

**TOWN OF OSGOOD
EXECUTIVE SESSION
Tuesday, February 20, 2024
6:00 P.M.**

Present at the meeting were Tammy Wilhoit, Bill Roberts, Chris Kuhn, Holley Rose, and Daniel Craig.

RE: IC 5-14-1.5-6.1 (b) (9)

Meeting adjourned to go into regular meeting.

**TOWN OF OSGOOD
REGULAR MEETING
Tuesday, February 20, 2024**

Present at the meeting were Tammy Wilhoit, Lynn Fledderman, Chris Kuhn, Holley Rose, Bill Roberts, Gary Payne, Tammy and Michael Rork, Daniel Craig, Matt Wirth, David Hernandez, and Mark Scott.

Pledge of Allegiance.

Roll Call – all present

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

Old Business:

A letter from Lynn will be delivered by Osgood Police Dept. to have the 2 soda pop machines in front of the computer store removed.

Presenting Ordinance 2024-1 for the second reading: An Ordinance Establishing the Local Income Tax – Public Safety Fund. Whereas the Town will receive distributions of local income tax for public safety under IC 6-3-6-6 and the State Board of Accounts has directed the Town to establish the Local Income Tax – Public Safety Fund.

Motion to approve second reading and final adoption of Ordinance 2024-1. Holley 1st, Bill 2nd
3 - ayes

Ordinance 2024-2: An Ordinance Amending Ordinance §92.02 Obstructing Sidewalks – to be adopted under suspension of the rules.

Motion to approve Ordinance 2024-2 under the suspension of the rules. Bill 1st, Holley 2nd
3 - ayes

1st reading - It is in the best interest of the Town to prohibit vending machines on Town sidewalks: It shall be unlawful for any person, business, or corporation to set, place, display, or exhibit items for sale, goods, wares, merchandise, signs, and the like on the sidewalks of the town, unless said goods, wares, and/or merchandise are place immediately adjacent to the front of their building and do not extend further than three feet from said front of building. Under no circumstance shall vending machines be permitted on town sidewalks.

Motion to approve Ordinance 2024-2 on first reading. Chris 1st, Bill 2nd
3 - ayes

Tony Wood is requesting that Council approve and adopt Ordinance 2024-3: An updated Ordinance of Wastewater Pretreatment, sets forth requirements for users of the publicly owned treatment works for the town and enables the town to comply with all applicable state and federal laws. Nothing has adversely changed, but the language has been updated to the current regulatory standards.

Motion to approve Ordinance 2024-3 on first reading. Holley 1st, Bill 2nd
3 – ayes

Second reading will be done on March 12, 2024.

Introducing Ordinance 2024-4, to be adopted under the suspension of the rules. First reading: An Ordinance Amending Cut Permit Fee Schedule, with current price increases it is necessary to raise cut permit fees and to add a fee for potholing utilities in the road.

Motion to approve Ordinance 2024-4 under suspension of the rules. Bill 1st, Holley 2nd
3 - ayes

Motion to approve Ordinance 2024-4 for the first reading. Bill 1st, Holley 2nd
3 – ayes

Second reading:

Motion to approve Ordinance 2024-4 for the second reading. Bill 1st, Holley 2nd
3 – ayes

Presenting Ordinance 2024-5 for the first reading: §91.99 Penalty. The days of the penalty were corrected.

Motion to approve Ordinance 2024-5 for the first reading. Holley 1st, Bill 2nd
3 - ayes

Street Superintendent has asked about creating a Designated Outdoor Refreshment Area (DORA) – the purpose of this ordinance is to outline the process municipalities and permittees must follow in enacting a Designated Outdoor Refreshment Area in accordance with IC§§7.1-3-31. Retailer permittees and temporary permittees located in a DORA may allow persons twenty-one and over to leave their premises with open containers of alcohol up to a certain threshold, which the person may consume anywhere in the DORA. A municipality does not have to renew DORA authorization, and it may revoke an established DORA at any time. The municipality may limit the hours or days during the week or calendar year that the DORA is in effect. A municipality seeking to enact a DORA must first determine its boundaries (see map). The boundaries limit proximity of alcohol to a church or a school (200ft. – doesn't affect our area). There must be at least one retailer permittee operating a licensed premises within the boundaries, which the Commission approves as a "Designated Permittee". When the municipality prepares to submit its application to the Commission for approval, the municipality must collect completed designation forms from each retailer permittee in the boundaries of the DORA who wishes to be designated and submit those forms to the Commission as part of the application. Signage and maps will be posted at each exit of a Designated Permittee and on a Vendor's premises, as well as at other conspicuous areas in the DORA. This would benefit the Bricktoberfest. There were questions raised on a retailer operating within the boundaries. We will reach out to get clarification.

