

TOWN OF MERIDIAN HILLS
TOWN COUNCIL MEETING MINUTES
October 14, 2024, 7:00 PM

GOVERNED BY ROBERT RULES OF ORDER

1. President Freihofer called the meeting to order after confirming the Quorum. The following were in attendance:
 - Walter Freihofer, Town Councilor – President - Present
 - John Dillon – Clerk Treasurer - Present
 - Greg Jacoby – Town Councilor - Present
 - Colleen Field – Town Councilor - Absent
 - Cole Marr – Town Councilor - Present
 - Zach Gordon – Town Councilor - Absent
 - Willie Hall, Crossroads Engineer – Town Engineer - Present
 - Ryan Mann, Town Attorney - Present
 - Mike Russo, Town Marshall - Absent
 - Jim Higgins, LWG CPA Firm | Financial Consultant - Present
2. Pledge of Allegiance – Walter Freihofer
3. Resident Forum – Mitchell Kompman attended the meeting
4. Approved of Minutes – September 9, 2024
 - Walter - Moved
 - Cole – Second
 - 3 - 0
5. Clerk Treasurer Report
 - Approval of the Voucher Packet
 - Cole moved, Greg Second
 - All 3 – 0
 - See Exhibit C
 - Approval of Claims and Warrants
 - Cole moved, Greg Second
 - All 3 - 0
 - Council Acknowledgement of the September Financial Packets
 - President Acknowledged
 - Council Acknowledgement of the Updated Cash Flow Projections as of September 30, 2024
 - President Acknowledged
 - Council Approval of the September 30 Bank Reconciliations
 - Cole Moved, Greg Second
 - All 3 – 0
 - See Exhibit D

6. Motion to review the 2025 Budget Ordinance and vote on the budget.
 - Greg Moves, Cole Second
 - All 3 – 0
 - See Exhibit A
 - Adoption of a Resolution Reducing the 2024 Budget Appropriations
 - Greg moved, Greg Second
 - All 3 – 0
 - See Exhibit B
7. Police Report - None
8. Report of Town Attorney – See Exhibits
9. Report of Town Engineer (William Hall)
 - Updated Monthly Report – (Unchanged, no new report items)
 - 2023-02 Pavement Maintenance Update - Change Order #1 was presented, approved, and signed by the Council. A Pay Estimate will be forward to Jim Higgins asap for processing payment to Howard Companies.
 - Funding Applications: - (Unchanged, nothing new to report)
 - 2024-01 CCMG Application- Project is awarded and INDOT CCMG funds have been requested.
 - 2024-02 CCMG: Submitted
 - 2024 Indy NIP Application-Approved
 - Pennsylvania Street Speed Sign - Discussion was had and additional information will be brought to the November meeting. To look for refurbished options and provide thoughts on benefits of speed radar signs.
 - 7401 Holliday Drive W. – ROE / Private Pipe Discussion - Additional discussion at November meeting after Town's meeting with Indianapolis BNS permitting staff.
 - Street ID Sign Quote Package - Quote package is currently being completed and will be finished soon. Current estimate is at \$41,500. CRE to meet with Signarama to discuss additional options to see if there are cheaper options for sign replacements.
 - 71st and Penn Stop Signs - Willie to ensure that request for reflective strips on southbound Stop Signs has been sent to Morphey and that they are addressing.
10. Old Business
 - Reminder: 2024 Meeting Dates
 - November 4, 2024 (November 11, 2024, is Official Veterans Day)
11. New Business
 - Red Line
 - Property on sidewalk – 75th Street
 - President Freihofer - Think about replacing Colleen since she is moving – Exhibit E
 - Nominee Time – Appoint in 30 days.
 - Snow removal contract discussion for 11-4-2024 meeting

12. Questions for Council

- Independent

13. Committee Reports

- Development Standard Committee

EXHIBIT A

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
Generated 10/11/2024 6:12:03 PM

Ordinance / Resolution Number: **2024-008**

Be it ordained/resolved by the Meridian Hills Town Council that for the expenses of MERIDIAN HILLS CIVIL TOWN for the year ending December 31, 2025 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of MERIDIAN HILLS CIVIL TOWN, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Meridian Hills Town Council.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Meridian Hills Town Council	Town Council	10/14/2024

