MEETING MEMORANDUM

JUNE 2024 - TOWN OF SUNMAN PUBLIC MEETING DATE: 06.20.2024 TIME: 6:30 P.M. LOCATION: 604 N. MERIDIAN ST., SUNMAN, IN 47041

CALL TO ORDER: 6:31 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Carol Eckstein, Don Foley, Randy Zins, Brian Maynard, Zachary Powell, Cheryl Taylor, Connor Getz, and John Kellerman (via speaker phone)

ADOPTION OF THE AGENDA

Don Foley motioned to adopt the agenda, 2nd Carol Eckstein

REPORTS

UTILITY - Connor Getz (Report attached)

Randy Zins stated they are actively looking for a new Utility Superintendent as of July 05, 2024.

Cheryl Taylor asked the Council if they were investigating the allegations in Perry Cassidy's resignation letter. Carol Eckstein reported no. Randy Zins stated he needed more information.

Cheryl Taylor read the letter aloud at the request of the public - Dear Council Members, I am writing to formally announce my resignation as Utility Superintendent, effective July 5th, 2024. This decision comes in light of a job offer that I have received, which presents an opportunity I cannot decline. While the financial aspect is a factor in this decision, other significant circumstances have contributed to my choice to step down. During my tenure with the Town, I have experienced both highs and lows, with moments of success and challenges. Regrettably, the Town Council's involvement has been a prominent factor in the difficulties I have faced. The level of stress and drama brought on by certain members of the Council is not conducive to effective leadership. Over the past two years, one individual in particular, Mr. Don Foley, has consistently attacked my character, integrity, and ethics. His persistent harassment, both within and outside of official meetings, has been unwarranted. Moreover, his unreasonable demands, such as attempting to interfere with my military obligations, have created an untenable working environment. Mr. Foley's lack of competence in managing employees and addressing the needs of the Town of Sunman and its residents has only exacerbated the challenges I have encountered. The revelation that he offered my position to another Town employee further solidified the realization that my job security was compromised, regardless of my performance. I believe that my departure will not only be beneficial for my well-being but also serve as an opportunity for the Town to address issues within its leadership structure. I am committed to ensuring a smooth transition and will work diligently to complete any pending tasks before my departure date. I would like to express my gratitude for the support and opportunities I have received during my time as Utility Superintendent. I remain dedicated to the principles of honesty, professionalism, and service, and I hope that the Town will continue to thrive in the future. Thank you for your understanding. Sincerely, Perry Cassidy

1. Thanked his staff for doing a good job.

CLERK

- $1. \quad \text{Approval of Meeting Memorandums } 05.16.2024, \text{ Executive Session, } 06.04.2024 \text{ Carol Eckstein motioned to approve the memos, } 2^{\text{nd}} \text{ Don Foley.}$
- 2. Utility Adjustments and Fund Reports Carol Eckstein motioned to approve the memos, 2nd Don Foley.
- 3. APV Registers 05.16.2024 & 06.20.2024 Carol Eckstein motioned to approve the memos, 2nd Don Foley.

OLD BUSINESS/UNFINISHED/TABLED

1. 313 Western Avenue

Carol Eckstein motioned to proceed, 2^{nd} Don Foley. John Kellerman will send certified mail to the owner initiating the process of declaring the property a nuisance under the Unsafe Building Ordinance. Cheryl Taylor reported thousands of dollars in unpaid ordinance violations and property upkeep. (Previous Meeting of 05/16/2024 - Carol motioned to declare 313 Western Avenue, Sunman, IN, 47041, a nuisance under the Unsafe Building Code, 2^{nd} Don Foley.)

Easements for Sewer Extension Project
 John Kellerman will continue to reach out even if he has to go to their door. (Previous Meeting of 05/16/2024 - Easements for Sewer Extension Project – Carol Eckstein motioned to begin the condemnation process for the properties that have not responded, 2nd Don Foley.)

3. Insurance

Cheryl Taylor stated that the insurance premiums increased for both, the town and employee portions, 13.5%, and that the deductible went up, depending on the family size, \$7,000 to \$9,000. She has been working with the insurance company who said they can underwrite a policy with the employee directly and the Town would issue an insurance payment to the employee directly. John Kellerman suggested a meeting with the broker.

