

23

Town Council Meeting
Thursday, December 27, 2012
6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Thursday December 27, 2012 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 John Drybread, Councilman Jeff Simpson, Vice President Curtis Rooks and President Ron Hoffman. Councilwoman Kami Ervin was absent. Also present were Town Attorney Dustin Huddleston, Clerk Treasurer Jack Smith and the newly appointed Clerk Treasurer Scott Finley.

President Hoffman introduced the newly appointed Clerk Treasurer, Scott Finley and said that his term would become effective as of January 1, 2013.

President Hoffman said next on the agenda was the minutes of the December 10, 2012 council meeting. Councilman Rooks made a motion to approve the minutes as submitted. Councilman Simpson seconded. Unanimous.

President Hoffman said claims were next on the agenda and turned it over to Clerk Treasurer Smith.

Clerk Treasurer Smith said he had signed all the claims presented to him and showed Scott the process, he then turned them over to the council for approval. Councilman Simpson made a motion to approve the claims as submitted. Councilman Rooks seconded. Unanimous.

President Hoffman said next on the agenda was the oath of office for Scott Finley and turned it over to Town Attorney Huddleston to swear him in. Dustin conducted the oath of office and congratulated Scott and informed everyone that the oath would be effective January 1, 2013.

President Hoffman said next on the agenda was the public official bond for Scott Finley. He informed everyone that a bond has to be issued for anyone handling money for a governmental entity and since Scott will be acting as Chief Financial Officer for the town, the bond is therefore needed. Councilman Rooks asked how the dollar amount for the bond was determined. Town Attorney Huddleston said that he believed it was either from Indiana code or that insurance carriers may require a certain liability but he could find out for sure where the figure came from. Councilman Rooks agreed and made a motion to approve the bond for Scott Finley. Councilman Drybread seconded. Unanimous.

President Hoffman said next of the agenda is the resolution 2012-9 which is the board appointments for the planning commission, zoning board of appeals, joint plat use, joint zoning board of appeals, redevelopment commission, and economic development commission. Richard Pile, Ray Walton and Glen Giles were reappointed to the planning commission; Tim Barrett was reappointed to the joint plat use committee; Daniel Teter was reappointed to the joint zoning board of appeals; Richard Pile and Lloyd Flory were reappointed to the zoning board of appeals; John Drybread and Angie Pendleton were reappointed to the economic development board; Ted Lucas, John Rondot, Bill West, Ray Walton and Cathy Hamm were reappointed to the redevelopment commission and Karen Fitzpatrick was appointed to replace Greg Stinson on the redevelopment commission. Ron stated that Karen would make a great addition to the redevelopment commission.

Councilman Simpson pointed out that Pat Pankey's name was still on Edinburgh redevelopment authority and he was not sure whether he would want to continue due to health reasons.

Councilman Drybread said that Pat still had another year and did not know whether he would want to continue to be on that board.

President Hoffman asked Councilman Drybread to see if Pat would like to maintain his position.

Councilman Simpson made a motion to approve as submitted. Councilman Rooks seconded. Unanimous.

President Hoffman said next on the agenda was the ordinance 2012-16, the amendment to the salary ordinance 2011-17. Ron asked Councilman Drybread if there were any changes to the salary ordinance. John stated that there was one change and that was adding the golf pro title so that it is clear what that money is appropriated for. Councilman Rooks asked what that title was listed as before. John said it was being paid out of Timbergate's fund. Councilman Rooks made a motion to approve ordinance 2012-16. Councilman Simpson seconded. Unanimous.

President Hoffman said next on the agenda is ordinance 2012-17, transfers of appropriations. This is done to transfer money from budgeted lines to other areas that are short of money. Ron stated that you cannot end the year with a negative balance in any line item approved for money from the budget submitted to the state. So the appropriations are shifted to be sure that does not happen.

Councilman Simpson asked if any items would be in the red. Ron stated that there will be some but there are some in the same line item with excess money so there will be money left at the end of the year. Councilman Simpson made a motion to approve ordinance 2012-17. Councilman Rooks seconded. Unanimous.

President Hoffman said next on the agenda is the encumbrances and handed it over to Clerk Treasurer Jackie Smith. Jackie said that everyone should have received three encumbrances. One from fire and rescue for \$8,500.00, one from the street department for \$59,286.00, and one from local roads and streets for \$57,959.00. President Hoffman stated that these were budgeted for work to be done to improve streets in the town this year that was not done. So the money is already there it is just being encumbered over to next year.

