

Town Council Meeting
Monday, March 10, 2014
6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Monday, March 10, 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, Vice President Curtis Rooks, Councilwoman Kami Ervin and President Ron Hoffman. Councilman Jeff Simpson was absent. Also present were Town Attorney Dustin Huddleston and Mary Patterson, Director of Administrative Services. Absent from the meeting was Clerk Treasurer Scott Finley.

President Hoffman said next on the agenda were the minutes of the Council Meeting of February 24, 2014. Councilman Rooks made a motion to approve the minutes as submitted. Councilwoman Ervin seconded. Unanimous.

President Hoffman said next on the agenda were claims and handed it over to Mary Patterson who was filling in for Clerk Treasurer Scott Finley. Ms. Patterson said Mr. Finley had signed off on all the claims in the claim docket and passed them on to the council for approval. Councilman Drybread made a motion to approve the claims as submitted. Councilman Rooks seconded. Unanimous.

President Hoffman said next on the agenda was Resolution 2014-6 Ditech Tax Abatement. The abatement was approved in the previous meeting. This is for the resolution to that abatement. Councilman Rooks made a motion to approve Resolution 2014-6. Councilwoman Ervin seconded. Unanimous.

President Hoffman said next on the agenda was the Mike Buening Consulting Agreement. He said this would be the third year of the agreement between the town and Mr. Buening.

Building Commissioner Wade Watson said Mr. Buening's involvement will be vital during the Amos Hill demolition project in making sure the town is consistent with the scope of work, that all safety procedures are being followed, and that all work is checked and reviewed as it progresses. Mr. Buening is also a consultant for the pre-construction meeting that is required with the OCRA grant. Mr. Watson said he believes Mr. Buening does great work and has done it for less than hiring other outside firms.

Councilman Rooks asked if the Amos Hill project was on schedule.

Mr. Watson said it was and he would cover the report he had handed out later in the meeting.

Councilwoman Ervin made a motion to approve the consulting agreement with Mike Buening. Councilman Drybread seconded. Unanimous.

President Hoffman said next on the agenda was the Amos Hill Tax Abatement Discussion. He asked Mr. Watson to comment on the request.

Mr. Watson said Mike Bell, the presenter of the document, wanted to send his apologies for not being at the meeting. Amos Hill is in the process of putting plans together to do a large expansion to their property. They are going to tear down some buildings and erect some larger, more modern facilities. They are anticipating spending somewhere over \$1 million for property improvement. The abatement request is for real property only. They plan to purchase personal property in the future but the abatement in front of the council would not include any personal property. Mr. Watson said he is recommending a 10 year abatement since it is for real property and using the state schedule which reduces the abatement 10% each year.

Councilwoman Ervin asked if Mr. Watson knew if the expansion would help reduce some of the traffic from Amos Hill on State Road 252.

Mr. Watson said currently the employees must move finished goods around the yard which forces them to use the road. The expansion should help remove some of that traffic as they will be able to move their finished goods within the yard.

Councilman Rooks asked if they were going to do anything with the building next to the grain elevator scheduled to be demolished.

Mr. Watson said no, they are actually going to connect to the north side of that building. Councilwoman Ervin said it will be nice to not see those forklift workers having to work on the corner of that road.

Councilman Drybread made a motion to approve the tax abatement for Amos Hill. Councilman Rooks seconded. Unanimous.

President Hoffman asked Mr. Huddleston to prepare the resolution.

Mr. Huddleston said he would work on that resolution. However, there may be a delay in the process as he will need to obtain an exact legal description of the improved new area because the abatement cannot go on the existing building. That needs to come from Amos Hill and he will begin work on the Resolution when he receives that information.

President Hoffman said next on the agenda was Bill White discussing ordinance violations. He asked Mr. White what ordinances he is claiming have been violated.

Mr. White showed the council some pictures of fence that he said was over 10 feet tall and was not allowed. He said he has complained about it for 3 years and nothing has been done.

President Hoffman said the building commissioner has looked at the property and there are no ordinances being violated. He said he believes Mr. White needs to talk to the president of the homeowner's association.

Mr. White asked who was the president of the homeowner's association.

President Hoffman said he does not know but the town cannot enforce homeowner's association covenants. He asked if Mr. White had anything else to add.

Mr. White said no.

President Hoffman thanked Mr. White for coming to the meeting.

Council Comments

Councilman Drybread said there have been some architects doing design work for new bathrooms at the sports complex. One of the biggest complaints out there has been the lack of bathroom facilities during tournaments. There is also someone interested in the Blue River building so they plan to begin work on that very soon as well. He said hopefully during the spring we can get those projects up and running.

Councilwoman Ervin asked Mr. Watson to elaborate on the complaints brought up by Bill White.