4. Fire Contract

John Kellerman reported the process of additional appropriations. Randy Zins motioned to initiate the additional appropriations process, $2^{\rm nd}$ Don Foley.

5. Winner's Circle

John Kellerman reported that the developer wants to get their bond back. They want to know what they have to do to get that bond released. The answer is fixing the drainage problem. They were advised to get with an engineer to identifies the issues and get it fixed.

NEW BUSINESS

1. Salary Ordinance Amendment

Don Foley read Salary Ordinance 2024 Amendment 2 aloud. Carol Eckstein motioned to approve, 2^{nd} Don Foley.

2. Pond Permit – Upon reading, it was evident that Ripley County Planning approved the pond permit without town input. Cheryl Taylor will report the pond to the engineers in case it impacts the Stormwater Project.

3. SR 101 Weight Limit – Connor Getz reported a locate on the North side of 101 for the purpose of decreasing the speed limit to 35. Cheryl Taylor will look into get the speed limit on the South end of 101 from 45 mph to 35 mph.

Cheryl Taylor reported to Zachary Powell that the 313 Western Avenue and 215 Jackson Street were groomed by the Utility Department and charged accordingly.

John Kellerman will get a form letter on letterhead for ordinance violation late fees.

COMMENTS FROM THE FLOOR

Scott Corbin

He thanked the town for acting swiftly on the sewer breach that happened and asked if we heard from IDEM? Cheryl Taylor stated that Doug Price reported the overflow and treatment to IDEM. Scott stated that the creek had not been treated. Cheryl Taylor reported that she was on the phone with him while he was there to treat the creek and that Doug also spoke with the neighbor to the East. Cheryl Taylor reported that Connor and herself took turns ensuring that the lift station didn't overflow again. American Pump and Ludwig was contacted.

Carla Hacker asked what the protocol is for emergencies like this? She stated that Cheryl is the Clerk and that the responsibility should fall on the council and they should take turns being on call.

Cheryl Taylor reported that the lift station did not notify us of the circuit break. Randy Zins explained that the lift station will only notify us if the generator has to kick on. Cheryl Taylor asked if there is anything we can install that would tell us that the unit was going to overflow? Randy Zins stated that there were enunciators on them that caused an alarm or light to flash. You would have to plug it into the high limit switch to trigger it. Cheryl Taylor asked permission to look into that type of mechanism. Randy Zins stated that's was fine.

Don Foley stated that he didn't agree with Perry Cassidy's letter of resignation. Cheryl Taylor stated that there was a lot of witnesses to the accusations.

ADJOURNMENT

Carol Eckstein motioned to adjourn the meeting at 7:59 PM, 2nd Don Foley

The full meeting can be seen at https://www.facebook.com/Sunman47041/videos/1142898603642003

NEXT MEETING - July 18, 6:30 P.M.

Memorandum approved this 18h day of July 2024

Randy Zins, Council President

Carol Eckstein Council Member

Don Foley, Council Member

Attest, Cheryl Taylor, Clerk-Treasurer

D6/20/2024

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Sandra Foley

Brett Chandrey

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Ordinance Ordaturs

Dane

Signature

May 22, 2024

Sunman Town Council P.O. Box 147 604 N. Meridian St. Sunman, IN 47041

Subject: Resignation as Utility Superintendent

Dear Council Members,

I am writing to formally announce my resignation as Utility Superintendent, effective July 5th, 2024. This decision comes in light of a job offer that I have received, which presents an opportunity I cannot decline. While the financial aspect is a factor in this decision, other significant circumstances have contributed to my choice to step down.

During my tenure with the Town, I have experienced both highs and lows, with moments of success and challenges. Regrettably, the Town Council's involvement has been a prominent factor in the difficulties I have faced. The level of stress and drama brought on by certain members of the Council is not conducive to effective leadership.

Over the past two years, one individual in particular, Mr. Don Foley, has consistently attacked my character, integrity, and ethics. His persistent harassment, both within and outside of official meetings, has been unwarranted. Moreover, his unreasonable demands, such as attempting to interfere with my military obligations, have created an untenable working environment.

