

SELLERSBURG TOWN COUNCIL

September 27, 1993

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were: Stanley E. Tucker, Council President; David Broady, Council Vice President; Doug Eddings Jr., Council Member; Roy Everitt, Council Member; Karl Truman, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer.

Called To Order

President Tucker called the regular meeting to order at 6:31 p.m.

Prayer

The prayer was offered up by Reverend Gary Fenner.

Pledge

The Pledge of Allegiance to the flag was recited.

Minutes Of Meetings On Sept. 13th And Sept. 25th

President Tucker dispensed with the reading of the minutes from the meetings on Sept. 13th and Sept. 25th and requested a motion be made to approve them.

Motion was made by Dave Broady to approve the above minutes and seconded by Roy Everitt.  
Vote 4-0

Covered Bridge Golf Course Discussed By Council And Project Engineer

Paul Primavera, project engineer for Covered Bridge Golf Course, addressed the council stated that the reason he wanted to meet with the council is to make them aware of plans looking into the future.

Mr. Primavera stated that at this point the 130 something commitments for 1/2 of the lots and by the fall of next year there will be a complete sell out.

Mr. Primavera stated that the second section they would like to start on consist of approximately 130 home sights and Covered Bridge depends on the Sellersburg Sewer System.

President Tucker stated that Council Vice Pres. Broady was not necessarily questioning the capacity.

Council Vice Pres. Broady stated that the problem was that there is a line under interstate 65.

Vice Pres. Broady stated that they need to meet to discuss what it would cost to increase this line.

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Covered Bridge Golf Course Discussed Cont.

President Tucker suggested that Dave or Mr. Primavera could contact Vice Pres. Broady and set down with sewer supt. Rick Wheeler and start brainstorming on how this can be addressed.

Council Member Truman stated that when the town first approved about the tap-ins there was some discussion and the agreement was that there would be something put in place to cover if the town ever annexed that area, that there would be something stating that the town could.

President Tucker stated that when we 1st agreed to do this we asked that something be put in the deed and we felt that was the proper place to put it and whomever is buying the house would recognize that when we attempted to annex that area they would not protest.

Mr. Primavera stated that he would check into this.

Council Member Truman asked Mr. Primavera to fax that information to the town Attorney, Perry McCall.

Council Member Everitt asked if the rumor was true that Bobby Knight had bought a lot?

Mr. Primavera stated that he could not disclose that information.

AVCO Industrial Park/ Tax Abatement-Pro Laminators

Jon Raines addressed the council members requesting a tax abatement for Pro Laminators on their new facility and also on their equipment located on lot 11 in the AVCO Industrial Park, on Avco Blvd.

Mr. Raines stated that they had sent a copy of the resolution for review.

President Tucker stated that with Attorney McCall not being there he did not know quite how to answer the question but there is a form called a Statement Of Benefits that has been completed by Pro Laminators and we did agree that any business starting in AVCO Industrial Park would be able to receive a tax abatement up to seven years on the equipment and ten year on the land.

President Tucker stated that he knew that the notice has been given and there is a resolution and if Mr. & Mrs. Raines did not mind he would give it to Attorney McCall to look over even though he did not feel that there was a problem with it.

President Tucker asked if there was anyone at this meeting who has any disagreement with Pro Laminators receiving a tax abatement.

Lloyd Dold, resident, stated that he had a problem with it and he does every time anyone is given a tax abatement.

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AVCO Industrial Park/ Tax Abatement- Pro Laminators (Cont.)

Mr. Dold stated if they can't pay their own way let them stay out, we don't need them, we don't need the scummy businesses that can't pay their own way.

President Tucker stated ok, but it was probably a bad choice of words used by Mr. Dold.

Mr. Dold stated that if they can't pay their way and you want me to pay the taxes and you don't give me the benefits that I am legally entitled to but you go out of your way to give anyone else an abatement.

President Tucker stated that was not true, we only give it to industrial revitalization areas which was designated AVCO Industrial Park before we ever came in and all we are doing is following those rules set up prior to us.

Mr. Dold stated that sometime the council needs to go out and ask the people what they think.

President Tucker stated that this meeting is twice a month and you can come in, and that Mr. Dold was very good at telling the council his opinion and they did appreciate it.

President Tucker stated that the council would let Attorney McCall look over the resolution and we may have to refer this to the next meeting because we will not have time to do it tonight, but he did not see any problems and he would like to check with Attorney McCall.

Council Member Truman asked if the council could go on and vote on it pending Attorney McCall not finding anything wrong with it.

President Tucker stated that this was fine.

Doug Eddings Jr. made a motion that the town council approve the tax abatement for Pro-Laminators and seconded by Roy Everitt.  
Vote 4-0

President Tucker requested that Attorney McCall look the resolution over and in AVCO Industrial Parks covenant it gives the specifics of what they get and so forth and get back with him to determine whether to approve the resolution presented.

Resident Addresses Sewer Back-Up Problem

Paul Hinton addressed the council members concerning a sewer back-up at his moms residence located at 310 Lisa Ave.

Mr. Hinton stated that he was attending this meeting to follow up on the sewer situation concerning the sewer backing up in his moms basement.

Resident Addresses Sewer Back-Up Problem

Mr. Hinton stated that this has been going on for about seven years and the sewer dept. workers have come down and cleaned the line and they had found roots in the line and there is nothing being done to resolve the problem.

Mr. Hinton stated that the insurance company the town had recently switched to had paid 450.00 to clean up the carpet and it has happened so many times that he feels it unfair for to be offered 450.00 for 1000.00 worth of damage.

President Tucker asked if Mr. Hinton had any bills or anything.

Mr. Hinton stated that they were told to use a cleaning company just to remove the sewage off the carpet but they have done no cleaning they just removed the sewage from the carpet and sprayed some disinfectant on it and basically that was all the insurance company would cover, even though his moms insurance company would pick up the difference he didn't feel it was right when the problem was on the town.

President Tucker stated that he had talked with the insurance company earlier last week and he basically stated that it would be covered if it was the towns fault but the determination was made that it was not the towns fault because nothing was done specifically to do this.

Mr. Hinton asked if the insurance company knew that seven years ago this happened and the town came out a punched a whole in it and did not fix the problem and he felt that this was neglect.

Vice President Broady stated that the engineer has been out to look at it and bids are being taken to replace the section of sewer line where the problem is located and this will be taken care of.

Vice President Broady stated that the roots have been removed at this time and due to the complicated structure of the sewer line when the contractor had reviewed it an engineer is designing a new line and the new line will be installed sometime within the next two weeks to 30 days.

Council Member Truman asked if Mr. Hinton knew how much the damage is on the carpet.

Mr. Hinton stated that he had never got to a point to get an estimate.

Mr. Hinton stated that there was a bedroom in the basement that had carpet in it four years ago and they had to take it out.

President Tucker stated as a suggestion, if Vice Pres. Broady has someone fixing the problem sometime within the next two weeks to 30 days that Mr. Hinton and him mom determine their loss and let us know and the council will basically work with them to solve the problem, whether that is part by the towns insurance or part by the Hintons insurance.

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Resident Addresses Sewer Back-Up Problem (Cont.)

Mr. Hinton stated that the adjuster had told them that this situation is out of the towns hands due to our state legislature setting precedence that the town is not responsible for sewer damage.

President Tucker stated that he would contact Mike Whalen, the towns insurance agent, and check into that.

