

**Winona Lake Town Council
Meeting Minutes
July 18, 2023**

The Town Council of Winona Lake, Indiana, met in a regular session on Tuesday, July 18, 2023, at 6:00 p.m. – some attending in person, others by Zoom (video conference).

COUNCIL MEMBERS PRESENT: Rick Swaim, Heather James, Austin Reynolds, Ashley McGinnis, and Jim Lancaster

COUNCIL MEMBERS PRESENT (ZOOM):

ABSENT:

OTHERS PRESENT: Craig Allebach, Adam Turner, Joe Hawn, Terry Himes, Tim Goshert, and Holly Hummitch

OTHERS PRESENT (ZOOM): Laurie Renier

Opening – Rick Swaim opened the meeting with prayer and the Pledge of Allegiance.

Approval of Minutes

- Rick called for approval of the June 20, 2023, meeting minutes.
- Jim moved to approve the June 20, 2023, meeting minutes, and Ashley seconded. Hearing nothing further, June 20, 2023, meeting minutes stand approved as presented. The vote was unanimous.

Approval of Claims

- Rick called for approval of the July 18, 2023, claims.
- Rick requested confirmation that a repeat payment, which he had emailed about and was told was a duplicate, was taken care of. Laurie said it had been turned in by 2 different departments and that 1 had been deleted.
- Ashley asked what the claim for Local Government for \$4,950 for bank recon 2022, was for. Laurie said it was for services for Suzi Bass that she worked with doing the bank reconciliations for October, November, and December. Laurie said she would like to be able to work with her again when she is trying to finalize this year's bank recs because she has some questions. After talking with Rick, and Ashley, and then Mike and Mitch at the State Board of Commissioners, they recommended Suzi to help with that. Ashley said she thought Baker Tilly had done that work for us. Laurie said the person from Baker Tilly that started working on this, said she couldn't do it, so she reached out to Suzi Bass with Local Government Services. We had multiple issues, and it take multiple expertise. Ashley questioned why the bill is so late in the year. Laurie said she was unable to post until around the end of March. It took her that long to find some of the problems that we had. Ashley said her concern is that that fund is at budget for the year. Laurie said that bill was paid out of 3 different locations but the report is very limited on what it will show, and that you don't get the full picture of what was done. Ashley said the funds are all at or almost at their budget for this year already, so that is something the council needs to look at because there are things that will need moving forward for the rest of the year. Laurie agreed, the council needs to look at legal fees. They need to budget an increase for legal fees and a budget for the ice rink for things that are being paid for the ice rink. Laurie said there are a lot of things that need to be looked at. Laurie said revenue reports from January 1, 2022 to December 31, 2022, show we took in \$88,996.74, and \$15,138.65 from January 1, 2023 to current day. Jim asked if the contractor is fully paid up and done or do we have to have them help us reconcile every month. Laurie said she needs her help to get caught up. She's waiting for a callbacks from Judy Robertson at the State,

and from Keystone on some issues she has run into. She doesn't want to use them anymore than she has to and she won't, but she wants the ability to use them if she needs them. Jim asked when does she forecast to get caught up. Laurie said she hopes to have everything done by the 1st of August. Rick asked for clarification on what that means, bank recs and the like. Ashley asked if that meant she would have bank rec done up to July. Laurie said July is not over yet and you can't start a bank rec until the 11th of the following month because you have to wait until the bank statement comes in, so through June is what she is looking at. Rick asked Laurie if she is most likely not done spending money on outside services to do bank recs. Laurie said she hopes to not but wants the ability to do it if she needs help. Laurie said by the Indiana Code she has the ability to hire whatever help we need. Ashley said we had a budget and we are now over that budget so they just need to know how much more she is expecting so we can have that conversation of what we need to additionally appropriate. Laurie said the problems she sees in the town's budget is there are not department budgets. There should be a legal fee for each department, saying the breakdown of legal expenses includes all departments together, and doesn't show what each individual department has spent. Laurie and Ashley agreed they need to address how much more is needed for the next 6 months.

