

Town of Lynnville
Lynnville Town Council
August 20, 2024, Agenda

OPEN PUBLIC HEARING

Open Bidding for Lighting on the Main St. Project

3rd reading of Ordinance #2024-7 An Ordinance Adopting the Indiana Unsafe Building Law

3rd reading of Ordinance #2024-8 An Ordinance Repealing and Replacing Chapter 92 Regarding Public Nuisances

CLOSE PUBLIC HEARING

CALL MEETING TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGEANCE

ROLL CALL

APPROVAL OF MINUTES: October 17, 2023 - Staff Shortage

APPROVAL OF CURRENT BILLS: August 7, 2024 – August 20, 2024

ADJUSTMENTS:

FUND REPORT – July 2024:

Revenue	\$19,596.52
Expenditures	\$22,892.00
Current Balance	\$145,329.52

NEW BUSINESS:

1. Approval of Lease Transfer of Lot #21 – Camp
2. Discussion by Bryan Arnold concerning Water Line on Doerner Rd
3. Proposed Lynnville Park Improvements from Travis
 - a. Set hours for park
 - b. Camp store
 - c. Paddle boats
 - d. Wood bundles
 - e. Activities
4. Proposed purchase of grill and Blackstone for event
5. Approval for Trick or Trot Tecumseh Trail Fundraiser
6. Approval of Halloween at the Park Event Flyer – October 26
7. Propose Long Term Budget Plan with Bakertilly
8. Propose Rate Study with Bakertilly
9. Discussion of Mowing Schedule
- 10.
11. Approval of Ordinance #2024-7 An Ordinance Adopting the Indiana Unsafe Building Law
12. Approval of Ordinance #2024-8 An Ordinance repealing and Replacing Chapter 92 Regarding Public Nuisances
13. Proposed Ordinance to Amend Section 51.15(l) - Disconnection/Reconnection of water meters
14. Approval of Ordinance #2024-9 Salary Ordinance Amend for Utility Clerk
15. Discussion of Personnel Policy
 - a. Vacation, Sick, Personal Days vs. PTO
 - b. Maternity Leave

Brian Cook, Town Manager

Work Report Submitted

Mike Mitchell, Town Marshal

Work Report Submitted

Michael May, Fire Department

Work Report Stated

J. William Bruner, Attorney

Lauri Stockus, Clerk-Treasurer

Upcoming:

- | | |
|--------------------------------------|----------------|
| 1. Budget Workshop 10:00am | August 29 |
| 2. Town Hall Closed for Labor Day | September 2 |
| 3. Town Council Meeting Moved | October 2 |
| 4. Town Hall Closed for Columbus Day | October 14 |
| 5. Town Hall Closed for Election Day | November 5 |
| 6. Town Hall Closed for Thanksgiving | November 28-29 |
| 7. Town Hall Closed for Christmas | December 25-26 |

Town Council Training Schedule:

- | | |
|---|------------|
| 1. E-REP Elected Official Council Meeting | October 17 |
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Stacy Tevault, Park Advisor

David Goldenberg, Town Council Member/Park Authority

Doris Horn, Town Council Member/ Park Authority

Rachel Titzer, Town Council President/ Park Authority

****ADDRESS THE FLOOR****

NEXT MEETING: September 3, 2024, 6:00pm @ Town Hall

TIME OF ADJOURNMENT

ANY AND ALL BUSINESS TO PROPERLY COME BEFORE THE LYNNVILLE TOWN COUNCIL

Persons with disabilities or non-English speaking persons who wish to attend a public meeting or hearing and need assistance should contact Lauri Stockus or Brooklin Rolands at Town Hall, 207 Main St., Lynnville, IN 47619 or 812-922-5111 not later than one (1) week prior to any meeting or hearing. Every effort will be made to provide reasonable accommodation for any such person(s).

Lynnville Town Council
August 20, 2024, Meeting Roll Call

Brian Cook, Town Manager	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Mike Mitchell, Town Marshal	Present <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
Michael May, Fire Department	Present <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
Stacy Tevault, Park Advisor	Present <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
J. William Bruner, Attorney	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Lauri Stockus, Clerk-Treasurer	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
David Goldenberg, Town Council Member/Park Authority	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Doris Horn, Town Council President/Park Authority	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Rachel Titzer, Town Council Member/Park Authority	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>

Public Hearing Called to Order 6:07

Public Hearing Closed 6:09

Time Meeting Called to Order 6:09

Time Meeting Adjournment 7:52

August 20, 2024

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Tom Sills

Heather Sills

PAMELA CAMP

Ron Neale

Tavis Porter

ISAAC MESSERSMITH

* Aaron Rohner

TRAVIS

Town of Lynnville
Lynnville Town Council
August 20, 2024, Agenda

Call Public Hearing to Order at 6:07pm

Open Bidding for Lighting on the Main St Project

Mr. Bruner opened and read aloud bids for Main St Lighting Project

Guardian Private Utility and Locating for \$486,210.00

Dieg Brothers 350,000.00

Aaron from Commonwealth asked for permission to take the bids under advisement and to make sure complete and correct, then bring them to Town Council for recommendation next meeting.

David makes a motion to allow Commonwealth to take the bids under advisement. Doris seconds the motion.

David in favor. Doris in favor. Rachel in favor. Motion carries.

3rd reading of Ordinance #2024-7 An Ordinance Adopting the Indiana Unsafe Building Law

ORDINANCE # 2024-7

AN ORDINANCE ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville.

3rd reading of Ordinance #2024-8 An Ordinance Repealing and Replacing Chapter 92 Regarding Public Nuisances

ORDINANCE 2024-8

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 92
REGARDING PUBLIC NUISANCES**

WHEREAS, the Town Council of the Town of Lynnville, Indiana previously determined that it is in the best interest of the health, safety, and beautification of the Town of Lynnville, Indiana, to regulate public nuisances by the adoption of what is now codified as Chapter 92 of the Lynnville Code of Ordinances.

Close Public Hearing at 6:09pm

Call Meeting to Order at 6:09pm

Moment of Silence

Pledge of Allegiance

Roll Call

Approve Minutes: October 17, 2023 - Staff Shortage

Doris makes a motion to approve October 17, 2023, minutes as presented. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries.

APPROVAL OF CURRENT BILLS: August 7, 2024 – August 20, 2024

Doris makes a motion to approve the current bills of August 7, 2024 – August 20, 2024, as presented. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

ADJUSTMENTS: None

FUND REPORT – July 2024:

Revenue	\$19,596.52
Expenditures	\$22,892.00

Current Balance \$145,329.52

NEW BUSINESS:

Approval of Lease Transfer of Lot #21 – Camp

Doris makes a motion to approve Lease transfer for 106 Fawn Ln., Lot #21. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

Discussion by Bryan Arnold concerning Water Line on Doerner Rd

Discussed having water utility run to property on Doerner Rd property. He would like to develop this property into residential lots. After discussion he will need to meet with Brian to see if there is pressure and/or the current equipment the town has will be sufficient to allow this. He will also be required to get engineering to figure out the cost of this project. He will also need to meet with Warrick Area Planning to find requirements, qualifications and codes.

Proposed Lynnville Park Improvements from Travis

1. Set hours for park
2. Camp store
3. Paddle boats
4. Wood bundles
5. Activities

Tabled until Travis supplies the Town Council with pricing.

Proposed purchase of grill and Blackstone for event

Doris and Rachel presented the idea of purchasing a grill and Blackstone for events. It was questioned why they would need both since a Blackstone could grill hamburgers and hot dogs also. Doris answered they could do more at a time for bigger crowds. They could use them for fundraising events. There was some discussion on the necessity of the purchase. The final agreement is Doris will shop the sales and spend no more than \$350 for a Blackstone and \$350 for a grill. Doris agreed to price AT LEAST 3 stores (Walmart, Lowes, Costco, Sam's, Menards) before purchasing. Doris makes a motion to approve with a \$350 maximum on a Blackstone and \$350 on a grill. Rachel seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

Approval for Trick or Trot Tecumseh Trail Fundraiser – October 26

David makes a motion to move forward with this event. Doris seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

Approval of Halloween at the Park Event Flyer – October 19

David makes a motion to approve of the Halloween at the Park event flyer. Doris seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

Proposing Long Term Budget Plan with Bakertilly

Wait to get an estimate before approving moving forward.

Propose Rate Study with Bakertilly

Wait to get an estimate before approving moving forward.

Discussion of Mowing Schedule

After some discussion, the Town Hall is set to be mowed every Friday during mowing season. Discussion on new section mowing Lynnville park next year when the town takes control of the maintenance to the area. Discussion concerns bidding out the lawn maintenance of this area vs. purchase of new equipment.

Approval of Ordinance #2024-7 An Ordinance Adopting the Indiana Unsafe Building Law

ORDINANCE # 2024-7

AN ORDINANCE ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville;

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Lynnville, Indiana, as follows:

SECTION I

Chapter 150 of the Lynnville Code of Ordinances is hereby amended to add the following code sections to be collectively referred to as the Town of Lynnville Unsafe Building Ordinance:

150.50 Adoption of the Indiana Unsafe Building Law. The Town hereby adopts the provisions of IC 36-7-9, as may be amended from time to time, known as the Indiana Unsafe Building Law.

150.51 Administration: There is hereby established an executive department of the Town of Lynnville to be known as the Code Enforcement Department. (the "Department"). The Department shall administer this Ordinance in accordance with the provisions and procedures set forth in the Indiana Unsafe Building Law. The Town Council shall designate an employee of the Town to serve as the chief administrative officer of the Department who shall serve as the Enforcement Authority.

150.52 Unsafe Building and Unsafe Premises Defined: The terms "Unsafe Building" and "Unsafe Premises" shall have the definitions set forth in IC 36-7-9-4 and are hereby supplemented to include without limitation any building or structure that has any or all of the following conditions or defects, provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are endangered:

- A. Whenever any door, aisle, passageway or other means of exit is not of sufficient width or size or is not so arranged as to provide a safe and adequate means of exit in case of fire or panic.
- B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- C. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose, or location.
- D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose, or location.
- E. Whenever any portion, member, or appurtenance thereof is likely to fail, to become detached or dislodged or to collapse and thereby injure persons or damage property.
- F. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted for such buildings.
- G. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to wind or earthquake than is required in the case of similar new construction.
- H. Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, or decay; faulty construction; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay, or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse.