Vice President Broady stated that he would keep the Hintons informed on the new sewer line.

Resident Addresses Council On Building Commissioner

Linda Cannon addressed the council members stating that she was attending this meeting concerning the building commissioner, Steve Prather.

Ms. Cannon stated that she had talked to several people and you can't find him.

Ms. Cannon stated that a week ago, Friday she had some work done and she was not aware that a permit was required due to being a new home owner in Sellersburg and she had the work done then the other day and PSI came out and said they could not hook the service up until the work was inspected so she called, and called, and called, and called and finally the Clerk Treasurer managed to get in touch with Rod Pate to come out because PSI was not going to hook her up until they had an inspection.

Ms. Cannon stated that she called Mr. Prathers answering machine and she understood that even his boss could not find him, so finally Rod Pate came out and inspected it and she got it all hooked up and then Steve Prather called her on Monday morning at 8:30 a.m., did not identify himself as to who he is, and starts right in that she has to have a permit.

Ms. Cannon stated to Mr. Prather at that time that she did get hooked up, and she is like, who is this, and he was screaming at her on the phone and he finally identified himself.

Ms. Cannon stated that Mr. Prather asked if she had gotten her permit, she stated what permit?, she was already hooked up. Mr. Prather told her that she needed a permit and she asked where she gets a permit because the town hall didn't say anything about it.

Ms. Cannon stated that the building commissioner had told her that the town hall workers knew nothing about permits that all they know is sewer bills and water bills.

Ms. Cannon stated that her problem is that he gets paid for the work he is suppose to be doing and why should she have to pay 25.00 for a permit that he he is going to get paid for that he did not do.

Ms. Cannon stated that she didn't mind paying for the permit but why should

Resident Addresses Council On Building Commissioner (Cont.)

her money go to pay him when he had nothing to do with it.

Ms. Cannon stated that she didn't appreciate the way Mr. Prather had talked to her on the phone, and she has talked to several people and no one can find him.

Ms. Cannon stated that she would like to know if he has set hours.

Ms. Cannon stated that she was setting at her home with no electric and no one to call and she admitted that she was wrong by not getting a permit but she is a new home owner and learning these things by her mistakes but she didn't appreciate the way Mr. Prather talked to her.

President Tucker stated that in this particular case that Rod Pate will receive the money for this work done as far as the rest of it goes he will refer this to Mr. Prather as to agree or disagree.

Mr. Prather stated that he had received a message on his mobile around 9 o'clock on Friday basically telling him that he needed to be there by noon to inspect the service, and there was no permit and according to the State Rules of Indiana as well as the State Building Commission he is not allowed to make an on site inspection until there is a permit and Rod Pate was not aware there was no permit but made the inspection and left him a note stating that there was not a permit and he might want to follow up on this.

Mr. Prather stated that he did contact Ms. Cannon on Monday and presented a copy of the permit that was turned in on Monday morning after the fact, the 100 amp was written on there and he wrote that on himself so the application was incomplete to start with not to mention that it was late and under the Rules of Indiana he could have had her service turned back off and she could have been fined 1000.00 per day plus have permit fees doubled none of which he did and he was not unreasonable to ask her to pay the initial fee that was due and Rod Pate does get the full amount.

Mr. Prather stated that he had talked to the Clerk Treasurer and her staff and they confirmed they had not told Ms. Cannon she didn't need a permit.

Clerk Treasurer, Linda Schafer, stated that Ms. Cannon did not say we told her that.

Ms. Cannon stated that she didn't say that, she stated that the Clerk Treasurer did not say she didn't need a permit she just didn't say anything, and I am not saying it is her fault that I didn't get a permit but I didn't know I needed one.

Mr. Prather stated that in the conversation on the phone with Ms. Cannon she stated she was told she didn't need a permit.

Ms. Cannon stated that she did not say that, but Mr. Prather did state that

Resident Addresses Council On Building Commissioner ( Cont.)

the town hall workers did not know anything about permits, all they know about is water and sewer bills.

Mr. Prather stated that he had told Ms. Cannon that the town hall clerks knew the fees of the water and sewer but did not know the fees of permits however they do know that they are required.

President Tucker stated that he was sorry for Ms. Cannons inconvenience and suggested to Mr. Prather that he be alittle more available is a good way to put it, and to work with the residents as opposed to working agains them.

President Tucker stated if we have a problem and we need a permit in order to do that and the work is already done we need to work through it and get the permit paid for, and we agreed sometime ago that there were certain hours that Mr. Prather needed to be in Sellersburg and asked if those hour were being kept.

Mr. Prather stated that he will call in to town hall if he is not going to be there or he stops by.

President Tucker stated that all he is asking is for Mr. Prather to please work with the residents to the best of his ability, and in this case Ms. Cannon agreed that she did wrong but thats going to happen and we still need to work with them.

President Tucker again apologized to Ms. Cannon for her inconvenience.

Century 21 Gives Information On Town Property

Karen Elliott from Century 21 stated that she was at this time not able to verify how the towns property was zoned on the following brokers opinion as to appraised value:

<u>Property Description</u>	<u>Brokers Appraised Value</u>	<u>Minimum Sales Price(90%)</u>	<u>Buyers Premium (10%)</u>	<u>Net To Town</u>	<u>Zoned</u>
Hwy 31 & Prather Lane	100,000	90,000	8,200	81,800	Comm.
Villa Drive	10,000	9,000	800	8,200	Multi Family
Old Fire House	30,000	27,000	2,500	24,500	Comm.
Police Station	<u>80,000</u>	<u>72,000</u>	<u>6,500</u>	<u>65,500</u>	Comm.
Totals:	200,000	198,000	18,000	180,000	

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Century 21 Gives Information on Town Property (Cont.)

Net Proceeds to Town: 180,000

Less:

Attorney Fees to Date - 1,400  
Surveyors Fees - 800  
Appraisers Fees - 2,000

Final Net to Town 175,800 ( Less Survey Fee for Present Town Hall,  
If Applicable)

Jim Baker pointed out the memorandum given to the council members by Stites & Harbison concerning statutory requirements regarding the sale of real property by the Town Of Sellersburg.

Mr. Baker stated that one of the first things that this memorandum stated that you must do is hire two appraisers and after the appraisers, appraise the property it requires you to publish a notice in accordance to the state codes setting forth the conditions of the sale, and basically there are two different kinds of bids, one is the sale by auction and the other is by sealed bids.

Jim Baker asked if there were any questions.

President Tucker stated that he did not think the council had any questions on the information presented tonight and this is the first time the council has had this much information presented and naturally the council needs to digest this.

President Tucker stated that basically there are four properties for the council to look at as far as selling and we need to know where are we going to build the new town hall, if we are going to build, and he would like to digest this information a little and decide which direction the town needs to go.

President Tucker suggested that Council Member Eddings get with the other council members and talk through this to see what everyone thinks and maybe within the next few weeks we can decide on some direction we need to go.

Council Member Truman questioned the 1,400. fee to Stites & Harbison, he asked if this was like 200.00 per property or something like that.

Jim Baker stated that it was 200.00 each was for title opinions, 400.00 was for research to determine what properties were owned by the town and also to give us a written opinion and the additional 200.00 was for four deeds if you were to sell the property.

Jim Baker stated so the 1400.00 was for four deeds, four title opinions, plus the work that was already done.

Karen Elliott stated that she had misunderstood the figures so actually the



Century 21 Gives Information On Town Property (Cont.)

owes Stites & Harbeson 1200.00 to date.

