

Special Council Meeting
Monday, March 7, 2016
6:00 P.M. Town Hall

Edinburgh Town Council met in a special session on Monday, March 7, 2016 at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

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

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

President Ervin said next on the agenda were the minutes of the executive meeting of February 22, 2016 and the council meeting of February 22, 2016. Councilwoman Graham made a motion to approve the minutes as submitted. Councilman Simpson seconded. Motion carried.

President Ervin said next on the agenda was the Public Hearing for the Vacating an Alley Request. A staff report was submitted regarding case number TCV2016-1 Petition to Vacate a Public Alley. The petitioner for this request was Cliff's Bar and Grill. The property outlined in the reports is between 113 and 115 East Main Cross Street in Edinburgh. She asked Town Manager Wade Watson to present the staff report.

Mr. Watson said the council has had the chance to review the report. One thing he forgot to include in the report was that the town does have power transmission lines in that alley as well as a utility pole. Public notification was sent out via the newspapers and adjacent property owners were notified by certified mail. The town has not received return certificates from those property owners. The staff recommendation for this vacation is denial of the petition based on three specific details.

- The town believes it is in the best interest of the citizens that town maintain the public right-of-way and maintain control of activities in that alley way for the safety and wellbeing of the public.
- To preserve an access route to the parking area for the owners of the downtown business district.
- To maintain control of the consumption of alcoholic beverages and other controlled substances per Ordinance 2015-6.

Mr. Watson said he would be happy to answer any questions the council or public may have.

President Ervin opened the Public Hearing for vacation of the said alley. She asked if anyone had any comments in favor of vacating the alley.

Marsha Terry of 5299 North 500 West, Columbus, IN said she would be in favor of vacating that alley.

Duane Terry also of 5299 North 500 West, Columbus, IN said he too would be in favor of vacating the alley. He read aloud a letter he had written in favor of the alley vacation. He said they would like to beautify the alley and would begin renovations in the summer of 2016. They would like to remove any unused wires and remove the graffiti from the walls. He said he has helped maintain the alley for several years.

Brittany Tracy of 611 South Holland Street, Edinburgh, IN said she was also in favor. She wanted to point out that there was at one time an alley on the opposite side of the street that the town did close off. Most of the people that use the parking area behind the building are residents and not so much customers of the downtown merchants.

Councilman Shepherd said he agrees that the alley is the worst looking alley in town. It is also very narrow and he cannot recall ever seeing a vehicle drive through that alley.

Councilwoman Graham said she does not believe the curb in front of the building was even accessible to the street.

Mr. Watson said it is physically possible to get a vehicle through the alley, it is just impractical.

Councilman Lollar asked Mr. Terry if he had an artist rendering of how they wanted the alley to look.

Mr. Terry said he had been working on one but did not get it finished in time. There was a potential layout submitted with the request.

Mr. Watson presented that layout to Councilman Lollar.

Councilwoman Ervin asked what would prevent customers from taking alcohol out of the alley and in to public streets.

Mr. Terry said there would be notices up throughout the bar and would also like to put a gate up to keep that from happening.

President Ervin asked if there was anyone present that was against the vacation of the alley.

Chuck Blair of 650 Pinellas Bayway South Unit 2101, Tierra Verde, Florida 33715 said he owns two downtown buildings that have apartments upstairs. He said his only concern is the noise level at night when his tenants would be trying to sleep. He said he wants to make sure he has the peaceful environment for his tenants.

Being no further public comments, President Ervin closed the public hearing.

Mr. Huddleston said the only legal issue he sees is if the town does have powerlines going through that alley, the town would need a utility easement in place prior to vacating the alley.

Councilwoman Ervin said her biggest caution is once the town vacates an alley it is no longer under the town's control. While the current owners may take care of the area, the owners in the future may not and the area is part of the historic downtown district. She asked Mr. Terry what he would do to keep noise levels down.

Mr. Terry said there would be no music outside and loud patrons would be asked to leave.

Marsha Terry said she also had several hundred people sign a paper saying they would like the bar to utilize that alley.

Councilman Lollar made a motion to table the discussion on vacating the alley until the March 14, 2016 council meeting. Councilman Simpson seconded. Motion carried.

