

City of Tipton Common Council meeting was held on October 9, 2023, at Tipton City Hall, Council Chambers, Tipton.

Members: Mayor Dolezal, Councilwoman Hufford, Councilmen Chandler, Kring, and Rippy, and Clerk-Treasurer Clark, Councilman Ehman was not present.

Others: Sign in sheet attached.

Mayor Dolezal opened the October 9, 2023, Council meeting.

The Pledge of Allegiance was recited.

Mayor Dolezal stated he would share that the agenda is the outline before you. He does not intend to change the location of Public Comment but what we will allow is that before Ordinance 2023-10, he will allow each City Council Member to make a statement about their feedback relative to it and what feedback they have received from the Community or if they would like they can select a member from the public to speak at that time. The process for Ordinances is that there is two different reading. Historically previous administrations had waved the rules so that both readings took place at the same time if there was a unanimous vote in support of that ordinance. When he took office, he expressed he did not like that policy. He liked separate readings so the public would have notice from the first reading about what was being contemplated with the design of representative government a City Council Representative would be contacted by the public and inform them of their opinions. There have been numerous people who have shared with him their feelings of being intimidated and bullied from comments made on Facebook. He does not think that is anyone's intention with what they post, but at times can become aggressive. Mayor Dolezal moved to minutes.

Minutes: Mayor Dolezal asked if there were any questions about minutes. Councilman Kring made a motion to accept the minutes as written, seconded by Councilman Rippy with all in favor.

Amend Agenda: Mayor Dolezal asked besides public comment if there were any suggested amendments to the agenda. Councilman Chandler stated he would like to amend the agenda to move public comment after the mayor's report. Councilman Chandler commented that everything the mayor said was true, but this is such a polarizing issue that he feels it wouldn't hurt to hear from the public one more time before they voted. Mayor Dolezal commented that Councilman Chandler has probably heard quite a bit from the public but in this case, he does not think it is appropriate. He would still like to have public comment although it's not a requirement for meetings but in its orderly place. We've seen in the past what allowing public comment spirals into regarding the length of time and divisiveness that's presented. It's appropriate as I suggested.

BOW: Councilman Kring recapped the BOW meeting of 10/09/2023. Councilman Kring identified a map of one of the proposed intersections that they are considering. They plan on doing something like that at all three intersections. It includes improved striping,

reducing lanes to two lanes instead of four, and some type of infrastructure inside the striped lanes so that people cannot drive through them, and including signage that would be in the middle of the road. The idea is to calm traffic. To slow it down and give the right of way to the pedestrians. It is safer to cross two lanes of traffic instead of four if you are a pedestrian. Councilman Kring stated he is happy to see this and is glad we are considering this because of pedestrian safety and vehicular safety at the same time. This is to be done ASAP. The Mayor and Street Manager met with sealcoating today and a couple of other contractors to start working on this soon. Mayor Dolezal stated he would share that he had a conversation with one of the contractors for the demolition of 124 Fourth Street that has been engaged and in process and had gotten ahold of CenterPoint as part of that process. He also wanted to add that pointing to Councilman Kring's comments that at a four-way stop, the pedestrian always has the right of way.

Cemetery Board: Councilman Rippey stated the Board met last Tuesday. They had two burials, and two cremations, and sold four lots for \$3,500.00.

Park Board: Councilman Rippey stated IU Health purchased six new trees for the Park and they look great. Repairs were made to two different playground equipment. One new piece of playground equipment has been delivered and is scheduled to be installed on the 12th of this month. The new fence at the ballfields is out for bid and grass is coming up.

Utility Board: Councilman Chandler reported the Utility Board met on October 2nd. They completed the Assembly of God Property purchase. Manager Ankrum will be meeting with Strand regarding the deliverables of the CSO count for the City and responding to IDEM before the 2/1/2024 deadline. The connector line is coming along. They are looking at initial advertisement for bids November 1st with bids due by December 7th of this year.

New Business:

Guardian Advocates – West Adult VASIA Guardianship Program: Ms. Linda Johnson with Guardian Advocates Incorporated with the sister division out of Anderson. Serving five Counties, Tipton, Howard, Cass, Fulton & Miami. Their program has seen a 20% growth. Tipton's numbers have increased by 16%. They want to continue to serve this program. This is a program out of the Indiana Supreme Court similar to CASA but for adults. There is no money set aside in the Judge's budgets. There is a 2 to 1 matching grant. Our budget is a little over \$236,000.00 and if you take 16% of that that is \$37,760.00. We are officially asking for \$5,000.00, however, I'd like you to consider \$7,500.00, or at least footnote that into next year's budget. They have been told that the grant may not be available in 2025. Mayor Dolezal asked when they would know if they received the grant or not. Ms. Johnson stated the application must be in on October 20th and we will know in late November. The idea is to have the matches in with the application. Mayor Dolezal stated it has been set up to renew for next year. Clerk-Treasurer Clark stated to schedule next June or July to come before the Council so we can get the budget numbers in.

Old Business: Mr. Tony Lee requested the petition be received before the meeting and added to the minutes and read it aloud. Councilwoman Hufford stated she disagrees. There was conversation but the Mayor moved on.

Mayor's Report: The last residential lot has been sold and the buyer wants to build a home on Madison Street. We went through the open bid process for 210/212 to be available at the average of the two appraisals. We had no offers on that property. It is currently listed if anyone would like to present a proposal. Applications are available at the Mayor's office.

