

Town Council Meeting
Monday, March 27, 2023
6:00 P.M.

Edinburgh Town Council met in a regular session on Monday, March 27, 2023, at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

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

Members answering roll call: Councilwoman Miriam Rooks, Councilwoman Debbie Buck, Councilman Jeff Simpson, Vice President Dawn Graham, and President Ryan Piercefield. Also present were Clerk-Treasurer Scott Finley, Interim Town Manager Wade Watson, and Town Attorney Dustin Huddleston (via telephone).

Minutes – Executive minutes of March 13, 2023, and council meeting of March 13, 2023. *Councilwoman Graham made a motion to approve the minutes as submitted. Councilwoman Rooks seconded. Motion carried.*

Claims – The council received a copy of the claim docket in their council packet. The total for the docket was \$913,358.34. Mr. Finley said he had signed off on all the claims in that docket and presented them to the council for approval.

Councilwoman Buck made a motion to approve the claims as submitted. Councilman Simpson seconded. Motion carried.

Ordinance 2023-6 Annexing Real Estate (Second Reading) – Interim Town Manager Wade Watson said this was presented to council at the last meeting. This is annexing a single parcel located at 7778 East State Road 252. It will be annexed with the existing residential zoning.

Councilman Simpson said this will still go before planning commission for a rezoning request on April 18th.

Mr. Watson said that is correct. The action tonight is simply annexing the property with its current zoning.

Councilman Simpson made a motion to approve Ordinance 2023-6. Councilwoman Buck seconded. Motion carried.

Ordinance 2023-7 Vacating a Portion of Public Street (First Reading) – Mr. Watson said this was presented in general terms at the last meeting. It is to vacate a portion of Pleasant Street at the dead end. The property has always been used in the manner it is currently being used. This is just to clean up the map and allow a permit to be issued for a garage on the property.

Councilman Simpson made a motion to waive the first reading of Ordinance 2023-7 and consider it for approval. Councilwoman Rooks seconded. Motion carried unanimously.

Councilman Simpson made a motion to approve Ordinance 2023-7. Councilwoman Rooks seconded. Motion carried.

Ordinance 2023-8 Establishing Johnson County EDIT Fund (First Reading) – Mr. Finley said Johnson County passed an Economic Development Income Tax starting January 1st of this year. We currently receive those type of funds from Shelby and Bartholomew Counties and they are deposited into separate funds. To keep things consistent, he would like a new fund to deposit the Johnson County funds into.

Councilwoman Graham made a motion to waive the first reading of Ordinance 2023-8 and consider it for approval. Councilwoman Buck seconded. Motion carried unanimously.

Councilwoman Graham made a motion to approve Ordinance 2023-8. Councilwoman Buck seconded. Motion carried.

Resolution 2023-9 Ditech Tax Abatement – Mr. Watson said this was introduced at the last meeting. Ditech is investing approximately \$3 million in manufacturing equipment and will also be adding jobs. Mr. Huddleston has drafted a resolution for this abatement, and it is before the council for approval.

Councilwoman Rooks made a motion to approve Resolution 2023-9. Councilman Simpson seconded. Motion carried.

Ditech Memorandum of Agreement – Mr. Watson said as part of the abatement process, applicants are required to complete a memorandum of agreement outlining the expectations. Mr. Huddleston has drafted the agreement for the Ditech abatement and Ditech has signed the agreement.

Councilman Simpson made a motion to approve the Ditech Memorandum of Agreement. Councilwoman Rooks seconded. Motion carried.

Councilman Simpson made a motion to allow President Piercefield to sign the agreement on behalf of the council. Councilwoman Rooks seconded. Motion carried.

2022-2 Paving Project Bid Award – Mr. Watson said the town had 4 contractors bid on the Community Crossings paving project. We have done investigations into the qualifications of each of the bidders. The staff and Crossroads Engineers recommend awarding the project to the lowest qualified bidder, Dave O'Mara Contracting.

Councilwoman Graham asked if the council was not comfortable with the low bidder and wanted to award the bid to the second lowest bidder, what that process would be.

Mr. Huddleston said the council can award the bid to the second bidder if they deem the lowest bidder is not responsive and/or qualified.

Mr. Finley said his recommendation is, unless there is a very good reason, to award the bid to the low bidder. This project is being funded primarily with Community Crossings Grant Funds and if those funds were to be pulled, we could not afford to do this project.

