

WESTVILLE TOWN COUNCIL
APRIL 09, 2024
REGULAR MEETING
100 SETSER DRIVE
7:00 P.M.

AGENDA

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

APPROVAL OF CLAIMS

UTILITIES

MCO REPORT

AMENDMENT #1 WCC SEWAGE PROJECT

STREETS

DEPARTMENT HEAD REPORT

PARKS

POLICE

DEPARTMENT HEAD REPORT

ORDINANCE 2024-5

FINANCE

MISCELLANEOUS

WVFD ACTIVITY REPORT

CITIZENS COMMENTS

ANY OTHER MATTERS WHICH PROPERLY COME BEFORE THE COUNCIL

ADJOURNMENT

WESTVILLE TOWN COUNCIL

APRIL 09, 2024

MINUTES OF MEETING

The regular meeting of the Westville Town Council was held at the Westville Town Complex Community Room, 100 Setser Drive at 7:00 p.m. Present: Michael Albert, Leann Deal, James Bechinske, Olga Pothorski, Lori Hunt, Clerk-Treasurer; Town Attorney, Doug Beige.

Absent: Deborah Kelly

The Pledge of Allegiance was recited.

Michael Albert stated that ADA/Title VI grievance forms and a voluntary public involvement survey are available for anyone interested.

A motion was made by Michael Albert to approve minutes of the March, 2024 meeting. Olga Pothorski, second. Roll Call: Bechinske, yes; Pothorski, yes; Deal, yes; Albert, yes.

A motion was made by James Bechinske to approve claims for the month of March, 2024. Leann Deal, second. Roll Call: Bechinske, yes; Pothorski, yes; Deal, yes; Albert, yes.

UTILITIES

Nathan Howell gave a summary of the MCO report for March. It is attached.

Nathan Howell stated that South Coast Conservancy District showed interest in purchasing the old sewage plant generator.

Nathan also stated that the county contacted him regarding their portion of the drainage issue at Fieldstone Subdivision. The county asked Nathan if they could tie into the town's line. However, Nathan stated he is not sure whose line it is, but the county believes it may be their line. Nathan believes they will put an inlet in and tie into the line which will drain into the retention pond. Michael Albert made a motion to allow the county to tie into the storm sewer line at Fieldstone Subdivision. James Bechinske, second. Roll Call: Bechinske, yes; Pothorski, yes; Deal, yes; Albert, yes.

Michael Albert stated due to the Indiana Department of Corrections (IDOC) administrative process, we will have to reapprove amendment #1, contract # 43046, that was approved at the March meeting. This amendment applies to Westville Correctional Facilities minimum bill and monthly credit. There are no changes from the amendment that was approved in March. Michael Albert made a motion to approve amendment # 1, contract # 43046 between the town and the IDOC. James Bechinske, second. Roll Call: Bechinske, yes; Pothorski, yes; Deal, yes; Albert, yes.



STREETS

There was nothing to report in Streets.

PARKS

Olga Pothorski stated the Easter Egg hunt with the American Legion was a big success.

POLICE DEPARTMENT

Marshal Corey McKinney reported the monthly stats.

Michael Albert read Ordinance 2024-5 by title only. Marshal McKinney stated the fines in Ordinance in 2007-3 regarding commercial vehicles within the Town limits, need to be updated. In trying to stay in line with the county's fines, he would like to have Ordinance 2007-3 amended to reflect the new fines.

Michael Albert made a motion to approve Ordinance 2024-5 on the first reading. James Bechinske, second. Roll Call: Bechinske, yes; Pothorski, yes; Deal, yes; Albert, yes. Michael Albert made a motion to suspend the rules and adopt Ordinance 2024-5. James Bechinske, second. Roll Call: Bechinske, yes; Pothorski, yes; Deal, yes; Albert, yes.

FINANCE

There was nothing to report in Finance.

MISCELLANEOUS

There was no one in attendance from the WVFD.