Resolutions & Ordinances:

Resolution 2023-21 – Resolution Of The City Of Tipton Common Council Concerning Interest In The Acquisition Of Property: Mayor Dolezal commented steps are being completed to connect the sewer interceptor line from the West plant to the East plant, there's a 3-acre parcel there right at Golf Course Road and Old 28. The owners were willing to sell that property for \$32,000.00 an acre. The intention of that location is for the lift station. Councilman Kring asked if this would be paid out of EDIT and then reimbursed if we get it through the READI Grant. Mayor Dolezal stated there are funds in the READI Grant fund right now. Mayor Dolezal stated the READI Grant is a grant of 3.5 million dollars from the State which is to be matched by the City, the County, and a match of investment in infrastructure. It is approximately a \$6.5 million project to connect the West plant and the East plant. The hope is that at some future date that creates some residential or other growth opportunities to occur along that corridor. We have been hearing about that for about the last four decades or so. We need a few more homes in the community. We have two appraisals. One is for \$114,000.00 and one is for \$97,500.00. Councilman Kring made the motion to approve Resolution 2023-21, seconded by Councilman Chandler, with all in favor.

Ordinance 2023-07 - An Ordinance Setting Salaries For Elected Officials For The Year 2024 As Required By I.C. 36-4-7-2: We completed the first reading at the last meeting, and this would be the second and final reading. Councilman Kring made a motion to approve Ordinance 2023-07, seconded by Councilman Rippey. Councilmen Chandler, Kring and Rippey in favor. Councilwoman Hufford abstained.

Ordinance 2023-08 - An Ordinance Setting Maximum Salaries, Wages And Other Compensation For Police Officers, Firefighters, And All Other Employees Of The City Of Tipton For The Year 2024: This is the second and final reading. Councilman Chandler started to make a motion to adopt the Ordinance but rescinded his motion to amend the Ordinance. Councilman Kring made a motion to amend Ordinance 2023-08 to reflect EMS and Civilian Paramedics to be changed from \$18.00 to a range of \$18.00 to \$24.00 an hour. We set a budget to reflect more than \$18.00 an hour but the salary ordinance doesn't reflect that. Chief Bitner has assured us that he can manage the budget. Councilman Chandler seconded the motion, with all in favor.

Ordinance 2023-09 – Ordinance for Form 4 Adopting The 2024 Budget: This is the second and final reading. Councilman Rippy made the motion to approve Ordinance 2023-09, seconded by Councilman Kring. Councilmen Chandler, Kring and Rippy in favor. Councilwoman Hufford abstained.

Ordinance 2023-10 – Amendment To Ordinance No. 2005-10, Article XI, Section 9-401, Traffic Lights, And To Article XI, Section 9-403, Stop Signs, In The City Of Tipton, Tipton County, Indiana: This is the final reading. We had a motion by this Council to make the stop signs permanent. We felt it was prudent to go back and formalize that with an ordinance. At the last meeting, we approved the first reading on the ordinance. The public had time to make comments and provide input to their Representatives. Mayor Dolezal asked for the Councilmember's opinions or someone from the public to speak in their spot.

Councilwoman Hufford commented that she did not take this situation lightly. We did do a traffic study and began these meetings some time ago so we were not in a rush to get this done. The traffic study indicated there traffic lights were not necessary. We had other information that was provided to us and disclosed. The truck hit the stoplight and we were forced to do a "true time" run of stop signs. Councilwoman Hufford commented that as she moved throughout the City at various times of day she saw the flow being very smooth and she didn't see any near hits. She stated as a citizen she enjoys the stop signs. She also commented that long-standing professional downtown business owners also appreciate the stop signs but they have expressed they don't want their names or business told because of personal retaliation and with their businesses that causes me thoughts. Councilwoman Hufford said she has been sent videos where they have been recorded at various times throughout the day because they work in different locations downtown that proved their case in point, no near misses, traffic moving, people strolling across, running across, bikers and things of that nature. Some people said they didn't like it but those people are not all-encompassing of this city. Councilwoman Hufford stated she is going to stick with her "yes" for stop signs. She also stated there was a lot of banter that people cannot walk downtown, they cannot walk their pets, it's not safe with children, because of all the truck traffic and we cannot please all the people all the time.

Councilman Rippy agreed with Councilwoman Hufford. He thinks if everyone remains patient and lets us complete the whole project, he states it will be safer and traffic will flow better he is also going to vote to keep the four ways.

Councilman Kring stated he would like to echo Councilwoman Hufford's thoughts. He stated he believes in improved outcomes and he knows the comprehensive plan calls for a walkable downtown and the downtown revitalization plan calls for a walkable downtown. Both of these plans were created by community members. We did not have a walkable downtown before the truck accident and he feels we have an opportunity, albeit, under unfortunate circumstances but we have an opportunity to make the City more walkable. This Council said it first, let's get rid of truck traffic. That is directly in both plans. When he says exempt, ag is exempt, local deliveries are exempt, it's just pass-through.

