

Town Council Meeting
Monday, May 29, 2012
6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Monday, May 29, 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, Councilwoman Kami Ervin and President Ron Hoffman. Also present was Clerk Treasurer Jackie Smith and Town Attorney Dustin Huddleston.

President Hoffman presented the minutes of the May 14, 2012 council meeting. Councilman Rooks made a motion to approve the minutes. Councilwoman Ervin seconded. Unanimous.

President Hoffman said that before we go to claims there is an issue that that has recently arisen on planning grants that we discovered. In regards to the Comprehensive Plan it was from July 31, 2010 to July 31, 2011. The grant is still outstanding because the grant writer never requested our final draw of \$19,584. Two semi annual reports were due June 30, 2011 and December 31, 2011, but were never submitted. We must submit a request for an extension along with the two reports before the funds will be released, Ron said he signed them this evening and they will be sent in. He believes they will grant the extension and release the money. We also applied for a grant for Gary Ladd's examination and report that he discussed about a month ago on the storm water. It was approved on May 31, 2011 with a completion date of May 31, 2012. The grant is outstanding because the grant writer never requested the final draw of \$15,840. Gary Ladd has submitted his final invoice to Dana Monson on 4-1-12 and her response was that he couldn't get paid until the grant was closed. When the state was contacted it was found out that the grants couldn't be closed out until all funds are dispersed. We have gone ahead and paid Mr. Ladd's bill if you approve the claims. To complete this a certified grant administrator must complete the grant. The town has contacted Kenna Consulting, which they had used before Dana was hired and they will fix everything for \$500.00 per grant. They have been completed and submitted to the state on May 25. We found out that other grants can't be applied for as long as these are outstanding because of Dana Monson not doing anything.

Councilwoman Ervin asked if the funds we request will reimburse the town without any legal issues?

Councilman Drybread said we could pay the vendor with the grant or from our fund and then the grant would reimburse us. John said Mary checked on these and found out what we needed to do because there were administrative things that weren't done and we aren't going to lose a dime, just what we pay Kenna.

President Hoffman said Kenna would be looking for other grants for us.

Councilman Rooks asked if they are on a retainer?

President Hoffman said no it will be for \$500 for each grant and as needed in the future.

Councilwoman Ervin said only as needed in the future.

Councilman Drybread said yes and they are an excellent firm.

President Hoffman said the former Town Attorney told Kenna not to bother with grants because the town didn't need them.

Councilwoman Ervin said so what we are approving is the payment to Ladd's Engineering that will be reimbursed to the town by the grant.

Councilman Drybread said yes its pretty simple in getting this cleaned up with no issues.

President Hoffman said it was a two-page form and we want it on the record.

Councilman Simpson said that it is a reasonable price.

President Hoffman said they usually charge on a percentage of the grant.

President Hoffman said claims were next and turned them over to Clerk Treasurer Smith. Clerk Treasurer Smith said he had signed all claims submitted to him and turned them over to the council for approval. Councilman Rooks made a motion to approve the claims. Councilman Simpson seconded. Unanimous.

President Hoffman said next on the agenda was Ordinance 2012-6 amending Ordinance 2011-4. President Hoffman said this was the fees ordinance for the town and went over the fee changes with the council.

Councilwoman Ervin asked where these recommendations come from?

President Hoffman said from the department heads.

Town Attorney Huddleston said the park fees have already been approved.

Councilman Simpson made a motion to approve Ordinance 2012-6. Councilman Rooks seconded. Unanimous.

Town attorney Huddleston said the ordinance needed to be published in the next 30 days.

COUNCIL COMMENTS:

Councilman Drybread said everyone had a copy of the open burning ordinance and he would like to have Dustin amend this ordinance to allow fire pits, chimneys and recreational fires. We have had some issues on what is legal and what is not. Fire pits have become very popular all over the United States and I would recommend that Dustin take a look at this and make it very clear so police officers, firemen or one of us know if it is legal or not.

Councilman Rooks asked if a fire pit was legal?

Councilman Drybread said there is nothing that states anything about fire pits and the only one that is specified is the one we made for the park.

Councilman Rooks asked is it what they burn in it?

Councilman Drybread said yes but most burn wood and this came up 3 or 4 years ago and we kind of let it go and now is the time to put some teeth into it and clarify it.

Councilman Rooks said that people asked him about it and he has told them there is nothing that says you can't.

Councilwoman Ervin asked if we could research with the manufacturers and see if they have any recommendations for how far away from the house it should be, because her next door neighbor has one on his porch and that is her concern.

President Hoffman said we could add some verbiage that it should be a certain distance from any structure.

Councilwoman Ervin said she would recommend what the manufacturer recommended.

Town Attorney Huddleston said he will make it like the firearms ordinance and draft it very restrictive and present it and you can carve things out.

Councilman Drybread said this ordinance would need some parameters for this so everyone will have an answer.

President Hoffman asked if everyone was in agreement for Dustin to look into this. All council members were in agreement.

Councilman Drybread said we have been talking about closing town hall from 12-1 for lunch because we have an issue in the front office with only two people being there and one being gone for vacation or being sick. John said this would be put in the paper thru June. John said we don't get a whole lot of volume at lunch.

Councilman Simpson said so there's not many people that come in at noon.

Councilwoman Ervin said that surprises her.

President Hoffman said a lot of towns close at certain times.

Councilman Drybread said this is the only place open from 12-1 under the umbrella of the town and as we go forward we will have on line payments as we change software.