Council Member Truman stated ok so we owe them 1200.00 and I don't see a title opinion.

Council Member Eddings stated that we have incurred some attorney fees for title searches.

Jim Baker stated that there has been 400.00 in attorney fees so far.

Council Member Eddings stated surveyors fees and appraisers fees we have not incurred yet.

Council Member Truman stated ok, so we don't how much we owe.

Karen Elliott stated that would be the total figures that were presented and she would let the council know tomorrow how much was done.

Ratification Of Two New Employees

President Tucker stated that we have had an audit going on at the town hall for 3,4, or 5 weeks and through this process alot of new financial information has come up that needs to be taken care of, and it was suggested that the Clerk Treasurer get some additional help in order to be able to do this.

President Tucker stated that he took an informal pole of the council approximately three or four weeks ago and in essence we are agreed with the exception of Karl Truman that we needed to put some additional staff in for the Clerk Treasurer.

President Tucker stated that he went ahead based on that agreement and went on and put in the young lady who is Cheryl Crowe and since that was done it is necessary that we ratify the fact that Ms. Crowe was hired and the salary ordinance needs to be changed to in essence to include her as a Clerk for the Town Of Sellersburg.

President Tucker stated that in addition to this there is a gentleman named Danny Baker who is now working in the Sanitation Dept.

President Tucker asked if Mr. Baker was a replacement or an addition.

Mark Warren, street superintendent, stated that this was a replacement of a person who had left.

President Tucker stated that he would like to have ratified the addition of Cheryl Crowe and the replacement employee, Danny Baker, ratified to be approved and at the same time to approve the new 1994 Salary Crdinance that has to be put in place.

President Tucker stated that he would accept a motion to approve Danny Baker and Cheryl Crowe.

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Ratification of Two New Employees (Cont.)

Dave Broady made the motion to approve and this was seconded by Doug Eddings Jr.

Mark Warren stated that Danny Baker had his 90 days in and his pay would be increased from 6.00 per hour to 7.11 retroactive back when his 90 days ended.

Council Vice President stated that he wished to include this in his motion and this was seconded by Doug Eddings Jr.

President Tucker asked if there were any discussion or questions.

Council Member Truman stated that he would like to know where we are comming up with all this money to hire new people.

President Tucker stated in this particular case it was suggested by the State Board of Accounts to have additional help to get records up to date.

Council Member Truman stated to let the State Board of Accounts come down and pay for it.

President Tucker stated that according to the Clerk Treasurer, she was going to cut her budget in order to hire additional staffing.

Council Member Truman asked if this person was to be paid out of the general fund or the sewer.

President Tucker replied that it would be out of the sewer.

Council Member Truman stated so in other words its comming out of the sewer fund.

President Tucker replied, yes, and Vice Pres. Broady was aware of this and agreed.

Council Member Truman asked so where is the other cut going to come from?

Council Member Truman stated that you said the clerk treasurers budget would be cut, where is the cut to make up for it.

President Tucker stated that the clerk treasurer is working through all the budgets with Council Vice President Broady in the sewer dept and with Council Member Eddings in the water dept.

President Tucker stated that in this particular case its not out of tax dollars from the general fund it will be out of the sewer fund.

President Tucker stated that we are doing the other things that need to be done, and we are trying to keep the town running to the best of our ability.

Ratification Of Two New Employees (Cont.)

President Tucker stated that he was at town hall two or three times and talked to the clerk treasurer every day on the telephone and he knows what kind of work these ladies do down there and it is alot of work.

Council Member Truman stated that obviously it has already been approved so the point is actually mute but he just didnt know where we are comming up with the money and it seems like the sewer and water is considered a bottomless pit, you know whenever the town needs money its taken out of water & sewer and he doesn't agree with that and he just don't think it is responsible and he don't see the need for the financial availability of hiring an additional employee.

Cindy Shelton, billing clerk for the Town of Sellersburg water utility, requested President Tucker to allow her to make a comment.

Ms. Shelton stated that since 1991 the police dept. went from four dispatchers to seven employees up there, and also additional police officers.

Ms. Shelton stated also that Council Member Truman was probably the only town council member that does not come into our office to see the amount of work we go through.

Ms. Shelton stated that they work very hard and we do need the extra help and she feels that we do take care of the towns people very well and the tax payers would be very happy to know that we are catching up their books and also taking care of them with respect.

Ms. Shelton stated that she feels it only fair to keep Ms. Crowe on and let these people get exactly what they need, like Ms. Hinton, and it is hard when you get problems in there like that and we don't know exactly what we can do for her so we try to the best of our ability to be kind and understanding.

Ms. Shelton stated that if Council Member Truman would like to come into our office she would be more than happy to show him the work they do each day and since we have been there he has not been in there.

Council Member Truman stated that he had made it a point not to come in because he was getting tired of being critized and being attacked constantly and he don't go in there for that reason.

Ms. Shelton stated that his reasons were personal and she understood.

Ms. Shelton stated that President Tucker takes a whole lot more criticism than Council Member Truman and he still seems to come into our office and helps out whenever we need him.

Ms. Shelton stated that it was her own opinion but if he was more of a person he would be there himself.

President Tucker gaveled and stated thank you to Ms. Shelton for her time.

Ratification Of Two New Employees (Cont.)

President Tucker stated that the motion has been made and seconded and all in favor state I and opposed nay.  
Vote 3-1 President Tucker, Vice Pres. Broady and Council Member Eddings voting in favor and Council Member Truman voting against.

President Tucker stated that this was for Ordinance 93-577 which was the 1994 salary ordinance, as for the ratification of the new employees.

A resident asked what was the hourly wage for the new clerk.

Clerk Treasurer, Linda Schafer, stated that it was 6.00 per hour and asked President Tucker if it was addressed that in 1994 Ms. Crowe would not be subject to an increase only the 90 day increase up to 6.50 per hour.

President Tucker stated ok but that this was a personnel matter that we could deal with in an executive order.

President Tucker Presents The 1994 Salary Ordinance 93-577

Presented for approval the 1994 Salary Ordinance 93-577 which is the 1994 Salary, Holiday, and Longevity Pay for town employees, and requested a motion to approve this ordinance.

Motion was made by Doug Eddings Jr. and seconded by Dave Broady.

President Tucker asked if there were any questions.

Council Member Truman made a motion that this be tabled because he didn't get a copy of it and he hasn't had a chance to look at it.

President Tucker stated that a motion has been made to table the motion to approve the 1994 salary ordinance.

President Tucker requested a vote on the motion to table the 1994 salary ordinance.

Vote 1-3 Karl Truman in favor of tabling the motion to approve ordinance 93-577 with President Tucker, Vice President Broady, and Council Member Eddings voting against tabling the motion to approve the ord. 93-577.

Clerk Treasurer stated that she did not understand what was done.

President Tucker stated that we basically voted not to table this 1994 salary ordinance and to vote on it now.

Council Member Truman stated that he got his stuff out of his box this weekend and it was'nt in there.

President Tucker stated that it was in there two weeks ago.

Council Member Truman stated, well, no if it was a week ago it would be

President Tucker Presents The 1994 Salary Ordinance 93-577 (Cont.)

in there this weekend.

Vice President Broady asked if it had to be voted on at this meeting.

Council Member Truman stated that he didn't care and for the council to do what they wanted to do, and he withdrew his motion to table it.