Councilman Drybread said the streets to be improved were East Main Cross, Russell Street, and a few others.

Councilman Rooks asked Fire Chief Allen Smith asked if the \$8,500 was for his camera.

Allen said yes.

Councilman Rooks made a motion to approve the encumbrances. Councilman Drybread seconded. Unanimous.

President Hoffman said that the Amos Hill project blight ordinance discussion is going to be tabled because it is up to the redevelopment commission. They are in charge of a blight, which is a condemnation of a piece of property. A town council cannot condemn a piece of property, only the redevelopment commission can do so. Ron asked John Rondot to make a note of that for the redevelopment commission.

John Rondot asked what piece of property it was.

President Hoffman said it is the elevator on the corner scheduled to be demolished.

Town Attorney Huddleston noted that he had Mary Patterson put that on the revised schedule for the redevelopment commission meeting and that there is a proposed resolution.

President Hoffman said that next on the agenda is the Edinburgh Library lease discussion. Ron gave a brief background on the library stating that there was a will by the Hagman Estate willing the library to the town of Edinburgh in 1925. It said that as long as it remained a library it was the property of the Town of Edinburgh. The town then took over all maintenance and all expenses related to the library. In 1985 there was a discussion by the council and the Edinburgh Library was willed in a lease from the town to the Edinburgh Library and the library took back over expenses, maintenance, and insurance. Ron stated that Cathy Hamm came to him a few months ago about the lack of budget to cover expenses due to the property tax caps that has reduced their budget. Ron then turned it over to Cathy Hamm.

Cathy handed out some recent figures to all the council members. She stated that the budget for the library was dwindling. On the sheet there is a six-year span showing the total tax revenue for the library. General property tax is the main concern. In 2008 the library received \$109,000 total general property tax and this year it is down to \$94,000 because of tax cap and it has continually dropped. Cathy said she feared that the library would no longer be able to do the services it does for the community. The library does faxes, copies, taxes and also sells tickets to community events. She wants the library to be able to continue to serve the community how it does now but it cannot do it with continually dropping property taxes. She stated that one of the figures is library revenue. Fines were increased as well as a few other things to bring in additional revenue and this has been one of the best years for revenue. She stated that the state board of accounts does not allow them to make a profit on copies and faxes so the best they can do is cover the costs for the copier and paper. Cathy asked if there were any questions about the library.

President Hoffman stated that he and Cathy had met several times, once with several of the library board members and Town Attorney Huddleston. They discussed the town retaking control of the maintenance of the property. He said he believed that the town could do the maintenance for 50-75% less than they were currently paying because the town has its own employees to do the work. Ron said that since then he, Cathy, Town Attorney Huddleston, and the library attorney, Larry Jesse, have met to discuss what would be appropriate and if it can be done as a town to amend the lease. Ron said it is possible to do that and all it would take is an amendment. There would be no other changing of it other than stating that the town would be responsible for the maintenance, which the original lease stated. Dustin had drawn up the amendment and it is for the council to vote on.

Cathy Hamm said that the library board did meet with the library attorney Larry Jesse present on the 19th and the board voted and signed the amendment that evening. The only thing needed is for the town council to vote on it.

President Hoffman said that the town will only hold insurance for the structure; the library will still hold the insurance for the content of the library.

Councilman Rooks asked Cathy why the total tax revenue was up so much this past year.

Cathy stated that license excise and CAGIT were up but that was the only additional revenue brought in. The bottom line is the property tax because that's where the most money comes from.

Councilman Rooks stated that the total revenue was as high as it has been.

Cathy said yes and that's a good thing but it still doesn't offset the property tax. The library has the last bond payment on the building due on the 30th and the library came up \$31,000 short of making the payment and that money had to come out of the general fund.

Councilman Simpson asked if maintenance included structural maintenance and yard work.

Councilman Drybread said yes including plumbing and wiring.

Cathy stated and cleaning, correct?

President Hoffman said yes.

