

**Town Council Meeting**  
**Monday, May 22, 2023**  
**6:00 P.M.**

Edinburgh Town Council met in a regular session on Monday, May 22, 2023, at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

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

**Members answering roll call:** Councilwoman Miriam Rooks, Councilwoman Debbie Buck, Councilman Jeff Simpson, Vice President Dawn Graham, and President Ryan Piercefield. Also present were Clerk-Treasurer Scott Finley, Interim Town Manager Wade Watson, and Town Attorney Dustin Huddleston.

**Minutes** – Council meeting of May 8, 2023. *Councilman Simpson made a motion to approve the minutes as submitted. Councilwoman Buck seconded. President Piercefield abstained. Motion carried.*

**Claims** – The council received two claim dockets in their council packet. The dockets were as follows:

- February End-of-Month Docket - \$89,629.87
- Regular Docket - \$974,660.45

Mr. Finley said he had signed off on all the claims in those dockets and presented them to the council for approval.

*Councilwoman Graham made a motion to approve the claims as submitted. Councilwoman Rooks seconded. Motion carried.*

**Public Hearing - Proposal to Rezone Real Estate** – Interim Town Manager Wade Watson said the council is to consider a petition to rezone the property owned by Daniel Rooks on State Road 252. This was before the planning commission on April 18<sup>th</sup>. The staff recommended a favorable recommendation, but the planning commission issued an unfavorable recommendation. Those documents were submitted to the council along with a petition signed by 229 citizens in favor of the rezoning. The development on that parcel would be a Dollar General Store. The petitioner is present tonight.

Town Attorney Dustin Huddleston said the council needs to adopt procedures for the public hearing. He recommended allowing 20 minutes for the petitioner to speak, 20 minutes for remonstrators, and 10 minutes for the petitioner's rebuttal.

*Councilwoman Graham made a motion to adopt the procedures for the public hearing as recommended by Town Attorney Dustin Huddleston. Councilwoman Rooks seconded. Motion carried.*

President Piercefield opened the public hearing for the proposal to rezone real estate.

Will McDonald of Primavery and Associates, 301 East Chestnut Street, Corydon, IN 47112 said this is the same property that was annexed into the town a few weeks ago. The development would be for a Dollar General Store. The area is already in a mixed zoning area. It is surrounded by both roadside business and residential. The store will be set back further than a residential structure from the road. There will be a fence and tall evergreen trees on the east side. The property is on a state road which can handle the amount of traffic and the drive would be held to INDOT standards. It is independent of the other Dollar General currently in town.

Councilman Simpson asked if there would be turn lanes added.

Mr. McDonald said no. They have met with INDOT and this does not generate the traffic to require a turn lane.

President Piercefield asked who would be responsible for maintaining the building.

Mr. McDonald said Dollar General would be responsible for maintenance. They would have a triple net lease.

With no further comments from the petitioner, the remonstrators were given 20 minutes to speak.

Mike Miller of 7777 East State Road 252 said he is strongly against this project. He believes it will endanger his family with more potential accidents at the entrance. It is stated that the store would be open until 9 PM but there will be after-hours deliveries coming in all through the night. The town does not need another dollar store.

Wayman Burton of 7837 East State Road 252 said this was voted down by the planning commission. There is no need for a dollar store in this area. This is very short visioned. The area could be a gateway for Edinburgh and a Dollar General is not the look we need. After five years it will be a month-to-month rental and will draw in other unsavory businesses. He would like to see a concept drawing of this entrance way.

Fran Cecil of 7815 East State Road 252 said this area has always been a neighborhood. He has lived there for 50 years. He researched a 2020 study and the Dollar General has a high number of SNAP employees. It is an easy target for crime and violence. Between 2014 and 2021, 156 people were killed at chain dollar stores. The stores are unsafe with aisles often blocked or hard to maneuver. The study showed on average, property values diminished by 16% to 21% after Dollar Generals were built.

Larry Miller of 7810 East State Road 252 said 229 signatures for the rezone is not that many relative to the population of Edinburgh. He thinks there are other areas where this Dollar General could be built.

Randy Miller of 1139 East Main Cross said he grew up in the house just east of where this store would be built. The town is in a population decline and putting a business in a residential area is not going to increase the population. He said he spoke with a realtor, and they believed this would drop the property values by up to 50%. This is not a good plan.

Mike Miller of 7777 East State Road 252 said he is 30 years old and has a 1-year-old child. He has been in his house for 3 years. If this Dollar General is built, he will be selling his house. He came to this community because the area is nice. This will not attract new people. It ruins the town's image.

Jill Burton of 7837 East State Road 252 said she moved here from Franklin 58 years ago. Her biggest concern is for her neighbors. They have worked diligently to maintain their properties. She is also concerned with traffic in the area.

The 20-minute time allotment for remonstrance expired.

Mr. Huddleston said the petitioner or anyone in favor of the rezone now have 10 minutes to speak.