President Tucker stated that all in favor of approving Ordinance 93-577 vote I and all opposed to vote nay.

Vote 3-1 with President Tucker, Vice President Broady and Council Member Eddings approving ordinance 93-577 and Council Member Truman against.

President Tucker Addresses Building Commissioner On Fire Plug

President Tucker stated that it was suggested that he mention something to Steve Prather, building commissioner, earlier that there is a fire plug next to a telephone pole in the back part of the lot on Maple St. of Arbys which possibly could be hit by a car at night.

President Tucker requested that Mr. Prather look into seeing about putting some kind of poles around the fire plug so it won't cost us 200.00 or 300.00

Mr. Prather stated that he talked to Terry Lancaster with Arbys on this.

President Tucker stated that he just wanted the street dept. to be aware of this.

Building Commissioner Addresses Council With Info. On Const.

Building Commissioner, Steve Prather, stated that Pro Laminators started a week ago and Super Services are now completed and their occupying their building at AVCO Blvd. and for anyone that doesn't know it Arby's opened up their restaurant today officially and thats where everyone stands so far as new construction in the town.

Building Commissioner Presented Claims

Steve Prather, building commissioner, presented to the council members for approval his claims from September 14, thru September 27, in the amount of 1512.54.

Motion was made by Doug Eddings Jr. and seconded by Karl Truman to approve the claims as presented.

Vote 3-0

Building Commissioner Presented Info. On Taco Bell

Steve Prather stated that he had talked to Taco Bell, C & M Smith Restaurant Inc. and he thinks they are still trying to start Monday and he isn't sure if they finalized anything with Mr. Bolly and it may be tied up in the

Building Commissioner Presented Info. On Taco Bell (Cont.)

legal part of it.

Council Member Thanks Resident For Thank You Letter

Council Member Eddings stated that he would like to thank Gary Fenner for the nice letter he wrote about the workers when he had a back up problem at his residence.

Council Member Eddings stated that it was really nice and appreciated to have the town folks write you back and tell you what a good job you have done and he would like to thank Mr. Fenner for doing that.

Council Member Eddings Gives Info. On Meeting With Koetter Const.

Council Member Eddings stated that he had a meeting today with the architect from Koetter Const. so the other part of the town hall construction should be available to us in about two or three weeks.

Clerk Treas Gives Notice Of Budget Hearing

Clerk Treasurer, Linda Schafer, stated that she would like the council and the public to know that the budget hearing has been set for Thursday, October 21st at 11:00 a.m. with the tax commissioner.

Clerk Treasurer Presents Claims For Approval

Linda Schafer, Clerk Treasurer, presented her claims for approval for this meeting.

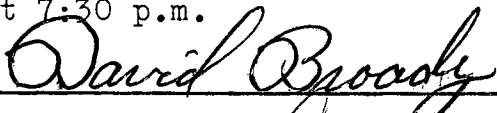
Motion was made by Doug Eddings to approve the claims as presented and seconded by Dave Broady.  
Vote 3-0

Adjournment

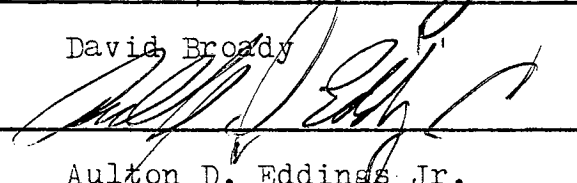
Motion was made by Doug Eddings Jr. to adjourn this meeting and this was seconded by Dave Broady.

Vote 3-0

With no further business this meeting was adjourned by President Tucker at 7:30 p.m.



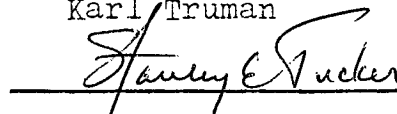
David Broady



Aulton D. Eddings Jr.



Karl Truman



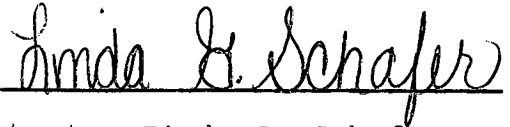
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Roy Everitt



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Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

October 11, 1993

EXECUTIVE SESSION

An executive session of the Sellersburg Town Council was held at the Sellersburg Library at 6:00 p.m. to discuss pending litigation and personnel matters. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings Jr., Council Member; Roy Everitt, Council Member; Karl Truman, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer.

Called To Order

President Tucker called the executive session to order at 6:12 p.m.

Attorney McCall Addresses Litigation

Perry McCall, town attorney, addresses the council members on the following topics of litigation:

Pixley VS Town of Sellersburg  
Remonstrance on Annexation

Consulting Engineer Addresses Current Fund Levels/Projects

John Toombs, consulting engineer, addressed the council members with tabulations of current fund levels and possible projects in the water and sewer depts as follows:

Water Dept.

A. Funds Available

"Servend" Fund	= \$ 150,000.00
Capital Improvement Fund	= 2,650.00
	<hr/>
	= \$152,650.00

B. Projects

1. Lower Water Mains st Holman's Lane and S.R. 62 for Highway Project	= \$ 25,000.00
2. Paint and repair Holman's Lane Water Tank	= \$ 113,000.00
3. Paint and repair Sellers Ave. Water Tank	\$ 204,000.00
4. New 8" Water Main on Ohio Ave. from Hill-N-Dale to McDonalds	\$ 68,000.00
	<hr/>
Total	\$410,000.00



Sewer Dept.

A. Funds Available	
Sewer Tap-In Fund	\$ 43,540.00
"\$150,000 Fund	\$ 4,317.00
Funds left from EPA Project	\$ 141,240.00
Capital Improvement Fund	\$10,000.00
Total	<u>\$199,097.00</u>
B. Projects	
Infiltration/Inflow Reduction	\$ 66,000.00
Lisa-St. Paul-Sellers Ave. Area	\$10,000.00
Police Station-Indiana Ave. Maple Area	\$ 15,000.00
Renz Ave.-EPA Essroc Area	\$ 28,000.00
Total	<u>\$127,000.00</u>

John Toombs, Consulting Engineer, stated that the thought at this time he would write all these things down and show them to the Council and to receive some kind of direction.

Consulting Engineer presents letter on Covered Bridge

John Toombs, Consulting Engineer presented a letter he had prepared for Council President Tucker to sign concerning the connection of sanitary sewers of Covered Bridge Subdivision & Golf Course as follows:

Gentlemen:

Concerning connection of your subdivision to the sanitary sewer system of the Town of Sellersburg. We are going to need the following items to complete this transaction to allow the flow of waste water.

1. Sufficient language on the recorded plat to bind, legally, those who purchase lots stating "that they will not fight annexation when the Town of Sellersburg decides to do so, sometime in the future.
2. A legal document binding the owners of the Golf Course complex, and their successors and assigns to the same agreement.
3. A copy of the subdivision plat and construction plans and specifications.
4. The IDEM sanitary sewer and lift station Construction Permit.
5. A site plan for Lift Station No. 1 and No. 2 indicating all the needed items as instructed by the Town's Engineers. Recordable easement to the Town for part of your force main crossing private property.
6. Recordable legal documents conveying access easements to both lift stations if same do not appear on the subdivision plat.

We are working on an answer as to what will be required to allow you to connect 150 more lots into our sanitary sewer system.

