

**Town of Lynnville
Park Board
February 20, 2024, Agenda**

CALL TO ORDER

MOMENT OF SILENCE – PLEDGE OF ALLEGEANCE

ROLL CALL

APPROVAL OF MINUTES: December 5, 2023, and January 2, 2024 – Tabled from 2/6/2024 meeting.

APPROVAL OF CURRENT BILLS: February 6, 2024 – February 20, 2024

ADJUSTMENTS:

1. \$147.32 – 418 Church St. – basement toilet running - **REPAIRED**

FUND REPORT – January 2024:

Revenue	\$8,229.61
Expenditures	\$13,676.15
Current Balance	\$173,679.65

NEW BUSINESS:

1. Approval of Additional Appropriation for Main St Beautification Project – Frontier \$48,295.70
2. Approval of Resolution #2024-2 – Encumbrance of Funds
3. 2nd Reading of Ordinance #2024-3 – Establishing Police Department

AN ORDINANCE CREATING CHAPTER 38 OF THE CODE OF ORDINANCES

4. 2nd Reading of Ordinance #2024-4– Nuisance Vehicles

AN ORDINANCE INTRODUCING CHAPTER 96 OF THE CODE OF ORDINANCES

5. 2nd Reading of Ordinance #2024-5– Weapons

AN ORDINANCE AMENDING CHAPTER 130 OF THE CODE OF ORDINANCES

6. Design for Approval for underground service for Mainstream. **Tabled from 1/6/2024 meeting.**
7. DNR Permit Renewal for Triad Mining, LLC – **INFORMATIONAL**
8. DNR Permit Renewal for Peabody Midwest Mining, LLC – **INFORMATIONAL**
9. Charter Communications Proposal for Underground Fiber Optic Cable – E. 4th St and Spurgeon Rd
10. Clerk Treasurer’s Recommendation for Updated Community Center and Recreational Building Rental Fees. **Tabled from 1/2/2024 and 2/6/2024 meetings.**

a. Community Center Current Fees

- i. 1 Day Rental with Alcohol - \$325.00 (Rental Fee) + \$150.00 (Deposit)= \$475.00
- ii. 1 Day Rental without Alcohol - \$225.00 (Rental Fee) +\$150.00 (Deposit)= \$375.00
- iii. Decoration Rental -Day Before/After Rental (4-hour only) \$175.00 (Rental Fee) =\$175.00
- iv. 4-Hour Rental \$175.00 (Rental Fee) +\$100.00 (Deposit)= \$275.00

b. Recreational Building Current Fees

- i. 1 Day Rental - \$150.00 (Rental Fee) + \$100.00 (Deposit)
- ii. Decoration Rental -Day Before/After Rental (4-hour only) \$100.00 (Rental Fee) =\$100.00
4-Hour Rental 8:00am -12:00pm _____12:30pm -4:30pm _____5:00pm -
9:00pm
- iii. 1 Day Shelter House Rental - \$25.00 (Rental Fee) = \$25.00

11. Partnering for Veterans Event – September 28, 2024 - **Christina**

Christina Schimdt, Park Manager

Work Report Submitted

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

Ordinance to create/correct:

1. Ordinance Amending Chapter 130 of the Code of Ordinance – Firearms on Town Property
 - a. 9/5/23-Introduction of ordinance for discussion.
 - b. 11/21/23-Researching
 - c. 12/5/23-Bruner to look over and make changes.
 - d. 12/18/23-Discussion of what Town Council specifically wants updated in the ordinance.
 - e. 12/19/23-Nothing new to report
 - f. 1/2/24-Nothing new to report. Would like some guidance on what is wanted in the ordinance. Rachel would like the Marshal to be present to discuss specifics at the next meeting.
 - g. 2/6/24-Introduction at Meeting
 - h. 2/20/24-2nd reading of ordinance
2. Ordinance Amending Chapter 97 of the Code of Ordinances – Illegal & Nuisance activity.
 - a. 9/5/23-Introduction of ordinance for discussion.
 - b. 11/21/23-Researching
 - c. 12/5/23-Researching
 - d. 12/19/23-Nothing new to report
 - e. 1/2/24-Nothing new to report
3. Ordinance Amending Chapter 92 of the Code of Ordinance – Common Nuisances
 - a. 9/5/23-Introduction of Ordinance for discussion.
 - b. 11/6/23-Wischer/Bruner collaborated on writing ordinance.
 - c. 11/21/23- Wischer/Bruner collaborating to update to be more specific than citing Indiana Code.
 - d. 12/5/23-Wischer: define what a common nuisance entail. Chris is working on a draft.
 - e. 12/19/23-Nothing new to report.
 - f. 1/2/24-Chris should have draft sent by end of this week per Rachel.
4. Unsafe Building/Blighted/Abandoned Properties – 2/7/2023 meeting.
 - a. 3/28/2023 – Indiana Unsafe Building Law sent to discuss.
 - b. 4/4/2023 – Will contact someone in County to get information.
 - c. 5/11/2023-Commissioners are considering an Interlocal Cooperation agreement. Next Commissioner’s meeting is 5/22/2023.
 - d. 5/16/2023-Mr. Bruner will continue to work on this issue.
 - e. 6/6/2023-Mr. Bruner will continue to work on this issue.
 - f. 8/15/2023-Waiting for answers from county.
 - g. 9/5/23-Still working on it.
 - h. 10/17/23-Still working on it.
 - i. 11/6/23-Wischer/Bruner collaborated on writing ordinance.
 - j. 12/5/23-Chris working on penalty portion.
 - k. 12/19/23- Meeting with Chris on December 26th at 10:00 am
 - l. 1/2/24-Nothing new to report

Lauri Stockus, Clerk-Treasurer

Upcoming:

- | | |
|--|-------------|
| 1. Town Hall Closed for Presidents Day | February 19 |
| 2. Clerk-Treasurer's Workshop School | March 17-22 |
| 3. Town Manager Training | March 12-14 |
| 4. Breakfast with the Easter Bunny | March 30 |
| 5. Solar Eclipse Weekend | April 6-8 |
| 6. Town-Wide Yard Sale | April 27 |
| 7. SIGPS Race Weekend | May 3-5 |
| 8. Town Council Meeting | May 6 |
| 9. Town Hall Closed for Primary | May 7 |

Town Council Training Schedule:

Don McVey, Park Advisor

Brett Kruse, 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: March 5, 2023, 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 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).

Lynnville Park Board
February 20, 2024, Meeting Roll Call

Brian Cook, Town Manager	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Christina Schmidt, Park Manager	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Brooklin Robbins, Deputy Clerk-Treasurer	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"/>
Brett Kruse, Park Advisor	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Donald McVey, Park Advisor	Present <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>
Stacy Tevault, Park Advisor	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
J. William Bruner, Attorney	Present <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>
Lauri Stockus, Clerk-Treasurer	Present <input type="checkbox"/>	Absent <input checked="" 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 _____

Public Hearing Closed _____

Time Meeting Called to Order 6:10

Time Meeting Adjournment 7:02 pm

February 20, 2024

Christine Schmidt

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Town of Lynnville

Park Board

February 20, 2024

Present: Christina Schmidt, Brian Cook, Brooklin Robbins, Brett Kruse, Stacy Tevault, J. William Bruner, David Goldenberg, Doris Horn, Rachel Titzer

Absent: Mike Mitchell, Michael May, Donald McVey, Lauri Stockus

Call Meeting to Order at 6:10pm

Moment of Silence

Pledge of Allegiance

Roll Call

Approve Minutes

Doris makes a motion to approve the December 5, 2023, minutes as presented. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries.

David makes a motion to approve the January 2, 2024, minutes as presented. Rachel seconds the motion. David in favor. Doris abstains. Rachel in favor. Motion carries.

Approve Current Bills

Doris makes a motion to approve the current bills of February 6, 2024 - February 20, 2024, as presented. David seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

ADJUSTMENTS

\$147.32 – 418 Church St. – basement toilet running - **REPAIRED**

Doris makes a motion to approve the wastewater adjustment as presented. Rachel seconds the motion. David voted nay. Doris in favor. Rachel in favor. Motion carries

FUND REPORT – January 2024:

Revenue	\$8,229.61
Expenditures	\$13,676.15
Current Balance	\$173,679.65

New Business:

Introduction of Additional Appropriation for Main St Beautification Project

Notice to Taxpayers of Additional Appropriation

Notice is given to the taxpayers of the Town of Lynnville, Warrick County, Indiana, that the Town of Lynnville Town Council will meet at 405 W. State Route 68 at 6:00pm local time on 3/19/2024 for the purpose of considering the following additional appropriation which the Town considers necessary for the Main St. Beautification Project.