- I. *Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.*
- J. *Whenever the exterior walls or other vertical structural members lift, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.*
- K. *Whenever the building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing, or outside walls or coverings.*
- L. *Whenever the building or structure has been so damaged by fire, wind, earthquake or flood or has become so dilapidated or deteriorated so as to become an attractive nuisance to children, or freely accessible to persons for the purpose of committing unlawful acts.*
- M. *Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this town, or of any law or ordinance of this state or town relating to the condition, location or structure of buildings.*
- N. *Whenever any building or structure which, whether or not erected in accordance with all applicable laws or ordinances, has any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the strength, fire resisting qualities or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.*
- O. *Whenever a building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.*
- P. *Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits or lack of sufficient fire-resistive construction is determined to be a fire hazard.*
- Q. *When any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.*

150.53 Substantial Property Interest: *The definition of "substantial property interest" found at IC 36-7-9-2, as may be amended, is hereby incorporated by reference.*

150.54 Hearing Authority: *The Lynnville Town Council shall serve as the Hearing Authority.*

105.55 Unsafe Building Fund: *An unsafe building fund is hereby established in the operating budget of the Town in accordance with IC 36-7-9-14.*

150.56 Public Nuisance. *Unsafe Buildings and Unsafe Premises are hereby declared to be public nuisances and are therefore also subject to enforcement, abatement, fines and penalties as provided in Chapter 92 of the Lynnville Code of Ordinances.*

SECTION II

This Ordinance shall become effective upon adoption and publication.

Doris makes a motion to approve Ordinance #2024-8 as presented. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

Approval of Ordinance #2024-8 An Ordinance repealing and Replacing Chapter 92 Regarding Public Nuisances

**ORDINANCE 2024-8
AN ORDINANCE REPEALING AND REPLACING CHAPTER 92
REGARDING PUBLIC NUISANCES**

WHEREAS, the Town Council of the Town of Lynnville, Indiana, previously determined that it is in the best interest of the health, safety, and beautification of the Town of Lynnville, Indiana, to regulate public nuisances by the adoption of what is now codified as Chapter 92 of the Lynnville Code of Ordinances;

WHEREAS, the Town Council has determined that, in order to better regulate public nuisances and to provide for more efficient and timely abatement thereof, the existing Chapter 92 should be repealed and replaced as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lynnville, Indiana, as follows:

Section I

Repeal of Existing Chapter 92. Chapter 92 of the Lynnville Code of Ordinances is hereby repealed in its entirety to be replaced as provided in Section 2 herein.

Section II

Adoption on New Chapter 92. The Lynnville Code of Ordinances is hereby amended to add a new Chapter 92 entitled "Public Nuisances" as follows:

CHAPTER 92: PUBLIC NUISANCES

92.01 Purpose and Administration.

It is the purpose of this Chapter to protect the public safety, health and welfare and enhance the environment of and for the people of the Town of Lynnville, Indiana (the "Town") by making it unlawful to allow or maintain a public nuisance. This Section is to be administered by the Town's Code Enforcement Department and the chief administrative officer of the Code Enforcement Department, who shall be appointed by the Town Council, shall serve as the "Enforcement Authority".

92.02. Incorporation of State Law.

This Chapter incorporates the provisions, where applicable, of IC 36-1-6 as it now exists and is hereafter amended.

92.03 Authority to Make Inspections.

Officers and employees of the Town shall report the existence of public nuisances to the Enforcement Authority. The Enforcement Authority shall have the authority to visit and enter into or upon any property or premises within the limits of the Town to ascertain and discover any nuisance and to make examination thereof.

92.04 Definitions.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (A) **NUISANCE.** A public nuisance, which shall mean a condition or activity which endangers the health, safety or welfare of the public or of any individual, causes injury to property, or interferes with an individual's possession or ordinary use and enjoyment of his or her property. The term "nuisance" shall include those offenses declared in this Chapter to be a public nuisance and those offenses which are known to the common law and Indiana statutes as public nuisances, particularly where such offenses continue for such length of time to (a) substantially interfere, injure, or endanger the comfort, health, or safety of the public, (b) in any way render the public insecure in life or in the use of property, (c) greatly offend the public morals or decency, (d) unlawfully or substantially interfere with, obstruct or tend to obstruct, or render dangerous for passage any street, alley, highway, navigable body of water, or other public way, or (e) are injurious to health, or indecent, or offensive, to the senses of a reasonable person so as to essentially interfere with the comfortable enjoyment of life or property. Whenever the word "nuisance" is used in this Chapter, it means a public nuisance as defined herein.
- (B) **OWNER.** The record owner and/or any record contract purchaser of real estate as shown by the records maintained by the Warrick County Auditor.
- (C) **RANK VEGETATION.** Plant life which grows excessively and unmanageably upon the land.
- (D) **WEED.** A plant held to have little or no material public value, which tends to overgrow or choke out more desirable plants, and is usually growing, or has the potential to grow, plentifully and detrimentally upon the land.

92.05. Nuisances prohibited.

- (A) *It shall be unlawful for the owner, occupant, or person having control or management of any property with the Town to cause, permit, maintain or allow a nuisance as defined and described in this Chapter.*
- (1) *For purposes of this Chapter, conditions constituting a public nuisance shall include, but not be limited to, the following:*
 - (2) *Litter, trash, garbage, debris or any other materials or matter existing on a property in such a manner as to be detrimental to the public health, comfort, safety or the aesthetic well-being of the community.*
 - (3) *Fallen trees, stumps, or dead trees.*
 - (4) *Boxes, appliances, furniture, household items, tires, tools, fixtures, and long-term storage of construction material.*
 - (5) *Demolition remains.*
 - (6) *Open excavations uncovered or improperly covered holes, whether lined or unlined, and dirt piles on any open or unfenced real property, including open foundations.*
 - (7) *Dressing for poultry or rabbits.*
 - (8) *Structure defaced with paint or wording.*
 - (9) *Any wastewater, filth, offal, garbage, trash, rubbish, animal waste, or human excrement which is deposited, allowed, or caused to be upon any property.*
 - (10) *Any substance which is caused or permitted to flow onto or be deposited upon any public property or public way, except natural surface water drainage.*
 - (11) *Any dead animal.*
 - (12) *Any real or personal property which is infected with contagious disease and is likely to cause an imminent health hazard.*
 - (13) *The placing or accumulation on or within any real or personal property, or the permitting of same, of any matter which attracts or may attract rodents, insects, or animals in such a manner as to create a health hazard or unsanitary or dangerous condition.*
 - (14) *Any dilapidated or condemned building, structure or dwelling, or remains thereof, so out of repair that it constitutes a fire hazard liable to catch on fire or communicate fire to surrounding properties.*
 - (15) *Any noxious or repugnant odor, smoke, dust, or noise that emits from the premises into the surrounding atmosphere which creates or may create an uncomfortable condition to surrounding properties.*
 - (16) *The storage of explosive, combustible, or other flammable material creates a safety or health risk.*
 - (17) *Any trees, shrubbery, weeds, snow, fences, or other material that obstruct public ways or cause a visual barrier for vehicular traffic.*
 - (18) *Any junk automobiles, boats, trailers, broken concrete, scrap metal, or automobile parts.*
 - (19) *Any growth of weeds, grass, or other rank vegetation which is neglected, disregarded, or not adequately managed or controlled, cut, mown, or removed, has attained a height of ten (10) inches or more or is otherwise imminently detrimental to the public health, safety, or welfare.*
 - (20) *An unsafe building or unsafe premises as defined in the Indiana Unsafe Building Law (IC 36-7-9).*

92.06 Notice of Violation.

Violations of this Chapter shall be addressed by the Enforcement Authority as follows:

- (A) *When a public nuisance is found to exist on a property, the Enforcement Authority shall notify the property's owner in writing of the existence of the nuisance and order the owner to abate the nuisance.*
- (B) *The written notice and order to abate shall be served upon the owner by personal service, by certified mail, or by posting the notice and order conspicuously on the property and mailing a copy of the notice and order*

by regular first-class United States mail, postage prepaid. Use of the term "notice" in this Chapter shall refer to the notice and order to abate issued pursuant to this Section.

- (C) The notice shall state the nature of the nuisance and shall order the nuisance to be abated, granting a minimum of ten (10) calendar days and a maximum of sixty (60) calendar days to abate the nuisance. That notice shall also contain the address and the telephone number of the Enforcement Authority and include a notification that if the nuisance is not abated within the period specified in the notice, the Town may abate the nuisance and seek recovery for its costs of doing and impose fines and penalties as may be provided by the ordinance.
- (D) Within ten (10) calendar days of delivery of the notice, the owner may notify the Town in writing of any specific objection to the notice. Upon receipt of an owners' written objection, the Enforcement Authority shall cease enforcement actions, and the objections shall be presented to the Town Council.
- (E) If after the expiration the time specified in the Notice, the nuisance continues unabated and either no written objection has been received or an objection has been received and overruled by the Town Council, the Enforcement Authority may take further action to enforce this Chapter, including without limitation action to abate the nuisance and issue citations in accordance with this Chapter.

92.07. Citation for Failure to Abate Nuisance.

Whenever the Enforcement Authority determines that the owner has failed to abate the nuisance within the time period provided in the notice, the Enforcement Authority may issue a citation against the owner and assess fines in accordance with this section. Upon the issuance of the first citation the fine shall be \$50. Upon the issuance of a second citation the fine shall be \$100. Upon the issuance of any subsequent citation the fine shall be \$250. Each subsequent day of violation shall be considered a separate and chargeable offense for the purpose of calculating fines under this section.

92.08 Abatement of Nuisance by Town.

Upon failure, neglect, or refusal of any party to comply with the notice, in addition to the issuance of a citation under this Chapter, the Enforcement Authority may cause the abatement of the nuisance by any reasonable means and thereafter furnish the Town Council with a statement of the costs of the abatement.

92.09 Continuous Enforcement Orders.

If at any time the Town causes abatement of a nuisance after providing notice to the owner in accordance with this Chapter, a Continuous Enforcement Order may be posted at the property at the time of the initial abatement. A Continuous Enforcement Order serves as notice to the owner that any subsequent violation during the same calendar year for which the initial notice of violation was provided may be abated by the Town without need of further notice to the property owner.