Commonwealth Project Memo:

Water Improvement Project –

- A Pre-Construction Meeting was held on February 9, 2024 between Commonwealth, the Town, the Contractor, and SIRPC. A construction schedule will be finalized after the INDOT Permit has been obtained.
- We continue correspondence with INDOT regarding the Occupancy Permit for this project.
- IDEM Review / Approval of Plant Shut Down:

Brady and Tony have completed the Emergency Response Plan edits as requested by IDEM. The updated ERP has been submitted to IDEM and we anticipate their approval.

- Contract Documentation is ready for Council, Clerk Treasurer, and Attorney review and signatures.

Motion to approve Chris and Tammy to sign contracts. Holley 1st, Bill 2nd
3 - ayes

Trail Project –

- Project advertised for bid. A Pre-bid meeting was held on 2/12/24 and bids will be opened on 3/19/24.

Motion to approve Commonwealth’s claim for \$6,375.00 for Design, Permits, and Bidding. Bill 1st, Holley 2nd
3 - ayes

Downtown Sidewalks (Buckeye Street from Ripley Street to Beech Street) –

- Project design is advancing and is on schedule. Plans and specifications are currently undergoing our internal quality review.
- Permits for INDOT and CSX have been filed and we await responses from each. Comments and permit conditions will be reviewed with town staff upon receiving and will be formulated into the plans and specifications. Additionally, we are in the process of issuing plans to utility companies to ensure facilities are shown correctly and identify potential conflicts. Utility information will also be reviewed with staff.
- The anticipated bidding date is the end of April

Motion to approve Commonwealth’s claims of \$21,850.00 for Preliminary Design. Holley 1st, Bill 2nd
3 - ayes

Notice is hereby given that the Area Plan Commission of the County of Ripley, Indiana on the 5th day of March, 2024 at 7:00 p.m. in the meeting room of the Annex will hold a public hearing on a proposed amendment to the Zoning Ordinance of Ripley County.

Part of Section 22, Township 8 North, Range 11 East. Center Twp. 0.50 acre.
Osgood Lots 58-61. 101 South Maple Street, Osgood, IN. Rezone from I-1
Enclosed Industrial to general Business.

Discuss leasing office space at 240 Craven. This process would be the same as selling property. The Town will need to appoint two people to get a Fair Market Value, then it will go to bid.

Motion to appoint Steve Wilhoit and Tony Wood to do the Fair Market Value on the property.
Holley 1st, Bill 2nd
3 – ayes

Clerk-Treasurer filled out a complaint form and filed with the Ripley County Area Planning Commission in reference to complaints being received on 830 Morris Street – 12 cars parked in front, side, and rear of house with possibility of a business being ran in a R1 zone. Tad Brinson will look into it.

Motion to move March Council meeting to March 12th at 7:00 p.m. (instead of March 19th).
Holley 1st, Bill 2nd
3- ayes

Motion to hire John Newhart effective February 26, 2024. Bill 1st, Holley 2nd
3 – ayes

Motion to hire Warren Brown for a part-time position effective February 27, 2024. Bill 1st,
Holley 2nd
3 – ayes

O.B.C. Urban Development – Gary Payne was present to discuss the O.B.C.'s intent to go after a Readi Grant. Their initial priority was housing and facades. With people gathering and sharing information, they've changed their priority to housing. They have a property they are looking at and have been in discussion with the owner. It would be an improvement to the town if that property was developed and houses were built. Costs have been looked at to do a proposal for the Readi Grant. There is a 4 to 1 match. They would need collaboration with the Town, Reynolds Foundation, and other grant opportunities. O.B.C. is willing to do the grant, but would like a letter of support from the Town. The grant application is due April 1st and they have 3 proposals they would like to send in.

Tammy and Michael Rork were present to inquire about getting a natural gas tap for their home on Morris Street. They believe 2 other neighbors may be interested. Chris Kuhn state that it would depend on the cost to get them hooked up, but we will do a survey to find out who all would be interested in hooking up.

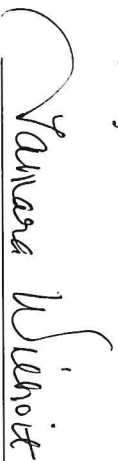
David Hernandez was present and asking for the Town's support to get a liquor license for a restaurant that they would like to put in town. They are currently looking at 2 places. Lynn Flederman asked if there was a form that the Town would need to sign, he did not have that form but work on getting it.

Motion to approve Mr. Hernandez's request contingent upon attorney and council review of the document. Bill 1st, Holley 2nd
3 – ayes


Mark Scott was present to discuss 830 Morris Street. He stated he counted the number of cars on this property before coming to the council meeting and there were 11. He stated there are cars coming and going all the time, and that this has been going on for over a year. There are vehicles idling continuously, car parts salesman pulls in with a truck, and they were burning tires behind the house the night before. Chris Kuhn stated that a complaint form has already been submitted to the Ripley County Area Planning and they will look into it.

Claims signed

Motion was made to adjourn the meeting. Bill 1st, Holley 2nd
3 – ayes


Clerk-Treasurer


President


Member

Member