

**Town Council Meeting**  
**Monday, September 11, 2023**  
**6:00 P.M.**

Edinburgh Town Council met in a regular session on Monday, September 11, 2023, at 6:00 P.M. at the Town Hall, 107 South Holland Street, Edinburgh, Indiana.

Vice President Dawn Graham called the meeting to order and led the Pledge of Allegiance.

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

**Minutes** – Council meeting minutes of August 28, 2023 and special meeting minutes of August 28, 2023.

*Councilwoman Buck made a motion to approve the minutes as submitted. Councilman Simpson seconded. Motion carried.*

**Claims** – The council received a copy of the claim docket in their council packet. The total of the docket was \$390,054.08.

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

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

**Public Hearing – Request for Annexation** – Planning Director Wade Watson said on August 16<sup>th</sup>, Richard Wertz petitioned the town council to annex a portion of his property. The property is eligible for annexation based on the legal requirements. This will be one of several annexations planned for future development of that land.

Bryan Tuohy of 50 S Meridian St, Indianapolis said he was representing Mr. Wertz on this annexation. He gave a brief description of the area to be annexed and explained that because of the regulations for annexations, this was the largest parcel they could request to be annexed at one time. They will be petitioning for more annexations if this one is approved. He showed a map of the future development planned on the land once all annexation is complete. It would be primarily residential with some commercial.

Vice President Dawn Graham opened the public hearing for the request for annexation.

With no comments, Vice President Graham closed the public hearing.

**Fiscal Plan for Annexation** – Town Attorney Dustin Huddleston said with this request there are 3 items on the agenda tonight. The fiscal plan for annexation, the resolution adopting the fiscal plan, and the introduction of the ordinance. He explained the fiscal plan to the council. He said approving the fiscal plan does not bind the town to annexing the property.

**Resolution 2023-15 Adopting the Fiscal Plan for Annexation** – *Councilwoman Buck made a motion to approve Resolution 2023-15. Councilman Simpson seconded. Motion carried.*

**Ordinance 2023-15 Annexing Real Estate (First Reading)** – Mr. Huddleston said this is for introduction only. It will be on the agenda for approval at the next council meeting.

**Public Hearing for 2024 Proposed Budget** – Mr. Finley presented the proposed Form 4 for the 2024 budget. The total DLGF reviewed budget for 2024 is \$7,637,295 and the non-reviewed total is \$1,156,333. The adopted levy is \$4,503,997 and the tax rate is 2.738. The actual tax rate will be significantly lower than that adopted amount. The Form 3 has been advertised on the Gateway website.

Vice President Dawn Graham opened the public hearing for the 2024 proposed budget.

With no comments, Vice President Dawn Graham closed the public hearing.

**Ordinance 2023-11 2024 Budget Appropriations and Tax Rate (First Reading)** – Mr. Finley said this is just for introduction and will be ready for approval at the next council meeting.

**Ordinance 2023-12 Establishing a Junior Golf Donation Fund (First Reading)** – Mr. Finley said the Niel Estes Memorial Golf Outing made a donation to the course and wished for those funds to be used for junior golf programs at Timbergate. It is expected that there will be annual donations from this outing so he would like to set up a separate fund to hold those funds.

*Councilwoman Rooks made a motion to waive the first reading of Ordinance 2023-12 and consider it for approval. Councilwoman Buck seconded. Motion carried unanimously.*  
*Councilwoman Rooks made a motion to approve Ordinance 2023-12. Councilwoman Buck seconded. Motion carried.*

**Wessler Invoice 42255 for Water Treatment Plant** – Mr. Finley said this invoice is for engineering services for the water treatment plant. The total is \$29,794.67. Upon approval that invoice will be sent to SRF for approval and payment.

*Councilman Simpson made a motion to approve Wessler invoice 42255. Councilwoman Rooks seconded. Motion carried.*

*Councilman Simpson made a motion to allow Vice President Graham to sign Wessler invoice 42255 on behalf of the council. Councilwoman Rooks seconded. Motion carried.*

**Water Treatment Pay Application #16** – Mr. Finley said this is pay app 16 for construction of the water treatment plant. The total for this pay app is \$398,100.98. Upon approval it will be submitted to SRF for approval and payment.