92.10 Institution of Enforcement Action.

The Town Council may bring a civil action against a violator of this Chapter in accordance with IC 36-1-6-4.

92.11 Procedure for Collection of Abatement and Administrative Costs.

- (A) The Enforcement Authority shall make and issue to the owner a bill for all costs incurred by the Town in its abatement of the nuisance. The cost billed to the owner under this Section shall include all actual costs incurred by the Town, including without limitation, the cost of a private contractor (should one be used) or the actual cost per hour or any labor spent by Town employees in abating the nuisance, equipment and supply costs, the cost of any title or other record search, the cost of all postage, the cost of any legal fees incurred by the Town by reason of such violation, and an administrative fee equal to two-percent (2%) of the total of such costs. The owner shall pay the amount of the bill to the Clerk-Treasurer's office within thirty (30) days after the date of issuance unless, within those thirty (30) days, the owner notifies that office in writing of any objection to that bill. If that notice is given, the time for payment shall be tolled until the Town Council acts on the objection.
- (B) If the thirty (30) days has expired and either no timely objection to the bill has been made or the Town Council has overruled any timely objection and the bill is not paid in full, then the bill for all such costs which the owner has failed to pay shall be considered delinquent.
- (C) Whenever the Enforcement Authority deems it necessary, the Enforcement Authority shall prepare a list of fees and penalties that are enforceable under this Chapter and record a copy of the list with the Warrick County Recorder in accordance with IC 36-1-6-2.

92.20 Weeds, Grass and Rank Vegetation.

- (A) *No person shall allow any weeds, grass, or rank vegetation to grow to a height eight (8) inches from the ground on any real property owned, leased, or controlled by him or her within the Town of Lynnville, Indiana ("the Town"). All weeds, grass, and rank vegetation in an excess of ten (10) inches are hereby declared to be a public nuisance and may be abated in accordance with law.*
- (B) *Weeds and rank vegetation shall be defined to include any undesirable, uncultivated plant including weeds, grass and vegetation, excepting agricultural crops, such as hay and pasture, while growing.*
- (C) *Whenever the Town finds weeds, grass, or rank vegetation on real property within the Town which is in such a condition as to violate this Section, the Town shall issue written notice to the property owner ordering the property owner to remove the weeds, grass, or rank vegetation within ten (10) days of receipt of the notice. Notice shall be served by certified mail, return receipt requested, upon the property owner at said person's last address as indicated on the records of the Warrick County Auditor on the date of the notice, with a first-class letter sent on the same date. Notice shall be deemed complete and received upon mailing.*
 - (1) *In the event the property owner fails to remove the weeds, grass, or rank vegetation, as required in the written notice, the Town may issue to the property owner, a citation for an ordinance violation which states the relevant offenses of the ordinance, and the matter may be prosecuted in the appropriate court by the Town Attorney.*
 - (2) *In addition, if the property owner fails to remove the weeds, grass, or rank vegetation, as required in the written notice, the Town, through its own workforce or through a private contractor hired by the Town, may enter upon the real property and abate the violation by cutting and removing the weeds, grass, or rank vegetation. The expense thereof shall be billed to the property owner. If the property owner fails to pay such bill within ten (10) days from the date of notice (which notice shall be served as previously set forth in this paragraph C), the Town will certify to the Warrick County Auditor the amount of the bill, plus any additional administrative costs incurred in the certification. The County Auditor shall thereafter place the total amount certified on the tax duplicate for the property affected, and the total amount (which may include, without limitation, fees for title searches and postage), and any accrued interest, shall be collected as delinquent taxes are collected, and shall be disbursed to the general fund of the Town. The cost billed to the property owner under this Section shall include all actual costs incurred by the Town, including without limitation, the cost of a private contractor should one be used or the actual cost per hour or any labor spent by Town employees in abating the public nuisance, equipment and supply costs, the cost of any title or other record search, the cost of all postage, the cost of any legal fees incurred by reason of such violation, and an administrative fee equal to two-percent (2%) of the total of such costs.*
 - (3) *If an initial notice of violation of this Section is provided to a property owner by certified mail and first-class mail as provided herein, a continuous abatement notice may be mailed by certified mail, return receipt requested, or posted at the property at the time of abatement instead of by certified mail or first-class mail. A continuous abatement notice serves as notice to the property owner that any subsequent violation during the same year for which the initial notice of violation was provided may be abated by the Town or its contractors without need of further notice to the property owner.*
- (D) *Any property owner that is aggrieved by a notice to abate or a bill submitted following failure to comply, may appeal. Such an appeal shall be made in writing and shall be delivered personally to the Town Council at Lynnville Town Hall, within not more than ten (10) days from the date the notice or bill was received. The Lynnville Town Council may, but is not required to, conduct a hearing on request of an aggrieved person pursuant to this Section.*
- (E) *Any person found to be in violation of one or more requirements of this Section shall be subject to a fine not to exceed one hundred dollars (\$100.00). Each day a violation continues shall constitute a*

separate offense. Said fine shall be in addition, and without exclusion, to any other remedies and/or penalties provided herein.

- (F) In no event shall a certification be submitted to the County Auditor unless and until notice as provided herein has been served upon the owner of the real property.

Section III

Effective Date. This shall become effective upon adoption and publication pursuant to Indiana Code 36-5-2-10. Doris makes a motion to approve Ordinance #2024-8 as presented. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

Proposed Ordinance to Amend Section 51.15(l) - Disconnection/Reconnection of water meters

Town Council agreed to move forward to start working on amending the Ordinance.

Approval of Ordinance #2024-9 Salary Ordinance Amend for Utility Clerk

ORDINANCE #2024-9

AN ORDINANCE AMENDING ORDINANCE 2024-1 ESTABLISHING SALARIES FOR CERTAIN TOWN OFFICIALS AND EMPLOYEES OF THE TOWN OF LYNNVILLE, INDIANA FOR THE YEAR 2024

WHEREAS the Town Council previously adopted Ordinance 2024-1 Establishing Salaries for Certain Town Officials and Employees of the Town of Lynnville, Indiana for the Year 2024.

WHEREAS the Town Council now desires to amend Ordinance 2024-1 to revise Section I with regard to the position of Utility Clerk.

NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LYNNVILLE, INDIANA, AS FOLLOWS:
Section 1. Section I of Ordinance 2024-1 is hereby amended to read as follows:

SECTION I

That compensation shall be paid in accordance with the following:

Town Council President	Elected	Not more than \$7,048.69 annually paid monthly
Town Council Members	Elected	Not more than \$7,048.69 annually paid monthly
Lynnville Park Authority	Elected	Not more than \$1,900.00 annually paid monthly
Lynnville Park Advisors	Appointed	Not more than \$1,900.00 annually paid monthly
Clerk-Treasurer*	Elected	Not more than \$44,177.10 annually paid monthly
Phone Stipend		Not more than \$1,800.00 annually paid monthly
Lynnville Park Authority		Not more than \$2,310.00 annually paid monthly
Town Manager*	Salary	Not more than \$100,000.00 annually paid by-monthly
Town Marshall*	Salary	Not more than \$28.00 per hour paid by-monthly
<u>Clerk-Treasurer Office</u>		
Administrative	Part-time	Not more than \$10.00 per hour paid by-monthly
Deputy Clerk-Treasurer	Full-time	Not more than \$17.00 per hour paid by-monthly.
<u>Town Employees</u>		
Utility Clerk	Full-time	Not more than \$22.00 per hour paid by-monthly
Town Employee	Part-time	Not more than \$21.00 per hour paid by-monthly
Town/Park Groundskeeper	Part-time	Not more than \$15.00 per hour paid by-monthly
<u>Lynnville Park Employees</u>		
Lynnville Park Superintendent*	Full-time	Not more than \$45,000 annually paid by-monthly.
Lynnville Park Manager*	Part-time	Not more than \$15.00 per hour paid by-monthly
Lynnville Park Groundskeeper	Part-time	Not more than \$15.00 per hour paid by-monthly
Lynnville Park Laborer	Part-time	Not more than \$13.00 per hour paid by-monthly
Lynnville Park Employee	Part-time	not more than \$10.00 per hour paid by-month

That compensation shall be paid in accordance with the following:

**Cell phone or stipend provided for use of daily operations.*

Section 2. All other Sections of Ordinance 2024-1 shall remain unchanged by this Ordinance.

Section 3. Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

David makes a motion to approve Ordinance 2024-9 as presented. Doris seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries.

Discussion of Personnel Policy

1. Vacation, Sick, Personal Days vs. PTO
2. Maternity/Paternity Leave

Tabled to discuss and get more information. There were other questions brought up from people not in the meetings discussing the Personnel Policy updates to consider.

Currently the Sick Days can be rolled over for a total of 240 hours (30 full-time days). Rachel and Brian did not remember or notice in their previous meetings.

Other questions brought up for discussion and/or need to be added to Personnel Policy

1. **Requiring permission to take more than 1 week off at a time**
2. **Having more than 1 full-time person off at the same time.**

The council agreed that having more than 1 full-time person off at the same time would be Brian's discretion along with the time of year.

3. **All overtime is required approval going forward**

The council also agreed that all overtime is required approval.

4. **Who and what is considered "Emergency Call In/After Hours Call In"**

Brian will decide what emergency calls are considered immediate issues and what can wait until regular working hours.

5. **Flextime vs overtime/comp time off/etc.**

In a previous meeting with Chris about the personnel policy, it was discussed whether flextime would be used in the same pay period. Example if someone worked 43 hours in the 1st week and 35 hours in second week, they would offset each other and not overtime/comp time off/etc. in this pay period. Rachel: All overtime is to be paid out per week and not carried over to the second week.

Brian Cook, Town Manager

Work Report Submitted

Once the 2nd BacT test comes back clean they will be ready to start tie-ins for the Waterline Relocation Project. I expect to have the test back on Thursday. The Spurgeon lift station has had some issues with seal failures in the pumps. Alarms are going off for the seal failure and the pumps will not turn on if the alarms are going off. The sensors inside the pump are getting wet. One pump was taken for repairs but when it was returned the sensor was just bypassed instead of fixed properly. It was sent back to be repaired correctly. We are waiting for the second pump to come back, which will be checked to make sure it is repaired correctly and not just bypassing the sensor. Aaron, engineer, from Commonwealth has been notified of this issue and is working on getting the issue resolved. The contractor is saying this is an electrician's problem and the electrician is saying it is the contractor's problem.