PUBLIC IMPROVEMENT PROJECTS (4405)	APPROPRIATION	REDUCTION
1. Bury Utility Lines on Main St	\$48,295.70	\$0.00
2. Main St Beautification	\$231,704.30	\$0.00
a. Sidewalks, lighting, utility service, etc.		
b. Funds set aside for this purpose in 2020.		
c. Resolution #2020-3 set funds for this purpose.		

Total Appropriation

\$280,000.00

\$0.00

Taxpayers appearing at the meeting shall have the right to be heard. The additional appropriation as finally made will be referred to the Department of Local Government Finance (DLGF). The Lynnville Town Council will make a written determination as to the sufficiency of funds to support the appropriation within ten (10) days of receipt of a Certified Copy of the actions taken. Dated this 5th of March 2024. Lauri Stockus, Clerk-Treasurer, Lynnville, IN 47619

Approval of Resolution #2024-2 – Encumbrance of Funds

Resolution #2024-2

**ENCUMBRANCE OF FUNDS WITHIN THE 2023 LYNNVILLE
VOLUNTEER FIRE PROTECTION TERRITORY BUDGET**

It is necessary for the encumbrance of the funds from the 2023 Lynnville Volunteer Fire Protection Territory budget for the purchase of a truck as presented in Resolution #2023-8 Additional Appropriation in the amount of \$95,000.00. The truck was not ready for delivery in the 2023 Budget year.

David makes a motion to approve Resolution #2024-2 Encumbrance of Funds. Doris seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

2nd Reading of Ordinance #2024-3 – Establishing Police Department

ORDINANCE #2024-3

AN ORDINANCE CREATING CHAPTER 38 OF THE CODE OF ORDINANCES

WHEREAS, the Town of Lynnville, Indiana, seeks to employ reserve police officers.

WHEREAS, the Indiana Code, Title 36, Article 8, Chapter 3, Section 22 requires units to set the number of authorized reserve police officers by ordinance.

WHEREAS these reserve police officers will be appointed by the Town Marshal and constitute the Lynnville Police Department.

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

Section 1. Chapter 38 (Police Department) of the Town of Lynnville, Indiana, Code of Ordinances is hereby created:

Chapter 38: Police Department

38.01 Establishment

38.02 Police Reserve Officers

38.03 Police Donation Fund

38.04 Police Continuing Education Fund

38.05 Police Fee Schedule

§ 38.01 Establishment of Police Department

A) The Office of the Town Marshal is hereby established as the Lynnville Police Department. Per Indiana Code 36-5-3-7, the Town Marshal is the Chief Police Officer of the Department.

§ 38.02 Police Reserve Officers

- 1. The Town Marshal is authorized to appoint up to four (4) reserve police officers to the Lynnville Police Department*
- 2. Police Reserve Officers shall be known as Reserve Deputy Marshals*
- 3. Police Reserve Officers shall receive no compensation except for that specified in IC 36-8-3 which may be decided on by the Town Council on a case-by-case basis.*
- 4. Police Reserve Officers must complete the required pre-basic course of instruction as defined by the Indiana Law Enforcement Training Board and will be sworn in following the successful completion of the course.*

5. *Police Reserve Officers must maintain all required training and in-service training as specified by the Indiana Law Enforcement Training Board.*
6. *No Police Reserve Officer shall be assigned alone to patrol duties until the completion of a specified course of on-the-job field training and only after being deemed qualified by the Town Marshal.*
7. *Police Reserves Officers serve at the pleasure of the Town Marshal and be dismissed or administratively separated from volunteer employment with the Town by the Town Council or the Town Marshal.*
8. *Police Reserve Officers must be a minimum of 21 years old with a valid Indiana Driver's License, good moral character, no Felony arrests, and no Class A misdemeanor arrests in the previous 10 years.*