*Councilwoman Buck made a motion to approve water treatment pay application 16. Councilwoman Rooks seconded. Motion carried.*

*Councilwoman Buck made a motion to allow Vice President Graham to sign pay application 16 on behalf of the council. Councilwoman Rooks seconded. Motion carried.*

**Ordinance 2023-13 Vacating a Public Way (First Reading)** – Mr. Huddleston said the council held a public hearing in November of 2021 and approved the vacation of this alley. We just needed a legal description for the ordinance.

*Councilman Simpson made a motion to waive the first reading of Ordinance 2023-13 and consider it for approval. Councilwoman Rooks seconded. Motion carried.*  
*Councilman Simpson made a motion to approve Ordinance 2023-13. Councilwoman Rooks seconded. Motion carried.*

**Ordinance 2023-14 UTV (First Reading)** – Vice President Graham said that she would like more time to review and ask questions about this ordinance.

Mr. Huddleston said this is just a draft based on the discussion we had about a year ago. Questions and changes can be sent to him, and we can make adjustments.

**115 East Main Street Property Discussion** – Mr. Huddleston said the council authorized notices to be sent to this property owner. Those notices were issued with no response. The next step would be to proceed with litigation on the property.

*Councilman Simpson made a motion to allow Mr. Huddleston to proceed with litigation against the owner of 115 East Main Street, Edinburgh, IN. Councilwoman Buck seconded. Motion carried.*

**211 Perry Street Property Violation Notification** – Mr. Watson said this property is considered an illegal occupation that stems back to the early 2000's. The property owner requested a variance for a 4-plex, but it was denied by the BZA. Since then, the owner converted to a 4-plex and the property is now changing hands. The potential buyer asked the town to do an inspection of the building and it has been deemed an unsafe dwelling. The staff recommends this property be turned over to legal.

*Councilman Simpson made a motion to review and take legal action against 211 Perry Street, Edinburgh, IN. Councilwoman Rooks seconded. Motion carried.*

**Wal-Mart Grant for K-9** – Town Marshalls Doone Little said the department received approval for the new K-9. Wal-Mart has a grant for these types of programs. He would like to apply for that grant. It is a 100% grant with no match.

*Councilman Simpson made a motion to apply for the Wal-Mart grant. Councilwoman Rooks seconded. Motion carried.*

**Request to Post Apprentice Lineman Job** – Electric Superintendent Steve Clark said he is requesting to fill a position with an apprentice lineman. He currently has two positions open: this one and an assistant superintendent. He is not looking to fill the assistant position at this point.

*Councilman Simpson made a motion to post the Apprentice Lineman position. Councilwoman Rooks seconded. Motion carried.*

**Approval to Purchase Meters** - A few years ago the department started implementing an advanced metering system. Currently we have about 1,000 meters left to change out. We have about 60 in stock and there are currently long lead times. He would like to order 300 meters to cover the new houses at Timbergate with about 150 to 200 to continue the changeout process.

*Councilwoman Rooks made a motion to approve the purchase of 300 meters from Anixter for \$62,550. Councilwoman Buck seconded. Motion carried.*

**Materials for Timbergate** – Mr. Clark said he has submitted a quote from Brownstown. This is the majority of the costs, excluding transformers, to complete the new addition at Timbergate. Lead times are 8 to 10 weeks. The new infrastructure is set to start in December. There are two separate quotes, one is for conduit and the other is for wire and materials.

*Councilwoman Buck made a motion to approve the quotes from Brownstown for \$189,738 and \$32,785.28. Councilman Simpson seconded. Motion carried.*

**Tree and Brush Removal at Timbergate** – Town Manager Kevin McGinnis said Timbergate General Manager Wayne Gibbs was not able to make the meeting and ask him to present. There is a contractor currently clearing trees and brush for the new development. Mr. Gibbs asked for a quote to clear the areas around the ponds on the golf course. He showed a map of the area to be cleaned. The department does not have the equipment or manpower to do this work. This cost would be significantly lower than any other quote because the contractor is already mobilized and onsite. The cost is \$14,000.