Mr. Foley's lack of competence in managing employees and addressing the needs of the Town of Sunman and its residents has only exacerbated the challenges I have encountered. The revelation that he offered my position to another Town employee further solidified the realization that my job security was compromised, regardless of my performance.

I believe that my departure will not only be beneficial for my well-being but also serve as an opportunity for the Town to address issues within its leadership structure. I am committed to ensuring a smooth transition and will work diligently to complete any pending tasks before my departure date.

I would like to express my gratitude for the support and opportunities I have received during my time as Utility Superintendent. I remain dedicated to the principles of honesty, professionalism, and service, and I hope that the Town will continue to thrive in the future.

Thank you for your understanding.

Sincerely,

Perry Cassidy

SUNMAN POLICE DEPARTMENT

MONTHLY REPORT

February

Vin Checks- 6

Suspicious activity- 7

Children services-4

Civil dispute-2

Traffic stop-16

Warrantservice-3

Arrest- 2

Road Hazard-2

Fights-4

Animal Complaint-2

Meetings-8

Lock Out- 4

Juvenile problem-2

Alarms-3

Welfare check-9

Citations-2

Citizen Assist-3

Agency Assist-11

Accidents-7

Ordinance Violations-7

Investagations-14

Property Damage-2

Utility Issues-2

Theft-0

RESERVE OFFICERS HOURS:

J. Mosmeier: 21.0

D. Davidson:

A. Brison: 113.0

SUNMAN POLICE DEPARTMENT

MONTHLY REPORT

April 2024

Vin Checks- 6

Suspicious activity- 7

Children services-4

Civil dispute-2

Traffic stop-16

Warrantservice-3

Arrest- 2

Road Hazard-2

Fights-4

Animal Complaint-2

Meetings-8

Lock Out- 4

Juvenile problem-2

Alarms-3

Welfare check-9

Citations-2

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Ordinance Violations-7

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Property Damage-2

Utility Issues-2

Theft-0

RESERVE OFFICERS HOURS:

J. Mosmeier: 21.0

D. Davidson:

A. Brison: 113.0

APRIL ORDINANCE REPORT

4/29/2024- 126 WESTERN AVE- 92.01- DUE 5/9/2024 – COMPLIED
4/30/2024- 123 VINE ST. – 92.01- DUE 5/10/2024- COMPLIED
4/30/2024- PO BOX 7 SUNMAN- 92.01- DUE 5/10/2024- COMPLIED
4/30/2024- 219 TAYLOR ST- 92.01- DUE 5/15/20224- COMPLIED
5/6/2024- 1252 GOSHEN PK MILFORD OH – DUE 5/16/2024 COMPLIED
4/18/2024-215 JACKSON ST-92.01-DUE 4/28/2024 COMPLIED
5/7/2024- 215 JACKSON ST- 92.01- DUE 5/14/2024 NOT COMPLIED
3/27/2024- 553 BRICKYARD- 151.016,151.019(B) DUE 3/27/2024
COMPLIED
4/8/2024-305 KUEBEL-92.01- DUE 4/18/2024 COMPLIED
4/18/2024-218 NIEMAN ST-92.01-DUE 4/28/2024 COMPLIED

4/22/2024-203 N FITCH ST-92.01-DUE 5/1/2024- COMPLIED

MAY ORDINANCE REPORT

COMPLIED ORDINANCE'S

Dennis Bonavita-177 fawnmeadows-92.01

Daniel R Rolfes-Winner Circle Properties-92.01

Kline Kompany LLC-510 S Meridian St- 92.01

Luke Patton-524 S Meridian St-92.01

OPEN ORDINANCE'S

Bobby Metcalf JR-305 Kuebel-92.01-Due 6/28/2024

Norma Newton-S Meridian St-92.01-due 6/28/2024

313 Western Ave- sent town out to mow property. House is vacant.

215 Jackson Sent town out to mow property this is the second time we have done this. House is occupied.

Cornerstone properties in Winner Circle has contacted a property maint. Company and there getting it handle.

I have two Vehicles that are sitting on there 30 day timer that are due to be tagged on 7/13/2024.

Doing another walk through of Western Ave trailer park, will advise of any information.

Nothing further at this time.

