

Town Council Meeting
 Tuesday, May 26, 2015
 6:00 P.M. Town Hall

Edinburgh Town Council met in a regular session on Tuesday, May 26, 2015 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: Councilwoman Dawn Graham, Vice President Kami Ervin and President Ron Hoffman. Also present were Town Attorney Dustin Huddleston and Clerk Treasurer Scott Finley. Councilman Jack Shepherd and Councilman Jeff Simpson were absent.

President Hoffman said next on the agenda were the minutes of the council meeting of May 11, 2015. Councilwoman Graham made a motion to approve the minutes as submitted. Councilwoman Ervin seconded. Unanimous.

President Hoffman said claims were next on the agenda and handed it over to Clerk Treasurer Scott Finley. Mr. Finley said everyone should have received a copy of the normal claim docket in their council packets. He had with him three additional claims that were turned in late. One was a bond payment to Salin Bank for the electric garage, one was to Marlin Leasing for the phone system at the police station, and the other was an AT&T from the police department that was needed to complete the phone bill. The total for claim docket was \$586,973.97. He said he had signed off on all the claims in that docket and handed them over to the council for approval. Councilwoman Ervin made a motion to approve the claims as submitted. Councilwoman Graham seconded. Unanimous.

President Hoffman said next on the agenda was the Public Hearing for Ordinance 2015-2 Amending Fees for Municipal Sewage Works. He opened the public hearing and asked for any comments or concerns. Being no comments or discussion from the public he closed the public hearing. He asked Clerk Treasurer Scott Finley if all necessary notices were issued.

Mr. Finley said yes. Legal ads were run in the Daily Journal, The Republic, and The Shelbyville News on Friday, May 15, 2015. Notices were also mailed to all out of town customers and anyone owning a vacant lot within town limits.

Councilwoman Ervin made a motion to approve Ordinance 2015-2. Councilwoman Graham seconded. Unanimous.

President Hoffman said next on the agenda were tax abatements for Amos Hill, KST Leasing, and MacBeath. He asked Building Commissioner Wade Watson to address those abatements.

Mr. Watson said the council had a copy of his staff report in their packets on Friday. The abatements for Amos Hill and KST Leasing are straight forward and both have complied substantially with their statement of benefits. His recommendation was for approval of those abatements. MacBeath applied for a tax abatement but the area has not yet been designated as an Economic Revitalization Area (ERA). The resolution for that ERA was the next item on the agenda and his recommendation was to approve that resolution and then approve the abatement for MacBeath in a later meeting.

John MacBeath was present at the meeting to introduce himself to the council and give a brief history of the company.

Bryan Wink, the Director of Finance for MacBeath, was also present to explain the need and reason for the abatement. The company has started the process of building a larger office space and the abatement would help tremendously with the project.

Councilwoman Ervin made a motion to approve the abatements associated with Resolutions 2014-10 and 2010-7. Councilwoman Graham seconded. Unanimous.

President Hoffman said next on the agenda was Resolution 2015-3 Establishing an Economic Development Revitalization Area. He asked Mr. Watson to explain the resolution.

Mr. Watson said the resolution creates an Economic Revitalization Area for the parcel that MacBeath owns. Without the ERA the town is not authorized to issue abatements for any improvements. This is the first step in approving the abatement for MacBeath. The resolution establishes the ERA for a ten year

period which would be the life of the abatement. Councilwoman Ervin made a motion approve Resolution 2015-3. Councilwoman Graham seconded. Unanimous.

President Hoffman said next on the agenda was the Storm Water grant discussion. He asked Mr. Watson to lead the discussion.

Mr. Watson said the grant writers at Kenna Consulting brought this opportunity to his attention. There is some disaster relief money available through OCRA that is specific to storm water. There is up to \$1,000,000 available with a low community match. Through some exploration he found that one of the town's storm water projects had already been estimated. Phase 1, which would take care of storm water in Pruitt East, Old Town Estates, Meadow Village, and Heatherview, was estimated at approximately \$1,000,000. He said he would be looking for authorization from the council to pursue the grant to see what road blocks the town might encounter. The deadline for filing is September 9, 2015 and the community match is 10%. To his understanding there are not many communities applying for the grant so he thinks the town's chances are excellent. Councilwoman Graham made a motion to allow further exploration of the storm water grant. Councilwoman Ervin seconded. Unanimous.

President Hoffman said next on the agenda was Mr. Watson's staff report on ordinance research. There had been some discussion about ordinances regarding portable basketball goals on sidewalks and streets, barking dogs, and outdoor bands. He said Mr. Watson has researched those topics and will present his findings.

Mr. Watson said the first issue related to basketball goals on sidewalks and streets. While the town does have ordinances that address snow removal from sidewalks and things of that nature, the ordinances are fairly out of date. His recommendation would be to allow Mr. Huddleston to draft an updated ordinance regarding sidewalks and obstructions to public right-of-way.

