

Town Council Meeting  
Monday, October 12, 2015  
6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Monday, October 12, 2015 at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

President Hoffman called the meeting to order and led the Pledge of Allegiance.

President Hoffman thanked everyone for coming.

Members answering roll call were: Councilman Jack Shepherd, Councilman Jeff Simpson, Councilwoman Dawn Graham, and President Ron Hoffman. Vice President Kami Ervin was absent. Also present were Town Attorney Dustin Huddleston and Clerk Treasurer Scott Finley.

President Hoffman said next on the agenda were the minutes of the council meeting of September 28, 2015 and the minutes of the budget workshop of September 28, 2015. Councilman Simpson made a motion to approve the minutes as submitted. Councilwoman Graham seconded. Unanimous.

President Hoffman said claims were next on the agenda and handed it over to Clerk Treasurer Scott Finley. Mr. Finley said everyone should have received the normal claim docket in their council packets. He said he did add one bill for Huddleston and Huddleston since the docket went out on Friday. The total for that claim docket was \$173,429.43. He said he had signed off on all the claims in that docket and handed them over to the council for approval. Councilwoman Graham made a motion to approve the claims as submitted. Councilman Shepherd seconded. Unanimous.

President Hoffman said next on the agenda was the public hearing for Resolution 2015-13 Creating an Economic Revitalization Area. He opened the public hearing for any comments. Being no comments Mr. Hoffman closed the public hearing.

President Hoffman said next on the agenda was Resolution 2015-14 Approving a Deduction from Assessed Valuation. Councilman Simpson made a motion to approve Resolution 2015-14. Councilwoman Graham seconded. Unanimous.

President Hoffman said next on the agenda was the staff report on the tax abatement request. He asked Building Commissioner Wade Watson to explain the report.

Mr. Watson said the council received a report regarding the request for a tax abatement from Copple's Wrecker Service. The staff recommendation is to approve the abatement as presented and sign off on the SB-1. Copple's has signed the memorandum agreement with the Town of Edinburgh and he would also suggest executing that document tonight. Councilwoman Graham made a motion to approve the memorandum agreement with Copple's Wrecker Service and approve the tax abatement. Councilman Shepherd seconded. Unanimous.

President Hoffman said next on the agenda was Ordinance 2015-7 Adoption of 2016 Budget Appropriations and Tax Rate. He asked Clerk-Treasurer Finley to explain the ordinance.

Mr. Finley said he had passed out a worksheet showing the town's tax rate over the past 3 years. He said the numbers being adopted tonight are the same numbers from the previous budget workshop other than the \$9,000 cut from the Fire and EMS budgets. The overall budget being adopted tonight is 4,683,400 with a levy of 3,543,095. The rate being adopted

is 3.2118 which is only slightly higher than the previous years adopted rate. He showed on the worksheet the difference in the adopted rate and the state approved rate over the past few years. Historically, the state approved rate is much lower than the adopted rate. Councilman Simpson made a motion to approve Ordinance 2015-7. Councilman Shepherd seconded. Unanimous.

President Hoffman said next on the agenda was the Wastewater Service Truck Proposal. He asked Wastewater Superintendent Glenn Giles to explain the proposal.

Mr. Giles said this truck is part of the capital improvement plan included in the recent rate increase. The current service truck was purchased in 1999. When the pump stations were redone the truck was no longer large enough to service the stations. This proposal is for the cab and chassis. The rest of the truck will be the same regardless of which cab is purchased. Four quotes were obtained for the truck. Two of those were priced low enough to be considered. The Dodge Ram was \$35,485 but did not have the V10 engine listed in the bid specifications. The Ford was \$36,588 and met the bid specifications. The larger crane that will be added to the truck will need the extra power the V10 can produce.

President Hoffman said next on the agenda was Resolution 2015-15 Municipal Equipment Lease. This is regarding the service truck Mr. Giles spoke about. It will be a 5 year lease and include the additions to the truck after the cab and chassis are purchased. Councilwoman Graham made a motion to approve Resolution 2015-15. Councilman Simpson seconded. Unanimous.

President Hoffman said next on the agenda was the agreement for purchase and deed regarding the Whitlock Property. The town now owns the property at 102 South Pleasant Street. This agreement is to finalize the sale of that property to Shannon and Kimberly McMahon for \$3,200. There has been an illness in the family so the closing date is not yet set.

Councilwoman Graham asked if there was a time frame for this agreement and closing.

Mr. Huddleston said there are two documents that need approval and then the council will need to authorize President Hoffman to sign them. The first document is an agreement which states that the purchaser will pay the town \$3,200 in certified funds at the closing date on October 31, 2015 or before. The deed will not be given until the town has the funds. The second document is the quick claim deed. The property is being sold as-is. Councilman Simpson made a motion to approve the agreement for the purchase of the real estate and the quick claim deed. Councilwoman Graham seconded. Unanimous.

Councilman Shepherd made a motion to authorize President Hoffman to sign the necessary documents on behalf of the council. Councilwoman Graham seconded. Unanimous.

President Hoffman said next on the agenda was the staff report regarding a citizen complaint. Gene Redding had a complaint at the last council meeting about his electrical service upgrade. He ask Mr. Watson to explain the situation.

Mr. Watson said he submitted a report explaining the situation to the council. He said he wanted to add that he researched building permits over the past five years and found that the town has issued over 40 building permits for improvements when the improvement was strictly an upgraded electrical system. This practice is not something that has just recently started. Should the council decide that his interpretation of the ordinances requiring a building permit be incorrect, much of the problems present in Mr. Redding's home would still not comply with what the electric company would require. The only thing he as building commissioner has the right to enforce if a permit is pulled is the installation of wired smoke detectors in the house which makes the residence safer for both his family and future residents.

