

**Town Council Meeting  
Monday May 10, 2021  
6:00 P.M. Town Hall**

Edinburgh Town Council met in a regular session on Monday, May 10, 2021 at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

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

**Members answering roll call:** *Due to the COVID-19 public emergency and per Executive Order 20-09, members may have attended electronically (e).* Councilwoman Miriam Rooks, Vice President Dawn Graham, Councilman Ryan Piercefield, and President Jeff Simpson. Also present were Clerk-Treasurer Scott Finley, Town Manager Dan Cartwright, and Town Attorney Dustin Huddleston. Councilwoman Debbie Buck was absent.

**Minutes** – Executive meeting of April 17, 2021 and council meeting of April 26, 2021. Councilman Piercefield made a motion to approve the minutes as submitted. Councilwoman Graham seconded. Motion carried.

**Claims** – The council received a copy of the claim docket in their council packet. The total for the docket was \$204,163.86. Mr. Finley said he had signed off on the claims in that docket and handed them over to the council for approval.

Councilman Piercefield made a motion to approve the claims as submitted. Councilwoman Graham seconded. Motion carried.

**Ordinance 2021-8 Air Quality (Second Reading)** – Mr. Huddleston said he received a memo from Breathe Easy that they wanted to be read at the council meeting. The memo stated:

*“The Breathe Easy Edinburgh Coalition asks the Edinburgh Town Council to table indefinitely the Edinburgh Town Council Ordinance 2021-8, an ordinance regulating smoking in the Town of Edinburgh.”*

Councilwoman Graham made a motion to table Ordinance 2021-8 indefinitely. Councilman Piercefield seconded. Motion carried.

**Resolution 2021-14 Affirmation of Police Officers and Firefighters** – Mr. Huddleston said this resolution was adjusted based on discussion at the previous meeting. The verbiage differentiates between career firefighters and paid stand-by.

Councilman Piercefield made a motion to approve Resolution 2021-14. Councilwoman Graham seconded. Motion carried.

**Resolution 2021-16 Providing Access to Trash Compactor** – Mr. Huddleston said this extends the use of the trash compactor by citizens on certain days indefinitely. It is the same as the trial resolution it just extends the time frame.

Councilwoman Graham made a motion to approve Resolution 2021-16. Councilwoman Rooks seconded. Motion carried.

President Simpson asked if we would still be looking at option for heavy trash pickup.

Town Manager Dan Cartwright said yes, we will be obtaining quotes for that process.

Councilman Piercefield said he would also like to look at the possibility of getting a grapple truck to keep the process in house with less labor.

**Resolution 2021-17 Extending Sick Leave of FFCRA** – Mr. Huddleston said this resolution extends the provisions of the Covid Relief Act to April 1<sup>st</sup>, 2021. This will allow employees effected by Covid to have their leave time covered through April 1<sup>st</sup>.

Councilwoman Rooks made a motion to approve Resolution 2021-17. Councilman Piercefield seconded. Motion carried.

**Comp Time Policy** – Mr. Finley said he provided the council a copy of the proposed comp time policy amendment. The amendment increases the maximum allowable comp time to 40 hours and includes verbiage that employees may not be able to hit exactly 40 hours due to rounding issues. The rest of the policy stays the same. This should solve some of the issues we have been having with employees. Councilwoman Piercefield made a motion to approve the comp time policy amendment as presented. Councilwoman Graham seconded. Motion carried 3 to 1 with Councilwoman Rooks voting nay.

**Tax Abatements** – Building Commissioner Wade Watson said he has received several CF-1's for active tax abatements. The staff recommendation is for approval of all CF-1s submitted. Some have not reached the employment level stated in the original SB-1 but the biggest reason noted is the pandemic and inability to find help.

Ditech – Councilwoman Graham made a motion to approve the CF-1's for Ditech. Councilwoman Rooks seconded. Motion carried.

LB Mold – Councilman Piercefield made a motion to approve the CF-1's for LB Mold. Councilwoman Graham seconded. Motion carried.

Sacoma – Councilwoman Graham made a motion to approve the CF-1's for Sacoma. Councilwoman Rooks seconded. Motion carried.

Amos Hill – Councilman Piercefield made a motion to approve the CF-1's for Amos Hill. Councilwoman Graham seconded. Motion carried.

Councilman Piercefield made a motion to allow President Simpson to sign the above listed CF-1's on behalf of the council. Councilwoman Graham seconded. Motion carried.

**2021 Paving Projects** – Street Superintendent Clark McCollum said he received budget pricing from Robertson Paving on the roads previously presented to council. He recommended proceeding with County Line Road, Holland Street, South Pleasant Street, and County Road 900. The cost was approximately \$225,000. This will still leave some money for additional repairs and maintenance.