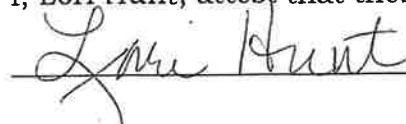
Michael Albert asked Marshal McKinney if he would be able to pull the Westville Volunteer Fire Departments calls for service report for 2023. Marshal McKinney stated he would contact the county for this information.

CITIZENS COMMENTS

ANY OTHER MATTERS THAT COME BEFORE THE COUNCIL

A motion to adjourn was made by Michael Albert at 7:15 pm. James Bechinske, second. Motion carried.

I, Lori Hunt, attest that these minutes are true and accurate.





Town of Westville
March Monthly Report of Operations
Prepared By: Nathan Howell
April 9, 2024

WATER

New Items

1. The lead water service inventory project is proceeding.
2. There is a leaking water valve on Plain Street which was caused when we exercised the valves prior to repairing the broken valve. The valve has not stopped leaking as of yet. We will most likely replace it within the next month.
3. We have spent a considerable amount of time with the design and planning of the new water plant and water main project.

Old Items

1. GIS – Limited progress has been made.

WASTEWATER

New Items

1. Manhole and sanitary sewer cleaning will resume this summer.
2. The South Coast Conservancy District has shown interest in purchasing the old generator.
3. The Nash Finch Lift Station control panel will be replaced this month.
4. The relocation for the force main, due to the round-a-bout installation at Hwy 6 and 421, is under construction.
5. We met with Bowen on site to look at the upgrade to the Westville Estates Lift Station. We are going to have McMahon draw up a site plan. We need to install a manhole for a valve vault and flow meter prior to upgrading the pumps.

Old Items

1. There is still an issue with the mapping system at Fieldstone Subdivision. The sanitary sewer locations on the atlas were wrong on two streets. We found three manholes, which two are buried very deep, and there may be severe conflicts with fences in the rear lots. We will contact a contractor to assist with this. We had M.E. Simpson on site to assist in locating services and shut-off valves. We have found nearly half of the valves which could not be found. We are trying to find a contractor who will bring the manhole lids to grade.

2. We were involved with the sewer connection to the duplex built on Flynn Road across from the grocery store- No progress has been made.
3. The Coulter Road force main will need to be replaced. We have several ideas for this.
4. The manhole lid on one of the manholes on Flynn Road north of McDonald's broke into pieces. Adam found a lid which fit and sealed it to the frame with mastic. Bowen will replace two lids total. We are waiting for a proposal to replace two frames and lids. Bowen is trying to find the proper frame and lids.
5. The WWTP improvements are about 95% complete. Everything is operational except for the effluent reuse system. The new sewer installation to the WCC facility is proceeding.

Town of Westville - Operational Summary for the Wastewater Treatment Plant

Influent

2024	Total Gallons	Flow			BOD		TSS		Ammonia		Phosphorus	
		Max. Daily	Min. Daily	Monthly Avg.	mg/l	#'s	mg/l	#'s	mg/l	#'s	mg/l	#'s
January	21,288,940	840,000	584,000	686,740	81	460	129	747	14.2	81.4	3.1	17.8
February	20,784,300	839,000	610,000	716,700	92	554	153	920	13.6	78.4	2.8	16.7
March	21,452,500	877,500	562,400	692,000	96.2	542	165	927	14.7	84.9	3.1	17.9
April												
May												
June												
July												
August												
September												
October												
November												
December												

Effluent

2024	Total Gallons	Flow			BOD		TSS		Phosphorus		Ammonia	
		Max. Daily	Min. Daily	Monthly Avg.	Monthly Avg.	% Removed	Monthly Avg.	% Removed	mg/l	% Removed	mg/l	% Removed
January	21,226,000	868,000	571,000	684,71	2.3	97.2	5	96.1	.58	81.3	.02	99.8
February	20,414,000	808,000	610,000	703,900	2.7	97.1	4.3	97.2	.53	88	.14	99
March	21,185,000	878,500	535,200	683,400	2.2	97.7	5.1	96.9	.37	88.2	.02	99.8
April												
May												
June												
July												
August												
September												
October												
November												
December												