Utility Outline for 06/20/2024 Meeting Sunman Utilities

- 1. Mulched and weeded Welcome to Sunman sign on the North side of the town. Will be doing the South side one this next week.
- 2. Mulched and weedeated the park and added flowers to the park sign to make it more attractive.
- 3. Sunday had issues with the lift station on Eastern. There was a sewer breach in two areas in the 800 block that was reported to IDEM by Doug, Cheryl and I took turns resetting the circuit to prevent any further overflows. Doug came out Monday morning and treated the breached areas, following up on Tuesday with treatment as well. He also spoke to the home owners. American Pumps came out today and retrieved pump 1 which had stopped working, also found issues with the circuit breakers and solenoids.
- 4. Well field and Wastewater plant has been running smoothly with minimal issues.

Ripley County Area Plan Commission P.O. Box 151 Versailles, Indiana 47042

812-689-6062

June 12, 2024

To: Matthew Hunt & Rebecca Thomas Re: Zoning Violation Section 80.39

Part of Section 17, Township 9 North, Range 13 East.

Adams Twp. 4.0 acres. R-3 & GB districts.

Tax ID Number: 020-100158-00

Address: 424 S Meridian Street Sunman, In. 47041

Dear Mr. Hunt & Ms. Thomas,

It has come to my attention via complaint that you have excavated a pond on your property, without proper permits.

This is a violation of the zone code.

Section 80.39: Administration

(B) Improvement Location Permits.

Within the jurisdiction of the Ripley County Area Plan Commission, no structure, improvement, or use of land may be altered, on platted or unplatted lands, unless the improvement, or use, and is location conform with the Zoning Code of Ripley County, Indiana, and an Improvement Location Permit of such improvement, or use has been obtained from the Executive Director by the owner(s) of the property or his/her agent.

The above mentioned must be addressed within thirty (30) days to avoid legal action. Zoning violation/s penalties are subject to a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) for each violation. Each month or period of 30 days (whichever is less) constitutes a separate offense.

If you have any questions, please contact me at the above listed phone number.

Sincerely,

Tad Brinson, Executive Director

Ripley County Area Plan Commission



424 S. Meridian St. Pond

1 message

Town Marshal <marshal@townofsunman.org>

<carolanneckstein@yahoo.com>, Kellerman Law Office <kellerman@etczone.com> To: tbrinson@ripleycounty.com, Cheryl Taylor <clerk@townofsunman.org>, Randy Zins <randyzins@gmail.com>, Don Foley <dcfoley5@gmail.com>, Carol Eckstein Thu, Jun 13, 2024 at 11:15 PM

Tad,

Made contact with Mr. Hunt and served him the violation . I believe he is going to make contact with you in the morning. Just FYI his father passed away earlier

what he was doing and the dimensions of the pond and a lady told him he should be ok and to continue. County Zoning/Planning. Mr. Hunt advised that the contractor did say something to him about it but he also stated he called down to Ripley County and explained permits. I asked Mr. Hunt if he was aware I spoke with the contractor and advised him to shut down the job reference no permit and to make contact with Ripley Mr. Hunt was not aware of a permit being needed in Ripley County. He spoke with the contractor who advised him he does ponds all over Ripley County without

just like the permit he thought the contractor took care of everything. till Thursday evening or Friday before completed and they were done Wednesday at lunch. I asked Mr. Hunt if he had contacted 811 before digging he stated no, I asked Mr. Hunt if he was aware Ripley County Zoning/Planning came to the jobsite, he stated no but that explains why the job was suppose to take the contractor

Home Park lays extremely wet with mosquito breeding grounds as it is. If anything the property owner would be better off with that particular area draining into the pond. The area is not graded and looks horrible. Mr. Hunt did advise his plans were to install a fence around the pond and backyard along with a fountain in the After looking at the job the overflow drain to the pond is laid towards Trees Mobile Home Park consisting of a 4" plastic draining tile. This area of Trees Mobile

Mr. Hunt was extremely flustered and advised while the contractor was loading his equipment he stated to Mr. Hunt he might want to call down to Ripley County and get a permit just incase someone would drown in it. I advised Mr. Hunt the permit was to be obtained before the start of the job and the drowning issue would be more of a insurance issue.

Contractor responsible for the job is Doug Bergman Excavating LLC. I spoke with Mr. Bergman directly when I spoke to them the first time on Tuesday.