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY	\$80,000	\$0	0.0000
0101	GENERAL	\$280,950	\$239,318	0.0764
0706	LOCAL ROAD & STREET	\$100,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$63,000	\$40,000	0.0128
1151	CONTINUING EDUCATION	\$3,000	\$0	0.0000
		\$526,950	\$279,318	0.0892

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9500	DONATION	\$10,000
9501	TOWN BEAUTIFICATION	\$7,500
9502	MVH FUND RESTRICTED	\$60,000
9503	LOCAL ROAD AND BRIDGE MATCHING GRANT FUND	\$470,015
9504	LIT - Public Safety	\$70,700
9505	American Rescue Plan Fund	\$0
9506	Sidewalk Project Fund	\$0
		\$618,215

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
Generated 10/11/2024 6:12:03 PM

Name		Signature
Walter Freihofer	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Walter B. Freihofer</i>
Colleen Field	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Zach Gordon	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Greg Jacoby	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Greg Jacoby</i>
Cole Marr	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Cole Marr</i>

ATTEST

Name	Title	Signature
John Dillon	Clerk-Treasurer	<i>John Dillon 10-14-2024</i>

MAYOR ACTION (For City use only)

Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1

Yes ☐ No ☒

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before December 31

Yes ☐ No ☒

EXHIBIT B

RESOLUTION NO. 2024- 007

WHEREAS, the Town Council ("Council") of the Town of Meridian Hills, Indiana ("Town") has determined that it would be of public utility and benefit and in the best interest of the Town and its citizens to make the following reductions in the 2024 Budget, as adopted by the Council on October 9, 2023 (the "2024 Budget"); and,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERIDIAN HILLS, INDIANA, AS FOLLOWS:

Section 1. Reduction in 2024 Budget. The Council hereby makes the following reductions in the 2024 Budget:

Rainy Day Fund

Services & Charges - Street Maintenance	\$ 15,000
Services & Charges - Other	25,000
Infrastructure - Road Projects	40,000
Total	\$ 80,000

MVH Restricted Fund

Services & Charges - Repairs & Maintenance	\$ 60,000
Total	\$ 60,000

Local Road & Street

Capital Outlay -Paving	\$ 50,000
Total	\$ 50,000

Town Beautification

Services & Charges - Other Services	\$ 7,500
Total	\$ 7,500

Law Enforcement Cont. Ed. Fund

Services & Charges - Other Services & Charges	\$ 1,500
Total	\$ 1,500

Donation Fund

Capital Outlay - Police Equipment	\$ 10,000
Total	\$ 10,000

The Clerk-Treasurer of the Town, as the Chief Fiscal Officer of the Town, is hereby authorized and directed to make such reductions in the 2024 Budget.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and adoption by the Council as provided by law.

Passed by the Town Council of the Town of Meridian Hills, Indiana this 14th day of October 2024.

TOWN OF MERIDIAN HILLS, INDIANA

By: Walter B. Freihofer, Pres.
Walter Freihofer, President

By: _____
Colleen Field, Council Member

By: _____
Zach Gordon, Council Member

By: Greg Jacoby
Greg Jacoby, Council Member

By: Cole Marr
Cole Marr, Council Member

ATTEST:

John Dillon
John Dillon, Clerk-Treasurer

EXHIBIT C

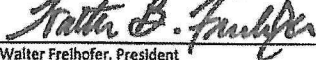
TOWN OF MERIDIAN HILLS, INDIANA

Accounts Payable Vouchers

The undersigned, as the council members of the Town of Meridian Hills, certifies that the invoices attached to this Accounts Payable Voucher listing were approved at a meeting of The Town of Meridian Hills on the 14th day of October 2024.

The Town Accountant, LWG CPAs & Advisors, is hereby authorized to pay the claims attached to this Accounts Payable Voucher listing.