§ 38.03 Police Donation Fund

1. *Creation of Lynnville Police Department Gift Fund. There is hereby established a "Lynnville Police Department Gift Fund ".*
2. *Deposits into Lynnville Police Department Gift Fund. When the Town of Lynnville or Lynnville Police Department receives gifts, donations and/or subsidies for Police Department purposes, the funds shall be deposited into the Lynnville Police Department Gift Fund.*
3. *Fund purpose. Money in the fund may be used for any legal or corporate purpose of the Lynnville Police Department consistent with the purposes specified by the grantor of such gift, donation and/or subsidy, if any.*
4. *Prohibited use. The Lynnville Police Department Gift Fund may not be used to reduce the town's maximum or actual property tax levy.*
5. *Administration of funds. The Lynnville Police Department Gift Fund established under this section shall be administered by the Clerk-Treasurer and the expenses of administering the fund, if any, shall be paid from money in the fund. Money in the fund not currently needed to meet the obligations of the fund may be invested in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund at the end of the fiscal year shall not revert to the town's general fund.*

§ 38.04 Law Enforcement Continuing Education Fund

1. *There is established a fund known as the Law Enforcement Continuing Education Fund for the purpose of purchases made by the town's Police Department for equipment, supplies, continuing education, and law enforcement training for the Police Department.*
2. *This Fund shall be comprised of fees collected by the Police Department from the following activities:*
 - a. *Vehicle Inspections/Title Checks*
 - b. *Accident Reports*
 - c. *Criminal Background Checks*
 - d. *Vehicle Towing Fee's*
3. *Before any money from this Fund is spent, the sum must first be appropriated according to state statute.*
4. *The funds accumulated in the Local Law Enforcement Continuing Education Fund established shall be used for the purpose of continuing education and training of law enforcement officers employed by the town. All expenditures must comply with the terms and provisions of the statute by the authority of which the Fund is created and must be approved by the Town Council.*
5. *The funds placed in the Local Law Enforcement Continuing Education Fund may not be withdrawn except for the purposes set forth herein so long as this section remains in full force and effect.*

§ 38.05 Police Fee Schedule

1. *The funds collected by the Police Department for services (criminal history/background checks, fingerprinting, accident/crash reports, and vehicle releases) shall be allocated as follows:*
 - a. *Fees for all reports, inspections, or background checks shall go to the Police Department's Continuing Education Fund.*
 - b. *Fees for all Vehicle Tow/Releases shall be divided evenly between the General Fund and the Police Department Continuing Education Fund.*
2. *Fee Schedule:*
 - a. *Background Check* \$20.00

- | | |
|--|---------|
| b. Vehicle Crash Report | \$12.00 |
| c. Police Report | \$10.00 |
| d. Vehicle Inspection | \$5.00 |
| e. Vehicle Tow/Release Fee (Nuisance Veh Only) | \$50.00 |

Section 2. *Effective Date.* This ordinance shall be in full force and effect from and after its passage by the Town Council of Lynnville, Indiana.

2nd Reading of Ordinance #2024-4– Nuisance Vehicles

ORDINANCE #2024-4

AN ORDINANCE INTRODUCING CHAPTER 96 OF THE CODE OF ORDINANCES

WHEREAS the Town of Lynnville, Indiana, finds it to be beneficial to better define and regulate nuisance vehicles; and

WHEREAS the purpose of this ordinance is to promote, protect, and improve the health, safety, and welfare of the citizens of the Town of Lynnville; and

WHEREAS the current Town of Lynnville Municipal Code is in need of an ordinance to reflect such policies more clearly.

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

Section 1. Chapter 96 (Nuisances) of the Town of Lynnville, Indiana, Code of Ordinances is hereby created as follows:

Chapter 96: Nuisance Vehicles

96.01 Definitions

96.02 Policy

96.03 Notice of violation and administrative fee

96.04 Appeal of notice of violation

§ 96.01 Definitions.

The following definitions apply to this article:

“Town” means the Town of Lynnville, Indiana, or, as appropriate, its employees, officers, agents, consultants, or contractors acting under and within the scope of authority of the Town to carry out and enforce the provisions of this code.

“Municipal Code” means the code of ordinances of the Town of Lynnville, Indiana.

“Notice” means either a written document provided to the operator of the vehicle by personal service, or a written document served upon the owner of a vehicle by mail. An operator or owner may not waive their right to notice as defined in this paragraph.

“Nuisance” means any violation of this chapter.

“Operator” means a person in possession of the vehicle at the time a nuisance occurs.