Town of Westville – Operational Summary for the Water Treatment Plant

Month Ending	Total Monthly Flow	Maximum Daily Flow	Minimum Daily Flow	Average Daily Flow	Chlorine Usage (lbs.)	Fluoride Usage (lbs.)
01/31/24	4,641,000	279,700	77,700	149,200	68	0
02/28/24	4,428,800	222,500	79,500	152,700	68	0
03/31/24	4,813,300	279,300	72,300	159,400	73.2	0
04/30/24						0
05/31/24						0
06/30/24						0
07/31/24						0
08/31/24						0
09/30/24						0
10/31/24						0
11/30/24						0
12/31/24						0

AMENDMENT # 1
Contract # 43046

This is an Amendment to the Contract (the "Contract") entered into by and between the Indiana Department of Correction (the "State") and the Town of Westville (the "Contractor" or "Town") approved by the last State signatory on October 23, 2020.

In consideration of the mutual undertakings and covenants hereinafter set forth, the parties agree as follows:

1. The Contract shall terminate on June 30, 2041.
2. This Amendment #1 supersedes the document "*First Amendment to Wastewater Treatment Agreement Between the Town of Westville, Indiana and the Indiana Department of Correction*" as it was not executed in accordance with IC 4-13-2-14.1.
3. Section 2(b)(3) of the original contract, "Consideration" is modified in the following manner:

(3) The Town agrees to provide the notice to:

Indiana Department of Correction
Chief Financial Officer
302 W. Washington St.
Room E334
Indianapolis, IN 46204

The charge and fees for sewer service as outlined herein will be in full force and effect upon the date of first invoice, December 2023.

At the current rates and charges and upon the commencement of service, the amount to be paid by the State for sewer services shall be based on measured use applied to the rate per 1,000 gallons as follows:

Sewer Charge per 1,000 Gallons: \$8.37

The State shall pay a minimum monthly charge in the amount of \$130,603.00 which is based on 15,603,750 gallons per month. All usage in excess of 15,603,750 gallons shall be assessed at the sewer charge per 1,000 gallons stated above. This does not include additional charges should the effluent exceed CBOD and/or TSS, ammonia standards established by the Town for all customers. In addition, commencing with the first month the State receives a bill for service from the Town's sewage works and continuing thereafter for a period of five (5) years, the State shall receive from the Town a flat credit per month of \$12,167.00. The total credit over five (5) years is \$730,020.00.

The following paragraph is added at the end of Section 2(b)(3):

For the billing periods of December 2023 to March 2024, the Town shall provide corrected billing to the State to reflect the changes in minimum monthly charges. The corrected billing shall reflect the difference in the increased monthly minimum and the amount paid by the State for the aforementioned billing periods.

4. The Contract is amended by adding the following:

A. Minority and Women's Business Enterprises Compliance.

No certified MBE or WBE subcontractors will be participating in this Contract during the extension period.

B. Indiana Veteran Owned Small Business Enterprises Compliance.

No certified IVOSB subcontractors will be participating in this Contract during the extension period.

All matters set forth in the original Contract and not affected by this Amendment shall remain in full force and effect.

Non-Collusion and Acceptance

The undersigned attests, subject to the penalties for perjury, that the undersigned is the Contractor, or that the undersigned is the properly authorized representative, agent, member or officer of the Contractor. Further, to the undersigned's knowledge, neither the undersigned nor any other member, employee, representative, agent or officer of the Contractor, directly or indirectly, has entered into or been offered any sum of money or other consideration for the execution of this Amendment other than that which appears upon the face hereof. **Furthermore, if the undersigned has knowledge that a state officer, employee, or special state appointee, as those terms are defined in IC § 4-2-6-1, has a financial interest in the Amendment, the Contractor attests to compliance with the disclosure requirements in IC § 4-2-6-10.5.**

