

Town Council Meeting
Monday, August 14, 2023
6:00 P.M.

Edinburgh Town Council met in a regular session on Monday, August 14, 2023, at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

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

Members answering roll call: Councilwoman Miriam Rooks, Councilwoman Debbie Buck, and Councilman Jeff Simpson. Also present were Town Manager Kevin McGinnis, Clerk-Treasurer Scott Finley, and Town Attorney Dustin Huddleston. President Ryan Piercefield and Vice President Dawn Graham were absent.

Minutes – Council meeting minutes of July 26, 2023.

Councilwoman Buck made a motion to approve the minutes as submitted. Councilwoman Rooks seconded. Motion carried.

Claims – The council received two dockets in their council packets. The totals were as follows:

- June End-of-Month Docket - \$500,955.77
- Regular Docket – \$758,195.44

Mr. Finley said he had signed off on all the claims in those dockets and presented them to the council for approval.

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

Public Hearing Community Development Block Grant – Donna Anderson of Kenna Consulting said the town is applying for a grant through OCRA for an update to the comprehensive plan. The current plan is 12 years old. The comprehensive plan is a policy document that serves as a guide for development in the community. This will also assist with updating the zoning ordinances. There will be multiple meetings encouraging public participation. It will take about a year to complete the plan. The budget for the project is \$55,600 with the max OCRA contribution being \$50,000. The due date for the grant application is this Friday.

Councilman Simpson opened the public hearing for the Community Development Block Grant.

Scott Finley of Edinburgh said he thinks this is something the town greatly needs. The current plan is over 12 years old meaning there is only one council member still on the board that was on the board when the plan was passed. A lot has changed in 12 years and the comprehensive plan and zoning ordinances need to reflect what the board members and the citizens see as the long-term plan. This plan will be vital for encouraging commercial and residential development and plotting out where that development will happen.

Kami Ervin of Edinburgh said she was on the council when the last plan was passed. We had a lot of community engagement. The plan is a great tool to guide the local boards when considering new development.

Doyne Little of Edinburgh said the town is starting to grow and that is essential for the town. But that growth needs to be planned and manageable. Residential development will help the schools both with more enrolment and an overall greater tax base.

Clerk-Treasurer Scott Finley said he believes this devise will be instrumental in growing the tax base and raising the assessed value of the town. The higher the assessed value of the town, the lower the tax rate will be for the citizens. Residential is a necessity but commercial development tends to bring in more assessed value and therefore more tax dollars.

Parks Director Daniel Teter said as an employee, it is important to have a plan for the town. This helps department heads know how to better plan for the future.

Sherry Tatlock of Edinburgh said she has lived in Edinburgh for 50 years and is proud of how the town has developed. The town has a great downtown district and the infrastructure projects have made way for future development.

With no more public comments, Councilman Simpson closed the public hearing.

Resolution 2023-14 Local Match for OCRA Grant – Mr. Finley said this resolution states that the \$5,600 local match for the grant for the comprehensive plan will be paid from the CCD fund.

Councilwoman Rooks made a motion to approve Resolution 2023-14. Councilwoman Buck seconded. Motion carried.

Councilwoman Rooks made a motion to allow Vice President Dawn Graham to sign the resolution on behalf of the council. Councilwoman Buck seconded. Motion carried.

Water Treatment Plant Change Order #3 – Town Manager Kevin McGinnis said the project is moving along but there are a few necessary changes to the original plan. The total for the changes is \$83,471.70. With this change order, we have only used about 40% of the contingency dollars. He has reviewed the change order in detail and is comfortable with the changes.

Councilwoman Rooks made a motion to approve Water Treatment Plant Change Order #3. Councilwoman Buck seconded. Motion carried.

Water Treatment Plant Pay Application #15 – Mr. Finley said the total for this pay application is \$232,964.80. Upon approval, this will be signed and submitted to SRF for approval and disbursement of funds.

Councilwoman Rooks made a motion to approve Water Treatment Pay Application #15. Councilwoman Buck seconded. Motion carried.

Councilwoman Rooks made a motion to allow Councilman Simpson to sign pay application 15 on behalf of the council. Councilwoman Buck seconded. Motion carried.

Wessler Invoice 42085 for Water Treatment Plant – Mr. Finley said Wessler invoice 42085 is for engineering services related to the water treatment plant. The total of the invoice is \$34,845.62. Upon approval it will be submitted to SRF for review and disbursement of funds.

Councilwoman Buck made a motion to approve Wessler invoice 42085. Councilwoman Rooks seconded. Motion carried.

