

Town Council Meeting
 MONDAY, June 11, 2012
 6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Monday, June 11, 2012 at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

Members present: Ron Hoffman, President, Curtis Rooks, Vice President, John Drybread, Kami Ervin and Jeffrey A. Simpson. Also present were Mary Patterson, Director of Administrative Services and Dustin Huddleston, Town Attorney. Jackie Smith, Clerk-Treasurer was absent from the meeting.

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

President Hoffman conducted roll call with all council members present. Hoffman said Clerk-Treasurer Smith was on vacation.

Councilman Rooks made a motion to approve minutes of the May 29, 2012 council meeting and June 4, 2012 executive meeting, Councilwoman Ervin seconded. Unanimous.

Mary Patterson said all the claims submitted have been reviewed and signed off by Clerk-Treasurer Smith and proposed the claims be accepted as submitted. Councilman Drybread moved to approve payment of all claims submitted, Councilman Rooks seconded. Unanimous.

President Hoffman presented Ordinance 2012-7 Amending Water Ordinance 2006-7 to the council for approval. President Hoffman said the changes does not affect the monthly billing rates it applies only to "non-recurring charges". President Hoffman said these charges include delinquent fees, connection charges, meter deposits, after hour charges and call out fees. President Hoffman said some of the fees have never been charged before. Councilwoman Ervin asked what the delinquent fee was for and Mary Patterson said the fee is charged to customers who have not paid their account by 5:00 PM the day before the disconnect date regardless of whether or not the customer has been disconnected. Councilwoman Ervin asked if the "bad check charge" was also charged for the electric to cover the bank charges and Mary said yes. Councilman Rooks asked if the new changes put the town in line with other communities and Councilman Drybread said the town is still under most of them. Councilman Rooks made a motion to approve Ordinance 2012-7 Councilwoman Ervin seconded. Unanimous.

President Hoffman submitted Ordinance 2012-8 Amending Open Burn Ordinance 2008-5 to the council for approval. President Hoffman asked the council if they had a chance to review the ordinance with the changes. Councilwoman Ervin said she had looked at ordinances in other towns and the structure distance requirements range from ten feet to twenty-five feet. Councilwoman Ervin said although she was okay with the twenty-five feet distance from the structure she asked if the number could be changed to fifteen. Councilwoman Ervin said there are properties in town including hers that would not meet the twenty-five feet requirement. Councilwoman Ervin asked the other council members their opinions. Councilman Drybread and Councilman Simpson said they were okay with the change from twenty-five to fifteen. Councilman Rooks asked Fire Chief Smith what his thoughts were on the change. Fire Chief Smith said he doesn't have a problem with the fifteen feet as long as everyone abides by the ordinance and burns only what is allowed. Councilman Rooks said he was okay with the fifteen feet. President Hoffman said if someone does not abide by the ordinance the police department would have the authority to write the violator a ticket. Councilwoman Ervin said the ordinance states the Town's Fire Chief, Marshal and/or Building Commissioner may enforce the ordinance but it does not list police officers. Attorney Huddleston said to make it clear he could add the words "or designee" to the ordinance. Councilwoman Ervin said another thing that caught her attention with the other ordinances was the hour restrictions prohibiting burning from the hours of 11:00 PM to 7:00 AM. Councilwoman Ervin said she liked the time restriction and thought it should be added to the ordinance. Councilman Drybread said most individuals typically would not burn late at night unless they have company and if the fire created a problem than the situation could be addressed as a nuisance. President Hoffman said fires are normally at night and not during the day. Councilman Rooks said the ordinance states that the fire must be attended at all times and he didn't think a time restriction was necessary. Town Marshal Pankey said the ordinance states that permitted burning is allowed in a commercial grill so if someone has a grill on their back patio they would have to move it away from the house to the designated distance. Attorney Huddleston told Town Marshal Pankey that he was correct. President Hoffman said he felt the ordinance needed to be changed regarding commercial grills and asked the council their opinions. It was the consensus of the council to have Attorney Huddleston change the ordinance in reference to commercial grills. Attorney Huddleston said he would make the requested changes: 1) distance requirement from 25 feet to 15 feet excluding commercial grills; and 2) the Fire Chief, Town Marshal and Building Commissioner can use their designees for inspections to Ordinance 2012-8 and present it at the June 25th meeting for council approval. President Hoffman asked Attorney Huddleston what the penalty violation was for the ordinance. Attorney Huddleston said the penalty was not changed that it stayed the same as before and refers to

General Penalty Section 10.99 in the town code. Mary Patterson told the council that the penalty was up to \$500 per violation each day. Town Marshal Pankey said he thought the town council should set the amount of the penalty for the punishment instead of leaving it to the discretion of the police department. President Hoffman asked if the amount should be one number. Town Marshal said the penalty could be set in increments for the 1st, 2nd, 3rd violations and so on. After more discussion on the penalty fees, it was decided to charge \$25 for the first violation, \$100 for the second, \$250 for the third and \$500 for the fourth. Ordinance 2012-8 was tabled to allow Attorney Huddleston to make the necessary revisions.