Since we own that road the Council made the right decision to be fiscally responsible for the people of this County. If anyone disagrees, that is fine but we cannot come at everything with bad faith. We are elected to do the best job and make the best decisions for this community. He was inundated with emails, and calls and had great conversations. Tipton was not walkable before and right now it is somewhat suboptimal. He stated he does support the stop signs. He believes the issue will be the light infrastructure. He believes they should stay up. If they are taken down they are gone forever and we cannot afford 2 million dollars to replace them. He would like to give future Councils the ability, if they need to, to put those back on. He stated he was disheartened to receive some e-mails. He does not want to be like every rural community that rips itself apart. Nobody up here has bad intentions; we all have good faith that we are doing our best.

Councilman Chandler stated he would like to echo Councilman Kring's sentiments that he shared at the end. Most of the exchanges that I have seen have been constructive and not mean-spirited. He has seen mean-spirited posts and comments, and he would like to say that no one at the table is a bad person. Even though we disagree we still make the best decision for the community. He has seen the "virtual ripping apart" of this community. He has seen a select few going at each other. There is no place for that, and this community is going to sink if that is how we behave. We must make the best decisions we can and move forward with the hand that we are dealt. Councilman Chandler stated he is opposed to this, and he will be voting no against removing the stop lights. He has consulted with other communities that went through similar relinquishments and he looked himself and the accident that occurred in August did calm traffic and it did calm walkability when it comes to walking along the sidewalks but it has made it more difficult to walk across the street. The change that is coming will help going from eight lanes to four lanes but he was hoping for some sort of hybrid solution. He believes there was a strong case to keep the light at Jefferson and Main but he wanted to enhance it by adding a pedestrian scramble. This can be set at times of high pedestrian volume. We could have the best of two worlds, we could have one with longer lights and some without lights. This would have made a compromise that would have made everyone happy. If he is voted down he will do everything in his power to make sure this is done as soon as possible. His vote will be no on removing the stoplights.

Councilwoman Hufford wanted to talk about the petition brought forth by Mr. Lee. She went through and counted the people who were not Tipton City residents. Of the signed signatures 482 people are not living in this community. She wanted to point that out and reading this makes it not feasible for this purpose. Councilwoman Hufford asked if the INDOT liaison, Jane Harper, could speak on the professional side. She is appointed by the Mayor and she can give actual, tangible experience and how we got here.

Ms. Harper stated she has worked hard to arm the Council with facts. She has gotten those facts as the INDOT liaison for the City and it has been advice that I have received. She stated the Council has gotten a tremendous number of statistics that four-way stops

are safer than traffic signals. Other communities are yanking out their stoplights in droves. The Council has received videos showing the pedestrian crossing at this intersection and they're not in danger. The original plan was aborted but the plan was that INDOT would have had two stop lights in Tipton. The one at 19 and 28 and the one at Jefferson and Main. At Independence, it would have been a two-way stop. There wouldn't have been a traffic signal there and it would have been free-flow traffic. At West and Jefferson, it would have been free-flow traffic and a two-way stop. She has been advised that keeping the overhead signals is dangerous because drivers do not need to be looking up. They need to be looking at the road where the pedestrians are.

Councilwoman Hufford made a motion to approve Ordinance 2023-10 amending the Ordinance for traffic light, and stop signs in the City of Tipton, seconded by Councilman Rippy. Councilman Rippy, Councilman Kring, and Councilwoman Hufford in favor, Councilman Chandler opposed.

Claims: Councilman Rippy made a motion to approve claims 174782-174885 for \$4,059,261.77, seconded by Councilman Chandler. Councilwoman Hufford, Councilmen Chandler and Rippy in favor. Councilman Kring abstained.

Petitions, Comments and Memorials:

Mayor Dolezal asked Public Works Manager Terry to speak regarding projects within the City.

Mr. Terry stated they have met with a contractor regarding the lineage on the roads. They are waiting on pricing and this project will move forward in the next two to three weeks. He stated this is phase one of more phases to come. We want additional parking downtown, calm down traffic downtown, and make it a two-lane. Mayor Dolezal stated we can expect stop signs up in the next 7 to 10 days. Public Works Manager Terry stated yes, we will start working on stop signs immediately. We do have all the materials we need to implement stop signs. They will be put up on the sidewalk curb area and will possibly be moved out into another area. They will be lighted stop signs. Councilman Chandler asked if we could remove the barrel from Independence and Jefferson. Public Works Manager Terry commented, yes. He also stated he would like to give a report regarding the baseball field (See attached report). Mayor Dolezal stated all Departments have done a tremendous job moving projects forward at much less cost than if we paid retail for those things moving forward. He regrets that others throw up barriers when we are trying to get things accomplished for the community. There have been more than a couple of projects in which we've had to be sensitive to criticisms and threats that have been unfounded. He hopes the next Mayor and next Council can work without these hindrances moving forward and the majority of folks do want to see Tipton move forward. They are interested in seeing more amenities for the community and they are interested in seeing things updated for Tipton. Mayor Dolezal looks forward to supporting the next Administration wholeheartedly in what they want to improve in Tipton. Councilman Chandler thanked Terry for what he has done for the community.

Chief Stout stated working with the Council and Mayor for four years has been great. He would like to thank them for the work they did on their department's budgets. Whether he is in his position or not he hopes he left the Department and City a better place and he wanted to thank everyone.