Councilwoman Buck made a motion to allow Councilman Simpson to sign invoice 42085. Councilwoman Rooks seconded. Motion carried.

UTV Ordinance Discussion – Town Marshall Little said a few weeks ago a citizen had asked about UTV's on public roads. About a year ago, the council discussed this, but nothing was approved. He would like to allow UTV's but only if it is limited to UTV's and not ATV's, 4-wheelers, 3-wheelers, etc. There was a draft of an ordinance, but no action was taken. He said he has a copy of Morgantown's ordinance that he can give to the council.

Mr. Huddleston said in October of last year an ordinance was drafted and some possible amendments were mentioned but it was tabled and never revisited. He would be happy to review and research the state codes.

Councilwoman Rooks made a motion to allow Mr. Huddleston to the draft UTV ordinance. Councilwoman Buck seconded. Motion carried.

K-9 Skye Replacement – Town Marshall Little said Skye was one of our K-9's that was donated to the town. She has injured her shoulder and it does not look like she will be able to go back into service. Luckily, we have insurance on the K-9 units. He has obtained estimates to

replace the K-9. One estimate was from New Pal K-9 for \$16,500 and the other was from Ultimate K-9 for \$15,700. The quotes are not apples to apples as the New Pal dog would be a dual-purpose dog that could be used for tracking and drugs. He has received some donations to replace the dog and there is just over \$9,000 in the K-9 fund. It would require some officer training to get acquainted with the new dog.

Officer Darren Koors said he will be keeping Skye and improving her quality of life. He explained the process of obtaining the new dog.

Councilwoman Rooks made a motion to approve the replacement K-9 from New Pal for \$16,500. Councilwoman Buck seconded. Motion carried.

Request for Police Car Light Package – Assistant Town Marshall Hector Mercado said the department received approval for a new vehicle. It has been decaled and now needs its light package. He would like to proceed with Waymire for \$14,328.08.

Councilwoman Rooks made a motion to approve the light package quote from Waymire for \$14,328.08. Councilwoman Buck seconded. Motion carried.

Pole Mount Transformer Purchase – Electric Superintendent Steve Clark said the department only has 4 transformers left. New transformers are 16 to 20 weeks out. He would like to purchase 30 new transformers. The cost is \$42,780.

Councilwoman Rooks made a motion to approve the purchase of 30 transformers from United Utility Supply for \$42,780. Councilwoman Buck seconded. Motion carried.

Phosphorous Chemical Purchase – Wastewater Superintendent Robert Jessie said we purchase this chemical annually and the cost is \$36,000. He is working on storage options to be able to purchase larger quantities to lower the overall cost.

Councilwoman Rooks made a motion to approve the phosphorous purchase from Crofta for \$36,000. Councilwoman Buck seconded. Motion carried.

Industrial Billing for Wastewater Testing Discussion – Mr. Jessie said the sewer use ordinance passed in 2016 says the town can bill for excessive strength users. The ordinance states that the industry will determine the strength and send it to the department for billing. The department is currently doing that testing for the industries. Over 30 years this has cost the town about \$390,000. There are three companies that this charge applies to: Danzer, Amos Hill, and MA Metal. The town is not benefiting from the surcharge because the test costs as much as the fee. To follow the ordinance, the companies should be paying for and doing this test.

Kami Ervin said she works for Danzer and asked if it would be possible to add an additional fee for the town to continue doing the test. She would like to sit down and discuss options with the department.

Councilman Simpson said he would recommend talking to each individual company and find options.

Purchase of Two New Simulators – Timbergate General Manager Wayne Gibbs said the department has two simulators that were purchased in 2011. Those simulators are now obsolete and cannot get new parts. The simulators have directly brought in \$131,400 in that time and indirectly (through snack bar revenue in the off months) approximately \$160,000. The cost for the new simulators is \$92,794. Half would come from course revenues and the other half would come from the Shelby County EDIT Fund.

Councilwoman Rooks made a motion to approve the purchase of two new simulators for \$92,794. Councilwoman Buck seconded. Motion carried.

Mr. Finley said the old simulators will need to be disposed of per the capital asset policy. They will need to be deemed surplus.

Mr. Gibbs said he believes the value of the simulators is less than it will cost to have them removed.

Councilwoman Rooks made a motion to allow Mr. Huddleston to look into removal of that asset. Councilwoman Buck seconded. Motion carried.