- Ashley moved to approve the claims as presented, and Jim seconded. Rick asked for any further discussion.
- Laurie asked about the claim for Birch Kauffman, LLC that the council did not approve at last month's meeting, saying she received a past due invoice and she needs to let him know whether the claim is approved or not. Jim said it is not in this list. Rick said it's not in the listing and we denied it before so I'm not sure what to say at this point. Laurie said it wasn't denied, it was tabled last month. Rick said you're right, it was tabled. Laurie said you wanted to have Adam's advice. Rick said you're exactly right. He asked for a motion to approve that particular claim. Jim suggested dealing with the motion on the table and Craig said they needed to pass the motion on the floor for all the claims.
- Hearing nothing further, July 18, 2023, claims were approved unanimously.
- Rick called for a motion to approve the claim, asking was the claim for Jack Birch. Laurie said the claim is for Birch Kauffman LLC. No motion was made. Rick said the motion dies, there is no motion made, so it will not be approved. Laurie said at the last council meeting, it was said that they were going ask Adam for his advice. Rick said they did, and asked Adam to reply. Adam said he provided his advise to Rick with regard to the ordinance that specifically states that you can hire outside services up to \$5,000 without approval of council if those things are budgeted, so there's some question in the determination as to whether or not this general legal fund is part of the clerk's office or if it's separate and then also with regard to any determination the council may make with regard to the purchase of the legal services provided. He also said he didn't want to take one position or another, having the fact that my fees come out of that same account, so as to take a position felt like a conflict with regard to his fees. He has a lot of respect for Jack and the job and services he provides, but he thinks it is ultimately up to council.

“Winona Happenings”

- July 22 from 12:00 to 5:00 pm. – Jazz Fest at Miller Sunset Pavilion
- July 22 from 12:00 to 4:00 pm– Splish Splash Winona
- August 5 from 3:00 to 6:00 pm – Family Fest at Miller Sunset Pavilion

Town Council of Winona Lake
July 18, 2023

- August 7 from 11:00 am to 1:00 pm – Back to School Lunch with Winona Lake PD at the WLLP under the pavilion
- August 12 – Sidewalk Sale in the Village at Winona

Rick said the KLA is looking for people and the cost is \$500.

Craig said the roundabout ribbon cutting at noon on Friday.

Ordinance 2023-7-1 Establishing an Ice Rink Fund

- Rick asked for approval of Ordinance 2023-7-1, to establish an Ice Rink Fund. Even though we appropriated and budgeted for the ice rink fund, we still need to establish a 2415, the number of the account, ice rink fund.
- Austin made the motion to approve Ordinance 2023-7-1 and Heather seconded.
- Rick asked for any discussion. Jerry Nelson asked if they would explain what the fund does, how much money and if it was tax dollars. Craig said he's not sure if all of it is. It's the revenue that we would take in. It's just basically the revenue that's there will now go into the fund so it can be spent. Jerry asked if it was for \$15,000. Craig said it's more than that. Rick said \$88,000 was from last year and \$15,000 so far this year.
- Hearing no further discussion, the motion passed unanimously.

Memorandum of Understanding with Park Board

- Rick asked if Holly wanted to speak to that. Kristie Maiers, Park Board President, said the MOU is part of the final stuff with NPS and the DNR to get our signature in September for the \$500,000 grant. Upon review 2 weeks ago, MPS determined that the greenway, which all of us love coming through the park property, was not listed as an asset over the past 15 years on the park or the town. This is just a legal agreement that states that going forward the town maintains the greenway but the park board does give permission for it to go through so it's kind of a going in the backway. Adam added this is part of that process as you're going through, so when the feds and state say where's your agreement, we have those thing sured up.
- Ashley made the motion to approve the MOU with the park board, and Heather seconded. Hearing nothing further, the motion passed unanimously.