Sincerely, Town Council, Stanley E. Tucker, President

Clerk Treasurer Addresses Council on Sewer Tap-In Fund

Clerk Treasurer, Linda Schafer, stated that the figure Mr. Toombs had calculated for the balance in the Sewer-Tap-In Fund was incorrect due to her paying a claim of \$5,000.00 recently to the Corradino Group for work they had done on the Master Plan, and she also stated that this fund did have a declining balance.

Consulting Engineer Addresses Council/Vacating Lots

John Toombs stated that quite some time ago he was given information to follow up on concerning vacating lots for LeRoy Andres.

Mr. Toombs stated that he checked to see what the difference in the taxes would be.

Mr. Toombs stated that the property was from an old partician map and he is not sure of how to go about it, and there would be a cost for someone to find out how.

President Tucker asked Mr. Toombs to call Mr. Andres and tell him what he has found out so far and to let him know where he wants to go with this.

John Toombs stated that he felt the cost should be to Mr. Andres.

Council Member, Karl Truman stated that if we are going to brief Mr. Andres let him hire an attorney and petition the Town to do it.

President Tucker stated that he totally agreed with that.

Adjournment

With no further business, President Tucker adjourned the Executive Sessin at 6:30 p.m.

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were: Stanley E. Tucker, Council President; David Broady, Council Vice President; Doug Eddings, Jr., Council Member; Roy Everitt, Council Member; Karl Truman, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer.

Called to Order

President Tucker called the Regular Meeting to order at 6:34 p.m.

Prayer

Father Herman Lutz offered up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the Flag was recited.

Introduction of Council Members

President Tucker introduced all of the Council Members, Town Attorney, and Clerk Treasurer to all of the residents present.

Minutes of Last Meeting

President Tucker dispensed with the reading of the minutes of the last meeting and requested a motion to approve them.

Motion to approve the minutes of the last meeting was made by Doug Eddings, Jr., and seconded by Dave Broady.  
Vote 4-0

President Tucker Addresses Council

President Tucker stated that there are a couple of resolutions to have complete at this point in time.

Commonwealth Engineering Co. that helped with the Waste Water Treatment Plant in this particular case, the Water Dept. needs to have an installation of a metering pump to inject a phosphate solution as part of drinking water to facilitate the completion of an IDEM Construction permit application and Ed Tinkle of Commonwealth Engineers is willing to do this for us for the amount of \$1500.00.

President Tucker stated that he knows that we have discussed this before but he needs a motion to approve what Commonwealth Engineers would do for us and he entertained a motion to approve this.

President Tucker suggested that we table this and have Doug Eddings look into this matter.

President Tucker Presents Zoning Ordinance and Zoning Map

President Tucker stated that on the 28th of September, 1993 Dave Broady and I serve on the Planning Commission and with the help of Jacobi, Toombs & Lanz and the Corradino Group, we have put together the zoning ordinances and the zoning maps for the Town of Sellersburg. The Planning Commission has recommended that the zoning ordinance for the Town of Sellersburg be approved tonight by resolution and be signed by Rod Pate, who is the President of the Planning Commission.

President Tucker requested a motion to approve the zoning ordinances and zoning map which was in essence approved by the Planning Commission which is phase two of the major plan was approved a month and one half ago. This is the zoning ordinances and we have one piece to go which is the sub-division ordinances.

Motion to approve the zoning ordinances and zoning maps made by Dave Broady and seconded by Roy Everitt.  
Vote 4-0

President Tucker Presents Res. 1993-12/Tax Abatement- Pro Laminators

President Tucker presented resolution 1993-12 giving Pro Laminators a tax abatement.

President Tucker stated that at the last meeting the Town tentatively approved a tax abatement for Pro Laminators which is located in the AVCO Industrial Park, which was designated as a revitalization area and anyone who moves into AVCO Industrial Park has the ability or right to ask for a property tax abatement, for this particular case a 5 year abatement on equipment and 10 years on real property.

President Tucker stated that since we tentatively approved this last week he would like a motion to approve Resolution 1993-12 which is giving a tax abatement to Pro Laminators of 10 years on property and 5 years on equipment.

Motion made by Doug Eddings, Jr. and seconded by Dave Broady.  
Vote 4-0

Petitions or Comments By Those Citizens Present

Pauline Pixley addressed the Council Members on the fee charged by the Town for sanitation pickup.

Ms. Pixley stated that she did receive the letter stating that she would get a three dollar charge and she didn't feel this was fair since she did not use our garbage service.

President Tucker asked if she sets cans out at the end of her road.

Ms. Pixley stated "no", that her property was a quarter of a mile from the road.

President Tucker asked if she had BFI or someone like that.

Ms. Pixley stated that she did and that her son is paying three dollars and he doesn't set out garbage either.

President Tucker stated that under the annexation agreement on Bean Road and if Ms. Pixley will allow him, he will look into that and see, because we made stipulations that no ones life would change in that area. So, if you will let me look into that, he will be back in touch with her.

Clerk Treasurer, Linda Schafer, asked Ms. Pixley if this was for her residence on Greenwood Road that she is in reference to or Bean Road?

Ms. Pixley stated that she was talking about her property on Hwy. 31.

Ms. Pixley stated that if you don't use the landfill, why should you pay for it.

President Tucker stated that we are using the landfill.

Ms. Pixley stated that her son is not using the service or the landfill.

President Tucker stated that when the garbage ordinance was passed, prior to us coming on board, this was passed actually in 1991, that anyone in Town would be charged three dollars for garbage pickup across the board except for businesses, so he has the opportunity, if it is the property on Greenwood Road to put his garbage out and it will be picked up and there is a three dollar charge and if he chooses not to put garbage out, that is his choice, but there is still a three dollar charge for anyone in the Town of Sellersburg.

Ms. Pixley stated that she thought that is what we paid taxes for.

President Tucker stated, no, the prior board passed a resolution that there would be a three dollar charge for garbage pickup for all the people in the Town of Sellersburg, and all we are doing is a hearing to that.

Ms. Pixley stated that she didn't think it was fair to pay for something you are not getting.

President Tucker stated that is the way the ordinance reads and at this time we have not considered changing it.

President Tucker stated that the property behind Pixley's that Ms. Pixley lives in herself, there is no charge but the one on Greenwood Road, that her son lives in, there is a charge for that.

Ms. Pixley stated then O. K. I can take the three dollars off my bill now?

President Tucker stated that he would be glad to take care of that.

Roger Harshey stated that he wished to address the Council Members as he has addressed the previous Council on the drainage problems he has in his backyard.

Mr. Harshey presented to the Council Members pictures and maps of the area that this water drains from.

Mr. Harshey stated that in February we had a two inch rain and that is a lot of water.

Mr. Harshey presented a map of Silver Creek Township and if you're not in the know of all this area drains its draining all of Hill-N-Dale subdivision, all of Creston and the water meets in his backyard and can you imagine the force of the two creeks running together at one time?

Mr. Harshey stated that the creek is six or eight feet deep.

Mr. Harshey stated that fifteen or twenty years ago, when his father-in-law put in a sewer line from their property to tie onto the town's sewer when it was first built, he put a sewer line eight feet on the bottom of the creek and the sewer line is now exposed.

Mr. Harshey stated that he would like to know what we can do about the amount of water that comes off this and how much longer we are going to lose trees and bank.

President Tucker stated that during this year we have had Mr. Toombs and his Company do a study of the water drainage problems and he would assume that this area is included in the study.