Mike Mitchell, Town Marshal

Work Report Submitted

Not Present

Michael May, Fire Department

Work Report Stated

Not Present

J. William Bruner, Attorney

Requested property owner of 121 IN-68 to come to meeting to discuss utility violations but nobody is present. Will move forward with sending notice and proper procedures to have the violations resolved. Under ordinance this issue is a misdemeanor with fines.

Lauri Stockus, Clerk-Treasurer

Upcoming:

- | | |
|--------------------------------------|----------------|
| 1. Budget Workshop 10:00am | August 29 |
| 2. Town Hall Closed for Labor Day | September 2 |
| 3. Town Council Meeting Moved | October 2 |
| 4. Town Hall Closed for Columbus Day | October 14 |
| 5. Town Hall Closed for Election Day | November 5 |
| 6. Town Hall Closed for Thanksgiving | November 28-29 |
| 7. Town Hall Closed for Christmas | December 25-26 |

Town Council Training Schedule:

- | | |
|---|------------|
| 1. E-REP Elected Official Council Meeting | October 17 |
|---|------------|

Stacy Tevault, Park Advisor

Not present

David Goldenberg, Town Council Member/Park Authority

There are some water leak issues was reported and meter was turned off at the blue storage building at 221 E 3rd St. The property owners were told to schedule when they wanted meter turned back on and they were not allowed to get into meter pit themselves. Since then, the meter has been turned on and off without an authorized employee and paying fee. Brian went to check the meter pit due to digital meters not sending readings suddenly. The reader and antenna were knocked off the proper place and sitting at the bottom of the pit preventing the equipment from working properly from getting in and out of pit. To prevent this the meter will be locked and property owner will be required to call to schedule meter to turn on.

David makes a motion to lock the meter at the blue storage building at 221 E 3rd St. Doris seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries.

There are no updates on Car Wash oil separator. The testing has not come back from the state. It can take several months to get results from the state on samples.

Doris Horn, Town Council Member/ Park Authority

Received readings from Patoka Water for wastewater only customers to charge their bill on actual usage and not flat fee. There was some discussion on charging these customers on usage since the Council is to make that determination. Lauri explains she wants an official motion to make this change. Bruner is going to check the

existing ordinance to make sure it doesn't need amended then the council can make a motion at next town council meeting.

The aerator for Lynnville Lake is in transit and will be installed as soon as possible.

Rachel Titzer, Town Council President/ Park Authority

Nothing to add.

****ADDRESS THE FLOOR****

NEXT MEETING: September 3, 2024, 6:00pm Town Hall

Rachel entertains a motion to adjourn the meeting. David makes the motion to adjourn the Town Council meeting. Doris seconds the motion. David in favor. Doris in favor Rachel in favor. The meeting is adjourned at 7:52pm.

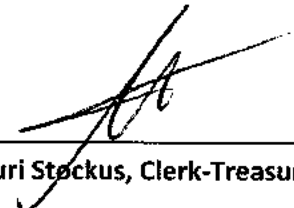
Lynnville Town Council:



David Goldenberg, Council Member/ Park Authority

Doris Horn, Council Member / Park Authority

Rachel Titzer, Council President / Park Authority

Attest: 

Lauri Stockus, Clerk-Treasurer

Persons with disabilities or non-English speaking persons who wish to attend a public meeting or hearing and need assistance should contact Lauri Stockus or Brooklin Robbins, at Town Hall, 207 Main St., Lynnville, IN 47619 or 812-922-5111 not later than one (1) week prior to any meeting or hearing. Every effort will be made to provide reasonable accommodation for any such person(s).

Bid Tabulation Sheet
Town of Lynnville
SR61 Street Lighting Project
 Bid Opening: August 20, 2024

	Bidder's Name	Total Base Bid
1	Ragle Inc.	\$ 450,000
2	Guardian Utilities	\$ 486,210
3	Broken Arrow Electrical Services	\$ 350,000
4	Dieg Bros Construction	\$ 350,000
5		

Jake under advisement
 David makes the motion to take bids under advisement. Davis stands

Re: [External]Lynnville Street Lighting Project

Rachel Titzer <council2@townoflynnville.com>

Mon 8/12/2024 1:12 PM

To: Aaron Rohner, PE (IN, KY) <arohner@contactcei.com>

Cc: Doris Horn <council3@townoflynnville.com>; David Goldenberg <council1@townoflynnville.com>; Brian Cook <townmanager@townoflynnville.com>; Lauri Stockus <clerk-treasurer@townoflynnville.com>

Thank you!!

Rachel

On Aug 12, 2024, at 12:12 PM, Aaron Rohner, PE (IN, KY) <arohner@contactcei.com> wrote:

Hey!

So, update on the street lighting project...

Firstly, I am pretty sure we will have two (2) bidders on the project (Guardian Utilities and Deig Brothers). Secondly, as I mentioned a week or so ago, the advertisements ran on Thursday not Wednesday. So, with that, the earliest we can open would be Thursday August 15th, 2025.

That being said, we are still working through the INDOT permit due to revised lighting calculations having to be provided and Bond review by INDOT. Rather than pushing the date to this Thursday, I would propose to shift the date to your regularly scheduled meeting.

Thanks,

Aaron Rohner, PE (IN, KY)
Associate, Project Engineer

T: 800-289-1177 | D: 812-618-4289 | M: 812-461-8930

<image001.jpg>

Corporate Office: 7256 Company Dr., Indianapolis, IN, 46237, USA

Regional Offices: Crown Point, Evansville, Fort Wayne, Indianapolis North, and South Bend, IN | Bowling Green, KY

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ORDINANCE # 2024-7
AN ORDINANCE ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville;

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Lynnville, Indiana, as follows:

SECTION I

Chapter 150 of the Lynnville Code of Ordinances is hereby amended to add the following code sections to be collectively referred to as the Town of Lynnville Unsafe Building Ordinance:

150.50 Adoption of the Indiana Unsafe Building Law. The Town hereby adopts the provisions of IC 36-7-9, as may be amended from time to time, known as the Indiana Unsafe Building Law.

150.51 Administration: There is hereby established an executive department of the Town of Lynnville to be known as the Code Enforcement Department. (the "Department"). The Department shall administer this Ordinance in accordance with the provisions and procedures set forth in the Indiana Unsafe Building Law. The Town Council shall designate an employee of the Town to serve as the chief administrative officer of the Department who shall serve as the Enforcement Authority.

150.52 Unsafe Building and Unsafe Premises Defined: The terms "Unsafe Building" and "Unsafe Premises" shall have the definitions set forth in IC 36-7-9-4 and are hereby supplemented to include without limitation any building or structure that has any or all of the following conditions or defects, provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are endangered:

- A. Whenever any door, aisle, passageway or other means of exit is not of sufficient width or size or is not so arranged as to provide a safe and adequate means of exit in case of fire or panic.
- B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- C. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose, or location.
- D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose, or location.
- E. Whenever any portion, member, or appurtenance thereof is likely to fail, to become detached or dislodged or to collapse and thereby injure persons or damage property.
- F. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted for such buildings.

ORDINANCE 2024-~~8~~

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 92
REGARDING PUBLIC NUISANCES**

WHEREAS, the Town Council of the Town of Lynnville, Indiana, previously determined that it is in the best interest of the health, safety, and beautification of the Town of Lynnville, Indiana, to regulate public nuisances by the adoption of what is now codified as Chapter 92 of the Lynnville Code of Ordinances;

WHEREAS, the Town Council has determined that, in order to better regulate public nuisances and to provide for more efficient and timely abatement thereof, the existing Chapter 92 should be repealed and replaced as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lynnville, Indiana, as follows:

Section 1: Repeal of Existing Chapter 92. Chapter 92 of the Lynnville Code of Ordinances is hereby repealed in its entirety to be replaced as provided in Section 2 herein.

Section 2: Adoption on New Chapter 92. The Lynnville Code of Ordinances is hereby amended to add a new Chapter 92 entitled "Public Nuisances" as follows:

CHAPTER 92: PUBLIC NUISANCES

92.01 Purpose and Administration.

It is the purpose of this Chapter to protect the public safety, health and welfare and enhance the environment of and for the people of the Town of Lynnville, Indiana (the "Town") by making it unlawful to allow or maintain a public nuisance. This Section is to be administered by the Town's Code Enforcement Department and the chief administrative officer of the Code Enforcement Department, who shall be appointed by the Town Council, shall serve as the "Enforcement Authority".

92.02. Incorporation of State Law.

This Chapter incorporates the provisions, where applicable, of IC 36-1-6 as it now exists and is hereafter amended.

92.03 Authority to Make Inspections.

Officers and employees of the Town shall report the existence of public nuisances to the Enforcement Authority. The Enforcement Authority shall have the authority to visit and enter into

- (18) Any growth of weeds, grass, or other rank vegetation which is neglected, disregarded, or not adequately managed or controlled, cut, mown, or removed, has attained a height of ten (10) inches or more or is otherwise imminently detrimental to the public health, safety, or welfare.
- (19) An unsafe building or unsafe premises as defined in the Indiana Unsafe Building Law (IC 36-7-9).

92.06 Notice of Violation.

Violations of this Chapter shall be addressed by the Enforcement Authority as follows:

- (A) When a public nuisance is found to exist on a property, the Enforcement Authority shall notify the property's owner in writing of the existence of the nuisance and order the owner to abate the nuisance.
- (B) The written notice and order to abate shall be served upon the owner by personal service, by certified mail, or by posting the notice and order conspicuously on the property and mailing a copy of the notice and order by regular first-class United States mail, postage prepaid. Use of the term "notice" in this Chapter shall refer to the notice and order to abate issued pursuant to this Section.
- (C) The notice shall state the nature of the nuisance and shall order the nuisance to be abated, granting a minimum of ten (10) calendar days and a maximum of sixty (60) calendar days to abate the nuisance. That notice shall also contain the address and the telephone number of the Enforcement Authority and include a notification that if the nuisance is not abated within the period specified in the notice, the Town may abate the nuisance and seek recovery for its costs of doing and impose fines and penalties as may be provided by the ordinance.
- (D) Within ten (10) calendar days of delivery of the notice, the owner may notify the Town in writing of any specific objection to the notice. Upon receipt of an owners' written objection, the Enforcement Authority shall cease enforcement actions, and the objections shall be presented to the Town Council.
- (E) If after the expiration the time specified in the Notice, the nuisance continues unabated and either no written objection has been received or an objection has been received and overruled by the Town Council, the Enforcement Authority may take further action to enforce this Chapter, including without limitation action to abate the nuisance and issue citations in accordance with this Chapter.