“Owner” means any person who, alone, jointly, or severally with others, shall have title to the vehicle with or without having actual possession.

“Police Department” means the Town Marshal and/or the Lynnville Police Department.

§ 96.01 Policy.

A motor vehicle, operated with the permission, expressed, or implied, of the owner, which is used in the commission of an act where the operator is charged with any misdemeanor or felony may be subject to seizure and impoundment under this article. The owner is considered to have committed a nuisance in violation of this chapter regardless of whether the misdemeanor or felony arrest of the operator is custodial.

§ 96.01 Notice of Violation and administrative fee.

1. *The Police Department shall present a copy of the nuisance determination to the operator of such vehicle if the operator is the owner. If the vehicle owner is not present, notice shall be mailed to the owner.*
2. *When the Police Department orders that a vehicle be towed within the corporate limits of the Town, the designated towing service authorized to tow the vehicle shall assess against the owner of the*

towed vehicle a Town administrative/release fee which shall be collected in addition to any and all other applicable towing charges.

a. Administrative/Release Fee Schedule (only one fee may be charged per vehicle):

(1) Standard fee for vehicle release on a nuisance vehicle is \$50.00.

3. In addition, the designated towing service shall be authorized to assess against the owner of the towed vehicle a towing administrative fee of \$25.00 which shall be collected in addition to any and all other applicable towing charges.
4. The administrative fees authorized by this section shall be itemized within the towing bill assessed by the designated towing service and collected by the designated towing service as part of the towing bill.
5. The owner shall be liable for payment for the towing bill before such vehicle shall be released by the designated towing service.
6. The Town administrative fee authorized by subsection (B) of this section shall be forwarded by the designated towing service to the Police Department within 30 days of collection. The Police Department will then remit the town administrative fee to the Town Clerk-Treasurer, who shall deposit the town administrative fee into the general fund for appropriation. The towing administrative fee authorized by subsection (C) of this section shall be retained by the designated towing service.
7. If the designated towing service is unable to collect the town administrative fee due to a vehicle being unclaimed by the owner of record, it is not liable for providing the uncollected fee to the Police Department.

§ 96.01 Appeal of notice of violation.

1. Any vehicle owner receiving notice of a nuisance determination from the Police Department may appeal in writing within 10 days from the date of the notice of violation by filing an appeal with the Town Marshal or their designee. Appeals will be heard by the Town Council within 30 days of the date of receipt of the notice of appeal and the decision of the Town Council shall be final.
2. Upon appeal, the Town Council may reverse, affirm, or modify the nuisance determination. For this purpose, the Town Council has all the powers of the official, officer, or body that issued the nuisance determination.
3. At said appeal hearing, the Town Council shall determine whether probable cause exists to believe that a violation of this article occurred. Evidence of a determination in the related criminal matter may be considered by the Town Council but is not necessary for it to reach a decision regarding the operator's violation of this article.
4. If the owner prevails on its appeal to the Town Council, the town administrative fee shall be refunded to the owner via the Clerk-Treasurer within 60 days thereafter, and the designating towing service shall refund the towing administrative fee directly to the owner within the same 60-day period.

Section 2. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Town Council of Lynnville, Indiana.

2nd Reading of Ordinance #2024-5– Weapons

ORDINANCE #2024-5

AN ORDINANCE AMENDING CHAPTER 130 OF THE CODE OF ORDINANCES

WHEREAS in 2011, Gov. Mitch Daniels signed Indiana Senate Bill 292 (Preemption of local firearm regulation), which restricts a town's ability to regulate firearms and the possession thereof; and

WHEREAS the Town of Lynnville, Indiana, can no longer enforce Chapter 130 of the Code of Ordinances; and

WHEREAS the current Town of Lynnville Municipal Code is in need of an ordinance to reflect policies concerning offenses against public order more clearly; and

WHEREAS, the purpose of this ordinance is to promote, protect, and improve the health, safety, and welfare of the citizens of the Town of Lynnville.

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

Section 1. Chapter 130 (Weapons) of the Town of Lynnville, Indiana, Code of Ordinances is hereby amended by deleting Chapter 130 in its entirety and replacing it as follows:

Chapter 130: Offenses Against Public Order

130.01 Definitions

130.10 Disorderly Conduct

130.20 Discharging firearms

130.30 Public consumption and possession of open container.

130.99 Penalty

§ 130.01 Definitions.