Will McDonald said there has been a lot said about this being residential. The property is directly adjacent to property that is zoned roadside business. It is a state road in the highway corridor which is where commercial buildings would be placed. There have been effectively 4 households tonight speaking in opposition of over 30 notices that were sent out to property owners in the area. Over 30 households were directly invited to this meeting to speak, and 4 are present.

John Burton of 515 South Walnut Street said he understands the issues the homeowners in the area have with the store but they also bought homes on a state highway. The area is a highway corridor that will eventually be developed with commercial properties. He asked Town Marshall Doyne Little if the Dollar General currently in town had ever been robbed.

Town Marshall Little said not to his knowledge.

Mr. Burton said you can take 4 households to represent the entire town. He created the petition in favor of the rezone and 2 or 3 people were able to get 229 signatures including some names of people that currently live on that road. They could have got more signatures. He said he believes the rezone may depreciate their homes value if you only look at the residential value. But if you look at the value of it commercially it will appreciate. If you buy a house on the busiest road in town, it is only going to get busier as the town grows.

President Piercefield closed the public hearing.

Mr. Watson said the options for the council are to approve the rezoning request, approve the request with amendments, continue the case for further considerations, refer the case back to the planning commission, or deny the request.

President Piercefield said he also would like more options in town and was initially in favor of the rezoning request. His mind was changed when he found out there would not be a turn lane. There have been deadly accidents on that road, and this will increase traffic. He is pushing for growth but is concerned with the location.

Mr. Watson said the council can also approve the request with the condition that a turn lane would be added.

Councilwoman Rooks said she voted against this on the planning commission and will vote against it again tonight.

Councilwoman Graham said she would like to see growth and the town is not going to grow without approving things like this. She would be happy with the condition of a turn lane being added.

Councilman Simpson said after hearing both sides, he has a few questions he would like to get answered.

Mr. McDonald presented the council with a site plan. He asked if they wanted a deceleration lane or for the road to be widened. They would be open to adding a deceleration lane. It is not a huge traffic generator. They estimate 15 transactions per hour.

*Councilwoman Rooks made a motion to deny the request to rezone real estate. Councilwoman Buck seconded. Motion carried 3 to 2 after a roll call vote with Councilman Simpson and Councilwoman Graham voting nay.*

**Resolution 2023-10 Granting a Temporary Highway Easement to the State of Indiana** – Mr. Watson said the council approved an easement for the state to do work on the bridge on State Road 252. The state has asked that we create a resolution confirming that decision. Mr. Huddleston has prepared that and it is before the council for approval.

*Councilwoman Rooks made a motion to approve Resolution 2023-10. Councilwoman Graham seconded. Motion carried.*

**4kV Line Conversion Project Bid Award** – Mr. Watson said the bid opening for this project was April 20<sup>th</sup>. We received 3 bids. The low bidder, Hagland had a number of conditions that needed to be cleared up in their bid documents. Alpha does not see any reason Hagland cannot perform the work, but he and Electric Superintendent Kevin Rubush have concerns as they are an out of state entity that only visited the site once. We are much more comfortable with Backbone Power Systems. The difference is only about \$10,000.

*Councilwoman Graham made a motion to award the 4kV line conversion project to Backbone Power Systems. Councilwoman Buck seconded. Motion carried.*

**Alpha Engineering Industrial Park Substation** – Mr. Watson said Ben Huckaba of Alpha Engineering was present to present to the council the updated concept plans for the new substation.

Mr. Huckaba said they have been working on this for more than a year. There have been some changes to the project due to some increase demand anticipated from some of the industrial users. He presented a PowerPoint showing the design of the update substation. The design leaves space for future a transformer. The cost for 1 transformer is \$6,254,150 and the cost for 2 is \$10,166,650. He said he would like the council to consider a contract amendment to expand the scope of the design work.

Mr. Huddleston said this was provided to him by Mr. Watson. He can prepare an amendment for approval by council.

*Councilwoman Graham made a motion to allow Mr. Huddleston to draft a contract amendment with Alpha Engineering. Councilwoman Buck seconded. Motion carried.*

**Annual CF-1 Review for Sacoma Specialty Products, SAPP, and Copples Wrecker Service** – Mr. Watson said these are the remaining CF-1's that need approval.

- Sacoma – 6 active abatements. Staff Recommendation – Approval.
  - *Councilwoman Graham made a motion to approve the CF-1s for Sacoma Specialty Products. Councilwoman Rooks seconded. Motion carried.*
- SAPP. Year 10 of 10. Staff Recommendation – Approval.
  - *Councilman Simpson made a motion to approve the CF-1s for Sacoma Specialty Products. Councilwoman Buck seconded. Motion carried.*
- Copple's – Year 8 of 10. Staff Recommendation – Approval.
  - *Councilwoman Graham made a motion to approve the CF-1s for Sacoma Specialty Products. Councilwoman Rooks seconded. Motion carried.*

*Councilwoman Graham made a motion to allow President Piercefield to sign the CF-1's on behalf of the council. Councilman Simpson seconded. Motion carried.*

**American Legion Proclamation** – Mr. Finley said this proclamation is approved each year declaring Memorial Day, American Legion Memorial Day. It will be read at the Memorial Day service at the Cemetery.