Councilman Shepherd asked if everything in the home was up to code and he just wanted to change his electrical box would he still recommend that the home owner pull a permit.

Mr. Watson said his interpretation of the code is that anytime there is a reconstruction of the structure of the house a permit is required so that the work can be inspected and it can be deemed safe. So, yes the permit would still be required. The issue is the safety of the occupants of the building as well as future occupants. He said he has done the process this way consistently and if he were in any other jurisdiction he would be required to meet the same requirements.

Further discussion was held. Councilman Shepherd made a motion to approve the recommendations made by Building Commissioner Wade Watson. Councilman Simpson seconded. Unanimous.

President Hoffman said next on the agenda was the staff report on the petition for annexation. He asked Mr. Watson to present his report.

Mr. Watson said he did research in regard to the annexation request brought before the council on September 14, 2015. He wanted to highlight that the town is currently providing all services to that property that it would provide to any other in-town resident with the exception of residential trash service. The town provides police and fire services as well as snow removal in the winter. All utilities are also being supplied by the town. The staff recommendation is for approval of the annexation request. This would require a public hearing, a resolution, and it would have to be advertised 20 days prior to that meeting. Councilwoman Graham made a motion to approve the request for annexation. Councilman Simpson seconded. Unanimous.

President Hoffman said next on the agenda was the discussion of the town manager's paid time off. He said he is sure everyone is aware that Town Manager John Drybread has had a medical issue arise that has left him, at this time, unable to perform his duties. As of October 15, 2015 he will have used all of his vacation, personal, and banked sick days. The town policy states that the council can grant 15 additional sick days in extreme situations. He said he thinks the council should grant those days and also look into amending the town policy to allow the council to extend leave time indefinitely in unique and extreme situations. The council would make that decision on a case by case basis.

Further discussion was held. Councilwoman Graham made a motion to grant John Drybread the 15 additional sick days as allowed by the town's policy. Councilman Shepherd seconded. Unanimous.

Councilwoman Graham made a motion to allow the town staff and Mr. Huddleston to research and make amendments to the personnel policy regarding paid time off. Councilman Shepherd seconded. Unanimous.

Ted Lucas, 326 Kilpatrick Court., said these situations tend to be very emotional. There is no way for them not to be. He would suggest looking into what other towns of this size do. He said he ran a company and had a similar issue and situations like these tend to drag out far longer than you expect. The council will be setting a precedence for future situations. Every time is just as tough as the last.

President Hoffman said next on the agenda was the Timbergate update presented by General Manager Wayne Gibbs.

Mr. Gibbs said he would be reporting for the 3<sup>rd</sup> quarter of 2015. He passed out a copy of his PowerPoint presentation. His first slide showed the revenues and expenses for the quarter. There was a shortfall of \$135,434.09. Deducting the bond payment that was paid

in the third quarter left a profit of \$95,565.91. The next slide showed a breakdown of where the revenues came from. The green fees made up the biggest portion with \$249,251.70. The rounds played were down from previous years which causes many of the other numbers to drop as well. The last slide showed the expenses and revenues for the year-to-date. The shortfall for the year was \$453,603.09. Deducting the two bond payments of \$463,000 left a profit of \$9,393.91 which is in line with previous years. Mr. Gibbs thanked the council for their time.

President Hoffman thanked Mr. Gibbs for his presentation.

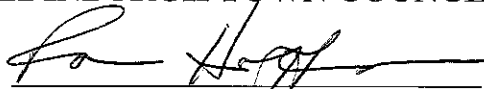
#### Council Comments

Councilwoman Graham said she spoke with Lieutenant Hart with animal control and he praised the Edinburgh Police Department on the work they are doing with animal control. She thanked Chief Mann for his work.

President Hoffman said the council needs to establish the Trick-or-Treat hours for Halloween. He proposed Saturday, October 31, 2015 from 6 P.M. to 8 P.M. Councilman Simpson made a motion to approve the Trick-or-Treat hours as stated by President Hoffman. Councilwoman Graham seconded. Unanimous.

Being no further business or comments, Councilman Simpson made a motion to adjourn the meeting. Councilwoman Graham seconded. Unanimous.

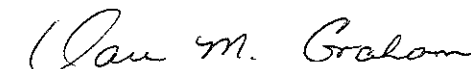
#### **EDINBURGH TOWN COUNCIL**



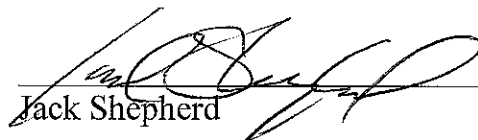
Ron Hoffman, President



Kami Ervin, Vice President



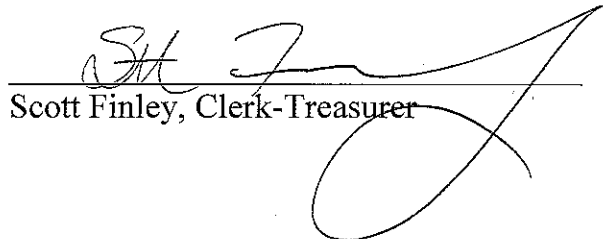
Dawn Graham



Jack Shepherd

Jeffrey A. Simpson

ATTEST:



Scott Finley, Clerk-Treasurer