92.07. Citation for Failure to Abate Nuisance.

Whenever the Enforcement Authority determines that the owner has failed to abate the nuisance within the time period provided in the notice, the Enforcement Authority may issue a citation against the owner and assess fines in accordance with this section. Upon the issuance of the first citation the fine shall be \$50. Upon the issuance of a second citation the fine shall

or upon any property or premises within the limits of the Town to ascertain and discover any nuisance and to make examination thereof.

92.04 Definitions.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (A) **NUISANCE.** A public nuisance, which shall mean a condition or activity which endangers the health, safety or welfare of the public or of any individual, causes injury to property, or interferes with an individual's possession or ordinary use and enjoyment of his or her property. The term "nuisance" shall include those offenses declared in this Chapter to be a public nuisance and those offenses which are known to the common law and Indiana statutes as public nuisances, particularly where such offenses continue for such length of time to (a) substantially interfere, injure, or endanger the comfort, health, or safety of the public, (b) in any way render the public insecure in life or in the use of property, (c) greatly offend the public morals or decency, (d) unlawfully or substantially interfere with, obstruct or tend to obstruct, or render dangerous for passage any street, alley, highway, navigable body of water, or other public way, or (e) are injurious to health, or indecent, or offensive, to the senses of a reasonable person so as to essentially interfere with the comfortable enjoyment of life or property. Whenever the word "nuisance" is used in this Chapter, it means a public nuisance as defined herein.
- (B) **OWNER.** The record owner and/or any record contract purchaser of real estate as shown by the records maintained by the Warrick County Auditor.
- (C) **RANK VEGETATION.** Plant life which grows excessively and unmanageably upon the land.
- (D) **WEED.** A plant held to have little or no material public value, which tends to overgrow or choke out more desirable plants, and is usually growing, or has the potential to grow, plentifully and detrimentally upon the land.

92.05. Nuisances prohibited.

- (A) It shall be unlawful for the owner, occupant, or person having control or management of any property with the Town to cause, permit, maintain or allow a nuisance as defined and described in this Chapter.
- (B) For purposes of this Chapter, conditions constituting a public nuisance shall include, but not be limited to, the following:

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF LYNNVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - August 20, 2024 Town Council Meeting

Page 1 of 2 Pages

Installed by the TOWN OF LYNNVILLE-2018

General Form No. 364 (1997) APVREGISTER_SUM.FRX

NOTES:(1) Use both sides of the form if needed. Signatures of governing board should appear only on the final page of each meeting in which accounts payable vouchers are allowed
(2) The Memorandum is for entering action on accounts payable vouchers if disallowed in whole or in part, if continue to a later meeting of governing board, or for other pertinent information.

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
//	31	DUKE ENERGY	PURCHASED POWER	19.13			Monthly service
//	243	MENARD INC	MATERIALS AND	59.19			Towels, paper towels, distilled water, tp
//	31	DUKE ENERGY	PURCHASED POWER	21.48			Monthly service
//	243	MENARD INC	MATERIALS AND	59.19			Towels, paper towels, distilled water, tp
//	31	DUKE ENERGY	PURCHASED POWER	26.41			Monthly service
//	243	MENARD INC	MATERIALS AND	14.69			Paint supplies for locates, water, duster
//	3	OFFICE THREE SIXTY, INC	MATERIALS AND	75.23			Copy Paper, Billing envelopes
//	31	DUKE ENERGY	PURCHASED POWER	14.93			Monthly service
//	243	MENARD INC	MATERIALS AND	14.70			Paint supplies for locates, water, duster
//	3	OFFICE THREE SIXTY, INC	MATERIALS AND	75.22			Copy Paper, Billing envelopes
//	245	CANDACE D REIBOLD	BUILDING / GROUND	8.00			Cleaning Supplies
//	213	COMMONWEALTH	PROJECT IN PROCESS	2967.64			Construction
//	31	DUKE ENERGY	PURCHASED POWER	468.99			Monthly service
//	243	MENARD INC	0 -MVH-STREET/ALLEYS	85.35			Paint and supplies for road striping
//	3	OFFICE THREE SIXTY, INC	MATERIALS AND	64.89			Postage Ink
//	63	RACHEL TITZER	0 -TRAVEL	189.95			ADA/INDOT Seminar
//	142	BLACKOUT BAIT AND TACKLE	9 -OPERATING SUPPLIES	63.00			Bait
//	245	CANDACE D REIBOLD	BUILDING / GROUND	248.00			Cleaning
//	260	CELEBRATION ICE, LLC	9 -OPERATING SUPPLIES	55.50			Ice
//	213	COMMONWEALTH	PROJECT IN PROCESS	282.05			Connection plans for existing customers
//	31	DUKE ENERGY	PURCHASED POWER	13.77			Monthly service
//	91	KIESLER POLICE SUPPLY, INC	0 -TOWN MARSHAL -	1233.25			Ammo
//	207	MCEEN SERVICES LLC	PROFESSIONAL SERVICES	6930.00			Monthly Service
//	243	MENARD INC	5 -REPAIRS AND	521.89			Vaccum and extension cord
//	3	OFFICE THREE SIXTY, INC	MATERIALS AND	64.86			Postage Ink
//	63	RACHEL TITZER	0 -TRAVEL	85.15			IU Rural Engagement Seminar
//	203	ROSEDALE SERVICES, INC	PROFESSIONAL SERVICES	660.00			Water testing-6 samples per week
//	36	TRI-STATE FIRE PROTECTION,	9 -BUILDING REPAIR /	110.00			Semi-Annual Range Hood Inspection
08/12/2024	1202	LYNNVILLE VOL FIRE DEPT	OPERATING SUPPLIES	2476.06	2476.06	2105	Medical Supplies
08/12/2024	151	NICHOLS FIRE & FLEET INC	BUNKER GEAR	25722.57	25722.57	2106	Bunker Gear
08/08/2024	99999	TECUMSEH ATHLETIC	9	150.00	150.00	2309	Athletic Booster Club ad
08/06/2024	1207	LNB COMMUNITY BANK	0 -MEMBERSHIPS /	40.00	40.00	7346	Annual Lock Box Rental
05/31/2024	81	PAYROC LLC	5 -REPAIRS AND	54.45	54.45	22719	Monthly Service
08/13/2024	1602	PAYROLL	0 -TOWN HALL	4385.09	4385.09	22726	Gen Town Hall
08/13/2024	1602	PAYROLL	SALARIES WAGES	7343.51	7343.51	22727	WTP Wages
08/13/2024	1602	PAYROLL	PAYROLL FEDERAL 941	14312.22	14312.22	22728	Net DD Entry
08/13/2024	1602	PAYROLL	5 -REPAIRS AND	201.11	201.11	22729	Community Center-Repairs/Maint
08/13/2024	1602	PAYROLL	BUILDING / GROUND	186.82	186.82	22730	Fire-Building/Grounds
08/13/2024	1602	PAYROLL	6 -GROUNDSKEEPER	6338.01	6338.01	22731	Park Groundskeeper
08/13/2024	59	INTERNAL REVENUE SERVICE	PAYROLL FEDERAL 941	3301.98	3301.98	22732	W/H

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF LYNNVILLE

GOVERNMENTAL UNIT

AGENCY

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Page 2 of 2 Pages

Installed by the TOWN OF LYNNVILLE-2018

General Form No. 364 (1997) APVREGISTER_SUM FRX

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/ Memorandum (See Note (2) Above)
05/28/2024	1	CENTERPOINT ENERGY	5-ELECTRIC/NATURAL	4.00	4.00	22733	Monthly Service
08/19/2024	235	BFI WASTE SERVICES OF	SLUDGE REMOVAL	2434.99	2434.99	22735	Monthly Service
08/09/2024	31	DUKE ENERGY	5-ELECTRIC/NATURAL	380.60	380.60	22736	Monthly Service
08/09/2024	31	DUKE ENERGY	ELECTRIC	413.71	413.71	22737	Montly service
08/09/2024	31	DUKE ENERGY	9-ELECTRIC	3093.23	3093.23	22738	Monthly service
08/09/2024	1203	LYNNVILLE UTILITIES	5-WATER/SEWER	62.51	62.51	22740	Monthly service
08/09/2024	1200	LYNNVILLE UTILITIES	WATER / SEWER	62.52	62.52	22741	Monthly service
08/09/2024	1203	LYNNVILLE UTILITIES	5-WATER / SEWER	130.97	130.97	22742	Monthly service
08/09/2024	1203	LYNNVILLE UTILITIES	5-WATER / SEWER	253.82	253.82	22743	Monthly service
08/09/2024	1203	LYNNVILLE UTILITIES	PURCHASED POWER	75.63	75.63	22744	Monthly service
07/30/2024	112	SYNCHRONY BANK	9-MISC WINTER	96.76	96.76	22745	Winterizing pipe covers
08/07/2024	200	WEX BANK	FUEL FOR TRUCKS	270.14	270.14	22746	Monthly service
08/09/2024	200	WEX BANK	0-TOWN MARSHAL -	255.90	255.90	22747	Monthly service
08/07/2024	200	WEX BANK	9-EQUIPMENT REPAIR /	313.60	313.60	22748	Monthly service
08/07/2024	200	WEX BANK	TRANSPORTATION	763.39	763.39	22749	Monthly service
08/07/2024	241	SAM'S CLUB MC/SYNCB	5-REPAIRS AND	45.00	45.00	22750	Potting soil
08/07/2024	241	SAM'S CLUB MC/SYNCB	PUBLIC / TRAINING /	302.66	302.66	22751	Training
08/07/2024	241	SAM'S CLUB MC/SYNCB	3-TRAVEL	1870.49	1870.49	22752	Training
08/07/2024	241	SAM'S CLUB MC/SYNCB	8-PROFESSIONAL	682.25	682.25	22753	Training
08/07/2024	241	SAM'S CLUB MC/SYNCB	PROFESSIONAL SERVICES	826.95	826.95	22754	Training
Checks: 0- 22754				91283.42	76850.94		

I hereby certify that each of the above listed vouchers and the invoices, or bills attached thereto, are true and correct and I have audited same in accordance with IC 5-11-10-1.5

8/20 2024

[Signature]
Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF LYNNVILLE

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 2 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 91283.42

Dated this 20th day of August 2024

[Signature]
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]

Member
Member
President

Signatures of Governing Board

Lynnville Park Lease Agreement - Warrick

This Lease Agreement made and entered into on this 20TH day of August by and between **THE LYNNVILLE TOWN COUNCIL**, the Park Authority for the Town of Lynnville, Warrick County, Indiana (hereinafter referred to as "LESSOR") and Pamela Camp (hereinafter referred to as "Lessee").