The following definitions apply to this chapter:

"Firearm" is defined by Indiana Code 35-47-1-5 and means any weapon that is capable of expelling or designed to expel or that may readily be converted to expel a project by means of an explosion.

"Firefighter" means a member of the Lynnville Fire Department or any other certified firefighter from another fire department that is responding to or assisting the Town of Lynnville in an official capacity.

"Municipal Code" means the code of ordinances of the Town of Lynnville, Indiana.

"Park Authority" is defined in the Town of Lynnville Code of Ordinances § 94.15(A) and means the Town Council.

"Police Department" means the Town Marshal and/or the Lynnville Police Department.

"Town" means the Town of Lynnville, Indiana, or, as appropriate, its employees, officers, agents, consultants, or contractors acting under and within the scope of authority of the Town to carry out and enforce the provisions of this code.

§ 130.10 Disorderly Conduct

1. *Interference with public officials. It shall be unlawful for any person to intentionally impede or interfere or attempt to impede or interfere with any police officer, firefighter, or any other public official of the Town in the performance of their official duties.*
2. *Unlawful assemblage. No person or group shall collect or assemble within a park or upon other public property to:*
 - a. *Commit or conspire to commit an unlawful act.*
 - b. *For the purpose of inflicting injury to persons or property within a park or public place*
3. *Disturbing the peace, loudness, fighting, riotous tumult, profanity, and abusive language.*
 - a. *No person shall, either by word or act, indulge in any boisterous, disorderly, or indecent conduct, or in any manner disturb the peace or good order of the community within a park or upon public property by loud playing of any electronic device, record player, television, radio, tape recorder, noisemaker, sound equipment or musical instrument.*
 - b. *No person shall engage in fighting, quarreling, or wrangling with loud voice or shouts, threatening violence to the person or property of others, or engaging in riotous clamor or tumultuous behavior. ~*
 - c. *No person shall disturb or intrude upon a picnic or gathering in any park without the consent of those composing the group, except park employees in the proper performance of their duties.*

§ 130.20 Discharging firearms

1. *Discharge permitted. Discharge of a firearm within the town shall be permitted only as follows:*
 - a. *By a law enforcement officer while acting in the course of official duty.*

- b. *By a member of the armed forces of the United States or of Indiana, while acting in the course of official duty.*
 - c. *By a person acting with the consent of the Town Council of the Town of Lynnville, in the course of a sanctioned and supervised public event, including but not limited to military or ceremonial funerals, amateur or professional sporting events and shooting matches.*
 - d. *By a person discharging a weapon at a lawfully operated shooting range, skeet range, or gun club.*
 - e. *By any person lawfully able to possess a firearm that is acting in self-defense, the defense of their dependents, or defense of others, complying with Indiana Code 35-41-3-2, and which does not violate other state or federal laws.*
 - f. *On land used or zoned as agricultural property by the owner or occupant, who resides thereon, or the immediate members of his or her family who also reside thereon, or by a person having permission in writing from the owner of such land; and/or*
 - g. *On property which contains at least five contiguous acres*
2. *Nothing in this section shall be construed to restrict or otherwise prohibit the legal possession, purchase, use, or regulation of firearms, ammunition, or accessories in accordance with Indiana law, the Indiana Constitution, or the Constitution of the United States.*

§ 130.30 Public consumption and possession of open container

1. *No person shall consume an alcoholic beverage, or have in his or her possession any bottle, can, or other receptacle containing any alcoholic beverage which has been opened, or which has a seal broken, or the contents of which have been partially removed, upon any public street, alley, sidewalk, parking lot, park, recreation facility, or beach, in or immediately adjacent to a public restroom, or other public place within the town except:*
- a. *Within a properly registered and occupied campsite within the Lynnville Park campgrounds.*
 - b. *Within those public parks, beaches, or recreational facilities designated by resolution of the Town Council as permitting the consumption of alcoholic beverages.*
 - c. *In or on the property of an establishment, business place, or other location properly licensed for the sale and consumption of alcoholic beverages by the Indiana Alcohol and Tobacco Commission; or*
 - d. *During a community special event, provided the Park Authority, after consultation with the Town Marshal, has permitted the consumption of alcoholic beverages in connection with the special event use of any park or recreation facility (or any portion thereof) and the event has been issued a special event permit by the Park Authority. The consumption of alcoholic beverages shall only be permitted within those areas of the park or recreation facility so designated by the Park Authority and subject to any additional constraints imposed by the President of the Park Authority and the Town Marshal in connection with the issuance of the Special Events Permit.*
 - e. *Nothing in this section shall be deemed to relieve any applicant or event organizer from full compliance with all alcohol beverage control laws and regulations of the State of Indiana.*
2. *Warning signs. The Park Authority shall post appropriate signs advising the public that the consumption of alcohol or the possession of open containers of alcohol is not permitted in parks and recreation facilities except for campsites or special events.*