President Tucker stated that we had to state somewhere and what we did was get some money from the State to do the study and it is basically complete, where we can go back to the State and request money to fix some of the problems and Mr. Toombs estimate was somewhat two million dollars to fix the problems and if he is not mistaken this general area is one of the first areas they are looking at.

President Tucker stated that it affects some of the downtown area.

Mr. Harshey stated that this may be true, but when did they do Kahl Court and their drain area, how many years ago was that.

Mr. Harshey stated that they dumped all that water out of the Kahl Court area into Camp Run Creek, and they argued with the past Council that they couldn't dump that much water at that time without causing a problem downstream. They bought a piece of ground on Villa Drive and put in a holding pond with a 36 inch hole in the base of the dam, now how is that going to hold that much water?

Mr. Harshey stated that this is what the old Town Board did for us.

Mr. Harshey stated that we just want some answers and some help because we have lost three trees along the creek.

President Tucker stated that we are attempting to do that, with the Study we can obtain some grant money to start this and we don't have that kind of money to go on and fix the problem.

President Tucker stated that we have some options of getting some additional money and we in essence signed an agreement about two or three weeks ago about the Riverboat Gambling and that money would come to the Town if all that passes, some of the options to be used that we have discussed to fix some of the drain problems in Sellersburg.

Mr. Harshey stated that the big word was if.

President Tucker stated that he can't control it.

Mr. Harshey said that in the meantime Clarksville just annexed over on Hwy. 60 and just built Hunter Station, they have blacktopped all those streets and built all those houses, every bit of that water is coming through this area right here.

Mr. Harshey stated that when they first started that they dug up some red clay and used for fill and it washed into the creek and came down through that unnamed creek, and his wife, son and him back traced it to Hunter Station and it just turned everything red in the bottom of the Creek until the water came up and washed it out. Every bit of the drainage from Hunter Station and over on Poindexter Lane goes down into that unnamed creek.

Mr. Harshey stated that Camp Run is in that area but it comes through Sellersburg.

Mr. Harshey stated that everytime there is a house or building there is that much run off but no one makes any compensation.

Mr. Harshey stated that can this town put in a stipulation that if you build something like that, then you have to account for the run off water.

President Tucker stated that if he was not mistaken the zoning ordinances we just passed addresses that.

Mr. Harshey stated that where the old sewer treatment plant is, the water runs into the sink hold and then runs under the Sellersburg/Utica Road into Silver Creek, 90% of this water is back water and within two hours it's gone. But yet in the mean time until it's gone it does all of the damage is there anyway to open up that sink hole and put in a drain underneath there where the water could go straight through.

President Tucker stated that he thinks that the town is taking steps in the right direction, and it is not an immediate solution.

Mr. Harshey stated that it may not be an immediate solution but thirty years is a long time and that is a pretty piece of ground down there and he will agree that it is in the flood plain and my father-in-law built it 30 years ago and until they built Deam Lake water came up and it went down.

Mr. Harshey stated that Sellersburg is growing and more and more blacktop is being put down and we have a problem here.

President Tucker stated that we are trying to address this.

Mr. Harshey stated that he hopes there is something left.

#### Century 21 Absent From Meeting

President Tucker acknowledged that the Century 21 people were not at this meeting tonight.

Council Member Dour Eddings stated that we are still waiting on preliminary cost estimates from Koetter Construction and he promised he would have some by the next town board meeting.

#### Water Superintendent Addresses Council/ Hydrant Flushing

Water Superintendent, Clark Henson, stated that they will be flushing hydrants from Thursday, October 14 thru Thursday, October 21st.

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Building Commissioner Presents Claims

Steve Prather, building commissioner, presented claims for this meeting from September 28, thru October 11, in the amount of 749.25.

Motion was made by Karl Truman to approve the claims as presented and seconded by Doug Eddings Jr.  
Vote 4-0

Council Member Eddings Addresses Council/Water Dept. Vehicle

Council Member Doug Eddings Jr. stated that we have one vehicle that is under lease option that is up in December and if we turn the truck back in it will cost eight cents a mile for any additional miles over 30,000, but we can go on and buy the vehicle for 6,050.00.

Council Member Eddings stated that is what he would like to do is go on and buy the truck and to use the Servend Funds.

President Tucker asked Council Member Eddings if he would like to put this in the form of a motion.

Council Member Eddings stated that he would like to make a motion to go on and buy the water dept. truck we are now renting for 6,050.00 and to use the funds from the Servend project and seconded by Dave Broady.  
Vote 4-0

Council Member Truman Addresses Council/Utility Manager

Council Member Truman stated Mr. President I would like to make a motion that we create a position of utility manager to supervise and be responsible for all matters pertaining to the water and sewer depts. This motion was seconded by Roy Everitt.

President Tucker stated that the motion was made and seconded was there any discussion or questions or comments.

Vice President Broady stated that he would like to have more details such as the cost and what we can do here.

Council Member Truman stated that his motion didn't contain any specific time table or anything like that and he thinks if the board approves it in principle then we can have a definite plan in mind and we can work out the specifics and as he said, the motion didn't contain any specific time table, salary or any of those details.

Council Member Eddings stated that he was like Council Vice Pres. Broady he would like to know more about it, the salary and the details and the time table and he would like to see it tabled also.

Council Member Everitt stated that he thinks this is something we need to look into and the sooner the better Mr. President cause we are looking at bills Mr. Toombs is giving us here tonight, the money that is coming in, in



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Council Member Truman Addresses Council/Utility Manager (Cont.)

water and sewer we are going to have to start running new lines, and alot of studing when we go above Speeds on annexation and everything and he feels that we need a manager to help and give us guidance on this and to see where our money is going.

President Tucker stated that he did not disagree.

Council Member Everitt stated that he thinks Council Member Truman is right, that the motion is to look into hiring a manager for utility we got a tremendous amount of money comming in here and we better look into seeing how we spend it.

Council Member Everitt stated that he is not talking of a town manager he is talking of a utilities manager to run the utilities and the utilities only.

Council Member Truman stated that when we talk about the past two years creating a budget for the utilities which we have not been able to accomplish and he thinks this is something this person could look into and it would be a more efficient operation to do it that way and instead if the board needs to commit the principle of creating the position and going forward with it that's why he didn't put a specific time table. like to do it today or anything like that but he thinks we need to commit the principal to doing it and working out the details.

President Tucker stated that the motion is Council Member Truman would like to create a position of utilities manager with no specifics at this time.

Billing Clerk, Cindy Shelton, asked where would we get such money, when it was bad enough to fund an new employee.

President Tucker stated that none of the specifics are known at this time it is something we need to look into at this time, and it would be determined how that employee would be funded, the responsibilities at this point in time none of that is known.

President Tucker stated to Council Member Truman is this not what he is saying.

Council Member Truman stated that the board needs to commit to the creation of the position and its something that the board has talked about off and on for a long time and we are half way through our term now and if we don't start doing some of these things our term is going to expire and we will not have accomplished any of these controls.

Council Member Everitt stated that the last council had discussed the same thing.

President Tucker stated that the motion was to create the position and all in favor of the motion.

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Council Member Truman Addresses Council/ Utility Manager (Cont.)

Don Brown, resident stated that he just had a question on that and Mr. Truman amazes him to create a position here with an open salary without any particular qualifications sometime in the indefinite future and all the fuss in the last meeting about Linda Schafer's little assistant.