For and in consideration of the mutual covenants and agreements hereinafter set forth, the Lessor does hereby lease, let rent and demise unto the Lessee and the Lessee does hereby lease and rent from the Lessor the following described real estate in Warrick County, Indiana, to-wit:

Lot # 21

Located at: 106 Fawn Ln., Lynnville, IN 47619

Subject to a utility easement ten (10) feet in width along the front and back lines and five (5) feet in width along the side lines of the above described real estate; subject to the possibility of reverted to Peabody Coal Company, in the event the realty of which the above described real estate is a part ceases to be used for public park and recreation purposes; and further subject to certain reservations and exceptions held by Peabody Coal Company, through its predecessors in interest; all as provided for in a special Warranty Deed dated July 15, 1964, and recorded on July 28, 1964, at 8:05am in the office of the Recorder of Warrick County, Indiana as Instrument #25833.

The terms and conditions under which the demised premises are leased are as follows:

1. **Term** Lease term shall run for one (1) year, from July 1, 2024, through June 30, 2025, together with the opportunity of the Lessee to renew the lease as set forth in paragraph 3.
2. **Contact Information** If any of the information contained in the Lessee Information Sheet provided to the Lessor upon execution of the Lease should change, Lessee shall notify Lessor of such changes or any changes within **Thirty (30) days** of the change.
3. **Rental** Lessee agrees to pay to the Lessor, as rent, the sum of **One Thousand One Hundred Eight and 80/100 (\$1,108.80)** per each one (1) year term, subject to any adjustments to the rental amount during future renewal years as set forth in paragraph 3. If the initial period of the lease is for less than one (1) year, the Lessee agrees to pay the Lessor, as rent, a pro-rated amount of **Ninety-Two and 40/100 (\$92.40)**, based on annual rent for the initial one (1) year term, due upon the execution of the Lease Agreement. Any subsequent renewal by a Lessee of lease term, as set forth in paragraph 3, shall require payment by Lessee of the annual rental prior to the expiration date of the one (1) year lease term. In the event any subsequent annual lease rental is overdue for a period of thirty (30) days, the Lessee shall pay a late charge of **Thirty-Five dollars (\$35.00)** per lot. In the event that any subsequent annual lease rental is overdue for a period of sixty (60) days, the Lessee shall pay an additional late charge of **Thirty-Five dollars (\$35.00)** per lot. In the event that any subsequent annual lease rental is overdue for a period of ninety (90) days, the Lessee shall pay an additional late charge of **Thirty-Five dollars (\$35.00)** per lot. In the event that any subsequent annual lease rental is overdue beyond 90 days the lease shall terminate.
4. **Insufficient Fund Payments** If any payment is returned by the institution upon which it is drawn due to insufficient funds in the account, then the Lessor may at its discretion immediately terminate this Lease.

LYNNVILLE PARK

HALLOWEEN PARTY

October 19 at 4 pm

Trick or Treating
Games
Face Painting
Hayride
and more!



Handwritten signatures and scribbles on the right edge of the poster.

Re: Working Agenda

Rachel Titzer <council2@townoflynnville.com>

Sun 8/18/2024 9:32 PM

To:Lauri Stockus <clerk-treasurer@townoflynnville.com>

Cc:David Goldenberg <council1@townoflynnville.com>;Doris Horn <council3@townoflynnville.com>;William Burner <brunlaw1@gmail.com>

Can we please the purchase of a grill and blackstone for events to the agenda?

We have events coming up that need these and I do not like borrowing them.

Approval of Halloween party flyer.

Approval for Trick or Trot trail fundraiser for October 26.

Thanks,

Rachel

On Aug 16, 2024, at 11:26 AM, Lauri Stockus <clerk-treasurer@townoflynnville.com> wrote:

I am working on a list from auditor of information. I will be sending documents as I find/document them. The list is of different items she would like council to be aware/notified of asap so she can get our audit closed out.

Lauri Stockus

Clerk-Treasuer

Town of Lynnville

clerk-treasurer@townoflynnville.com

812-922-5111

<Outlook-kf4txzcy.png> Book time to meet with me

<Park Agenda.docx>

Re: Working Agenda

Rachel Titzer <council2@townoflynnville.com>

Fri 8/16/2024 12:56 PM

To: Lauri Stockus <clerk-treasurer@townoflynnville.com>

Cc: David Goldenberg <council1@townoflynnville.com>; Doris Horn <council3@townoflynnville.com>; William Burner <brunlaw1@gmail.com>

- rate study with baker Tilly .
- budget and long term plan with baker Tilly.
- park improvements per travis.
- Amending the salary ordinance for utility clerk- Chris is drafting.

Rachel

On Aug 16, 2024, at 11:26 AM, Lauri Stockus <clerk-treasurer@townoflynnville.com> wrote:

I am working on a list from auditor of information. I will be sending documents as I find/document them. The list is of different items she would like council to be aware/notified of asap so she can get our audit closed out.

Lauri Stockus

Clerk-Treasuer

Town of Lynnville

clerk-treasurer@townoflynnville.com

812-922-5111

<Outlook-kf4txzcy.png> Book time to meet with me

<Park Agenda.docx>

Agenda

Rachel Titzer <council2@townoflynnville.com>

Fri 8/16/2024 7:54 PM

To:Lauri Stockus <clerk-treasurer@townoflynnville.com>

Cc:Doris Horn <council3@townoflynnville.com>;David Goldenberg <council1@townoflynnville.com>

Discussion on vacation, sick , personal days vs. PTO.

Maternity leave.

Mowing schedule.

Thanks,

Rachel

ORDINANCE # 2024-7
AN ORDINANCE ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville;

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Lynnville, Indiana, as follows:

SECTION I

Chapter 150 of the Lynnville Code of Ordinances is hereby amended to add the following code sections to be collectively referred to as the Town of Lynnville Unsafe Building Ordinance:

150.50 Adoption of the Indiana Unsafe Building Law. The Town hereby adopts the provisions of IC 36-7-9, as may be amended from time to time, known as the Indiana Unsafe Building Law.

150.51 Administration: There is hereby established an executive department of the Town of Lynnville to be known as the Code Enforcement Department. (the "Department"). The Department shall administer this Ordinance in accordance with the provisions and procedures set forth in the Indiana Unsafe Building Law. The Town Council shall designate an employee of the Town to serve as the chief administrative officer of the Department who shall serve as the Enforcement Authority.

150.52 Unsafe Building and Unsafe Premises Defined: The terms "Unsafe Building" and "Unsafe Premises" shall have the definitions set forth in IC 36-7-9-4 and are hereby supplemented to include without limitation any building or structure that has any or all of the following conditions or defects, provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are endangered:

- A. Whenever any door, aisle, passageway or other means of exit is not of sufficient width or size or is not so arranged as to provide a safe and adequate means of exit in case of fire or panic.
- B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- C. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose, or location.
- D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose, or location.
- E. Whenever any portion, member, or appurtenance thereof is likely to fail, to become detached or dislodged or to collapse and thereby injure persons or damage property.
- F. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted for such buildings.

- G. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to wind or earthquake than is required in the case of similar new construction.
- H. Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, or decay; faulty construction; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay, or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse.
- I. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- J. Whenever the exterior walls or other vertical structural members lift, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- K. Whenever the building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing, or outside walls or coverings.
- L. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood or has become so dilapidated or deteriorated so as to become an attractive nuisance to children, or freely accessible to persons for the purpose of committing unlawful acts.
- M. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this town, or of any law or ordinance of this state or town relating to the condition, location or structure of buildings.
- N. Whenever any building or structure which, whether or not erected in accordance with all applicable laws or ordinances, has any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the strength, fire resisting qualities or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- O. Whenever a building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- P. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits or lack of sufficient fire-resistive construction is determined to be a fire hazard.
- Q. When any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

150.53 Substantial Property Interest: The definition of "substantial property interest" found at IC 36-7-9-2, as may be amended, is hereby incorporated by reference.

150.54 Hearing Authority: The Lynnville Town Council shall serve as the Hearing Authority.

105.55 Unsafe Building Fund: An unsafe building fund is hereby established in the operating budget of the Town in accordance with IC 36-7-9-14.

150.56 Public Nuisance. Unsafe Buildings and Unsafe Premises are hereby declared to be public nuisances and are therefore also subject to enforcement, abatement, fines and penalties as provided in Chapter 92 of the Lynnville Code of Ordinances.

SECTION II

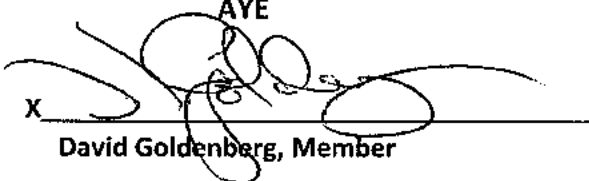
This Ordinance shall become effective upon adoption and publication.

PASSED AND ADOPTED by the Town Council of the Town of Lynnville, Indiana on this 20th day of August 2024.