Town Attorney Huddleston read the portion of the amendment regarding maintenance. It stated the town would be responsible for usual and ordinary maintenance of the premise including but not limited to: structural and utility repairs to the building, cleaning, snow removal, yard mowing, trimming shrubbery, maintenance of all heating and cooling units, painting, repairs to parking lot, repairs to concrete, and maintenance of landscaping. That list was generated by taking a list made by Cathy that were expenses and they were taken and summarized and generalized. The only other thing to add is that instead of the library paying utilities, now it will not be invoiced.

Councilman Rooks asked how much money that would be.

President Hoffman said it was a total of about \$10,000 in maintenance and utilities.

Councilman Simpson said that he believed the library is a vital hub for the community not just for movies and books but also for computers that people may not have in their house.

Councilman Rooks said that is sounds like a small price to pay to keep something so important to the community.

Councilman Drybread said he believes it the right thing to do and it should not be any issue. It may not be a large sum of money but every little bit counts. John made a motion to amend the lease and to carry insurance on the building. Councilman Simpson seconded. Unanimous.

DEPARTMENT REPORTS:

Councilman Drybread said he would like to thank the fire and rescue, police, and all the utility people for keeping things moving with the snow over the past few days. He wished everyone a happy and safe new year.

Councilman Simpson also thanked all the departments for keeping everyone safe in the community with the snow coming in as quick as it did. He wished Jackie luck in retirement.

Vice President Rooks thanked Jackie and said it had been fun and he is looking forward to working with Scott.

Town Attorney Huddleston stated that in June an ordinance was passed that contained a nepotism policy in requirement of the state of Indiana. It stated that after July 1st of this year you could not have any person of relation in direct line of supervision. Also when contracting with 3rd parties if there is any sort of family relationship those had to be disclosed before the contract was approved. Part of the requirement is that after the policy is passed each year at the end of the year every elected official has to certify to the council president that they have not violated those two policies. Those certifications are here for your signatures after the meeting. Mr. Hoffman then will collect those and turn them into the state board of accounts at the end of January. If this is not done the state board of accounts does not approve the budgets.

Clerk Treasurer Jackie Smith wished Scott luck and stated that had worked with him for 2 weeks and thinks he is doing very well. He said he would be available even after he retires. He also thanked everyone for staff appreciation day and his retirement party.

Scott Finley thanked Jackie for all his help over the past two weeks. He said there is a lot more to learn but he has learned a lot. He wished him the best of luck in his retirement and he looks forward to working with everyone.

Police Chief Mann thanked Fire Chief Allen Smith for plowing the parking lot so that they could get the police cars out.

PUBLIC COMMENTS:

Kathy Hamm thanked the town council for approving the resolution to the lease. She wished Jackie luck in retirement and welcomed Scott.

Gail Hoffman also thanked everyone for helping the library in its time of need.

Bill Jones asked what he could do about the Jake brake problem around his house.

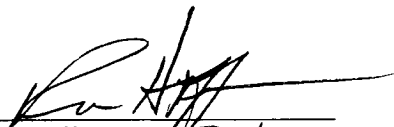
President Hoffman said that it is being looked into and the next step would be looking into creating an ordinance.

John Rondot stated that the redevelopment commission is meeting on Wednesday, January 2nd at five o'clock where they will discuss the annual reports and the elevator situation. He asked about repairs that were approved for Timbergate that did not get finished this year and asked if that money was encumbered.

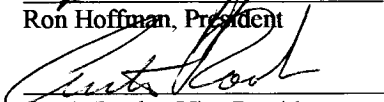
Councilman Drybread said he believed they still have that funded.

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

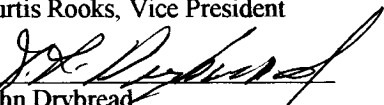
EDINBURGH TOWN COUNCIL




Ron Hoffman, President



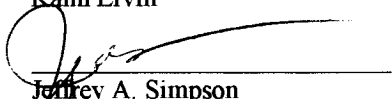
Curtis Rooks, Vice President



John Drybread

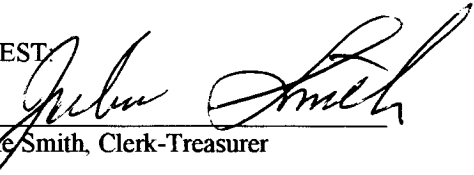


Kami Ervin



Jeffrey A. Simpson

ATTEST:



Jackie Smith, Clerk-Treasurer