Mr. Watson said there is a homeowner's association enforced in neighborhood. Mr. White has a complaint with the fence between him and his neighbor to the west. The fence is 10 feet tall and was installed because of the chronic complaints between the two individuals. The fence is well maintained and has the appropriate set back from the street it is just taller than the covenants of the community allowed. The zoning ordinances do not regulate fences at all which may need to be looked at for the long term. This particular covenant limits a fence height. When it was presented to him he asked Mr. Huddleston for clarification and they found that the town could take the initiative to enforce the covenant but it is not required to enforce it. Mr. Watson said Mr. White calls very frequently and the last time he responded to a complaint about debris in the street he found barely enough debris to fill the bottom of a small trash can. He informed Mr. White that he would not respond to anymore of his complaints unless they were very egregious.

Councilwoman Ervin said it also appears he has not taken the correct complaint mechanisms as he was not aware of the name of the president of the homeowners association. She thanked Mr. Watson and said she just wanted a clearer picture of the complaints.

Councilman Rooks asked how the council was brought into the picture.

Mr. Watson said his belief is a subdivision ordinance was in place at that time that required signatures of council for a major plat.

Mr. Watson added that there is one active homeowner's association within the community and that is in place at Timbergate Golf Course. The association has restrictions beyond what the town has in its ordinances. If someone wants to build a garage or do an expansion those plans have to be approved through the homeowner's association before the building commissioner has the authority to issue a permit for the project.

President Hoffman asked what year that plat was established.

Councilman Drybread said he believed the addition was constructed in the 1960's.

President Hoffman thanked Mr. Watson for the explanation.

Mr. Watson handed out a packet to the council regarding the pre-bid meeting for the Amos Hill project that was held on February 28, 2014. There were 14 contractors with plans for demolition and 9 of them were at the pre-bid meeting. The public bid opening will be held on March 14, 2014. The bids have to be submitted by 1:00 PM that Friday and at 1:30 he, Mr. Buening, and Kent Anderson will hold the meeting to open the bids. They will take a week to review the bids and then on March 24, 2014 the final analysis of the bids will be presented. Everything is on schedule so far and the hope is to award the bid by the end of the month and then hold the a pre-construction meeting. The notice to commence should be issued by mid April.

President Hoffman asked if there were any restrictions in conjunction with OCRA on how the bid award will be determined.

Mr. Watson said yes. The OCRA grant says that the town is required to take the lowest bid. The only exception to that is if the town finds the lowest bidder to be incapable or unqualified for any reason. If a bidder does not meet a requirement set in the grant, that bidder can be disqualified. If they meet all the requirements of the grant, the town would have to determine through a valid method that the bidder is incapable of doing the project before the bid could be rejected. He said once the bids have been opened a complete list of the bidders and the amount they bid will be presented to the council.

Police Chief David Mann said a new police officer has been hired. His name is Robert Crocker and he will bring him to the next meeting to meet the council. He has been a reserve officer in the past and thinks he will be a great addition to the department. He said they just finished up a 7 week process of interviews, background checks, and physical testing. Mr. Crocker was hired for the position and will continue to work as a reserve officer until his official start date on March 19. He said has also made a conditional offer of employment that he will finalize on March 11. He anticipates having two more openings in the department in April and he will keep the council informed on that matter.

Fire Chief Allen Smith said he would like to ask for additional appropriations from the Non-reverting Fire and EMS Fund for some tools and equipment. The first thing is a generator with a portable light that can be used to during a fire at night. The second is an additional light that plugs into the generator. The third is a rack that holds all the gear and allows it to dry completely. The fourth is a water pump to pump water out of a building after a fire. The last thing is a mobile hose rack. Currently the station has to put the hoses out in the parking lot to let them dry after use. This rack holds the hose and takes up much less room. The total cost for these items is \$9,572.

President Hoffman asked how much money is in that NRO account.

Mr. Smith said its over \$220,000.

Councilwoman Ervin said the NRO specifically states that the account is for training and equipment, correct?

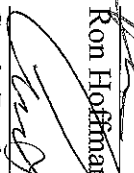
Mr. Huddleston said that is correct.


Councilman Rooks made a motion to allow Fire Chief Allen Smith to purchase the equipment presented and move forward with the additional appropriations. Councilwoman Ervin seconded. Unanimous.

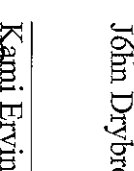
Being no further business or comments, Councilman Drybread made a motion to adjourn the meeting. Councilman Rooks seconded. Unanimous.

EDINBURGH TOWN COUNCIL


Ron Hoffman, President



Curtis Rooks, Vice President


John Drybread


Kani Ervin


Jeffrey A. Simpson

ATTEST:


Scott Finley, Clerk-Treasurer