Agreement to Use Electronic Signatures

I agree, and it is my intent, to sign this Contract by accessing State of Indiana Supplier Portal using the secure password assigned to me and by electronically submitting this Contract to the State of Indiana. I understand that my signing and submitting this Contract in this fashion is the legal equivalent of having placed my handwritten signature on the submitted Contract and this affirmation. I understand and agree that by electronically signing and submitting this Contract in this fashion I am affirming to the truth of the information contained therein. I understand that this Contract will not become binding on the State until it has been approved by the Department of Administration, the State Budget Agency, and the Office of the Attorney General, which approvals will be posted on the Active Contracts Database:
https://fs.gmis.in.gov/psp/guest/SUPPLIER/ERP/c/SOI_CUSTOM_APPS.SOI_PUBLIC_CNTRCTS.GBL?

In Witness Whereof, the Contractor and the State have, through their duly authorized representatives, entered into this Amendment. The parties, having read and understood the foregoing terms of this Amendment, do by their respective signatures dated below agree to the terms thereof.

[Contractor]

[Indiana Agency]

By: 

By: _____

MICHAEL ALCOTT, Council President
Name and Title, Printed

Name and Title, Printed

Date: APRIL 9, 2024

Date: _____

Approved by:
Indiana Department of Administration

By: _____ (for)
Rebecca Holwerda, Commissioner

Date: _____

Approved by:
State Budget Agency

By: _____ (for)
Zachary Q. Jackson

Date: _____

APPROVED as to Form and Legality:
Office of the Attorney General

_____ (for)
Theodore E. Rokita, Attorney General

Date: _____

Approved by:
Indiana Office of Technology

By: _____ (for)
Tracy E. Barnes, Chief Information Officer

Date: _____

ORDINANCE NO. 2024-5

**AN ORDINANCE OF THE TOWN OF WESTVILLE, INDIANA AMENDING
ORDINANCE 2003-7, REGULATING THE OPERATION OF COMMERCIAL
VEHICLES WITHIN THE TOWN LIMITS OF WESTVILLE, INDIANA**

WHEREAS, the Westville Town Council has determined that the unregulated operation of Commercial Vehicles within the Town limits is a public nuisance and detrimental to the health, safety and welfare of the citizens of the Town; and

WHEREAS, the Town council has the authority pursuant to I.C. 9-21-1-2 and 3 to establish ordinances with respect to the control of local streets and highways in the Town; and

WHEREAS, an ordinance regulating Commercial Vehicles is necessary in order to protect the health, safety and welfare of the citizens of the Town of Westville.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTVILLE, LAPORTE COUNTY, INDIANA, THAT ORDINANCE 2003-7 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 11, page 3 of Ordinance No. 2003-7 is hereby revised and amended to state as follows:

Violation of this Ordinance shall be punishable by a fine of \$200.00 for the first violation and \$250.00 for a second or subsequent violation within one calendar year. Each incident in violation of this Ordinance constitutes a separate violation. In addition the Town of Westville may seek injunctive relief against all person, firms, corporation or other entity who violate the provisions of this Ordinance.

Except as expressly modified by this Ordinance all other parts or provisions of Ordinance 2003-7 shall remain in full force and affect.

If any portion of this Ordinance shall be held invalid or unconstitutional by any court or competent jurisdiction, such decision will not affect any other portion or provision of this Ordinance.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, reestablished, and confirmed.

This Ordinance shall be in full force and affect from and after its adoption and any procedures required by law.

All of which is Ordained by the Town Council of the Town of Westville, LaPorte County, Indiana by a vote of 4-0 of all members present and voting this 9th day of April, 2024.

WESTVILLE TOWN COUNCIL

BY:

Michael Alford

James Pugh

Leann Deal

Aggel Potkoreske

ATTEST:

Lori Hunt

Lori Hunt, Clerk-Treasurer of the Town
of Westville, IN.