owned by the town. Lions Club Den needs re-surveyed since all the parking is attached. Chris would like some designated parking. Surber stated the Lions Club would like to

renew. Howard asked permission to show to a potential buyer. Howard stated it is ultimately up to the board if they are not interested that is up to them. Jessup stated this would put it on for tax rolls. To not show it at all would show a lack of wanting to move forward. Jessup clarifies the town is responsible for the upkeep. It's painted and architected to match the depot, that would be written in a purchase. Hobbs & Surber agree. It was decided not to show to this particular buyer since he wanted alterations.

#### **Communication from the Clerk:**

It was discovered during health care renewal Cobra is needed. The office closed December 23 for ½ day, December 24, 30, 31<sup>st</sup> in observation of Christmas and New Year's. Duszynski would like to set up a year-end meeting to accelerate the year end process.

#### **Approval of Minutes:**

Claims reviewed. Caudill verified voucher for continuing education for the employee who put in notice was voided. Motion to approve Caudill (Hobbs) passed.

#### **New Business:**

1. Fire Protection Agreement – Jessup asks about insurance for the fire department. Duszynski explains they have workers compensation and AD&D. Hobbs stated herself, Duszynski, and Kruse met with Grant township and reviewed the contract. They wanted to make sure the township was paying their fair share; they are. Jessup asked if we charge for fire runs. Hobbs explained it all is being looked at. Motion to approve made by Iddings (Hobbs) passed.
2. Attorney Fee Agreement – Budgeted for \$5000.00/yr. quarterly and \$155.00/hr. Kruse stated there is also a flat fee for incidental advise. Other than that, it is the same. Motion to approve Surber (Caudill) passed.
3. Sexton Contract – tabled. Jessup would like to know how much was budgeted and a breakdown of his time.
4. Tax Abatement – Nucor is asking for an abatement. They are building onto existing parking lots. Hobbs asked about the discrepancy in the application & SB1 for jobs. Howard said it was just an error. It has been passed by Redevelopment since it is in the TIF district. Prior to the meeting David Wolfe reviewed the plans. There are no conflicts with stormwater. Chris LaLonde also reviewed the plans prior, for water and sewer department. Duszynski stated there may need to be a resolution. Tabled until the meeting can be continued on Tuesday at 6pm. Meeting is suspended at 8:04pm

**Floor:** Cheryl Davis asked about not centering footers in the cemetery. Davis was told that was how the town wanted it done.

Meeting continued December 21, 2021, at 6:05 p.m. Howard was not present.

**Tax Abatement:**

Duszynski reviews the prior questions prior to the tax abatement. There are no new hourly jobs, only salary. Total is \$13,513,381. This deduction is resolved. SB1 filled out. Motion to approve Resolution 21-11 for an abatement in taxes for Nucor made by Caudill (Surber) passed.

5. Holiday Schedule – Duszynski explains town employees currently receive ½ day New Years and ½ day Christmas Eve. No other government offices are open in the county. Jessup asked for other department feedback. They all use vacation, and this would benefit them. Motion to approve the additional holiday made by Hobbs (Caudill) passed.
3. Sexton contract continued: Duszynski stated \$1000.00 is what was budgeted. Ley has done 60-70 trips. He is great to work with. Discussion was held about where to take the funds from. Iddings stated it is reasonable. Motion to approve and change the pay to \$1500.00. Motion to approve made by Caudill (Surber) passed.
6. Bad Debt – Duszynski explains the process. These are final accounts with balances total of \$4386.73. Caudill suggests looking into collections to recover the monies prior to writing the debt off. Jessup also suggests waiting until finding out prior to writing the debt off.
7. Friends of the Depot – Sabina Keen, from the organization presents. They will meet in the next coming weeks. About 20 donations have come in. Friends of the Depot will get with the clerk about setting up a fund. Friends of the Depot will be able to take over the cleaning the depot after rentals. Once a month the financials will need sent to Ken & Janet Surber. There will be an event coordinator. They would like to purchase new blinds and rugs. Friends will maintain stuff for the kitchen. They will move the open event to the first Saturday and work with visitor's bureau. Deb Iddings ensures the rentals will be communicated that there was proper cleaning in order to receive their deposit back. Duszynski informed a new flyer was made to advertise availability. They will also do more fundraising. Surber suggested advertising at the library. Iddings clarified that it can still be rented during the first Saturday events. They will eventually take over the snack sales and inventory. Jessup is excited about the involvement.
8. Contracting with a relative – Duszynski explains that elected officials must sign each year stating they will not contract with a relative.
9. Nepotism Policy - Duszynski explains this is the same process as the previous form but these states they will not hire a relative. Jessup clarifies it is just a signature no official action.
10. Smithfield Contract – Duszynski explained there is no change from last year. Jessup stated it can be postponed if needed. Hobbs would like to clarify if the dollar amount change.
11. Lift Station pump – The wastewater department needs a new pump for Country Village. The lift station at Indiana Street had 3 alarms to the 27 at Country Village. It has been repaired several times. Superintendent, Chris LaLonde stated the total is \$54,223 the two additional options are not necessary. No other questions. Motion to approve made by Caudill (Surber) passed. Iddings asked if the spare pump would be compatible. It was thought to be so but would get clarification.

12. Williams Electronics – Jessup suggested getting better equipment for virtual meetings. Motion to approve quote from Williams for conferencing equipment. Motion to approve made by Hobbs (Caudill) passed. Surber stated to make sure it is tax free. Hobb's husband works in IT and thinks it's a good thing.

**Old Business:**

1. Change ordinance 21-10: Duszynski explained she had 2 ordinances combined and separated them. This establishes that there is \$100 in each drawer. Motion to approve ordinance 21-10 made by Surber (Iddings) passed.
2. Engine Braking – Iddings discussed that the town is unable to put out signs. Iddings presented pictures of the county. Iddings wants to know if these are acceptable. Jessup questioned jurisdiction of ability to post the signs. Iddings would like to have the marshal look into this. Duszynski stated the Marshals do not have decibel readers to enforce the current noise ordinance. Also needs amended to remove the term "Jake Brake" Jessup suggest talking to Williams to see if it was dealt with in Fort Wayne.
3. Lion's Club – tabled until further discussion and will revisit in January.
4. Petty Cash – Duszynski explained the use of petty cash for small incidental items. The fund has already been established; the amount needed to be redetermined. Motion to approve having a petty cash fund of \$100.00 made by Caudill (Hobbs) passed.

**Introduction of Ordinances:**

1. Sewer use Ordinance – Tabled due to needing more notifications.

**Other Business:** Caudill appreciates the progress of downtown by Redevelopment.

Duszynski would like to meet December 30, 2021, to go over end of year things so Duszynski can be ahead; 5:00 p.m. at the Town Hall.

I, Renee Duszynski, the duly qualified Clerk/Treasurer, do hereby certify that the above and foregoing is a true and exact excerpt of minutes of the meeting of the Waterloo Town Council, Waterloo, Indiana, at which a quorum was in attendance and acting throughout, and held December 14, 2021, as such appears in the official minutes of said Waterloo Town Council, in my custody.

Meeting was adjourned at 7:43 p.m.



President, Jess Jessup



Clerk- Treasurer, Renee Duszynski