*Councilwoman Graham made a motion to approve the American Legion Proclamation. Councilwoman Rooks seconded. Motion carried.*

**Water Treatment Pay Application #12** – Mr. Finley said before the council is the pay application 12 for the water treatment project. This total for the pay application is \$189,474.08. Instead of processing through SRF, it will be submitted to OCRA for payment from our grant funds.

*Councilman Simpson made a motion to approve water treatment plant pay application #12. Councilwoman Graham seconded. Motion carried.*

*Councilman Simpson made a motion to allow President Piercefield to sign pay application #12 on behalf of the council. Councilwoman Graham seconded. Motion carried.*

**Wessler Invoice for Water Treatment Plant** – Mr. Finley said similar to the last item, this invoice is for engineering services for the water treatment plant. The invoice amount is \$39,304.11.

*Councilwoman Rooks made a motion to approve the Wessler invoice for the water treatment plant. Councilwoman Buck seconded. Motion carried.*

*Councilwoman Rooks made a motion to allow President Piercefield to sign the invoice on behalf of the council. Councilwoman Graham seconded. Motion carried.*

### **Other Business**

Councilwoman Buck asked if we were planning events for the eclipse in 2024.

Community Center Director SaraBeth Drybread said the department is actively planning for that event. Most schools are closing to allow students to view the event.

President Piercefield said the new fire squad is finally complete and in service.

Mr. Watson said Steve Clark started at the Electric Department today. We are glad to have him on staff.

The council welcomed Mr. Clark.

Mr. Finley said there has been some discussion about increasing paramedic pay at the fire department.

*Councilwoman Graham made a motion to increase paramedic pay for current employees and employees in the onboarding process to \$28 per hour. Councilwoman Buck seconded. Motion carried.*

Mr. Huddleston said Building and Zoning Official Robert Overton discussed the property at 613 Eisenhower Drive. He has done some research and will have at the next council meeting a proposed order to demolish the structure.

### **Departmental Comments**

Town Marshall Doyne Little said the department has already started planning for the increased traffic in the area around the time of the eclipse in 2024. He said he would also like to get council approval to move forward with applying for two grants. The first is the JAG grant to pay for 10 radios. It is a 100% grant. The second is through Aftermath. It is a 10,000 grant to be used for the K-9 units. There is also no match for that grant.

*Councilman Simpson made a motion to allow Town Marshall Little to proceed with the two grants. Councilwoman Graham seconded. Motion carried.*

Water Superintendent Bill Jones said the block is finally done at the new treatment plan. The trusses will start being set this week.

Parks Director Daniel Teter said the pool has been filled and will be open this Saturday. The cemetery will be very busy this weekend with Memorial Day on Monday. We had a lot of rain on Friday night, but his crew did great work to get the fields ready to be played on Saturday morning.

Community Center Director SaraBeth Drybread invited everyone to attend the Memorial Day service at the cemetery. The town will be applying for a grant for the comprehensive plan, and she would like to see the passionate input from the public that she saw tonight regarding the rezoning request. The department is starting a "Yard of the Week" contest and people will be able to nominate people for that award.

**Public Comments**

John Burton of 515 South Walnut Street said there are a few properties on Walnut Street that he thinks the council should look at taking action on. Also, the intersection of County Line and Walnut Street has been torn up for 14 months.

Mr. Watson said Street Superintendent Clark McCollum was in touch with them last week to get it repaired.

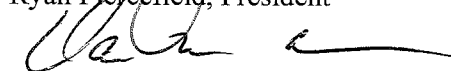
Randy Miller of 1139 East Main Cross Street asked about the property belonging to Mike Tetrick on State Road 252. He said the property is distracting. Can the town do anything about the property?

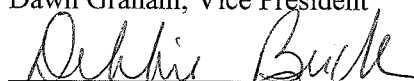
Mr. Watson said it was denied at the planning commission. At this point we would need to allow Mr. Huddleston to take legal action on the property.

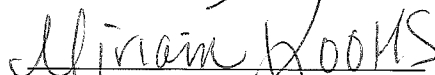
*Being no further business or comments, Councilwoman Graham made a motion to adjourn the meeting. Councilwoman Buck seconded. Motion carried.*


**EDINBURGH TOWN COUNCIL**

  
Ryan Piercefield, President

  
Dawn Graham, Vice President

  
Debbie Buck

  
Miriam Rooks

  
Jeff Simpson

ATTEST:

  
Scott Finley, Clerk-Treasurer