The second issue was regarding barking dogs. Again, the town does have an ordinance regarding animals but it too is rather outdated. It does not address a number of issues that have come about over the past few years. His recommendation was to allow Mr. Huddleston to research similar ordinances and draft a more current ordinance relating to animal control.

The third issue related to having an outdoor concert in an alley downtown. He said there is an obstruction of public way prohibition. The town does provide authorization to the building commissioner to overrule that with certain stipulations. Based on the traffic and parking in the area his recommendation was to suggest a different location for the concert to be held.

Councilwoman Ervin said she agreed that the sidewalk ordinance did need updated. She said she saw a lot of gray areas within some of the ordinances. Regarding the concert, she said she can see how the town could allow or disallow events. Her biggest concern was discouraging downtown business owners from doing community events that raise money for good causes.

President Hoffman asked if anything is being enforced regarding barking dogs with the current ordinance and who is responsible for that enforcement.

Mr. Watson said he believes the ordinances refers to a letter from the clerk-treasurer. From his experience, when there is a complaint it goes to the building commissioner and he goes out and speaks to the property owner. He said the incident that was brought up at the previous council meeting was the first he had heard of a problem in that neighborhood. There has been an animal control officer from Johnson County that said he would be happy to assist the town with something of this nature.

Town Manager John Drybread said he and Police Chief David Mann were in an impromptu meeting with one of the animal control officers from Johnson County. They have said they are willing to take over the responsibility of the whole town of Edinburgh even though parts of the town sit outside Johnson County.

President Hoffman said he had one question for Mr. Huddleston in regards to allowing the outdoor concert on public property. He asked what kind of liability issues there could be if the council did allow the event.

Mr. Huddleston said any incident regarding the concert would probably involve the town being named as a defendant because the council would be authorizing the use of that space. If something were to happen, the town could be subject to liability.

Councilwoman Ervin made a motion to allow Mr. Huddleston to draft an updated ordinance regarding streets and sidewalks as well as an updated ordinance regarding animals in town.

President Hoffman said next on the agenda was Duane Terry discussing an outdoor band.

Councilwoman Ervin said liability is an issue because it will be on town property. She asked him to explain where the band would be set up.

Mr. Terry said the band would be set up right by the delivery door and would face the downtown area. There will still be full access to all areas of the alley and bar.

President Hoffman said he has handled these types of claims from the insurance side before and they can often become expensive and problematic to the municipality. The town could not allow the event without Mr. Terry obtaining some type of insurance that would hold the town completely harmless if any incident were to arise.

Councilwoman Ervin made a motion to allow Mr. Terry to have the outdoor band contingent upon Mr. Terry obtaining adequate insurance coverage with enough time for the council to review the policy. Councilwoman Graham seconded. Roll Call Vote: Aye: Councilwoman Ervin, Councilwoman Graham. Nay: President Hoffman. Motion did not carry.

Departmental Comments

Town Manager John Drybread said the swimming pool has officially opened and had a good turnout on opening day. Also, the American Legion had a great Memorial Day celebration and he was able to read the proclamation from the town at the event.

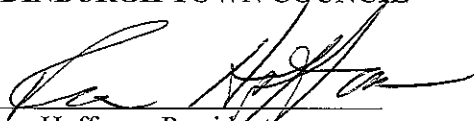
Police Chief David Mann said he wanted to bring the council up to speed on the animal control efforts. Ultimately, the town will have to make one of the Johnson County animal control officers a reserve officer for the town. There is enough open space on the reserve roster to accommodate another officer and the service will be very beneficial to the town.

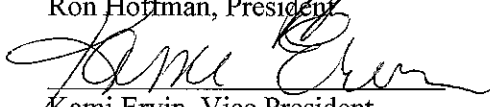
Public Comments

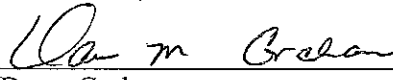
Angela Moore of High School Drive was present to update the council about the dog situation from the previous meeting. She had another incident over the past weekend and was told to call animal control. The animal control office is not open on weekends. The dogs climbed her fence into her and her neighbor's yards on two separate occasions. Animal control did finally take a report and said they would put a notice on the owner's door. She said she thinks the town is going in the right direction drafting a new ordinance to control this kind of situation.

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

EDINBURGH TOWN COUNCIL


Ron Hoffman, President

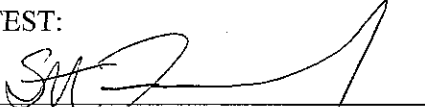

Kami Ervin, Vice President


Dawn Graham


Jack Shepherd

Jeffrey A. Simpson

ATTEST:


Scott Finley, Clerk-Treasurer