Heritage Trail East Agreement

- Rick said this is an agreement between the town and Global Paving for the Heritage Trail East that runs between Lakeland Christian Academy and Racoon Run. This was awarded back in 2021 but we were waiting till the waterline was placed and now we can start the project soon. Craig said this is the one last month that we thought was going to be quite a bit more than what we anticipated. There had been some miscalculation on the part of the contractor and we think that, talking with the town engineer, that we can stick pretty close to that original bid and so we're requesting approval.
- Jim made the motion to approve Heritage Trail East agreement, and Austin seconded. Hearing nothing further, the motion passed unanimously.

Police Department Purchase Approval

- Phill Hawks, DARE Officer, said in keeping with tradition that Chief Hawn has started, we take the Lakeland 8th grade DARE class to a football game at the Indianapolis Colts. They do a faith

Town Council of Winona Lake
July 18, 2023

and football program one time a year and they allow, after the football game, whoever you bring to go down on the field for 45 minutes to an hour and then they bring out certain players, coaching staff, and other members of the team to talk about their faith and how they live their life every day being with the organization. It's a really great event, I've gone in the past. The Miller Foundation has always blessed us with the ability to go do that because the tickets are not cheap and we take, this year there's 31 students. And if you're taking 31 students, you need a lot of chaperons. There's never a shortage of people that want to go to help, but it's a great thing for these kids to go out and see what faith is like out in the real world and in the sports. The money was donated already by the Miller Foundation, and this request is just for approval to purchase the tickets for the \$5,680.

- Jim made the motion to approve the purchase of some football game tickets, and Heather seconded. Hearing nothing further, the motion passed unanimously.

Designation of July Park & Recreation Month

- Holly said this is just a way to publicly recognize and thank, not only her park board, but all of her staff, publicly.
- Rick said the document designates July 21 as park and recreation professionals' day as park and recreationals month.
- Jim moved to accept July 21 as park and recreation professionals' day and Heather seconded. Motion passed unanimously.

Report from Town Attorney

- Adam said he has been working on the line items that were before you tonight (inaudible) 24 hours but also wanted to (inaudible) thank you (inaudible) last month I also attended the AIM legal seminar which is a part of the contract with the town to help with some of the expenses related to that, and so it was a good opportunity to catch up and learn what's new and what's coming down the pipeline (inaudible) to try and sharpen my knowledge base.

Report from Town Engineer

- Aaron was not present. No report was given.

Reports from Supervisors

Steet Department/Tim Goshert – We're doing alleys and researching alleys, trimming trails, and just a little bit of everything.

- Park Dept./Holly Hummitch – We are 7 weeks in of summer programming and still at full capacity, so it's been nonstop. It's been a great summer so far. She said the park board has a few questions and asked if Kristie could come up. Kristie Maiers, Park Board President, addressed Laurie and said the park board gets copies of the appropriation report and has some questions on the financials. So the appropriation report that was printed on 7/14/23 under park salaries for SEMERY shows currently it was budgeted for \$26,000, year to day expenditure was \$565, so the park board is asking where Steve's salary is coming from and normally we would be able to answer these questions but since we don't receive vouchers each month anymore, at the park board meetings to know what expenditures are, that's why they've come up with these questions. Can you answer that by any chance? Laurie said not without looking into it. Kristie said she's sure Steve has been paid more than \$565 and Laurie agreed. Kristie said if you could take a look into