Councilman Simpson asked if this included Mary and Rhonda?

Councilman Drybread said yes the whole town hall and this is an option to take lunch or not.

Councilwoman Ervin said there would be no waiting on customers.

Councilman Simpson made a motion to close town hall from 12-1 for lunch. Councilman Rooks seconded. Unanimous.

Councilman Drybread said this will go in the paper in June and will be effective July 2. John said the pool opened and took in \$4,000 on opening day and Timbergate turned \$7,200 yesterday.

Councilman Rooks asked if we got our ADA compliance?

Councilwoman Ervin said they pushed that back to January because they realized that too many pools would be closed.

Councilman Drybread said we got a reprieve but we want to get ours done as soon as possible.

Councilman Simpson said the cemetery looked good for Memorial Day, thanked John for getting CVS mowed and asked if we were moving forward on the food pantry?

Councilman Drybread said yes we are down to having drawings put together so we can move forward.

Councilman Rooks said he was getting a lot of complaints about the north entrance from us 31 coming into town and asked if we have any plans for that?

Councilman Drybread said that Charlie Bewley stops on every couple of weeks and he can talk to him about that.

President Hoffman asked if it was part of the town?

Councilman Drybread said no.

President Hoffman said it would have to be annexed.

Councilwoman Ervin said that is part of our comprehensive plan.

Kami said she was working on a community yearbook project highlighting stuff that goes on in town, such as the Firecracker Festival, the Fall Festival, the Holiday of Lights and the Tri Kappa Queen. Kami said the things that go on in town really have no record and we have photos floating around of them. She thought it would be a good fundraiser for the adult prom, which benefits the athletic department. Kami said she would start working on that this week and hopefully will have it done in the fall. She will try to get some sponsorships to keep the cost down so we are making a little profit for the prom and 20 years from now it would be a good source of documentation.

DEPARTMENT REPORTS:

Town Attorney Huddleston said legislators passed an anti nepotism policy that requires all municipalities to adopt some kind of policy that prohibits hiring of relatives as employees or by contract. The main concern is the policy is required to be adopted and if you don't adopt it the State Board of Accounts will not accept your budgets. He asked do you want me to draft a policy so we can get in compliance.

The council agreed for Town Attorney Huddleston to draft the policy.

Town Attorney Huddleston said he would draft it as an ordinance.

Councilwoman Ervin asked if present employees will be grand fathered in?

Town Attorney Huddleston said yes.

President Hoffman said this applies mostly to elected officials and not department heads.

Town Marshall Pankey said starting tomorrow he will be having his second run of Job Corp personnel job shadowing with the police department for 6 weeks doing the morning shift and the evening shift and the people who ride in the cars are in the law enforcement type program at the Job Corp. Pat said he asked them about insurance and since the federal government pays them any injuries would be on the federal government insurance. Pat said he wouldn't accept anyone that he doesn't think will fit in and the last two one was wanting to be a police officer in Minnesota and one wanted to be a PSA officer. This also gives us a hand in the Job Corp and the town has asked them to do several projects. Pat said a new law that goes into effect July 1 deals with smoking. The law says you can't smoke in a restaurant period and the owner has to take out all ashtrays. If they have an outside patio you can smoke in that, but it has to be more than 8' from the entry and he has been handing out information on this. It doesn't apply to bars or the legion.

Councilwoman Ervin said it applies to any business or workplace and signs have to be posted.

Kami asked Pat if we have had the Job Corp. students sign waivers to release liability.

Pat said they don't get out of the cars, they don't participate and they are out of harms way. He said when he asked about waivers he was told they didn't need them because they were covered under the federal governments workman's comp.

PUBLIC COMMENTS:

Gail Hoffman asked if the fire pit was just for manufactured ones or did it include holes that were dug in the ground with rocks around it.

Councilman Drybread said that is something we will try to specify.

John said the Memorial Day service went well and a lot of people commented on how nice the cemetery looked. John said we are going to have to enforce the regulations at the cemetery because it is hard to maintain with people buying benches and everything else. It has become an issue so we are going to put the regulations in place and give them a time line to comply.

Councilwoman Ervin asked if they get the regulations?

Councilman Drybread said yes when you purchase lots you get the regulations.

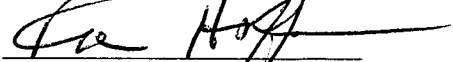
Councilman Simpson said at one time didn't everything have to be confined to the slab?

President Hoffman said that is the way it is supposed to be, but we have been very lenient and now there are a lot of abusers.

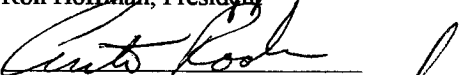
Councilman Drybread said the best looking area of the cemetery is the ones in the 1800's because no one puts any decorations on them.

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

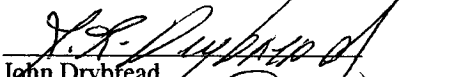
EDINBURGH TOWN COUNCIL



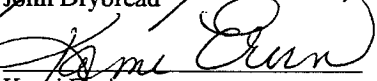
Ron Hoffman, President



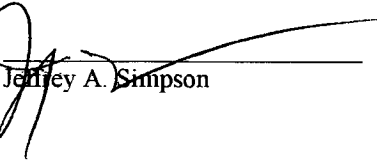
Curtis Rooks, Vice President



John Drybread



Kami Ervin



Jeffrey A. Simpson

ATTEST:

Jackie Smith, Clerk-Treasurer