Michelle Hoover – 331 Maple Street – Ms. Hoover stated her frustration is that no one ever asked her what she wanted or how she felt. She lives on the corner of Maple and North and the traffic has gotten even worse since the truck ordinance. It has been cut down some with the installation of the two stop signs. She isn't talking about the consequences of downtown because she doesn't go downtown. She is opposed to how it all went down. Took the cart before the horse. Everyone was skeptical of a semi that just happened to take out a stop light and then stop signs put in. She stated all this was done without a budget. How was it all going to get paid? This was all done without asking the taxpayers how they felt.

Tony Lee – 925 North Independence – He states safety is number one on the list. The main cause of the petition was to preserve safety. He commented that not everyone who signed the petition was from the 46072 zip code. He tried to be as direct as he could. It was posted on four sites on Facebook, all of them Tipton sites. Some of the signatures are from people who travel here often or who have family here and maybe even shop here. There were some studies done by the National Highway Traffic Safety Administration that stated the presence of stoplights reduces the likelihood of severe accidents caused by drivers failing to yield for a stop sign. Traffic is going to slow down with the stop signs for pedestrian safety. The economic impact is what we are starting to see. The traffic trying to get into a parking space going North and South is timed to where the stop signs are making it almost impossible to get out. There was an accident the prior night where a car got T-boned. This is the kind of stuff that a lot of us are afraid of. He thanked the Council for letting him speak about the petition and hoped that it was not the cause of any threats towards anyone. That was not the intention at all. It was a matter of public safety.

Tim Horton – 906 West 300 South – Mr. Horton stated he has a business downtown, a block down the street. We have a birdseye view every day of what goes on in that intersection. He sees more bad stuff going on than anyone else in town. He would like to thank the people behind him. There are more people in the hallway than in the room. Ninety percent of the people in attendance are against the stoplights leaving, and at the very least we should leave them. It will not cost a dime to leave them in. If there are certain ways that we can make pedestrians safer, then do it but do not rip those stop lights out, it makes no sense. He does not feel stop signs are safer than stop lights and he is concerned about pedestrians. Councilman Kring asked if he agrees that what we have now, meaning the proposed map, then what we had a year ago. Mr. Horton stated his daughter brought up a couple of meetings ago that in Greenfield and Franklin, they have Hawk Pedestrian Crossings and if we had something like that, he would be okay with it. He stated he had lost business, we aren't going to change what we do. It has to be better than what it is now. Councilman Kring stated the pedestrian will be crossing two lanes of traffic instead

of four. He agrees that long term we should keep looking at ways to improve vehicular flow and pedestrian traffic. Mr. Horton stated no matter what happens, people are going to blow it no matter what. Councilman Kring stated there are things we can do, put up the orange sign that Mike was talking about, that calms traffic, we need to calm traffic. What my daughter proposed is a very safe system, he doesn't want to see the traffic lights pulled out before something safe is put in. Councilwoman Hufford stated she respects Mr. Horton but someone sent her a video of him that she found disappointing. She stated the video showed him parking his truck in a yellow zone, blocking the view of people who were coming up to the stop sign. Mr. Horton asked where this was at. Councilwoman Hufford stated it was at his corner where his business is located, between his building and Market on Main. Her first comment was he was fearful for pedestrians, yet he was hindering the traffic flow. Mr. Horton asked which yellow spot she was talking about. Councilwoman Hufford stated there is a yellow line from the flowerpot to the corner, on the North side of his building. Mr. Horton stated if he did that then that was on him, and he stated how many times have I done that in the last 45 years. Councilman Kring stated he has known Mr. Horton for a long time and does not feel there was any ill intent.

Ron Neff – 712 North Main Street – Mr. Neff stated he lived in Tipton for 34 years. Everyone in this room has either voted for or against people on the Council and Mayor. If we don't agree, we won't vote for you again. Mr. Neff rides his bicycle through town and about got hit by a Dodge Ram. If we were to have the pedestrian walks like Tim said, that's the very least. All of a sudden, all four ways stop to let a group of people walk with a baby stroller, or a guy on his bicycle can walk across the street. That is why these people are here. They are for safety; they are not here to change the Council's minds but to make it safe. Any extra money for pedestrian walk, signs that say pedestrians first. We want businesses to stay here for the next generations. We want Tipton to grow for my kids and grandkids.

James Davis – 422 E. Jefferson St. – Mr. Davis commented that he feels it is distasteful that any elected official would take personal attacks on members of the community who are making public comments.

Ed Cage – 212 E. South Street - Mr. Cage commented that he has been a business owner in the community for 10 years. He has sat in the Council's chairs, and he is very disappointed with several of the Council members. He hopes the community can refile back to where we are at. Mr. Cage stated that one thing he does like, is to keep the lights up because he thinks the next Administration will change it. He does not believe this is the right thing to do and don't believe you done your community justice.

Benny Frazier – 301 Maple St. – Mr. Frazier would like to give a compliment to Councilman Kring for speaking about the public's safety and also for his comment about keeping the stoplights. He would also like to compliment the Mayor for meeting with him last week and they were able to talk about several things. We were able to discuss the stoplights and asked the Mayor to repeat his words from their meeting. Mayor Dolezal stated that

he was fine with the stoplights staying and he thinks having an additional warning sign such as a flashing red light made sense.