Council Member Truman stated that was a good point, I would like to, I would like to address that, I would like to address that, that is a good point. I am not for creating, Council Member Truman asked the clerk Treasurer if she had a microphone she would like to put up here, and stated again I am not for creating larger government just for the sake of creating larger government I am for creating more efficient government you know I do not feel that the additional employee that was brought up at the prior meeting is a more efficient use of government I think that this is a larger government, this is a more efficient use of government and use of government and use of government resources to manage things and oversee things to and to establish a budget, to persue the grant programs and I think that the efficiency of this type of position could very easily justify itself, and while your question is certainly a valid one here I see a distinct difference between the two types of jobs, because right now there is no unity of command, I guess to use a military term, there is no focus as far as the functions of these departments and he thinks that, that type of person will help bring these things together and become more efficient in the operation so that is the reason for it, its not just to create larger government but more efficient government.

Mr. Brown stated that it seems to me you need some sort of qualifications.

Council Member Truman stated that your exactly right, your exactly right and he did not include this in his motion because those are things and my purpose in this motion is to get the board to commit to doing it O.K., you know that is why I didn't say were going to hire someone tomorrow and we are not going to hire someone next week I did not specifically include that because those are details we have to work out but I feel that this is important for the board to commit to this idea which has been bannered about for along time. I just didn't pull this out of the blue, this board has discussed this in the past ad so if we commit this board commits to the idea and not just say that we will consider this at some point in the future which will never happen but this way we have a specific goal to work for to fill in the details.

Water Dept. Billing Clerk asked Council Member Truman how he could commit without giving the specifics on salary and etc. and she thinks the specifics should be worked out before a position is created.

Council Member Everitt stated that we didn't mention any money.

Attorney McCall stated that you can create a position but you don't have to hire anyone.

Mr. Brown stated that if you create the position tonight you could hire someone tonight could you not.

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Council Member Truman Addresses Council/Utility Manager (Cont.)

Mr. Truman stated no, there is no salary ordinance, permitting a person to be paid.

Mr. Brown asked if he could apply for the job.

Council Member Truman stated absolutely, absolutely.

President Tucker stated that the motion has been made to create the position of utility manager and all in favor state I, all opposed nay.  
Vote 3-1 Council Members Truman, Everitt, Broady voted in favor and Council Member Eddings voted against.

Council Member Everitt Addresses River Boat Gambling

Council Member Everitt addressed the council members on the money coming in from River Boat Gambling and he requested that the money be laid aside that over a five year period it would be 500,000. and that money go towards storm drain use only.

Council Member Everitt stated that he is not asking for a vote only that the council consider having this the number one priority or let this money be used for storm drains because the grant money is getting very scarce and at least we would have something to back it up.

Council Member Truman stated that he agrees with Roy and he would like to take it a step further in the event that the referendum passes for the council to pass a resolution that the money be used for infra structure and improvements and not for salaries and that type or thing, but rather put it into roads, streets, and that sort of thing.

President Tucker asked if that was a motion.

Council Member Truman stated no, no it is just a thought.

Council Member Everitt stated that he would bring it up at the next meeting.

President Tucker stated that he thought we need to wait until after Nov. 2nd to see what happens, and he feels as Council Member Truman that it needs to be used for infra structure probably drainage, but we might as well wait until Nov. 2nd, and see what happens.

Council Member Everitt stated that also it was brought up by John Toombs that we build a road on Utica St. To Diefenbach Road and if you would like he will get in touch with the county officials and set down and talk about it

President Tucker asked if we were talking about 311.

Council Member Everitt stated no, I am talking about the street off Utica the one on 311 he gave John a letter from the state.

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Clerk Treasurer Presents Claims For This Meeting

Clerk Treasurer, Linda Schafer, presented claims for this meeting to the council members for this meeting.

Motion made by Doug Eddings Jr. and seconded by Roy Everitt to approve the claims as presented.

Vote 4-0

Clerk Treasurer Presents Claims For Consulting Engineer

Clerk Treasurer presented claims for consulting engineer in the amount of 7,964.04 for professional services in connection with the storm water mgmt. grant and we are waiting on the draw down to pay this but she would like to go on and have it apporved so when the money comes in she can pay it.

President Tucker stated that this is the grant and the clerk treas. is asking that we go on and tentatively approve the payment for when the grant money comes in.

Motion made by Doug Eddings and seconded by Roy Everitt.

Vote 4-0

Clerk Treasurer presented other claims for Jacobi, Toombs, and Lanz.

President Tucker stated that we have four bills of 394.90, 320.00, 757.76, and 160.00 from Jacobi, Toombs, and Lanz for work done on the sanitary sewer dept and requested a motion to approve payment.

Doug Eddings made motion and seconded by Karl Truman.

Vote 4-0

Building Commissioner Addressed Council On Confined Space

Steve Prather, stated that he mentioned two meetings ago about classes on confined space and there are classes on confined space at the cost to the town of 40.00 per person plus transportation to Lafayette at the end of October, where New Albany is running a class the 27th of this month which this is on a Wednesday from 8 a.m. till 12 noon and the cost would be 0 dollars to the town, the only cost would be our guys being away from work for four(4) hours and it is a state approved program on confined space and to approve a motion to approve the respective depts. to be away on the 27th of October from 8 a.m. to 12 noon.

Council Member Everitt asked Water Superintendent, Clark Henson how many he was planning on sending down.

Steve Prather estimated about 20.

Mr. Prather stated that it is not required that you have an on hand class only that you take the class, and it is not required to be certified to do the rescue only what to do if your in that situation.

Building Commissioner Addressed Council On Confined Space (Cont.)

President Tucker suggested that each superintendent check to see how many they can let go on that particular day, and send as many as you can and if there is an emergency put a beeper on them and call them back and he feels that we need to do the most cost effective way.

President Tucker stated that if he can ask Rick, Clark and Dave and he assumes that the police is involved as well.

Steve Prather stated no, not to the police dept.

President Tucker stated to send as many as we can and get a telephone number where they will be in case we need them.

Mr. Prather stated it would involve sewer, water, and street depts only.

Council Member Everitt stated that he would like to attend this himself.

Mr. Prather stated that he would like to have a list of names by Wednesday so they have an idea of how many personnel will be attending.

Adjournment

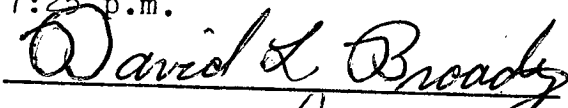
President Tucker requested a motion to adjourn this meeting.

Mr. Brown stated that once again he would like to renew his request to be included on the agenda for the rest of the year.

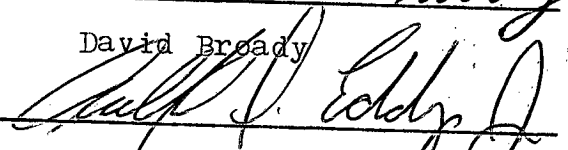
President Tucker stated ok, and infinity will be on December 31st.

Council Member Truman made a motion to adjourn this meeting and seconded by Dave Broady.  
Vote 4-0

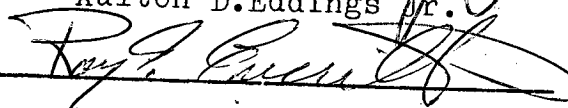
With no further business this meeting was adjourned by President Tucker at 7:25 p.m.