Dated this 14th day of October 2024.*


Walter Freihofer, President

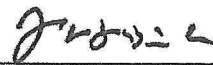
Colleen Field, Council Member

Zach Gordon, Council Member


Greg J. Jurek, Council Member


Cole Marr, Council Member

ATTEST:

 10-14-2024
John Dillon, Clerk-Treasurer

Payment Type	Vendor	Amount	Invoice Date	Date Paid*
3579	CrossRoad Engineers PC	5,921.14	9/4/2024	9/9/2024
ACH	Town Payroll	3,578.61		8/8/2024
ACH	Town Payroll	3,565.61		8/22/2024
ACH	Payroll Taxes	1,003.73		8/8/2024
ACH	Payroll Taxes	983.40		8/22/2024
ACH	Paychex	95.30		8/9/2024
ACH	Paychex	99.00		8/20/2024
ACH	Paychex	98.90		8/23/2024
EFT	SuperFleet	289.96	9/26/2024	9/27/2024
EFT	AES Indiana	672.97	10/1/2024	10/4/2024
ACH	AT&T	591.49	9/16/2024	10/7/2024
ACH	Town Payroll	3,390.84		9/5/2024
ACH	Town Payroll	5,805.25		9/19/2024
ACH	Payroll Taxes	949.58		9/5/2024
ACH	Payroll Taxes	1,720.30		9/19/2024
ACH	Paychex	95.30		9/6/2024
ACH	Paychex	99.00		9/20/2024
ACH	Paychex	113.30		9/20/2024
3580	Penske Chevrolet	3,262.08	10/4/2024	10/14/2024
3581	Hedgeclippers Lawn Maintenance	1,060.00	9/30/2024	10/14/2024
3582	CrossRoad Engineers PC	5,737.66	10/1/2024	10/14/2024
3583	LWG CPAs & Advisors	5,612.14	9/30/2024	10/14/2024
3584	Dentons Bingham Greenebaum LLP	3,000.00	9/27/2024	10/14/2024

Total \$ 47,745.56

* Denotes items previously paid per town ordinance and subject to ratification.

EXHIBIT D

TOWN OF MERIDIAN HILLS, INDIANA

Bank Reconciliation
As of September 30, 2024

Account Balances (Per Bank):

NBOI - Main Checking Account	\$ 935,495.19
Merchants Bank of Indiana - Money Market	97,861.08
TrustIndiana Investment Pool	91,522.57
Total Account Balances	\$ 1,124,878.84

Add: Deposits in Transit

Fund	Receipt Number - Vendor	Date	Amount
		Total	-

Less: Outstanding Checks

Fund	Bank - Check Number- Vendor	Date	Amount
		Total	-

Adjusted Account Balances

Total Fund Balance - Per Books

Variance

Reviewed and Accepted as of

Walter Freihofer, President

Colleen Field, Council Member

Zach Gordon, Council Member

Greg Jacopy, Council Member

Cole Marr, Council Member

ATTEST:

John Dillon, Clerk-Treasurer

EXHIBIT E

MEMORANDUM

TO: Meridian Hills Town Council President and Clerk-Treasurer

FROM: Dentons Bingham Greenebaum

DATE: October 21, 2024

SUBJECT: Statutes and Processes Governing Town Elections and Vacancies

The following memorandum provides an overview of the particular state laws pertaining to the election of town officials in Meridian Hills, the filling of vacancies, and the processes for candidates and officials.

Relevant Statutes

- IC 36-5-2 concerns the governance of Meridian Hills, setting forth the terms of council members, the selection of a council president (who serves as the town executive), and the powers of the council and clerk-treasurer.
- IC 3-10-6 concerns the election of Meridian Hills council and clerk-treasurer, generally.
- IC 3-8-6 concerns the nomination and election of Independent or Minor Party candidates for town office.
- IC 3-13-9-3 sets forth the process for filling a vacancy for clerk-treasurer.
- IC 3-13-9-14 sets forth the process for filling a vacancy on the town council.
- IC 5-4-1-1 proscribes the form and timing of oaths of office.
- IC 5-4-1-18 governs the requirements for certain officials (i.e. a clerk-treasurer) to be bonded or covered by a bond purchased by the town.

Vacancy Process

If a vacancy occurs in the position of clerk-treasurer, a meeting of the town council must be held within 30 days of the vacancy occurring, or in the case of the death of the clerk-treasurer, within 30 days of the council president receiving official notice of the clerk-treasurer's death under IC 5-8-6. If the council cannot identify a replacement for the clerk-treasurer, one of the council members may be appointed to hold the clerk-treasurer role in addition to their council role.