Nancy Cline, Tipton County Commissioner – 11831 West 500 South, Kirlin – Mrs. Cline stated that for someone to say this doesn't affect all county residents is not true. People shop in town, people travel the roads, and it affects everyone. She commented that it is a mess, and she is worried about the businesses. She is disappointed that people were not allowed to speak before the vote, and it is disenfranchising the citizens. She stated to the Council and Mayor that they have to listen to their constituents. Mrs. Cline went on to explain how the relinquishment of State Road 28 took place. She stated she was left out of the decision regarding the relinquishment. She went on to comment that the relinquishment was shoved down the citizen's throat. This is going to be horrible for the County. The relinquishment is going to hurt the County more than the City folks. Ms. Cline stated Government should not be conducted this way. Councilman Chandler asked Ms. Cline to clarify the fact that the Council members just like the County council did not have a vote either yay or nay on the relinquishment. That was a choice of the Executives. Ms. Cline stated the people who voted on the relinquishment, yes or no, were the Mayor and the three Commissioners. The other two Commissioners went along with the Mayor and she voted "No".

Kendra Tragesser, Owner of Urban Homestead – 3346 South 100 West - Ms. Tragesser stated they had asked to be put on tonight's agenda and received an e-mail that stated, "No public comment prior to" and it takes away some of the things that we wanted to say. Ms. Tragesser was able to visit some of the businesses in the last two or three days and get input. She feels the uneasy concern is the unanswered questions. We were asking for a "pause". Don't make it permanent, don't make it where we cannot go back. There was a traffic study in February, and it was done for justification of the removal of stop lights. That traffic study does not tell us what's going on right now. Ms. Tragesser commented that they invested in a building in 2018 and poured their hearts into it and it makes us feel like we don't matter when we ask to be put on the agenda. She was waiting on facts and time, not three weeks. She does not feel it is the Council's goal to undo the progress that has happened in five years but with rushed decisions, it can happen. Ms. Tragesser stated she was disappointed it happened so fast.

Jeremy Bennett – 6824 West 350 South – Mr. Bennett stated as a public servant the Council should listen to their constituents and allow an open dialogue. He stated people are nauseated and disgusted with their local government. He feels no matter how long it takes, it's a part of the Council's job to sit and listen. Mr. Bennett agrees that the stoplights should stay up. He stated the study showed that the stoplights weren't warranted because there wasn't enough population yet at the county level, they are passing all these things because of growth. He commented that if the County is growing then the lights should remain up because in several years they will have to be put back up because of growth. It is not worth taxpayer dollars to pull them out when they will have to be put back up. The State realized it had made a mistake when it backed out of the

Wilson's project. They realized they needed to sit down and come up with a better approach. The public had spoken, and they tried to figure out a good approach to solve it. He stated there needs to be focus groups organized to figure out what can be done. The present council has put it on the back of the future council to figure out how to fund this stuff. He suggested coming up with a focus group to move forward and not be rushed. This will impact Tipton forever. We are already seeing a lot of truckers that are going to social media. They are not reading that Tipton is a favorable community. Mayor Dolezal stated they are making a statement that Tipton is geared towards pedestrians in our downtown. Mr. Bennett stated he moved here because he wanted that rural setting and the Ag history.

Councilman Rippy stated that we did not rush this. We have been working on this for almost a year. Nobody sat in those meetings with us. It has not been rushed; it's all been for safety.

Denny Altherr - 360 North Main Street – Mr. Altherr stated that the Council should have made time to get the public's opinion before they made a decision. He suggested synchronizing the lights to be red, red, red then green, green, green, and maybe that would make the traffic flow better.

Roberta Heinzmann – 904 Mill Street – Ms. Heinzmann stated for ten years she has lived next to a stop sign. She stated she has the same problems with people and stop signs. I have people racing on Hill Street because they do not want to drive downtown. That is not new to me, they have been doing that in her neighborhood for ten years. You are going to have people that run stop signs, you're going to have people that run stop lights. She is not discarding what anyone else is saying. She commented that in the ten years she has lived in Tipton she has seen three accidents at Main and Jefferson because people tried to beat the lights. We've got to give and take. She recommends they try this, and everybody needs to have an open mind. Things never stay the same wherever you live. She stated she wants a safer and slower downtown. She is not going to stop shopping downtown. She will shop downtown every chance she gets. Regardless if it's stop lights or stop signs, she's willing to give it a chance. She stated this was not done quickly, she's been coming to these meetings ever since the first of the year when the council started talking about this. No matter how old we are we need to pay attention to what's going on in the city and county. The public needs to take some of that responsibility.

Jane Harper, INDOT Liaison – 285 West 100 North - Mrs. Harper stated this is extremely frustrating to hear from the mayor that this is not an INDOT issue when it absolutely is. We are all here because of the relinquishment and that was an INDOT issue. She commented that it all started on July 14, 2021. This decision should have been based on facts. She stated she continues to correspond with INDOT every week. She said on their advice, using her as a conduit, to pass along to the Council. She stated they all receive an e-mail from her every week. She stated she is hearing that the advice is being ignored. She hears comments like "I want the pedestrians to be safe" when my advice was to