Timbergate Manager Gibbs presented the council with reports for April and May. Gibbs said the gross revenue for April was \$91,232 with a profit of \$18,765 for the month. Gibbs said the revenue breakdown shows the alcohol sales, green fee's, pro shop merchandise, range balls and snack shop are all up compared to April 2011. Gibbs said the gross revenue for May was \$122,376 with a profit of \$39,900. Gibbs said looking at the year to date from January to May the revenue stands out from previous years and expenses are a little higher than previous years due to the increase in sales. Gibbs said this still leaves a negative of \$168,544 which is a bit deceiving because a bond payment was paid in January and another bond payment is due July 15. Gibbs said he is excited about the negative \$168,544 compared to the previous year negative amount of \$435,000. Gibbs said he is extremely happy with how things are going and the month of June has already started with a bang. Gibbs said the year to date revenues show a \$31,000 increase in alcohol sales, \$73,000 increase in green fees; and the \$53,000 received in membership fees are about half of what is expected to receive because membership dues are paid in December; pro shop is up \$19,800 and snack shop has doubled what was received last year. President Hoffman said these numbers are better than before Gibbs took over in 2010. Gibbs said they are still working with inventory from the previous managers and once they are able to get rid of these items they will be able to purchase merchandise that will sell. Councilman Simpson asked if there were many outings scheduled for the year. Gibbs said at most golf courses, outings make sense but at Timbergate they don't. Gibbs said groups will want an outing on Saturday and bring 100 people for a discounted price but Timbergate will get 100 people to play on a Saturday anyway at the regular cost so they actually lose money on some outings.

Council Comments:

Councilman Drybread said he was glad to see Town Marshal Pankey in the crowd. Councilman Drybread said Pankey had a rough past week but looked like he was doing better.

Councilman Drybread said he and Building Commissioner Watson met with an engineer and representatives from Amos Hill concerning the grain elevator. Councilman Drybread said there were some pretty serious issues in taking down the elevator such as detours, gas meters and common walls that will be dealt with one at a time. Councilman Dry read said he would keep the council updated as the project moves along. Councilwoman Ervin asked if there were any additional expenses that the town did not see coming. Councilman Drybread said because Job Corp can't do the project as originally planned the town will need to hire a professional contractor. Councilman Drybread said Building Commissioner Watson is working with the engineer on the project.

Councilman Drybread said the five houses in town that needed demolished have been taken down and cleaned up. Councilman Simpson asked if the old maintenance house at the golf course had been taken down and Drybread said yes it was gone.

Councilman Drybread said he met with Strand Engineering last week on the comprehensive plan.

Councilman Rooks thanked Timbergate Manager Gibbs for the good job he is doing at the golf course.

Councilman Rooks said Shonda has done an excellent job on the flowers around town. Rooks said he has heard many comments on how nice they look. Councilman Drybread said there are a handful of employees that work diligently on the landscaping around town and he would pass on the compliment.

Councilman Rooks said he would not be in attendance for the June 25th council meeting.

Departmental Comments:

Town Marshal Pankey said last week the CVS store was robbed again at gunpoint with the same method as before. Pankey said they had talked with a person of interest that morning and that same person robbed the store that afternoon. Pankey said there was a massive turnout and they also received assistance from Bartholomew County. Pankey said a description of the vehicle was sent out and an Edinburgh ex-officer who is a Trafalgar police officer stopped the vehicle and found the gun on the subject. Pankey said the subject had dumped the stolen items in Atterbury. Pankey said the case is so good on the subject that ATF wants to take over the case.

Town Marshal Pankey said he pulled the plug on the Job Corp shadowing program because one of the students said some inappropriate comments in front of a female prisoner during a transport to

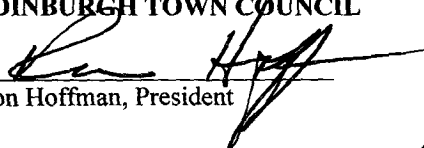
Bartholomew County. Pankey said he contacted Job Corp and informed them that he did not want to put the town at risk.

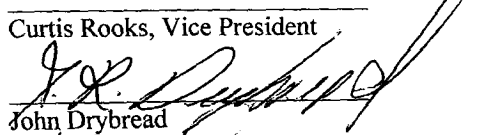
Town Marshal Pankey said he recently had a minor heart attack and had to have a stint put in and the prognosis looks good according to his doctor. Pankey said felt he should let the council know about his health because of his position with the town.

Public Comments:


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

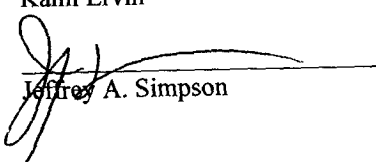
EDINBURGH TOWN COUNCIL


Ron Hoffman, President

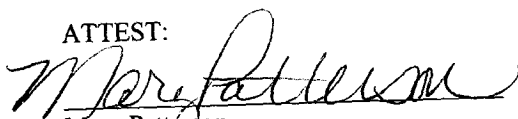

Curtis Rooks, Vice President


John Drybread


Kami Ervin


Jeffrey A. Simpson

ATTEST:


Mary Patterson
Director of Administrative Services