*Councilwoman Rooks made a motion to approve the tree and brush removal by Selective Clearing for \$14,000. Councilwoman Buck seconded. Motion carried.*

**Request to Vacate Union Street** – Water Superintendent Bill Jones said he spoke with Mr. Huddleston before the meeting, and he is already reviewing this process.

**Well Ordinance Discussion** – Mr. Jones said he would like an ordinance that requires written permission for any irrigation wells in town. He needs to ensure that all wells have backflow preventers installed before they go online. Backflow tests are required for all wells annually.

*Councilman Simpson made a motion to allow Mr. Huddleston to review and draft an ordinance related to irrigation wells. Councilwoman Buck seconded. Motion carried.*

**Amend Traffic Ordinance for Main Street Extension** – Mr. McGinnis said the with extension of Main Street, there will be a few additional stop signs and speed limit signs needed. He requested that Mr. Huddleston amend the code to include those signs and limits.

Town Mashall Little recommended a 40-mph speed limit for that area. Any lower and we will be issuing a lot of tickets.

*Councilman Simpson made a motion to allow Mr. Huddleston to draft the amended traffic code ordinance. Councilwoman Rooks seconded. Motion carried.*

**BOT Pay Application #8** – Mr. McGinnis said this pay application is for \$175,569.46. The project is 88% complete. This application will be sent to State Bank for processing.

*Councilman Simpson made a motion to approve BOT pay application #8. Councilwoman Buck seconded. Motion carried.*

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

Other Business

Councilwoman Rooks thanked the street department for their response to the mosquito issue.

Mr. McGinnis gave an overview of his Town Manager's report. The Main Street Extension should be completed well before the deadline. We have applied for a Johnson County Community Foundation grant for new radios for the police department.

Departmental Comments

Town Marshall Little said he wanted to recognize two of his officers, Officer Sean Pendleton and Officer Clayton Embry, for pulling a disabled person in a wheelchair from a burning house. The fire department was already on a run and the police department was first on site.

Building and Zoning Official Robert Overton said he would like to pursue legal action on Workman Trailer Park. They have allowed their mobile home license to expire and, in his opinion, the zoning should revert to what it was before. The mobile homes out there are in bad shape. He has tried to have a conversation with the owner but has gotten delay tactics. The trailer park is becoming a big issue. He asked that Mr. Huddleston review the property.

Discussion was held regarding non-compliant utilities in that area and unsafe living conditions.

Councilman Simpson made a motion to allow Mr. Huddleston to review options for the property known as Workman Trailer Park. Councilwoman Rooks seconded. Motion carried.

Parks Director Daniel Teter said it is Fall Festival week. He thanked all the departments for their assistance in setting up. They have currently filled all but 2 booths. The department had a huge tournament this last weekend and he thanked his employees for their work on that tournament.

Community Center Director Sarah Beth Drybread said Fall Festival ride bracelets are on sale and cheaper if you buy them early. There will be live music on Saturday night. They are planning several 5k runs.

Interim Fire Chief Chuck Ridpath said Officer Pendleton and Officer Embry absolutely saved that person's life last week in that fire. He thanked them for their assistance. He said the department will be moving into the new station next week.

Water Superintendent Bill Jones gave an update on the new treatment plant. He asked the council to consider a new service truck for the water department. He would like a truck with a utility bed so they can keep their tools on the truck. He submitted 3 quotes. This would replace the truck he is currently driving.

The council said they would like to review the purchase further before making a decision.

Being no further business or comments, Councilman Simpson made a motion to adjourn the meeting. Councilwoman Rooks seconded. Motion carried.

EDINBURGH TOWN COUNCIL

Ryan Piercefield, President

Dawn Graham, Vice President

Debbie Buck

Miriam Rooks

Absent

Jeff Simpson

ATTEST.

Scott Finley, Clerk-Treasurer