remove the structures because the driver's eyes look up and if the driver's eyes are looking up and not at the road, someone is going to get hit. Also, when she hears comments like "We should keep a stoplight" when she's given the council information that this would not be good to do, she is frustrated. It is extremely frustrating for me to ask INDOT's advice. These are traffic engineers; they are experts and that is what she is trying to do is give the council her expert opinion. She's given the Council the best advice, based on facts, based on studies, based on what other communities have done and what has worked for them in other relinquishments and then it's ignored. She hopes that the Council has made this decision based on facts. It's not been rushed; it's not been three weeks. It happened nine weeks ago; they have been blinking red for nine weeks. The Council has received countless videos as well showing them the intersection, showing pedestrians crossing. The citizens do not know what the council and Mayor know. She hopes they give the council the benefit of the doubt that they have been armed with information that the citizens do not have. Mrs. Harper stated she will continue until the end of the year giving information that she is receiving from INDOT. She is the one getting the signage for the truckers. INDOT will only use American-made sheet metal and it is hard to come by. When she puts in these requests it takes time. If it seems like things are not moving quickly enough it is because the work order is being processed. She agrees the signage for the truckers was not done expediently. She commented that she is sure it has been frustrating for the citizens but the attacks that the Council and Mayor have gotten have been unwarranted because the Council and Mayor have information that the citizens don't have.

Eric Underwood – 233 North Main – Mr. Underwood stated his family is new to the neighborhood. He loves getting downtown by walking around. The first years they never had an incident crossing the street downtown. He commented that in the last nine weeks, he has come close to being hit by a car at a four-way stop. A couple of weeks ago the same thing happened, the lady looked and looked, didn't see any cars, and drove right through the intersection and almost hit him. This never happened when we had lights. He is on the Tipton School Board, and he is very concerned about the students who walk to school. He was walking with his head up, not looking at his phone, and aware that not every driver is great. Kids walk to school with their heads down, half asleep and looking at their phones. They are not looking for cars. He asks Officer Stout to get some patrols to get some tickets for running stop signs because he sees it all the time. We must get a message that if you are running the stop signs you are going to get a ticket. Officer Stout stated just today he wrote twelve tickets. We are also short-staffed; we have two officers on at a time. Mayor Dolezal asked Mr. Underwood if he would be in favor of traffic cameras. Mr. Underwood asked if they were going to look at the cameras and go after those people. Councilman Kring stated they would issue automatic citations and send them to the person. Mr. Underwood stated there are States that have fought that in court. Mayor Dolezal stated there are other States that have adopted that. Mayor Dolezal commented that he would hope that Mr. Underwood would be for that if he was for the safety of the students. Mayor Dolezal stated he has been a big advocate of traffic cameras. Mr. Underwood said absolutely, he hopes we are giving speeding tickets. He

thinks that they should be doing more at the main intersection where people are seeing, that you are doing it.

Jeremy Bennett – 6824 West 350 South - He feels it is not as safe downtown as it once was. He mentioned an incident where the stop lights were out, there was not a stop sign and there weren't police directing traffic. People were blowing through the intersection. Councilman Chandler suggested people dust off their driving manuals and read them. Everyone knows that when there is no power at a stop-and-go light it's to be treated like a four-way stop. Drivers as a whole need to re-engage and be awake when they drive and know the traffic regulations.

Cindy Ligon - 304 North Independence – Ms. Ligon stated we all have to take responsibility for our own safety, we have to use our common sense, we have to be involved and we cannot jump on the bandwagon when it suits us. She grew up in downtown Indianapolis and lived in Westfield for 30 years. She came to this City because it was charming, people cared about people, and it had a good community spirit. Ms. Ligon has an issue where people are not allowed to speak before a vote because when the Government does something for your safety the citizens need to think twice. The Council should not hide or not share information. People must take responsibility for themselves and our community and be involved. She appreciates what the Council does. She appreciates Hortons, she appreciates the market, and all the things that are happening.

Tim Richards – 724 N. Main Street – Mr. Richards was against the stop signs at first. He didn't know all the facts. In November he will be on the other side of the table and will become a Councilman. He started coming to the meetings. He believes that when everything is done, downtown will be much more walkable, and businesses will become stronger in the end because he has listened to a lot of the things that the Council has planned. He commented that there needs to be a crosswalk at Court Street going across Jefferson Street because we have a lot of events in that area. Mr. Richards asked Councilman Kring if he made the decision for no one to be able to talk. Councilman Kring said no. Mr. Richards stated you are a City Councilman, and you did what you thought was right and he don't want people to hold that against you. He stated he thinks the citizens should have a right to talk. He believes that once everyone knows what the complete plan is they will change their thinking. He does agree with the Mayor and Councilman Kring that the lights should stay up. There is more work that will need to be done. He would like to applaud the Council because they have done a good job.

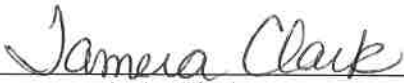
Ed Guffey – 510 North Conde – Mr. Guffey stated from an economic issue he is the busiest shop in town. He commented that he is a hole in the wall at the edge of town. There was one stop sign at Sweetland. He used to see 40-60 cars a day and now 8 out of 10 only come down Sweetland because they are coming to my business. If he wasn't so popular it would have probably put him out of business. He states we are talking about growing Tipton, but we are blocking the whole world from coming into Tipton. The world works on trade and economics. He commented that it is hard to go through town. Mr. Guffey

goes to town several times a day and he cannot get uptown. Everybody is trying to bypass the City. He believes it is a bad idea, businesses are losing business. Trying to back into a parking space, it's one car after another. When it is rush hour traffic, no one pays attention to pedestrian traffic.

Mayor Dolezal asked if anyone else would like to speak. No one spoke.

Adjournment: Councilman Rippy made a motion to adjourn, seconded by Councilman Kring, with all in favor.