Any questions give me a call, cell number is 812-621-3006

Marshal, Brian Maynard
Office:812-623-5000
Fax:812-623-0105
email: marshal@townofsunman.org

Sunman Police Department

BUILDING PERMIT FOR RIPLEY COUNTY, INDIANA

Ripley County Building Department P.O.Box 151 Versailles, In. 47042 812-689-6068

Application Number: 17856

Owner M	atthew Hunt 51	13-518-89/1/			
Contractor	Bergman /				
Address	424 S Meridian				
Directions					
Comments					
Township	Adams Twp	Section	17-9-13		
Application Date	6/17/2024	Zoning	GB	Proposed Use	Accessory Uses
				Lot Number	Accessed to the second
Permit Number	Pe	rmit Type		Work Being Done	
ILP 70281	Improvemer	nt Location Per	mit	Pond	

This Permit is subject to the following:

- 1 Time Limit. The work authorized by the Improvement Location Permit must be commenced within Six (6) months from the date of issuance. All work authorized by this Building Permit shall be completed within Twelve (12) months from issuance.
- 2 The granting of a permit does not presume to give authority to violate any State or Local law regulation construction or the performance of construction.
- 3 I certify that I have read this permit and represent it to be true and correct. I will comply with laws and ordinances, easements, zoning & subdivision regulations governing this type of work whether specified herein or not.
- 4 Any and all applicable rules and regulations of the Ripley County Health Department shall be applied here in. All applicable Flood Plain Ordinances including State and Federal guidelines pertiaing to the designated Flood Hazard Areas of Ripley County.
- 5 This permit issued for the above referenced project shall be in full compliance with all applicable State rules. This permit my be suspended or revoked if not in compliance with all the rules of the State Fire Prevention & Building Safety Commission.
- 6 A Certificate of Occupancy shall only be issued upon final completion of the above referenced project. Failure to obtain a Certificate of Occupancy will result in the denial of the Homestead Exemption.

THIS PERMIT IS VALID FOR ONE (1) YEAR FROM THE DATE OF ISSUE.

This license is a permit to do the above described work according to the application, plans, and specifications on file in this office.

POST THIS PERMIT IN A CONSPICUOUS PLACE ON THE JOB SITE

Approved by

Tool Binson

No. 17856

Approved by State Board of Accounts

Date:

6/17/2024

LOCATION IMPROVEMENT APPLICATION Rip P.O. Box 151, Indiana 47042 Phone:812-689-6062 Fax:812-689-5206

CATION IMPROVEMENT APPLICATION	Proposed Use:
oley County Area Planning Commission	Accessory Uses
D.O. Pay 151 Indiana 17012	

	thew Hunt		Owner Phone Number
Owner Address: 42	513-518-8971		
Su	unman, In 47041		
Property Address: 42	24 S Meridian St		
(4) (3)	unman, IN 47041		
Directions or description of p			
_ot Number:	Township: Adams	Twp	
Section:		17-9-13	
ocation of Bldg on lot	Size of Proposed Bldg	Construction Materials	Septic/Sewer
Set Back 100	Width	Basement	
Side Yard 26	Length	Foundation	
Side Yard 48	Height	Walls	
Rear Yard100	Area (Sq. Ft)	Roof	
Notes:			
pond under 1/4 of an ac		FEES PAID	Parcel #: 020-100158-00
pond under 1/4 of an ac	Construction: 0.00	FEES PAID Permit Type	Permit # Fee
Total Est. Cost of CEREBY CERTIFY THAT ALL	Construction: 0.00 BUILDINGS, ALTERATIONS NT OF ANY LAND WILL BE	FEES PAID	Permit # Fee ILP 70281 15.00
Total Est. Cost of CEREBY CERTIFY THAT ALL ID/OR USE OR IMPROVEME ECUTED AND DONE IN ACCOMPREHENSIVE PLAN AND SOPTED BY THE COUNTY OF DIANA. THIS PERMIT IS VAL	BUILDINGS, ALTERATIONS NT OF ANY LAND WILL BE CORDANCE WITH THE SANITATION CODE AS F RIPLEY, STATE OF	FEES PAID Permit Type	Permit # Fee
pond under 1/4 of an ac	BUILDINGS, ALTERATIONS NT OF ANY LAND WILL BE CORDANCE WITH THE SANITATION CODE AS F RIPLEY, STATE OF	FEES PAID Permit Type	Permit # Fee ILP 70281 15.00
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Re: tomorrow's meeting