that and email her and Holly the answer for our park board meeting. Our next one is next week. Kristie said the question she personally has is a negative under the park salary in cleaning and maintenance, negative \$1019.01. Nothing was ever budgeted in that line so she has a question with regards to that. Laurie said it's not an appropriated amount so that's why it's a negative figure. Kristie said she needs to know what it is because so the park board looks at this, it's negative, so nothing should have been taken out, so she's trying to figure out is it just an error in clerical? Laurie said it's an error in the report. Laurie said she was writing down the questions and will get them to you tomorrow morning. Kristie said the park donation fund report showed a balance of \$130,285.74 on 7/14 and a detailed appropriation report for that fund on the same day shows a negative balance of \$85,086.47. This is why we want a fund detail history because she needs to know what's been taken out. Laurie said we don't take anything out unless we've been given a claim or an invoice to pay out of it. Kristie said I'm not sure you're understanding, but of the APR accounting bills that have been turned in for the engineer work for the grant, have all been coded to come out of the 2302 fund. Laurie said she would be in at 8:00 in the morning. Stop in and we will look them up. Kristie said she will send a detailed email. She is not available tomorrow morning or Thursday. Holly said she would like to address on the appropriation report, how she had mentioned Steve's line hadn't been touched for his portion of his park salary, also my summer staff line that's budgeted for \$30,000 still sits at \$30,000. She said she knows they are getting paid, she's not sure where they are getting paid from. Laurie said she knows we have problems with our payroll program that Lisa has been looking into, so we will look into it and let you know.

- Fire Dept./Terry Himes – Nothing new. It's been kind of quiet. They've been helping other counties out and doing a lot of public appearance stuff.
- Police Dept./Joe Hawn – That jacked up on mountain dew back to school special is not just for the kids. It's for everybody, so if anybody wants to come, they're getting fed. We've got hamburgers, hot dogs, all sorts of stuff. We actually use a lot of the leftovers from family fest, so that's for everybody. We have had events every weekend. It's kind of winding down a little bit. We had a first-time event that we did that was really fun. He said he found out how hard the girls work down at Social work dipping ice cream out because he did it for a couple hours and it is not easy but it was a really fun event that we did this year.

Other Business

- Austin asked Laurie when Suzy did the bank recs from October through December, did you give her access to Gateway. Laurie said no. Austin asked how the process went and if there is a way we can speed up the process for the January through June bank recs. Laurie said once it's completed, then we upload it into Gateway. Austin asked what she actually did, and how she completed it so it was uploaded. Laurie said she gave her access to her computer to do the work, which is the same thing that the gal at Baker Tilly did too. She could access my computer on evenings or weekends to work on it because you need to be here and would be too hard for her to come here. Rick asked if that's on Gateway or Keystone. Laurie said that's Keystone. The only person that can get in Gateway is myself or Baker Tilly can upload budget stuff, which they had previously done. Austin said he is concerned about the timeline for bank recs through June 30th because the budget committee is trying to move forward and it's been difficult because the bank recs need to be done for us to really make any headway and actually plan for the budget workshop in August so the sooner we can get those bank recs done it's only going to help us tremendously so I know you said August 1st that'd be great. Laurie said you have the funds or the appropriation reports that tell you