§ 130.99 Penalty

1. *Any person who violates a provision of this chapter shall be subject to the following fines:*
- a. *\$50 for the first offense.*
 - b. *\$100 for a second offense.*
 - c. *\$250 for a third and all subsequent offenses.*

2. *For purposes of determining repeated violations from subsection (A), an additional offense will be considered as any repeat violation of this chapter that has occurred within the previous twelve (12) month period.*

Section 2. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Town Council of Lynnville, Indiana.

Design for Approval for underground service for Mainstream - Tabled from 1/6/2024 meeting.

Tod Moore is present on behalf of mainstream and explains the work they are wanting to do. Mainstream will be bonded when they come into town to start their expansion project and they will give the Town Manager weekly reports as they are working. David makes a motion to approve the design for underground service expansion from Mainstream. Doris seconds the motion. David in favor. Doris in favor. Rachel in favor. Motion carries

DNR Permit Renewal for Triad Mining, LLC – INFORMATIONAL

Information only.

DNR Permit Renewal for Peabody Midwest Mining, LLC – INFORMATIONAL

Information only.

Charter Communications Proposal for Underground Fiber Optic Cable – E. 4th St and Spurgeon Rd

Tabled to 3/5/2024 Meeting due to insufficient information provided.

Clerk Treasurer's Recommendation for Updated Community Center and Recreational Building Rental Fees.

Tabled from 1/2/2024 and 2/6/2024 meetings.

1. Community Center Current Fees
 - a. 1 Day Rental with Alcohol - \$325.00 (Rental Fee) + \$150.00 (Deposit)= \$475.00
 - b. 1 Day Rental without Alcohol - \$225.00 (Rental Fee) +\$150.00 (Deposit)= \$375.00
 - c. Decoration Rental -Day Before/After Rental (4-hour only) \$175.00 (Rental Fee) =\$175.00
 - d. 4-Hour Rental \$175.00 (Rental Fee) +\$100.00 (Deposit)= \$275.00
2. Recreational Building Current Fees
 - a. 1 Day Rental - \$150.00 (Rental Fee) + \$100.00 (Deposit)
 - b. Decoration Rental -Day Before/After Rental (4-hour only) \$100.00 (Rental Fee) =\$100.00
 - c. 4-Hour Rental 8:00am -12:00pm _____12:30pm -4:30pm _____5:00pm -9:00pm
 - d. 1 Day Shelter House Rental - \$25.00 (Rental Fee) = \$25.00

Tabled to 3/5/2024 meeting.

Partnering for Veterans Event – September 28, 2024 - Christina

The council thinks this would be a GREAT opportunity for the local veterans.

Christina Schmidt, Park Manager

Work Report Submitted

Brian Cook, Town Manager

Work Report Submitted

Nothing to add.

Mike Mitchell, Town Marshal

Work Report Submitted

Not Present

Michael May, Fire Department

Not Present

Work Report Submitted

J. William Bruner, Attorney

Ordinance to create/correct:

1. Ordinance Amending Chapter 130 of the Code of Ordinance – Firearms on Town Property
 - a. 9/5/23-Introduction of ordinance for discussion.
 - b. 11/21/23-Researching
 - c. 12/5/23-Bruner to look over and make changes.
 - d. 12/18/23-Discussion of what Town Council specifically wants updated in the ordinance.
 - e. 12/19/23-Nothing new to report
 - f. 1/2/24-Nothing new to report. Would like some guidance on what is wanted in the ordinance.
Rachel would like the Marshal to be present to discuss specifics at the next meeting.
 - g. 2/6/24-Introduction at Meeting
 - h. 2/20/24-2nd reading of ordinance.
2. Ordinance Amending Chapter 97 of the Code of Ordinances – Illegal & Nuisance activity.
 - a. 9/5/23-Introduction of ordinance for discussion.
 - b. 11/21/23-Researching
 - c. 12/5/23-Researching
 - d. 12/19/23-Nothing new to report
 - e. 1/2/24-Nothing new to report
 - f. 2/20/24- Nothing new to report
3. Ordinance Amending Chapter 92 of the Code of Ordinance – Common Nuisances
 - a. 9/5/23-Introduction of Ordinance for discussion.
 - b. 11/6/23-Wischer/Bruner collaborated on writing ordinance.
 - c. 11/21/23- Wischer/Bruner collaborating to update to be more specific than citing Indiana Code.
 - d. 12/5/23-Wischer: define what a common nuisance entails. Chris is working on a draft.
 - e. 12/19/23-Nothing new to report.
 - f. 1/2/24-Chris should have draft sent by end of this week per Rachel.
 - g. 2/20/24- Nothing new to report
4. Unsafe Building/Blighted/Abandoned Properties – 2/7/2023 meeting.
 - a. 3/28/2023 – Indiana Unsafe Building Law sent to discuss.
 - b. 4/4/2023 – Will contact someone in County to get information.
 - c. 5/11/2023-Commissioners are considering an Interlocal Cooperation agreement. Next Commissioner’s meeting is 5/22/2023.
 - d. 5/16/2023-Mr. Bruner will continue to work on this issue.
 - e. 6/6/2023-Mr. Bruner will continue to work on this issue.
 - f. 8/15/2023-Waiting for answers from county.
 - g. 9/5/23-Still working on it.
 - h. 10/17/23-Still working on it.

- i. 11/6/23-Wischer/Bruner collaborated on writing ordinance.
- j. 12/5/23-Chris working on penalty portion.
- k. 12/19/23- Meeting with Chris on December 26th at 10:00 am
- l. 1/2/24-Nothing new to report
- m. 2/20/24- Nothing new to report

Lauri Stockus, Clerk-Treasurer

Upcoming:

- | | |
|--|-------------|
| 1. Town Hall Closed for Presidents Day | February 19 |
| 2. Clerk-Treasurer’s Workshop School | March 17-22 |
| 3. Town Manager Training | March 12-14 |
| 4. Breakfast with the Easter Bunny | March 30 |
| 5. Solar Eclipse Weekend | April 6-8 |
| 6. Town-Wide Yard Sale | April 27 |
| 7. SIGPS Race Weekend | May 3-5 |
| 8. Town Council Meeting | May 6 |
| 9. Town Hall Closed for Primary | May 7 |

Town Council Training Schedule:

- | | |
|--------------------|---------|
| 1. Events Workshop | March 4 |
|--------------------|---------|

Don McVey, Park Advisor

Not Present

Brett Kruse, Park Advisor

Nothing to add.

Stacy Tevault, Park Advisor

Nothing to add.

David Goldenberg, Council Member / Park Authority

Nothing to add.

Doris Horn, Council Member / Park Authority

Nothing to add.


Rachel Titzer, Council President / Park Authority

Would like to attend the AIM events workshop on March 4, 2024. Rachel will drive up the morning of workshop and come back after the workshop is over, so no hotel is needed.

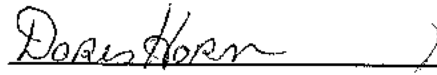
Next Meeting: March 5 , 2024, 6:00pm @ Town Hall

Rachel entertains a motion to adjourn the meeting. David makes the motion to adjourn the Park Board meeting. Doris seconds the motion. Stacy in favor. Doris in favor Rachel in favor. The meeting is adjourned at 7:02pm.

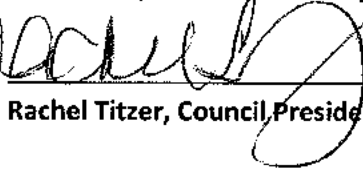
Lynnville Town Council:



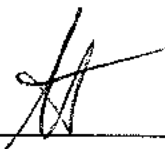
David Goldenberg, Council Member / Park Authority



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, 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 or person.