

UTILITY BOARD/COMMON COUNCIL

Tuesday, December 22, 2020

5:30 P.M.

The Common Council and Utility Board of the City of Huntingburg met in joint session at the regularly scheduled meeting time on Tuesday, December 22, 2020 at the hour of 5:30 P.M. in the Council Chambers of the Huntingburg City Hall at 508 E. Fourth Street, Huntingburg, Indiana. Members Dubon, Bounds, Kissling, McPherron and Wehr were present. This meeting was made available to members of the public and the media streamed through the City of Huntingburg's YouTube channel accessed via Facebook link at the City's Facebook page (City of Huntingburg). Also present were Mayor Schwinghamer, City Attorney Schneider and Clerk-Treasurer Dippel.

Mayor Schwinghamer called the meeting to order.

A motion was made by Kissling, seconded by Dubon and carried to approve the minutes of the Executive Session of December 8, 2020 and the Regular meeting of December 8, 2020.

A motion was made by Wehr, seconded by Bounds and carried to approve the claims as presented.

The Mayor informed the Council of his intent to add two members to the Huntingburg Board of Public Works and Safety to be able to have dialog with members without being in the public all the time until things get worked out. He also informed the Council of his intent to start reporting to the Council about things going on in the City on a weekly basis.

The Mayor informed the Council of his discussions with Huntingburg United Methodist Church representative about property on the south side of the Methodist Church's lot that could be used for a City alley. The property is at 408 N. Main Street, Huntingburg, Indiana. Attorney Schneider indicated that two appraisals will need to be obtained.

A motion was made by McPherron, seconded by Wehr and carried to adopt Resolution No. 2020-32 entitled:

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
HUNTINGBURG, INDIANA DETERMINING AN INTEREST IN THE
PURCHASE OF REAL ESTATE**

The Mayor informed the Council of renewed interest in acquiring the property at 407 N. Jackson Street, Huntingburg, Indiana. He noted more parking availability with the proximity to City Hall and 4th Street as the reasons for the interest. He noted that he spoke with the owner of the property who is willing to sell the property, but did not know the value. It was noted that two appraisals will need to be obtained. It was noted that the source of funding of this project is unknown at this time until a price is determined.

A motion was made by McPherron, seconded by Kissling and carried to adopt Resolution No. 2020-33 entitled:

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
HUNTINGBURG, INDIANA DETERMINING AN INTEREST IN THE
PURCHASE OF REAL ESTATE**

Attorney Schneider summarized the revised counter-offer to the developer, MHD Huntingburg, wanting to develop the area near the southwest corner of 14th Street and Main Street in Huntingburg. The counter-offer was presented. (Exhibit A). A proposed resolution was prepared and presented for the sale of the real estate.

A motion was made by Bounds, seconded by Wehr and carried to adopt Resolution No. 2020-34 entitled:

A RESOLUTION AUTHORIZING THE SALE OF REAL ESTATE

GIS/IT Coordinator, Rob Mendel, presented a proposed agreement with Matrix Integration for two phone servers and service (\$11,201.20

0), installation (\$6,744.00) and one year of A-Flex-3 (\$3,496.25) in the amount of \$21,441.45. He noted the current system is from 2013 and has been having issues, and will reach end of life next year. He noted a typical system usually has a 5-6 year life. An annual payment of \$3,496.25 will be charged for the licensing in each of the next 2 years.

A motion was made by McPherron, seconded by Bounds and carried to accept the proposal from Matrix Integration as presented.

Energy Superintendent Reutepohler presented the monthly Gas Utility report. He requested approval to get quotes for clearing approximately 4,000 feet of right-of-way so required annual leak surveys can be done. Maps were presented of the areas.

A motion was made by Kissling, seconded by Wehr and carried to approve Reutepohler to obtain quotes for the right-of-way clearing as noted above.

Reutepohler presented the monthly Electric Utility report. There was a discussion on amending or eliminating Net Metering. He noted that net metering could be replaced by Renewable Generation. The issue was tabled until more information is obtained. It was suggested that a representative from IMPA participate in a joint meeting of the Utility Board and the Utility Rate Advisory Board to get a better understanding of the options.

Water Superintendent Meyerholtz presented his monthly report. He informed the Board of a water leak on 4th Street. He has been in contact with Fer-Pal Construction, the company that slip lined the water lines under 4th Street, noting it is likely a line stop issue created by compaction during construction (of Heritage Trail). He noted that in the leak area the pavers will be taken out and the fill will be vacuumed out, the leak repaired, backfill with sand and pavers replaced.