Town Council of Winona Lake
July 18, 2023

what we have. The bank recs is just a matter of balancing the checks that've been sent out with the bank, and you don't have that information. You have the reports out of Keystone. Austin said it's part of the report that we need to do the budget. Laurie said she's been in contact with Judy Robertson and August 1st is what I'm shooting for and that's plenty of time to get the 2024 budget done. Jim said in looking at this month's voucher registry, there's 54 payments that the council just reviewed and approved. Besides that and payroll, are there a lot of ins and outs on a monthly basis? Laurie said right now we're got state tax board that's in the office, that we are trying to get information to them on a daily basis, so it's not like we are working strictly on the bank reconciliation. Jim said they haven't been here for 6 months. Laurie said they've been here since May and Suzi didn't get done until March. Jim said there's 55 or so transactions a month against these bank records. Rick asked if he had a question with that and he said he was just trying to understand the time it takes to do the reconciliation. If the council's approving the vouchers, accounts for virtually all the town's expenses minus payroll, I'm trying to understand the workload. Rick asked if Laurie had a response. She said, no, I will take your concerns or questions under advisement, thank you. Jim asked if she could confirm besides the voucher registry in this month, we just approved 54 payments, besides that and then the combination of payroll, would there be other areas that the town would have expenses that aren't being captured, that have to get reconciled? Laurie said those expenditures are on the accounts payable voucher registry summary. Jim said ok, so that's the extent of it. Rick said the answer is no, I would guess, I don't want to speak for you, Laurie, but asked if the answer to Jim's question is no? Laurie said the expenses that the town incurs are on the accounts payable voucher registry, which you have on a monthly basis. Rick said we're going to have a changeover here in (inaudible) the clerk's office, eventually as we go, and asked what role are you playing to help to make that happen, to make that changeover happen? How are you cooperating with the group that Austin and others are working on for the budget? Laurie asked what group is this? Rick said Austin, and the committee we have, Austin and Heather are working on the budget for next year. Laurie said well, Ashley had sent me a request for some information and we tried to get that today but the reports were not running correctly with the information that was on there and as soon as we hear from Keystone, she told Ashley she would get her those reports. Rick said, you didn't answer my question. SO, in preparation for the budget for next year, what is your role to assist in a professional, and cooperative way with the committee to make that happen? Laurie said, well, I forwarded everything that she has received from the Department of Local Government Finance to Heather, Rick, and Craig to work on the 2024 budget. Rick asked is the budget the responsibility of the clerk treasurer? Laurie said no, it is the responsibility of the council. Rick said it's our responsibility to approve it, who's responsibly is to create it? Laurie said she would think it's the council's. Rick said he doesn't believe that's accurate, he's not an attorney, and we have one here, and I don't know if Adam knows the answer to that question, but it's not his understanding that it is not their job to create the budget, it's their job to approve the budget once it is created. Laurie said she didn't create the budget. Laurie said she helped with budget last year, but the people that worked on the budget last year was Craig, Meghan and herself but the majority of the work was done by Meghan, but there should have been meetings with the different departments to get their take on what they want to do or what's coming up for the future year. Rick said, my question still stands, what is it you're doing besides just providing information? Are you being active in helping for the budget? It is my understanding that it is the clerk treasurer's responsibility to prepare the budget for the upcoming year, and you don't think that's the case? Laurie said she is looking... it says prepare for the legislative body the budget estimates of miscellaneous revenue, financial

statements, and the proposed tax rate. Rick said there you go, my question still stands, what is it you're doing to help to make that happen for next year? Laurie said I don't know what you as a council wants for a budget for next year. I have no idea what you're proposing. I can give you what the budget was last year and I would look to see what has been spent to June 1st to know what you need to increase each department. That's what I did when I was at the county. Rick said well, we're not at the county, we're at the town of Winona Lake at this point, and it is important that the clerk treasurer play a very strong role in preparing the budget. I know we've had a transition before, several years ago, and that clerk treasurer helped prepare the budget for the next year after that person was going to go out of office, so I would encourage you to participate, and to cooperate, and be professional in this approach, so that is my encouragement. Ashley said I am new so I've never been through the budget process before but I have been doing a lot of research and looking at the state websites and how it generally goes, different forms that have to be completed and submitted to the state, and the different information the state gives to the treasurer, so the treasurer does play a big role in helping us create it because we do not have access to those sites and those, competing those forms and putting in the information for those forms, so I think that's kind of what you're meaning. Rick said that's exactly where I'm coming from. Ashley said so the treasurer is a big part of helping all of us, the departments and the council, put together the budget and then put it in to the system so that we actually have one to look at. Rick said it is our expectation that that will happen, and your cooperation. Laurie said Rick, when you came in and talked to me, I told you that I would upload the 2024 budget into Gateway for you. Rick said sure, that's part of your role as well. Also, preparing, helping prepare the budget is part of your role as well. Laurie said I've not been contacted other than requesting forms and I've given then form to you that I can. Rick said you've been contacted by the state because you're the one that's supposed to do it and you've been forwarding all the stuff to us. Ashley said to us, but we don't have access to the systems to do the work. Jim asked Laurie to remind him who did the budget last year. Laurie said Craig, Meghan, and I worked together on the budgets. Jim said ok, and Meghan was in what role, remind us. Laurie said she was Kent Adams chief deputy. Jim said well last year though, she was in what role? Laurie said she was chief deputy. Jim said so there's a deputy clerk treasurer now too, right? Laurie said there is. Jim said they're getting compensated to do that role and Laurie said no, Meghan took that role on because it wasn't done otherwise. Jim said Meghan was compensated to be the clerk treasurer and we have a clerk treasurer now that's being compensated. Rick said deputy. Jim said deputy clerk treasurer, we have a person now that's in that role that's being compensated as well. Rick said it is your role to do this so I'm not sure how much farther we're going to get with this discussion tonight. It is our expectation that you will assist with that.

