

Town Council Meeting
Monday, January 13, 2014
6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Monday, January 13, 2014 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 Kani Ervin and President Ron Hoffman. Also present were Town Attorney Dustin Huddleston and Clerk Treasurer Scott Finley.

President Hoffman said next on the agenda was Election of Officers. Councilman Simpson made a motion to elect Ron Hoffman President and Curtis Rooks Vice President. Councilman Drybread seconded. Unanimous.

President Hoffman said next on the agenda were the minutes of the Council Meeting of December 9, 2013 and the Council Meeting of December 30, 2013. Councilman Rooks made a motion to approve both minutes as submitted. Councilwoman Ervin seconded. Unanimous.

President Hoffman said next on the agenda was Ordinance 2014-1 Establishing a fee schedule. Mr. Teter was at the previous meeting and suggested several changes to the Parks and Recreation's fee schedule. President Hoffman asked if there were any other changes made to the fee schedule.

Mr. Huddleston said there were a few other additions from Building Commissioner Wade Watson.

Mr. Watson said there were a few items missing from the old fee schedule. The petition fee was added to the schedule for the BZA and there was a correction on an electrical upgrade fee.

Mr. Huddleston added that the fee for disposal of electrical waste was removed because the town no longer has the container to allow that kind of disposal.

Councilman Simpson made a motion to approve Ordinance 2014-1. Councilman Rooks seconded. Unanimous.

President Hoffman said next on the agenda was Resolution 2014-1 Purchase of Real Estate. This also was discussed in the previous meeting.

Councilwoman Ervin asked where the funds were coming from for the purchase.

Councilman Drybread said the purchase would be made from the Badger Fund.

Councilman Rooks made a motion to approve Resolution 2014-1. Councilman Simpson seconded. Unanimous.

President Hoffman asked Councilman Drybread to give everyone a brief description of the Badger Fund.

Councilman Drybread said the fund was established many years ago when a sizable amount of money was willed to the town. It draws approximately \$128,000 dollars in interest every year. The money can be used for anything related to maintaining the cemetery.

President Hoffman said next on the agenda was the discussion of the property located at 111 North Holland Street, Edinburgh, IN 46124. There have been some problems with that property in that it has not been in adherence with the ordinance that applies to that location. He asked Mr. Watson to explain what he had done with that property and what the response has been.

Mr. Watson said back in the middle of summer there was a change in the operations at that location and more and more clutter began to appear outside. He had stopped in and had several conversations with the manager of that property and was told they were working desperately to get the area cleaned up. Conditions did not improve and documents were sent to the property manager with a timeline of when the property needed to be cleaned up. The zoning in that area does not allow outside storage of raw materials and therefore anything outside would need to be moved inside. That timeline came and passed without compliance and it was turned over to Mr. Huddleston who sent a demand letter. The timeline in that letter was again ignored.

President Hoffman asked where that leaves the town now.

Mr. Watson said the next step would be either the business would either voluntarily comply with the demand or the town will have to exercise legal action to get them to comply. He said he believes legal action will have to be taken.

President Hoffman said he would be looking for permission to allow Mr. Huddleston draw up the proper documents to take legal action.

Mr. Huddleston said the documents would include a complaint filed with Johnson County Courts to enforce the zoning ordinance. It would be an actual lawsuit filed on behalf of the town.

Councilman Rooks asked if after Mr. Huddleston filed the paperwork it would go to court.

Mr. Huddleston said yes.

Councilman Rooks asked what would happen if property still was not in compliance after the court order.

Mr. Huddleston said there are a variety of enforcement issues. Fines can be imposed or law enforcement can get involved to abate the nuisance. That just depends on how the judge wants to handle the situation.

President Hoffman asked what the fines would be if the court ruled in the town's favor.

Mr. Watson said the ordinance allows a fine of up to \$2,500 a day and each day is a different offense.

Councilman Rooks made a motion to allow Mr. Huddleston to draw up the paperwork to take legal action against the property. Councilwoman Ervin seconded. Unanimous.

President Hoffman said next on the agenda was the Edinburgh Redevelopment Commission Annual Report. He handed it over to Mr. John Rondot to present the report.

Mr. Rondot said there was copy of the annual report in everyone's council packet Friday. He said he did not intend to make a presentation unless the council would prefer him to but he would be happy to answer any questions about the report. He had copies to hand out if anyone from the public wanted to ~~view~~ the report.

President Hoffman thanked Mr. Rondot for his time on the report and said it was very clear and concise.

Council Comments

Councilman Drybread thanked all the town departments for their work removing snow during the harsh weather conditions over the past couple of weeks. He said there was a water main break on West Campbell Street as well that the water department repaired very quickly. The department believes there may be another leak that they have been unable to locate so far.

Councilman Rooks said on State Road 252 there has been a tax service sign put up and he was wondering if that area was zoned for business.

Mr. Watson said he is currently looking into that situation. There are a couple problems with the situation. First, there is a sign out that has not been permitted. Second, a residential property can be used for business but it would require a change of use permit that has not been pursued.

Mr. Finley said he handed out an end of the month prewrite claim docket from December for everyone before the meeting. He said the new system has allowed them to stay up to date for the most part. He said he had signed off on all the claims in that docket and asked for a motion to approve the docket. Councilwoman Ervin made a motion to approve the claims as submitted. Councilman Rooks seconded. Unanimous.

Mr. Finley said he also had with him the agreement from SmartBill that was talked about at the last meeting. He said the council might want to have Mr. Huddleston look over the agreement, as it is rather lengthy. He said he had looked over it and nothing major stood out but it may be a good idea to have Mr. Huddleston look over it as well. He asked for a motion to allow him to sign off on the agreement based on Mr. Huddleston's approval of the agreement.


Councilwoman Ervin said she wanted to point out a few things in the agreement. She said it is a 5-year agreement, which she does not see as a problem so long it does continue to be a savings in the long run. She also said she noticed that the agreement does allow SmartBill to change its pricing no more than one time during a 12 month period.

Mr. Finley said he, Mary, and Cindy all had a telephone meeting with the representatives from SmartBill and from what he can tell everything seems to be in order. He said he had with him a copy of what the final bill would look like. It was very similar to Bangersville's utility bill. The front has ample room for user fees, utility costs, and notices to customers. Also the entire back page can be used and the information on that page is set for one year.

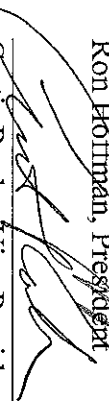
Councilman Rooks made a motion to allow Mr. Finley to sign the agreement with SmartBill based on Mr. Huddleston's review. Councilman Simpson seconded. Unanimous.

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

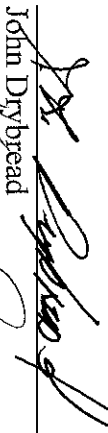
EDINBURGH TOWN COUNCIL



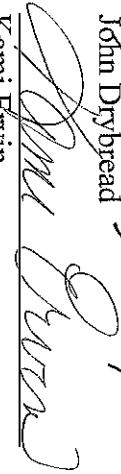
Ron Hoffman, President



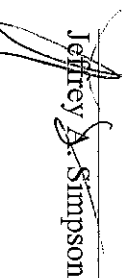
Curtis Rooks, Vice President



John Drybread

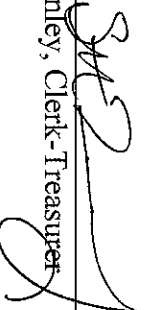


Kami Ervin



Jeffrey Simpson

ATTEST:



Scott Finley, Clerk-Treasurer