President Piercefield said after speaking with another community working with Dave O'Mara, he cannot in good faith award the bid to them. Councilwoman Graham and Councilwoman Rooks said they too had spoken with another community that was not happy with O'Mara.

President Piercefield said the state has expressed concerns with O'Mara as well and he thinks there are valid reasons to not award the bid to them.

Councilwoman Graham said she agrees. The town has also had issues with O'Mara in the past and there are current issues with work done by O'Mara on US 31.

Mr. Finley said he understands those concerns completely but just wanted to inform the council of the financial risks if we do not go with the low bidder.

Councilman Simpson said he has not spoken with anyone about their current work, but he is familiar with the issues we had on East Main Cross and the issues on US31.

Councilwoman Rooks said she spoke with someone at INDOT and expressed her concerns and they said if we can justify going with Milestone over O'Mara there should not be any issues.

Mr. Finley said if there is a justifiable reason to not take the low bidder, the council can award the bid to the next low bidder. His concerns are strictly financial if it were deemed that O'Mara was the lowest qualified bidder.

Councilman Simpson made a motion to award the 2022-2 paving project to Milestone for \$694,557.95. Councilwoman Graham seconded. Motion carried.

Duke Energy Agreement – Mr. Watson said this was also discussed at the last meeting. It is a proposal for a temporary ability to serve for Duke Energy. There is a meter point in our

jurisdiction but not readily accessible by our electric utility. The question at the last meeting is if we allowed Duke to take this metering point, would it jeopardize our ability to serve future development. Mr. Huddleston has reviewed and believes this temporary metering point does not jeopardize future service. He recommends approval of the Duke Energy agreement.

Councilman Simpson made a motion to approve the Duke Energy Agreement as presented. Councilwoman Rooks seconded. Motion carried.

Councilman Simpson made a motion to allow President Piercefield to sign the agreement on behalf of the council. Councilwoman Rooks seconded. Motion carried.

2023 MS4 Agreement – Mr. Watson said this is a continuation of our current MS4 agreement with Wessler. They will administer the town’s MS4 permitting and pollution prevention program for 2023 and 2024. It is billed on an as-needed basis. The amount is for \$24,000. The previous agreement was for \$30,000 and took 3 years to hit that amount. During that time frame there was much more work than is anticipated for this period. Mr. Huddleston has reviewed the agreement.

Councilwoman Rooks made a motion to approve the 2023 MS4 agreement with Wessler Engineering. Councilwoman Buck seconded. Motion carried.

Councilwoman Rooks made a motion to allow President Piercefield to sign the agreement on behalf of the council. Councilwoman Buck seconded. Motion carried.

Approval to Advertise for Electric Line Conversion Project – Mr. Watson said this project was actually advertised last year to convert 4kVA line in Pleasant View and Talberton additions. We received 2 bids but only one bid was complete. Because of the cost, we rejected all bids. Some adjustments have been made to the project and is ready to be advertised again.

Councilwoman Graham made a motion to advertise the electric line conversion project. Councilwoman Rooks seconded. Motion carried.

Fixed Asset Inventory – Mr. Finley said the council received in their packet a request for proposal advertisement for fixed asset inventory. This was a comment in our last audit and will be a comment in the audit currently being conducted. The staff attempted to do an inventory internally but did not have the time or the expertise to complete the project. He is requesting that we advertise this project and obtain proposals.

Councilwoman Graham made a motion to approve the fixed asset inventory advertisement. Councilwoman Rooks seconded. Motion carried.

Donations for Fire and Police – Mr. Finley said the town has received a few donations for AED’s and a donation for the fire department. Those donations are as follows:

AED Donatations		Fire Donation	
Source	Amount	Source	Amount
Sons of American Legion	1,000.00	O-Reilly Auto Parts	200.00
Calvary Christian Church	500.00	Total	200.00
American Legion Auxillary	500.00		
Total	2,000.00		

Councilwoman Graham made a motion to accept the donations as presented. Councilwoman Buck seconded. Motion carried.

Yamaha Golf Cart Lease – Mr. Watson said at the last meeting the council approved the increased lease amount for the golf cart lease. The lease is for 5 years.

Councilman Simpson made a motion to approve the Yamaha Golf Cart Lease. Councilwoman Rooks Seconded. Motion carried.