Submitted by Tamera Clark, Clerk-Treasurer.



Tamera Clark, Clerk-Treasurer



Council President

**CITY OF TIPTON COMMON COUNCIL
SIGN IN SHEET
October 9, 2023**

Name (please print)

Abbi Smith
Mike Spurlock
Aaron Hill
Row NREFF
Sydney Tragesser - Tina
(Tinkerhouse)
Ann Tragesser Tina
Sandra Rippe
Kerry Reptun
Amy Dishart
Dale Brandy
Hacey Lee
Troy Lee
Amy Ripberger
Megan Poel
JUSTIN HASERTY
Debbie Biddle
Michael Hoover
Denny Arthur
Holly Horton

Tim Horton
Karen Kay Horton
Robert Wimborough
Judy Hurst
BEONY FRAZIER
Ann Humphrey
Mike Bollman
Rob Cochran III
Pammy Gilbert
BOB EDINGER
Tina Roe
Dan Roe
Robertar Johnson
Susan Boone
NANCY POER
Jana LeDdell
Cynthia Mitchell
Vicki Overholser
Cindy Arcutt Legon

CITY OF TIPTON COMMON COUNCIL

SIGN IN SHEET

October 9, 2023

Name (please print)

Chelsea Ligoncain
 Justin Ligoncain
 Denita Camara
 Dewann Jones
 Bryan Jones
 Nancy Cline
 Keyan Schmicker
 Dan McFalls
 Ed Cage
 Jeremy Bennett
 Dena Jones
 Butch Jones
 Tim Richard
 Lisa Underwood
 Eric Underwood
 Jean Scott
 Alex Scott
 Susan Sloan
 Kim Sutton

Elsa Smith
 Michele Brown
 David Brown
 Corina Watson
 Jimmy P. W. H.
 Kothi Sam
 Kenneth Summers
 Skip Semin
 Kim McLeod

Tipton Park Baseball Project

10/06/2023

City of Tipton Board of Works & City Council

I am submitting this report to bring everyone up to speed with our baseball field project and request that this report be entered into the record.

In 2022 the Park Board, Baseball Board, Mayor, Park Manager, and myself worked diligently on plans to update the outdated baseball complex in the Tipton City Park. The topics of discussion were the appearance and lack of adequacy of the existing concession and restroom facilities, and the fact that all the fields were too small to meet regulation play. After multiple meetings and discussions, the Park Board moved forward with employing Context Design to assist us with a budget and conceptual design to upgrade the facility for regulation play and updated concession and restroom facilities. In July of 2022 Context Design presented a plan to the group and a budget of \$4,038,220.

Many discussions took place after receiving the conceptual plans and budget. The main conclusions being that we really liked the design, but could not fit this project into the City budget. After a lot of thought and discussions with the Mayor, Park Manager and myself, we felt that we could move this project forward by making a few changes to the scope and by the City performing a lot of the work. The scope of work that the City would be performing is work that is similar in scope to work that they perform on a regular basis. I proceeded to work on a new budget for the project. The new budget at that time came back at \$816,160.

After further discussion, the City decided to move forward with the project. We started the project the week of June 26th, 2023. At this point we have completed site demolition, site excavation, finish grading and seeding. The contractors will be installing fencing, building the concession stand, restrooms, and dugouts. The work left for the City to complete is site drainage, sanitary sewers, water, and electrical.

I was informed that on September 28th, 2023 the baseball board had received a phone call from Sophie Hufford making them aware that IDEM was going to be called about the City hauling in mulch and using it on the baseball fields. Sophie asked the baseball board if they wanted to be a part of this inquiry. The baseball board declined the offer. Sophie mentioned someone named Daniel in the conversation.

On the afternoon of October 3rd, 2023 I received a phone call from Daniel Waltermann with IDEM. Daniel informed me that he had inspected the site and the materials used, and had no issues. I have included his written report.

On the afternoon of October 4th, 2023 I received a letter from Indiana Department of Labor stating that they had received a complaint alleging occupational safety or health hazards at our establishment or worksite. I will be submitting our training documentation to IOSHA for this complaint.

On the morning of October 5th, I officially stopped all production utilizing City equipment and labor on this project. My reasoning for submitting this report for the record, is due to the significant negative impact that these false accusations will have on this project. We are now facing the risk of much higher costs and a project that may not get completed before next season.

I will close with one final statement. The thought that I am receiving additional compensation for ~~of~~ this project, has been brought up at previous council meetings. As many of you know, I make the same salary regardless of what projects we are working on. Sometimes people go above and beyond for their community without the need for additional compensation.

MY
WORK
ON

Respectfully submitted,

Michael Terry

Public Works Manager

City of Tipton



**INDIANA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT
OFFICE OF LAND QUALITY**
Complaint Inspection Report

EPA ID NUMBER: Non-Notifier
NAME: Tipton Baseball Diamonds
ADDRESS: 650 S. Main St.
CITY & COUNTY: Tipton, Tipton County
INSPECTION DATE: 10-3-23
INSPECTOR(S): Daniel Walterman

<u>PERSON INTERVIEWED</u>	<u>TITLE</u>	<u>TELEPHONE</u>
Ms. Angie Heron	Executive Director	(765) 675-9006
Mr. Michael Terry (via phone)	Public Works Manager	(765) 438-0978

PRE-INSPECTION INFORMATION

On September 5, 2023, IDEM staff received a complaint for this property address at 650 S. Main St. in Tipton, Tipton County. The property of concern is operated as the Tipton Baseball Diamonds. Currently, the facility is out of seasonality for use and undergoing renovations. The complaint stated that "potentially contaminated soil" was brought to the ballpark for renovations.