1 message

Kellerman Law Office <kellerman@etczone.com>

Wed, Jun 19, 2024 at 1:54 PM

To: Don Foley <dcfoley5@gmail.com>

Cc: Cheryl Taylor <clerk@townofsunman.org>, Randy Zins <randyzins@gmail.com>, Carol Eckstein <carolanneckstein@yahoo.com>

I will be in French Lick tomorrow and there is just about zero chance that I will be back before the meeting. I CAN, however, get a room and participate via ZOOM or on the phone.

Cheryl, I don't think I have the agenda for tomorrow, yet. Can you please send it (or resend it, if I have mislaid it)? As for things which I think I know are on it,

1. I have told the Winner's Circle lawyer that they can't have the bond released until they fix the drainage problem(s) and need an engineer to tell them how to do it.

2. I have made little progress in contacting the delinquent property owner (313, I think) but will get them a nuisance notice to start the confiscation process (we can halt it at any time.)

3. I think we are down to needing 2 easement signed for the sewer extension and I am working on that.

John Kellerman



CS0433306 - add signage

3 messages

INDOT Customer Service <indottscc@service-now.com>
Reply-To: INDOT Customer Service <indottscc@service-now.com>
To: clerk@townofsunman.org

Thu, Feb 15, 2024 at 1:31 PM

Dear Ms. Taylor,

Thank you for contacting the Indiana Department of Transportation (INDOT) with your inquiry. The Seymour District Communications Department has received your message concerning overloaded semis driving through the Town of Sunman.

I have sent your inquiry to the Traffic Investigations Department and their Engineer has reported back to me stating INDOT can restrict large vehicles on its roads if they are oversize or overweight. This is particularly critical at specific bridges. However, any legally sized vehicle is able to use the state highway system. Road restrictions can be found at motorcarrier.dor.in.gov

Thank you, again, for your inquiry and the opportunity to assist you with this matter. If you have any further questions or concerns, please feel free to contact the INDOT Transportation Services Call Center at 855-INDOT4U, 855-463-6848 or online at www.indot4u.com

Sincerely,

Melissa Graves

Transportation Services Call Center
Indiana Department of Transportation
100 N Senate Avenue N758
Indianapolis, IN 46204





Ref:MSG7227646_hyDab9RJdGlBl6lhvJTs

Cheryl Taylor <clerk@townofsunman.org>
To: INDOT Customer Service <indottscc@service-now.com>

Sat, May 11, 2024 at 7:26 AM

Melissa.

I hope this email finds you well. I am still receiving so many calls on oversized hauls through our downtown that are affecting the structures of some of the historic buildings and other homes along SR 101, cracking foundations. We are

very interested in limiting the weight that can travel through.

Also, can we talk to someone about installing speed tables and painted lines? Maybe even dropping the 45 mph speed limit? There is very little room between the buildings and the roadway, a sidewalk's width only, and we have over 10 businesses where you will find heavy pedestrian traffic. And we will have to consider that school will be out soon and traffic will thicken especially around the local ice cream shop on 101.

I realize that you are probably not responsible for all of what I am asking about but I was hoping you would help me navigate these issues. I'm in unfamiliar territory.

What I do know is that our Town, Main Street, homeowners, and stakeholders are all willing to help. We also have a youth group organizing a "Slow Down in our Town" campaign.

Thanks so much for your time and support.

Cheryl A. Taylor

[Quoted text hidden]

Cheryl Taylor <clerk@townofsunman.org>

To: INDOT Customer Service <indottscc@service-now.com>

Wed, Jun 12, 2024 at 10:32 AM

Melissa,

I wanted to check in. Has the engineer reviewed our request? We are talking about this at the next public meeting.

Thank you,

Cheryl

[Quoted text hidden]

Cheryl A. Taylor Clerk-Treasurer Sunman, Indiana Office 812-623-2066 Cell 401-710-1404

email: clerk@townofsunman.org website: townofsunman.org

S Meridian /45 to 35



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