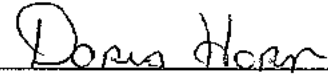
Lynnville Town Council

AYE

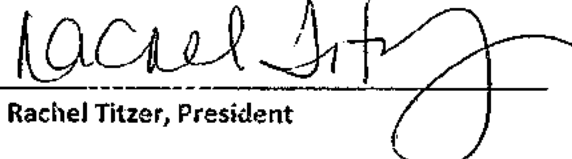
NAY

X 
David Goldenberg, Member

X _____
David Goldenberg, Member

X 
Doris Horn, Member

X _____
Doris Horn, Member

X 
Rachel Titzer, President

X _____
Rachel Titzer, President

Attest

X 
Lauri Stockus, Clerk Treasurer

LEGAL

ORDINANCE # 2024-7 AN ORDINANCE

ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville:

ORDINANCE # 2024-8 AN ORDINANCE REPEALING AND REPLACING CHAPTER 92 REGARDING PUBLIC NUISANCES

WHEREAS, THE Town Council of the Town of Lynnville, Indiana, previously determined that it is in the best interest of the health, safety, and beautification of the Town of Lynnville, Indiana, to regulate public nuisances by the adoption of what is now codified as Chapter 92 of the Lynnville Code of Ordinances.

WHEREAS, THE Town Council had determined that, in order to better regulate public nuisances and to provide for more efficient and timely abatement thereof, the existing Chapter 92 should be repealed and preplaced as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE Town Council of the Town of Lynnville, Indiana, as follows:

Section 1: Repeal of Existing Chapter 92. Chapter 92 of the Lynnville Code of Ordinances is hereby repealed in its entirety to be replaced as provided in Section 2 herein.

Section 2: Adoption of New Chapter 92. The Lynnville Code of Ordinances is hereby amended to add a new Chapter 92 entitled "Public Nuisances" as follows:

To read Proposed Ordinance #2024-7 and Ordinance #2024-8 in their entirety visit townoflynnville.com Public (Notices-Proposed Ordinances) or visit Lynnville Town Hall 207 Main St. Lynnville, IN 47619 during working hours.

ORDINANCE # 2024-7
AN ORDINANCE ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville:

ORDINANCE # 2024-8
AN ORDINANCE REPEALING AND REPLACING CHAPTER 92 REGARDING PUBLIC NUISANCES

WHEREAS, THE Town Council of the Town of Lynnville, Indiana, previously determined that it is in the best interest of the health, safety, and beautification of the Town of Lynnville, Indiana, to regulate public nuisances by the adoption of what is now codified as Chapter 92 of the Lynnville Code of Ordinances.

WHEREAS, THE Town Council had determined that, in order to better regulate public nuisances and to provide for more efficient and timely abatement thereof, the existing Chapter 92 should be repealed and preplaced as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE Town Council of the Town of Lynnville, Indiana, as follows:

Section 1: Repeal of Existing Chapter 92. Chapter 92 of the Lynnville Code of Ordinances is hereby repealed in its entirety to be replaced as provided in Section 2 herein.

Section 2: Adoption of New Chapter 92. The Lynnville Code of Ordinances is hereby amended to add a new Chapter 92 entitled "Public Nuisances" as follows:

To read Proposed Ordinance #2024-7 and Ordinance #2024-8 in their entirety visit townoflynnville.com Public (Notices-Proposed Ordinances) or visit Lynnville Town Hall 207 Main St. Lynnville, IN 47619 during working hours.

ORDINANCE # 2024-7
AN ORDINANCE ADOPTING THE INDIANA UNSAFE BUILDING LAW

WHEREAS, the Town Council has determined that adoption of the Indiana Unsafe Building Law will provide the Town with the authority and processes needed to ensure the proper inspection, repair and removal of unsafe buildings and other structures within the Town so as to preserve the health, safety and welfare of the citizens of the Town of Lynnville;

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Lynnville, Indiana, as follows:

SECTION I

Chapter 150 of the Lynnville Code of Ordinances is hereby amended to add the following code sections to be collectively referred to as the Town of Lynnville Unsafe Building Ordinance:

150.50 Adoption of the Indiana Unsafe Building Law. The Town hereby adopts the provisions of IC 36-7-9, as may be amended from time to time, known as the Indiana Unsafe Building Law.

150.51 Administration: There is hereby established an executive department of the Town of Lynnville to be known as the Code Enforcement Department. (the "Department"). The Department shall administer this Ordinance in accordance with the provisions and procedures set forth in the Indiana Unsafe Building Law. The Town Council shall designate an employee of the Town to serve as the chief administrative officer of the Department who shall serve as the Enforcement Authority.

150.52 Unsafe Building and Unsafe Premises Defined: The terms "Unsafe Building" and "Unsafe Premises" shall have the definitions set forth in IC 36-7-9-4 and are hereby supplemented to include without limitation any building or structure that has any or all of the following conditions or defects, provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are endangered:

- A. Whenever any door, aisle, passageway or other means of exit is not of sufficient width or size or is not so arranged as to provide a safe and adequate means of exit in case of fire or panic.
- B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- C. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose, or location.
- D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose, or location.
- E. Whenever any portion, member, or appurtenance thereof is likely to fail, to become detached or dislodged or to collapse and thereby injure persons or damage property.
- F. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted for such buildings.

- G. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to wind or earthquake than is required in the case of similar new construction.
- H. Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, or decay; faulty construction; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay, or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse.
- I. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- J. Whenever the exterior walls or other vertical structural members lift, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- K. Whenever the building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing, or outside walls or coverings.
- L. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood or has become so dilapidated or deteriorated so as to become an attractive nuisance to children, or freely accessible to persons for the purpose of committing unlawful acts.
- M. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this town, or of any law or ordinance of this state or town relating to the condition, location or structure of buildings.
- N. Whenever any building or structure which, whether or not erected in accordance with all applicable laws or ordinances, has any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the strength, fire resisting qualities or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- O. Whenever a building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air or sanitation facilities, or otherwise is determined to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- P. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits or lack of sufficient fire-resistive construction is determined to be a fire hazard.
- Q. When any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

150.53 Substantial Property Interest: The definition of "substantial property interest" found at IC 36-7-9-2, as may be amended, is hereby incorporated by reference.

150.54 Hearing Authority: The Lynnville Town Council shall serve as the Hearing Authority.

105.55 Unsafe Building Fund: An unsafe building fund is hereby established in the operating budget of the Town in accordance with IC 36-7-9-14.

150.56 Public Nuisance. Unsafe Buildings and Unsafe Premises are hereby declared to be public nuisances and are therefore also subject to enforcement, abatement, fines and penalties as provided in Chapter 92 of the Lynnville Code of Ordinances.

SECTION II

This Ordinance shall become effective upon adoption and publication.

PASSED AND ADOPTED by the Town Council of the Town of Lynnville, Indiana on this _____ day of ____ 2024.

Lynnville Town Council

AYE

NAY

X _____
David Goldenberg, Member

X _____
David Goldenberg, Member

X _____
Doris Horn, Member

X _____
Doris Horn, Member

X _____
Rachel Titzer, President

X _____
Rachel Titzer, President

Attest

X _____
Lauri Stockus, Clerk Treasurer

ORDINANCE No. 2023-

**AN ORDINANCE TO AMEND SECTION 51.15(I)
OF THE TOWN CODE OF LYNNVILLE, INDIANA CONCERNING SHUT-OFF AND
TURN-ON CHARGES**

WHEREAS, the Town Council of the Town of Lynnville, Indiana has determined that it is necessary to clarify the charges to be imposed for shut-off and turn-off of water service,

NOW BE IT ORDAINED, BY THE Town Council of the Town of Lynnville, Indiana, as follows:

SECTION 1

That Section 51.15(I) of the Town Code of the Town of Lynnville, Indiana, is hereby amended to read as follows:

Shut-off and turn-on charges. There shall be a charge of \$25 for shut-off and turn-on made at the request of the user. There shall be a charge of \$25 for shut-off after shut-off for non-payment or delinquency in the payment of a bill. There shall be a charge of \$25 for turn-on after shut-off for non-payment or delinquency in the payment of a bill, and, in addition, before turn-on all delinquent charges then due shall be paid.

SECTION 2

Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

PASSED AND ADOPTED by the Town Council of the Town of Lynnville, Indiana on this ____ day of _____, 2024.

Member, Doris Horn

Member, David Goldenberg

ORDINANCE #2024-9

AN ORDINANCE AMENDING ORDINANCE 2024-1 ESTABLISHING SALARIES FOR CERTAIN TOWN OFFICIALS AND EMPLOYEES OF THE TOWN OF LYNNVILLE, INDIANA FOR THE YEAR 2024

WHEREAS the Town Council previously adopted Ordinance 2024-1 Establishing Salaries for Certain Town Officials and Employees of the Town of Lynnville, Indiana for the Year 2024.

WHEREAS the Town Council now desires to amend Ordinance 2024-1 to revise Section I with regard to the position of Utility Clerk.

NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LYNNVILLE, INDIANA, AS FOLLOWS:

Section 1. Section I of Ordinance 2024-1 is hereby amended to read as follows:

SECTION I

That compensation shall be paid in accordance with the following:

Town Council President	Elected	Not more than \$7,048.69 annually paid monthly.
Town Council Members	Elected	Not more than \$7,048.69 annually paid monthly.
Lynnville Park Authority	Elected	Not more than \$1,995.00 annually paid per quarter.
Lynnville Park Advisors	Appointed	Not more than \$1,995.00 annually paid per quarter.
Clerk-Treasurer*	Elected	Not more than \$44,177.10 annually paid by-monthly.
Phone Stipend		Not more than \$1,800.00 annually paid monthly.
Lynnville Park Authority		Not more than \$2,310.00 annually paid per quarter.
Town Manager*	Salary	Not more than 100,000.00 annually paid by-monthly.
Town Marshall	Part-time	Not more than \$28.00 per hour paid by-monthly.
Phone Stipend		Not more than \$1,200.00 annually paid monthly.
<u>Clerk-Treasurer Office</u>		
Administrative	Part-time	Not more than \$10.00 per hour paid by-monthly.
Deputy Clerk-Treasurer	Full-time	Not more than \$17.00 per hour paid by-monthly.
<u>Town Employees</u>		
Utility Clerk	Full-time	Not more than \$22.00 per hour paid by-monthly.
Town Employee	Part-time	Not more than \$21.00 per hour paid by-monthly.
Town/Park Groundskeeper	Part-time	Not more than \$15.00 per hour paid by-monthly.
<u>Lynnville Park Employees</u>		
Lynnville Park Superintendent*	Full-time	Not more than \$45,000 annually paid by-monthly.
Lynnville Park Manager*	Part-time	Not more than \$15.00 per hour paid by-monthly.
Lynnville Park Groundskeeper	Full-time	Not more than \$15.00 per hour paid by monthly.
Lynnville Park Laborer	Part-time	Not more than \$13.00 per hour paid by-monthly.
Lynnville Park Employee	Part-time	Not more than \$10.00 per hour paid by-monthly.