Councilman Simpson made a motion to allow President Piercefield to sign the lease on behalf of the council. Councilwoman Rooks seconded. Motion carried.

Other Business

Councilwoman Buck said she would like to bring up the Simpson property to see if we can proceed with the BOT process.

Mr. Watson said the process would start with a RFP for the project. There is no cost for this aside from the advertising costs. It would come back before council for approval before moving forward. The project would consist of acquiring the property, construction of hard surfaces, and demolition of a structure on the site.

President Piercefield said he thinks we need to at least investigate the option as the parks department is going to need the property as the town continues to grow.

Discussion was held on the financials of the process.

Mr. Huddleston said this would need to be placed on the agenda for the next meeting to take action.

Mr. Watson said the town has been dismissed from the Beckner Case. He asked that the council appoint someone to sign any settlement and dismissal paper for that case.

Councilman Simpson made a motion to allow President Piercefield to sign any settlement and dismissal documents related to the Beckner case. Councilwoman Buck seconded. Motion carried.

Mr. Finley said the SBOA was currently conducting our audit for 2021 and 2022. 2022 will be a single federal audit due to the amount of federal funds expended. He said if any council members have any questions they can reach out to the field examiner, Brooke Nelson.

Departmental Comments

Officer Darren Koors presented the council with a document related to healthcare for the K-9 units. This is free to the town. There is a 5-day waiting period for injury and 30 wait period for illness after submitting the application. We can use any vet in the country. The first visit is \$100 and any subsequent visits are covered 100%. The coverage is through Trupanion. He explained the process to the council.

Street Superintendent Clark McCollum said the damaged snowplow was deemed a total loss by insurance and will be replaced. The town will be responsible for the deductible.

Councilwoman Graham made a motion to proceed with the new snowplow through the insurance. Councilman Simpson seconded. Motion carried.

Parks Director Daniel Teter said the cemetery is starting to get busy as grass is starting to grow. The department has built a small lean-to that will house flowers and items that have blown off of graves so people can recover those. The Little League draft is this week and practices will start next week. Weekend tournaments are underway as well. He said Edinburgh's Sports Complex was named facility of the year by the USFA. He said he is proud of Ryan Gaston and the rest of the crew for the work they do on the facilities.

Community Center Director SaraBeth Drybread said the circus will be in town on April 29th. Tickets are available through the parks and recreation. The Humane Society has been holding vaccine clinics in town and most recently they did over 90 pets. The community center will be taking donations for the Humane Society.

Public Comments

Larry Miller of 7810 East State Road 252 said the annexation passed by the town is next to his property. He has heard there will be a Dollar General going on that property. He said he, and he

believes all the neighbors in that area, are opposed to that. There are other places the store could go, and he does not believe Edinburgh needs two Dollar Generals. He fears this will affect his property value.

Mr. Watson said there will be a public hearing to discuss that issue on April 18th at the Planning Commission meeting. He recommended that he and anyone else who wanted to speak on the matter attend that meeting.

Mike Miller of 7777 East State Road 252 said he is relatively new to Edinburgh. He said he was also opposed to the Dollar General going in. There is already a Dollar General in town and there is another 6 miles away on 252 in Flat Rock. He fears this will increase traffic flow in a residential area and increase the risk of accidents.

Judy Hill of 7773 East State Road 252 said she has lived on 252 for over 30 years. She said she spoke to both of her neighbors and they are in favor of the Dollar General. She understands peoples issues with it but would like to have something close as they get older. She does agree that traffic on 252 is out of control.

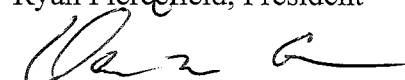
President Piercefield said the council does not know the plans just yet. It will go to the Planning Commission first and a recommendation will be made to the council. He encouraged everyone to attend the Planning Commission meeting on April 18th.

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

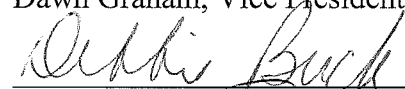
EDINBURGH TOWN COUNCIL



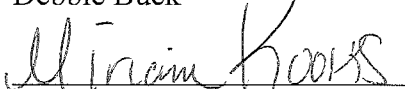
Ryan Piercefield, President



Dawn Graham, Vice President



Debbie Buck



Miriam Rooks



Jeff Simpson

ATTEST:



Scott Finley, Clerk-Treasurer