Meyerholtz informed the Board that the cat-walk replacement at the water treatment plant was quoted at \$35,322.00 by Reynolds Construction. He noted that Reynolds would also like a 6 week extension on the contract completion date. He noted the current trip hazard and the issue needs to be corrected since this will become a main walkway. It was discussed that this would need to be a change order to the current contract with Reynolds Construction.

A motion was made by McPherron, seconded by Bounds and carried to authorize Meyerholtz to proceed in obtaining a change order to bring back to the Board at the next meeting.

Meyerholtz informed the Board that the solar field at the water treatment plant is on schedule and the estimated completion date is February 6, 2021.

Council appointments to Boards and Committees with terms beginning January 1, 2021 were discussed. The appointments are:

Huntingburg Redevelopment Commission:

Nick Stevens 1 year term expiring 12/31/2021

Jayme Rasche 1 year term expiring 12/31/2021

Tree Committee:

Heather Tretter 2 year term expiring 12/31/2022

A motion was made by Wehr, seconded by Bounds and carried to approve the appointments as noted above.

Clerk-Treasurer Dippel presented a Property Tax Disbursement Analysis report noting that property taxes for 2019 payable in 2020 received were 94.61% of what was expected for the Civil City and 98.90% of what was expected for the TIF districts. He noted the collections are similar to the amounts received in 2019.

There being no further business before the Council, a motion was made by Kissling, seconded by McPherron to adjourn the meeting at 7:16 P.M.



Steven J. Schwinghamer
Mayor



Thomas A. Dippel
Clerk-Treasurer

*Council/Utility Board Meeting
12/22/20 : 5:30 pm.
EXHIBIT A*

**COUNTER OFFER
BUYER: MHD HUNTINGBURG
OFFER DATED 11/19/2020
SELLER: CITY OF HUNTINGBURG, INDIANA**

The following terms are offered as a counter offer by the Seller, **City of Huntingburg**, ("City"), to the Real Estate Purchase Offer dated November 19, 2020 by **Mahish Malhotra** for **MHD Huntingburg** ("Buyer"):

1. Seller, City of Huntingburg, Indiana offers to sell to Buyer the following parcels of real estate situated in the City of Huntingburg, Dubois County, Indiana, for a Purchase Price of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00):

3 Parcels at the SW corner of N. Main (Hwy 231) & 14th Street, Huntingburg:

Lot 101	Tax Parcel No: 19-11-27-303-101.000-020
Lot 205	Tax Parcel No: 19-11-27-304-205.000-020
Lot 206	Tax Parcel No: 19-11-27-304-206.000-020
2. City shall give Buyer a permanent easement for the right to maintain a commercial sign on the south half of the adjoining Lot 214, Tax Parcel No. 19-11-27-304-214.000.020, not to exceed 200 square feet, together with the right of access for installation, operation, repair, and replacement.
3. Buyer shall contribute one-third (1/3) of the cost to extend an 8 inch gravity sanitary sewer main and manholes from 17th Street to the subject real estate, not to exceed Thirty Thousand Dollars (\$30,000.00). City shall establish a sanitary sewer availability charge calculated to recover the total cost of said sewer extension from lots and lands connecting to said sewer extension, and shall refund to Seller a pro-rata share of said fees collected, based on the Seller's proportionate contribution to the cost of said extension, until Seller recovers its contribution, less its share of the availability fee, or for ten (10) years, whichever occurs first.
4. City shall grant to Seller the right to make two (2) curb cuts for drive entrances along 14th Street at Buyer's cost, and City shall relocate a existing light/utility pole should the same interfere with Buyer's development plan.
5. Seller shall commence development activities for the construction of a commercial development on the subject real estate within eighteen (18) months of this Purchase Agreement, or City shall have the right to repurchase the subject property at the same price. In such event, City shall not be required to reimburse Buyer the sanitary sewer contribution except as hereinabove provided.
6. In the event City should decide to sell the adjoining Lot 214, Tax Parcel No. 19-11-27-304-214.000.020, City shall endeavor in good faith to notify Buyer and permit

Buyer such opportunity to purchase the same as is consistent with the laws governing disposal of real estate applicable to the City at the time of such sale.

7. Closing shall take place at The Title Company, Jasper, Indiana within 45 days from the Buyer's Acceptance.
8. All other provisions of the Offer by Buyer dated November 19, 2020, not inconsistent herewith are incorporated herein by reference thereto.

Unless accepted in writing by Buyer and delivered to Seller by December ____, 2020 at 12:00 Noon EST, this Counter Offer shall be void.

City of Huntingburg, Indiana

By: _____
Steven Schwinghamer, Mayor

Attest: _____
Thomas A. Dippel

ACCEPTANCE

ACCEPTED THIS _____ DAY OF DECEMBER, 2020 AT _____ O'CLOCK __.M.

MHD HUNTINGBURG

By: _____
Manish Malhotra