Floor Topics

- Jerry Nelson said if your goal at these council meetings is to embarrass the clerk treasurer it gets a little old folks. Unknown speaker said are you kidding, seriously? Jerry said let me tell you, conduct the council meeting and the town's business. Rick said we are. Jerry said I don't believe that. Thank you.

Holly asked to speak real quick and said it's not the goal but it makes it really hard to do your job on a day to day basis when things don't get answered. It's very frustrating when you ask questions, and you don't get answers. So if we don't have the stuff we need to do our job we can't do our job. Jerry said you know where the clerk treasurer's office is, everybody here does.

Unknown speaker said Holly, it's not even worth engaging, it's (inaudible). Move us on, Rick.

Town Council of Winona Lake
July 18, 2023

- Kami Johnson said just to go onto that, if they don't do this in a public setting it looks like they are not doing their job. They're doing an excellent job. I don't know if there's like a job description that goes with this office of clerk treasurer, but I think it would be very helpful if there is, to make it a requirement for them to attend in person, and another thing, you know we've got two other people in this office that we're paying for and then we're hiring all these outside people. Would it be cheaper and more cost effective as you dig into the budget to scrap and start over and hire an accountant to work in this office that would be a consistent position every year that is trained for bookkeeping and knows how to do this instead of paying all these other people. Rick said sure, there are statutory requirements on how it needs to be run. Kami said I don't know what we need to do but this is crazy.
- Retha Hicks said I've been a clerk treasurer for 18 years for the town of Winona Lake and for the last 12 I've been out across the state training other clerk treasurers and one of the comments that I shared with the council is the clerk treasurer's responsibility is to have the finances up to date to share with them so they can make good decisions, and I was the clerk treasurer for 18 years. We all worked good together to do the budget but I was the one that prepared it and got the reports for everyone and yes, you talk to your supervisors and get their input but it's the clerk treasurer's responsibility to prove that that will be financially stable and the council approves it.
- Donald Granitz said on a positive note: an attaboy for Tim and his crew. We live 1605 Park Ave. It's right across from the marshy grass area south of the creek. He said he had told Tim about a ratty post and about a 10-foot bar going across that used to be there to block off a lot that used to be there to keep cars out of the low curve. He came and pulled it out and fixed the curb and it's all done. Thanks for all you do to keep Winona clean and nice.
- Cindy Hepler said she was told you might be looking for volunteers for family fest and asked if there was a sign-up sheet. Craig said it's kind of like last year. He or Holly will get some information out to you.
- Allie Daugherty, Indiana Office of Community and Rural Affairs, said I service as the northeast community liaison, and I wanted to bring information today on the broadband program that's across the state right now. This is for any residents currently that are not served by 25 over 3 speeds or better. She has a flyer for every single council person I am leaving today along with my card. If you've got questions, please feel free to catch me after the meeting or I'm happy to chat about any other topics you have questions on. Craig asked if she was with OCRA and where she is based out of. She said she lives in Noble County and she has a 15 county region here in northeast Indiana. Craig asked if she would contact him about some questions he has.

Meeting adjourned – Austin motioned to adjourn. Meeting adjourned at 6:57 p.m.

RICK SWAIM
PRESIDENT

LAURIE RENIER
CLERK TREASURER