If a vacancy occurs in a council seat, a meeting of the town council must be held within 30 days of the vacancy occurring, or in the case of the death of a council members, within 30 days of the clerk-treasurer receiving official notice of the council member's death under IC 5-8-6. A vacancy on the council can only occur by resignation of the council member, the death of the council member, or if the council member ceases to be a resident of the town or district.

Additional Requirements

- The vacancy shall be filled by the town council at a regular or special meeting.
 - o A clerk-treasurer is selected by a vote of the full council.
 - o A council member is selected by a vote of the remaining council members.
- The council president shall provide notice to the other council members:
 - o In writing
 - o Sent by first class mail at least 10 days before the meeting
 - o Stating the purpose of the meeting, and
 - o Stating the date, time, and place of the meeting
- The newly selected clerk-treasurer or council member must take an oath of office within 30 days of their term beginning and file a copy of their oath a statement of economic interest with the Marion County Clerk's Office.
- The oath of office may be administered by any official listed in statute, which is provided as Attachment A to this memorandum, below. The clerk-treasurer may administer the oath of office for council members; however, if the oath is being taken by the clerk-treasurer, it must be administered by one of the officials listed in statute.

Recommendation and Guidance

- Timing. The meeting must occur within 30 days of the vacancy but written notice is required at least 10 days before the meeting, so it is recommended that the president schedule a meeting and sent notice as early as possible.
- Nominations and Voting. The statute does not proscribe how the council must select a clerk-treasurer or council member. Therefore, we recommend the president proceed under the process proscribed by Robert's Rules of Order for nominating and electing officers, outlined more fully in Attachment B to this memorandum, below.

Attachment A
Officials Who May Administer the Oath of Office

IC 33-42-9-7 Performance of notarial act; evidence of authenticity

Sec. 7. (a) A notarial act may be performed by the following individuals:

- (1) Notaries public.
- (2) An official court reporter acting under IC 33-41-1-6.
- (3) Judges and justices of Indiana courts.
- (4) The secretary of state.
- (5) The clerk of the supreme court.
- (6) Mayors, clerks, clerk-treasurers of towns and cities, township trustees, in their respective towns, cities, and townships.
- (7) Clerks of circuit courts and master commissioners in their respective counties.
- (8) Judges of United States district courts of Indiana, in their respective jurisdictions.
- (9) United States commissioners appointed for any United States district court of Indiana, in their respective jurisdictions.
- (10) A precinct election officer (as defined in IC 3-5-2-40.1) and an absentee voter board member appointed under IC 3-11-10 or IC 3-11.5-4, for any purpose authorized under IC 3.
- (11) A member of the Indiana election commission, a co-director of the election division, or an employee of the election division as defined under IC 3-6-4.2.
- (12) County auditors in their respective counties.
- (13) County recorders in their respective counties.
- (14) Any member of the Indiana general assembly anywhere in Indiana.
- (15) The adjutant general of the Indiana National Guard, specific active duty members, reserve duty members, or civilian employees of the Indiana National Guard designated by the adjutant general of the Indiana National Guard for any purpose related to the service of an active duty or reserve member of the Indiana National Guard.

(b) The signature and title of an individual performing a notarial act in Indiana is prima facie evidence of the fact that:

- (1) the signature is genuine; and
- (2) the individual holds the designated title.

Attachment B
Nomination and Selection Process for Vacancies

Nominating Committee

The council may decide to form a nominating committee when a vacancy occurs. In such cases, the nominating committee will solicit and vet potential candidates and provide a committee report at the regular or special meeting called for the purpose of selecting a new clerk-treasurer or council member. Regardless of whether a nominating committee is formed, nominations should also be taken "from the floor," meaning other council members can nominate candidates.

Meeting Process

1. The president will declare nominations open, without the need for a motion, a second, or vote of the council.
2. The president should then recognize the chair of the nominating committee, who will present the name(s) of candidates the committee has selected to nominate to the full council. If there is a split of the nominating committee, a representative of the minority of the committee may also present their alternative candidate(s).
3. The president should then open nominations to the floor.
4. When it appears all nominations have been made, the President will declare nominations closed, without a motion, a second, or vote of the council.
5. The president may then move to a vote in one of two ways:
 - a. Take the yeas and nays of the candidates, in the order nominated.
 - b. Circulate a ballot to each council member.