President Ervin said next on the agenda was the staff report with recommendations from Mike Buening on the Blue River Building Project bid award. She asked Mr. Watson to explain the staff report.

Mr. Watson said the staff report shows a timeline of the steps in this project. The council asked Mike Buening to review the bids and give his recommendation. His recommendation was to award the second low bidder, Bradshaw, based on the lack of experience of the lowest bidder, Fitzgerald and Fitzgerald.

Councilman Simpson made a motion to award the bid for the Blue River Building Project to the second lowest bidder, Bradshaw Specialties, Inc., as stated in the staff report. Councilwoman Graham seconded. Motion carried.

Per IC 36-1-12-4, the Edinburgh Town Council finds that Bradshaw Specialties, Inc. is the lowest responsible and responsive bidder based on the following:

1. Per the recommendation of Ratio Architects;
2. Per the review by Mike Buening of all of the bids;
3. Per the staff report of Wade Watson;
4. Due to Bradshaw being responsive under the factors in IC 36-1-12-4(b)(10);
5. Due to Bradshaw being a responsible bidder because they have the ability, capacity, integrity, character, reputation, competence, and experience to perform the work;
6. Due to Fitzgerald and Fitzgerald not being a responsive bidder under the factors of IC 36-1-12-4(b)(10) as outlined by Mike Buening;
7. Due to Fitzgerald and Fitzgerald not being responsible in not having the experience to perform the work.

President Ervin said next on the agenda was Strand Engineering with the wastewater long term control plan approval request. Matt Smith and Ashely Getz were at the meeting to present their recommendations.

Mr. Smith gave a history of the town's combined sewer system. This means that both storm water and waste water share the same pipes. This can cause issues during heavy rainfall. It is a common system in the Midwest. A lagoon system was built in the 1970's just off of State Road 252 by the Blue River. In 2014 the lagoon was inspected and it was found that there was a pipe that would discharge into the river when the water level reached a certain point. To cure this problem, there are 4 options with varying costs:

- Separate the sewer systems - \$30 to \$40 million;
- Retrofitting the lagoon to treat the wastewater - \$6 million;
- Expand plant capacity - \$4 million
- Enlarge the lagoon - \$1.8 million

The recommendation from Strand was to enlarge the lagoon from 7.5 million gallons to 9 million gallons and raise the banks above the 100-year flood line. When the rate study was done in 2014 the estimated cost of this project was about \$1.5 million so \$300,000 was added in each of 5 years to cover that cost.

President Ervin said this 10 year control plan is being required by the Indiana Department of Environmental Management (IDEM). The town has already adjusted the sewer fees to account for this project.

Mr. Watson said he wanted to add that this long term control plan is required to sustain our permit to continue to treat wastewater. He said he and Wastewater Superintendent Glenn Giles did not feel like this was a decision they should make without consulting the council. He said after review, he and Mr. Giles believe the recommendation by Strand is the best option.

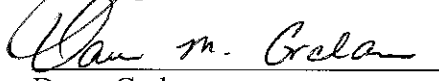
Councilwoman Graham made a motion to approve the report as submitted by Strand Associates and proceed with submitting the long term control plan to IDEM. Councilman Simpson seconded. Motion carried.

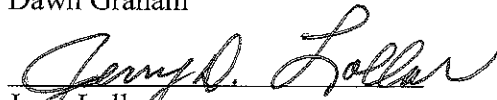
Being no further business or comments, Councilwoman Graham made a motion to adjourn the meeting. Councilman Simpson seconded. Motion carried.

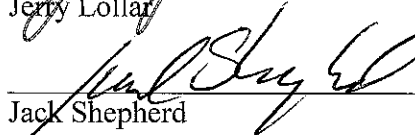
EDINBURGH TOWN COUNCIL


Kami Ervin, President

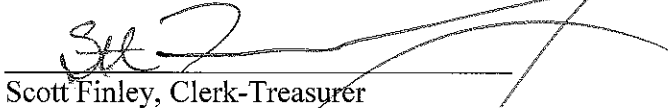

Jeff Simpson, Vice President


Dawn Graham


Jerry Lollar


Jack Shepherd

ATTEST:


Scott Finley, Clerk-Treasurer