*Cell phone or stipend provided for use of daily operations.

Section 2. All other Sections of Ordinance 2024-1 shall remain unchanged by this Ordinance.

Section 3. Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

Passed and adopted by the Town Council of the Town of Lynnville, Indiana, this 20th August 2024.

Lynnville Town Council

AYE

NAY

X _____
David Goldenberg, Member

X _____
David Goldenberg, Member

X _____
Doris Horn, Member

X _____
Doris Horn, Member

X _____
Rachel Titzer, President

X _____
Rachel Titzer, President

Attest

X _____
Lauri Stockus, Clerk Treasurer

August 28th

David Goldenberg <council1@townoflynnville.com>

Fri 8/9/2024 10:06 PM

To:Lauri Stockus <clerk-treasurer@townoflynnville.com>

Please sign me up and let me know when completed.

Calendar

Aim

Aug 15 Webinar: Leveraging Out-of-School Time for Your Community

Aug 28 Webinar: Accessing Technical Assistance for Navigating Federal Grants

Sep 10 Webinar: We Have a New Comprehensive Plan: Now What?

Oct 8 - 10 Aim Ideas Summit, Fort Wayne

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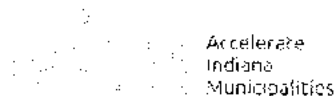
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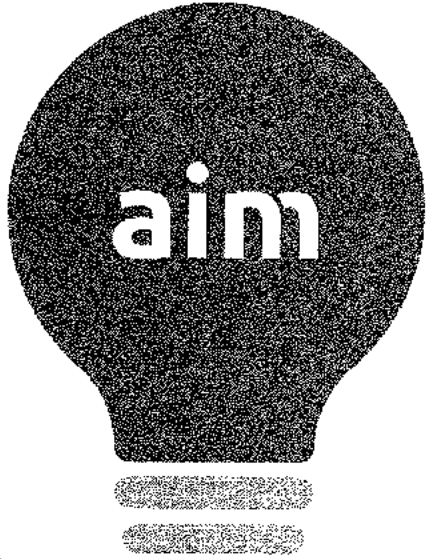
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IDEAS
SUMMIT

OCTOBER 8-10, 2024 | FORT WAYNE

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Monday, October 7

7:00 p.m. Board of Directors Dinner

Tuesday, October 8

8:00 a.m. – 6:00 p.m. Registration

8:30 a.m. – 9:00 a.m. Board of Directors' Breakfast

9:00 a.m. – 10:45 a.m. Board of Directors' Meeting

11:00 a.m. – 1:00 p.m. **Aim Affiliate Group Meetings**

- Indiana Association of City Engineers (IACE) Luncheon
- Indiana Conference of Mayors (ICOM) Luncheon
- Indiana League of Municipal Clerks and Treasurers (ILMCT) Executive Committee Luncheon

1:15 p.m. – 2:45 p.m. **Early Bird Workshops**

- Crisis Communications: Planning For What You Hope Never Happens (MMI)
- The Latest on PFAS and PFOA Requirements and the Lead Line Replacement Rule Impacting all Water Systems (MMI) (CLE)
- The Future of Indiana's Legislative Landscape: Setting the Stage for Comprehensive Dialogue (MMI)
- Mobile Integrated Health: Changing the Culture of Healthcare in Your Community (MMI)
- A Bliss McKnight, Inc. Workshop (MMI) (CLE)

2:00 p.m. – 4:00 p.m. **Indiana Association of Regional Councils (IARC)**

- Advisory Council Meeting

3:00 p.m. – 4:30 p.m. **Workshops**

- Stop Building Like It's 1899: Innovating to Address Affordable Residential Construction Needs
- Strategic Planning for Allocation Area (TIF) Expirations (CLE)
- Local Government and the AI Revolution: How to Embrace it Responsibly
- The Collaboration Engine: Driving Success through Constructive Relationships among Municipalities and Railroads
- A Bliss McKnight, Inc. Workshop (CLE)

4:45 p.m. – 5:30 p.m. **Opening Business Session**

- Welcome from Mayor Sharon Tucker, Fort Wayne
- Aim Panel Discussion

5:45 p.m. – 7:15 p.m. **Welcome Reception in Exhibit Hall**

7:30 p.m. – 9:30 p.m. **AIS After Hours: Cocktails & Conversations**
Hosted by Boyce Systems

Wednesday, October 9

8:00 a.m. – 5:00 p.m. Registration

8:00 a.m. – 10:00 a.m. Continental Breakfast in Exhibit Hall

8:00 a.m. – 11:15 a.m. Exhibit Hall Open

8:30 a.m. – 9:45 a.m. **Aim Affiliate Group Meetings**

- Council Members
- Indiana ADA & Title VI Coordinators Association (ADA)
- Indiana Municipal Management Association (IMMA)
- Redevelopment Association of Indiana (RAI)
- Indiana Women Mayors

8:30 a.m. – 11:15 a.m. State Board of Accounts Resource Center

10:00 a.m. – 11:00 a.m. **Workshops**

- Finding Your Diamond in the Rough by Looking Closer at Problem Properties (CLE)
- Municipal Finance 101 (CLE)
- Addressing Poverty: The Role of Empathy
- What's Going On? Efficiently and Effectively Communicate with Your Community
- Futureproofing Your Healthcare Budget: Insights, Approaches, and Working with the Aim Medical Trust
- Vendor Solutions Workshop

Wednesday, October 9 (continued)

11:30 a.m. – 1:30 p.m. **Aim Annual Awards Luncheon**
Presented by Baker Tilly Municipal Advisors, LLC

1:30 p.m. – 3:45 p.m. Exhibit Hall Open

1:45 p.m. – 3:15 p.m. **Workshops**

- Breaking Down the Discussions and Recommendations of the State & Local Tax Review Taskforce (CLE)
- An Effective Execution Option for Municipal Construction Projects (CLE)
- Understanding Municipal ADA Requirements and how to Create a Community for all Abilities
- Small Communities Roundtable Discussion (under 1,000 population)
- Water and Wastewater Workforce Development: Strategies for Recruitment and Training the Next Generation
- Strategies for Communities to Successfully Engage Developers

2:00 p.m. – 3:30 p.m. State Board of Accounts Resource Center

3:45 p.m. Grand Prize Giveaway and Exhibit Hall Closes

4:00 p.m. – 5:00 p.m. **Corporate Member Advisory Council Meeting**
Open to all Aim Corporate Members

4:00 p.m. – 5:00 p.m. **Workshops**

- Fire Territories and Fire Districts: What Are They and is One of Them Right for You? (CLE)
- Prioritizing Happiness as both a Quality of Place Strategy and a Method for Personal Fulfillment
- Navigating Free Speech and Social Media in the Municipal Workplace (CLE)
- Building a Five-Year Budget Sustainability Plan
- The Role Farmers Markets Play in Empowering Entrepreneurs, Addressing Food Insecurity, and Building
- Vendor Solutions Workshop

5:05 p.m. – 5:20 p.m. Policy Platform Hearing

5:30 p.m. – 6:30 p.m. **Presidents' Reception**

7:00 p.m. – 10:00 p.m. **Vendor Party**
Hosted by Aim Corporate Members

Thursday, October 10

8:00 a.m. – 11:30 a.m. Registration

8:00 a.m. – 9:00 a.m. Continental Breakfast

8:15 a.m. – 9:00 a.m. African American Constituency Group Meeting

9:00 a.m. **Workshops**

- Defining the Economic Development Team
- Revolutionizing Accounts Payables: The Town of Schererville's Quest to Eradicate Paper Processes
- How to Ensure Your Government Agency is Using the Web to Engage Its Constituents
- Attorney Peer Networking: Taking an Economic Development Project From Ideal to Reality (CLE)
- Vendor Solutions Workshop

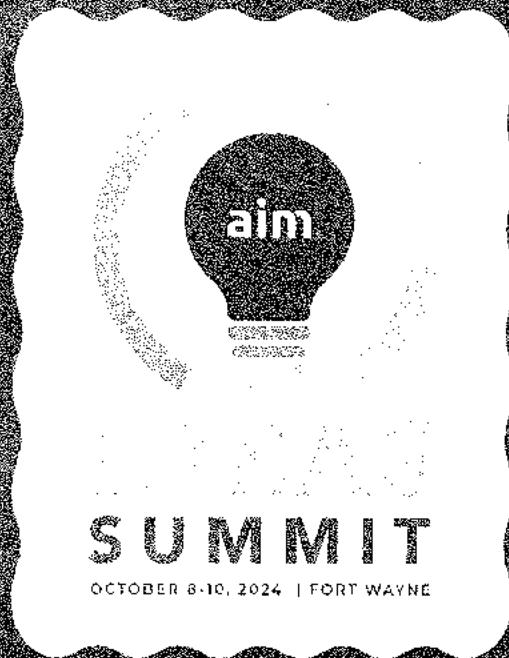
10:15 a.m. – 11:15 a.m. **Workshops**

- Indiana LTAP: Transportation Funding Complexities and Nuances
- Growing your Municipal Utilities Responsibly and Strategically (CLE)
- Investing in Public Safety using Feasibility Studies and Existing Facility Assessments
- Code Enforcement (CLE)
- Strategies to Assist Unhoused Persons and Supreme Court Ruling Regarding Homelessness
- Vendor Solutions: A Baker Tilly Workshop

11:30 a.m. – 1:00 p.m. **Closing Luncheon and Business Session**
**Governatorial Candidates Invited*

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August 28th

David Goldenberg <council1@townoflynnville.com>

Fri 8/9/2024 10:06 PM

To:Lauri Stockus <clerk-treasurer@townoflynnville.com>

Please sign me up and let me know when completed.

Calendar

Aim

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