Discussion was held regarding sidewalks in the area. Councilwoman Graham said she thinks we should deal with sidewalks while we are dealing with the streets.

Councilman Piercefield made a motion to proceed with creating bid documents including sidewalks for public bid for County Line Road, Holland Street, South Pleasant Street, and County Road 900. Councilwoman Rooks seconded. Motion carried.

Mr. Cartwright said the Prosser project is going to be starting soon. We are planning on a complete rebuild of High School Drive next year and he thinks there could be some savings if we adjust the Prosser project to use a temporary road surface rather than permanent paving.

The council agreed.

**Pool Pumps** – Parks Director Daniel Teter said the pumps at the pool for the water slides and play station need to be replaced. He requested quotes from four companies but only received one quote. The pool budget has \$25,000 in the repairs line item. The quote is from Spear Corp. for \$18,424.20. The pumps are about six weeks out so the pool will open without slides this year.

Councilman Piercefield made a motion to approve the pool pump repair from Spear Corp. Councilwoman Rooks seconded. Motion carried.

**Issues at Timbergate** – Susie Milhoan – Mr. Cartwright said Timbergate has two subdivisions, The Timbergate subdivision and the Reagan subdivision. The Reagan subdivision has an active HOA, the Timbergate subdivision does not. It does however have an architectural review committee. The odd thing about the committee is it is composed of the real estate broker in charge of selling the lots and two members of the Amos family who owns the lots. There is no representation from any homeowners in that subdivision. The covenants say that all for sides must be masonry or equal as reviewed by the architectural review committee. A new home is being built with a Hardie Plank. It is essentially siding. This was approved by the review committee. This has upset some of the homeowners as they have been told that only masonry exteriors would be allowed.

Susie Milhoan of 233 St. Andrews Avenue said she has become the spokesperson for the homeowners upset about the issues in the subdivision. She said they need help from the town to enforce the covenants. She explained the Hardie Plank and showed pictures to the council. There is a conflict of interest on the architectural review committee. It only benefits the people on that committee to decrease the quality of materials required to build a home in the subdivision and it will decrease home values. There have been 5 amendments to the covenants since she moved in 20 years ago. There is inconsistent enforcement and follow up on issues in that subdivision. She said she is hoping the council can assist by stopping the construction on the home using Hardie Plank and require the architectural review committee to have homeowner representation. She thanked the council for allowing her time to speak on these issues.

Mr. Huddleston said these are frustrating issues. He said he has had other contact with the Amos family with similar foundation. He said he would be happy to investigate how the town can help enforce these covenants. The homeowners can also hire their own legal counsel. He informed the council that the town can step in, but it will set a precedent for other subdivisions in town.

Mr. Watson said the council should also consider the fact that the town owns the golf course and has a vested interest in maintaining high standards for homes on the course.

Rob Dingle of 204 St. Andrews Avenue said he purchased his lot in 2017 and moved in in 2018. He looked at lots on East Main Cross as well but ultimately decided on St. Andrews because of the covenants as they were told brick was required. Initially there were agreements between the town and the Amos family. He said he thinks the town has some responsibility as it was involved when the documents were created.

Paul Owens of 1141 East Main Cross Street said he also moved to Timbergate because of the covenants. He hopes the town can assist as he has made a large investment and wants to hold on to it as long as he can.

Denny Hilsworst said he is currently under construction at 214 St. Andrews. He too chose Timbergate because of the covenants. He said he intends to spend the rest of his life in this house. He had no idea when he purchased that the homeowners had no representation on the review committee.

Merle Milhoan of 233 St. Andrews said he fears the first house to stray from the covenants will open the flood gates. He has heard that other sections in the course may be opening soon and he fears for the future of the subdivisions once the covenants are not followed. The issue will not heal itself.

President Simpson said the town does have a vested interest in these subdivisions and we need to make sure the standards are kept high.

Councilman Piercefield said he is in favor of having Mr. Huddleston look into the issues, but he would also recommend the homeowners get their own representation.

Councilman Piercefield made a motion to allow Mr. Huddleston to proceed with research on the covenants at Timbergate and contact the Amos Foundation. Councilwoman Graham seconded. Motion carried.

The homeowners gave thanks and praise to Building Commissioner Wade Watson for his work. They said he has been a pleasure to work with and a great advocate for the homeowners.

### **Council Comments**

Mr. Huddleston gave an update on the Paul Burton property. The purchase agreement has been signed and submitted to the title company. He said the state has updated the code regarding virtual meetings. He would like to create a policy for the town on virtual meetings.

Councilwoman Graham made a motion to allow Mr. Huddleston to draft a virtual meeting policy per the state code. Councilman Piercefield seconded. Motion carried.

Mr. Huddleston said he sent Mr. Finley the hold harmless for the fire department for civilians doing "ride-a-longs" in the ambulance.

### **Other Business**