Ordinance 2015-4 Control of Animals Discussion – Councilman Simpson said there will not be a decision made tonight but the council will allow discussion of the ordinance. There will be 10 minutes allowed for those in favor of amending the ordinance and then 5 minutes for those against.

Annette Young of Edinburgh said she would like to see an amendment to ordinance 2015-4 to allow for therapeutic chickens. She cares for and is an advocate for Jason, an adult with special needs who takes care of chickens for therapeutic reasons. Jason is allergic to cats and dogs so those animals were not an option.

Brad Rooks of Edinburgh said he and Ms. Young were steered in the wrong direction by the Building and Zoning Official. They paid for a submitted an application for a variance to the BZA that was not necessary. They also paid for an advertisement, a sign, and were fined \$100.

Ms. Young said she was not aware there was an ordinance against chickens as there are so many already in town. Mr. Overton said they would be coming after her for the fines as she is the one on the mortgage. She said she has received permission to speak about his medical issues due to HIPPA. She explained to the council some of the medical issues Jason has.

Mr. Rooks said they are asking for the council to amend the ordinance as they have seen a change for the better since Jason got the chickens.

Ms. Young said she also knows of several agencies as well as a news agency that will be advocates for Jason if this change is not approved.

Michelle Burton of Edinburgh said she would like to see the ordinance completely repealed for all residents. She explained the benefits of fresh eggs versus grocery store eggs.

Councilman Simpson said the time was up for people in favor of changing the ordinance.

Councilman Simpson opened the floor to those against change the ordinance.

Gayle McQueen of Edinburgh said she lives near the chickens on High School Drive and they can hear this rooster day and night and can smell them constantly. It is a nuisance to the neighborhood. Chickens do not belong inside of a town.

Sherry Tatlock of Edinburgh said she has lived in her house for 50 years. She is tired of dealing with chickens coming over her fence. She put up a privacy fence to stop the chickens from getting in her yard. The feces from the chickens is dangerous to her small dog. Councilman Simpson said time was up for people against changing the ordinance.

Other Business

Councilwoman Rooks complimented the Parks department on the landscaping work they did at town hall. She is looking forward to the Fall Festival in September.

Mr. McGinnis gave an update on the new fire station. It is set to be done by August 15th. There has been a request to epoxy coat the floors for \$13,801. That money is not in the budget for this year. He showed pictures of the concrete floors.

Councilwoman Rooks said she would like to look at other options.

Mr. McGinnis said the water treatment plant is set to be completed on November 21. The town is still obtaining easement for the electric on State Road 252. The Main Street extension project is underway. He is working on a subdivision control ordinance. They are looking at options for

converting the old tennis courts in Irwin Park to Pickleball courts. He is looking into the JCCF grant. There is \$15,000 available if we apply this year, \$20,000 if we apply next year.

Departmental Comments

Town Marshall Little said the town has received the new AED's and they are in service.

Water Superintendent Bill Jones said there is an ordinance that prevents wells at Timbergate for irrigation unless approved by the town. The 2 new houses going up have wells drilled. There are about 10 total. We need to enforce those regulations.

Mr. Jones said he would also like the council to consider shutting down Union Street permanently after the new plant is complete. This area could be used for storage and parking.

Councilwoman Rooks made a motion to allow Mr. Huddleston to review the issue with wells at Timbergate. Councilwoman Buck seconded. Motion carried.

Councilwoman Buck made a motion to allow Mr. Huddleston to look into options for vacating Union Street. Councilwoman Rooks seconded. Motion carried.

Street Superintendent Clark McCollum said the Main Street extension project is scheduled to be done by the second week of September.

Community Center Director SaraBeth Drybread thanked everyone who came out for National Night Out. Tomorrow from 6-9PM there will be a golf cart cruise in with an ice cream truck. There will be a raffle for a free ride bracelet for the Fall Festival. There will be a fund raiser for Senior Moments by selling scarecrow kits.

Parks Director Daniel Teter said fall league registration is over. There is a cricket tournament this weekend at the sports complex. The department is planning for Halloween and the Holiday of Lights.

Being no further business or comments, Councilwoman Buck made a motion to adjourn the meeting. Councilwoman Rooks seconded. Motion carried.

EDINBURGH TOWN COUNCIL

ABSTAIN
Ryan Piercefield, President

ABSTAIN
Dawn Graham, Vice President

Debbie Buck
Debbie Buck

Miriam Rooks
Miriam Rooks

Jeff Simpson
Jeff Simpson

ATTEST:

Scott Finley, Clerk-Treasurer