IDEM staff discovered via the Beacon Schneider website that the owner of record for the parcel of concern is the Tipton County Poor Farm with mailing address of 101 E. Jefferson St., Tipton 46072. Through record review, IDEM staff determined that no previous Office of Land Quality environmental evaluations or inspections have previously occurred at the property.

On September 28, 2023, IDEM staff reached out to the complainant to receive further information regarding the concerns at the property. IDEM staff was given information regarding the renovation and the concerns that mulch received for the renovation may have been contaminated. It was suspected that the mulch was retrieved from the Tipton County Solid Waste Management facility.

INSPECTION FINDINGS

On October 3, 2023, IDEM staff conducted an inspection of the Tipton Baseball Diamonds. IDEM staff also travelled to the Tipton County Solid Waste Management facility to

ascertain whether or not mulch from the facility was used at the Tipton Baseball Diamonds and to understand what components made be contained within the mulch.

IDEM staff began the inspection by touring the Tipton Baseball Diamonds (see attached Photo Log – Photos 1, 2, and 3). No one was at the facility to represent the site. IDEM staff noted construction activities with soils and gravels placed on the site. IDEM staff noted no runoff, visible fluid or contaminant, or any other abnormality with construction.

IDEM staff then travelled to the Tipton County Solid Waste Management facility at 814 Commercial Dr. in Tipton. IDEM staff spoke with the Executive Director, Controller, and Public Outreach Coordinator, Ms. Angie Heron. Ms. Heron stated that the facility is a recycling center. Ms. Heron also verified that the city would bring wood such as whole trees, limbs, and brush to the site for use as mulch. The mulch is shredded on site and used for various projects (Photos 4 and 5). It is natural growth wood with no material additives. Ms. Heron did not verify that mulch was gathered from the site to use as material at the Tipton Baseball Diamonds, but she stated that it is possible it may have been used for that project. IDEM staff did not observe any evidence of visible contamination of the mulch. IDEM staff also have no evidence of any artificial components being added to the finished mulch.

After the inspection, IDEM staff conferred with the Tipton Street Department and Public Works to verify work done at the site. IDEM staff spoke with Mr. Michael Terry who is the Public Works Manager. He verified the renovations conducted at the site. Mr. Terry stated that only uncontaminated soils and mulches were used. Mr. Terry stated that he would inform the Board for the Tipton Baseball Diamonds and the responsible Head Groundskeeper.

CONCLUSIONS AND RECOMMENDATIONS

No violations were cited during the October 3, 2023 inspection. Please be advised that any use of soils, mulches, gravels, or other materials should be executed only after thorough research to understand all components of any such materials.

Photo Log

Photo 1



Facility Name: Tipton Baseball Diamonds

Photographer: Daniel Waltermann (IDEM)

Date: 10-3-23

Others Present: None

Location & Description: Northeast corner of field looking southwest.

Photo 2



Facility Name: Tipton Baseball Diamonds

Photographer: Daniel Waltermann (IDEM)

Date: 10-3-23

Others Present: None

Location & Description: Northern portion of field looking south.

Photo 3



Facility Name: Tipton Baseball Diamonds

Photographer: Daniel Waltermann (IDEM)

Date: 10-3-23

Others Present: None

Location & Description: Western portion of field with dirt pile looking east.



Photo 4

Facility Name: Tipton County SW Management (investigating Tipton Baseball Diamonds)

Photographer: Daniel Waltermann (IDEM)

Date: 10-3-23

Others Present: Angie Heron (facility)

Location & Description: Trees, brush, and natural wood used to make mulch on facility lot.



Photo 5

Facility Name: Tipton County SW Management (investigating Tipton Baseball Diamonds)

Photographer: Daniel Waltermann (IDEM)

Date: 10-3-23

Others Present: Angie Heron (facility)

Location & Description: Trees, brush, natural wood, and mulch on facility lot.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

October 4, 2023

VIA E-MAIL

The Board
Tipton Baseball Diamonds
650 S. Main St.
Tipton, Indiana 46402
tiptonbaseball@yahoo.com

VIA E-MAIL

Angie Heron
Tipton County Solid Waste Management
814 Commercial Dr.
Tipton, Indiana 46072
tiptonrecycles@gmail.com

Re: Inspection Summary Letter

Dear Board and Ms. Heron:

On October 3, 2023, a representative of the Indiana Department of Environmental Management, Office of Land Quality, conducted an inspection of the Tipton Baseball Diamonds, located at 650 S. Main St., Tipton, Indiana. This inspection was conducted pursuant to IC 13-14-2-2. For your information, and in accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection:	Complaint
Results of Inspection:	No violations were observed (see attached inspection report).

Please direct any questions regarding this letter to me at (317) 473-9158 or dwalterm@idem.IN.gov.

Sincerely,

Daniel Walterman, Sr. Environmental Manager
Industrial Waste Compliance Section
Compliance Branch
Office of Land Quality

Enclosure

cc: Tipton County Health Department



Visit on.IN.gov/survey or scan the QR code to provide feedback.

We appreciate your input!