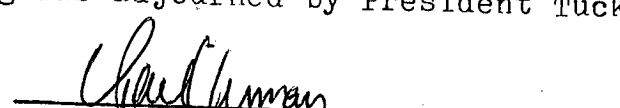
David Broady



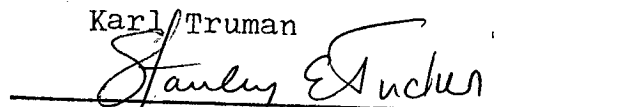
Aulton D. Eddings Jr.



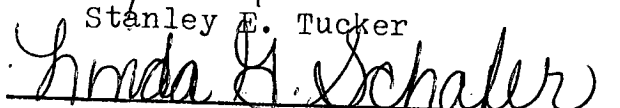
Roy E. Everitt



Karl Truman



Stanley E. Tucker



Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

October 25, 1993

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at 6:30 p.m. at the Sellersburg Library. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings Jr., Council Member; Roy Everitt, Council Member; Karl Truman, Council Member; Perry McCall, Attorney; and Linda Schafer, Clerk Treasurer.

Called To Order

President Tucker called the regular meeting to order at 6:33 p.m.

Prayer

The prayer was offered up by Rev. Jerald Boyer.

Pledge

The Pledge of Allegiance to the Flag was recited.

President Tucker Addresses Introduction of Council

President Tucker stated that a few meetings ago, a few people requested that we introduce ourselves since alot of us were not known and to solve that problem we now have name tags and occassionally we will switch them around and have different seats with different name tags to confuse the issue and we also are going to speak more loudly so people in the back can hear because we have had comments on that as well.

Riverboat Gambling Addressed

President Tucker stated that one of the first things he would do is that Mr. Doug Hall is here and would like to stand up and make a statement or two.

Doug Hall thanked the Council and stated Mr. President, and Mr. Vice President and Members of the Board, Ladies & Gentlemen, I come tonight to talk to you about the boat.

Mr. Hall stated that he is working with the Maschmeyers and working with the State Chairman on "Float the Boat." Mr. Hall stated that he didn't know exactly what it will do for you and he doesn't deal in percentages but the County will get \$1.00 boarding pass, everytime someone goes on board for \$3.00, the County will get \$1.00.

Mr. Hall stated that he felt that Sellersburg is to get 6½% anyway he is not saying that it will solve all the problems but it will enhance your Police Dept., Fire Dept., Street Dept. and lower taxes any of those things it can do, or all of those things.

Mr. Hall stated that he knew nothing of the figures but the Attorneys could talk about this but he is a country boy and he never counts his chickens before the eggs hatch, and the deal is to not count the chickens but to look at the eggs and pass this.

Riverboat Gambling Cont.

Mr. Hall introduced John Montgomery and asked him to tell everyone about it, and don't tell them any money.

John Montgomery stated that his purpose here tonight was not to get into any kind of debate and he doesn't know how much everyone has read or learned of the projections but the different principles involved with the Riverboat Gambling issue are asking for your active help that would lend them active help to pass the referendum.

Mr. Montgomery stated that the gaming law requires as Mr. Hall said, one dollar per \$3.00 goes to Clark Co. also \$1.00 goes to the City in which it is located and \$1.00 would go to the different state agencies, Mental Health agency being one. The Tourism Bureau being one, the Horse Race Commission being one and a portion of the last dollar goes into the general fund-State of Indiana but in addition to the per head tax 20% of the annual gross revenue from this vessel goes toward taxes to the State of Indiana, 20% of that 25% goes back to the local and that is the amount that has been agreed upon to be distributed among other localities in the County and to the unincorporated area of Clark Co.

Mr. Montgomery stated that the projected average money spent per person that will board a vessel of this nature is anywhere from \$35.00 in Iowa where they have a restriction on the amount of gaming and a restriction on the amount per bet to places in Mississippi, which are unlimited and opened 24 hours per day and so forth, an average of \$35.00 per person in Iowa to \$95.00 in places in Mississippi, so taking an average of \$65.00 per person spent on food, beverages and/or gaming.

Mr. Montgomery stated that we have projected out the amount that each incorporated entity will get.

Mr. Montgomery stated that Sellersburg based on those figures will get \$215,175.00 that is an annual figure.

Mr. Montgomery presented the Council with figures as follows:

Assume each person spends \$65.00; open 365 days per year

- first 3% gross revenue for tax
- State gets 20% of AGR for tax, local gets 25% of state's share

Assume:

	<u>3,000 per day</u>	<u>4,000 per day</u>	<u>5,000 per day</u>
Total Revenue	\$71,175,000 (loc. tax rev.)	\$94,900,000 (loc. tax rev.)	\$118,625,000 (loc tax rev.)
	less 3%, 20%, 25%:	less 3%, 20%, 25%:	less 3%, 20%, 25%:
Local Share:	\$3,451,000	\$4,602,650	\$5,753,312

Riverboat Gambling Cont.

Total Division of Local Share

Jeff	55.26%	1.9 mill.	2.6 mill	3.179 mill
Borden	2.1%	72,471	96,655	120,819
Utica	2.1%	72,471	96,655	120,819
C'town	3.69%	127,340	169,837	212,297
S'burg	3.74%	129,067	172,139	215,173
C'ville	14.33%	494,528	659,559	824,449
Clark Co.	18.78%	648,097	864,377	1,080,471

Admission Tax:

Jeff:	\$1,095,000	\$1,460,000	\$1,825,000
Cl. Co.:	\$1,095,000	\$1,460,000	\$1,825,000
ST.IN:	\$1,095,000	\$1,460,000	\$1,825,000

Jeff Total Share including Admission Tax:  
 2,995,000                      4,003,424                      5,004,280

Clark Co. Total Share including Admission Tax:  
 1,743,097                      2,324,377                      2,905,471

These figures are on an Annual Basis.

Mr. Montgomery stated that this money could be used for anything you wish, proven leaders will probably use it for bricks & mortar, or fire trucks that is going to be around for awhile after a vessel may lower its income or untie the boat and float down the river, not that I am indicating this would happen, rather than to pay for fixed cost through out the year if you need a new Town Hall, if you need a new Sewer System, if you need a new Fire Truck, Police Autos, that are going to be here for a period of time regardless of what happens.

Mr. Montgomery stated that we need and ask for your help that this can occur.

Mr. Montgomery stated that this will create 1000 jobs anywhere from 25 to 30 thousand per person, and Jeffboat will get the contracts to build our Vessel which will create 200 jobs for a period of a year at an average income of 12 to 15 dollars per hour, plus benefits, 5 to 6 hundred construction jobs for a period of 2 or 3 years.

Mr. Montgomery stated, so the general economic development issue of this piece of legislation is real, it's not like the role of the dice, it is real.

Mr. Montgomery stated that he represents the Hughes Ogden group which is one of the applicants for the license downtown and they stand ready to answer any questions anyone may have.

Council Member Everitt asked Mr. Montgomery if he had brought up pictures of the Boat.



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Riverboat Gambling Cont.

Mr. Montgomery stated that he did not but the proposed vessel would be 310 feet long and 80 feet wide.

Mr. Montgomery also stated that there is a proposed building at the foot of Spring Street, and everything that they are doing is consistent with the older theme being used as 1800's architecture, being that it is a historical district down there, to attempt to have the 1800's Riverboat tie in with the 1800's Rivertown.

Mr. Montgomery stated that he apologized for not having those pictures.

Mr. Doug Hall stated that he was up to see the Governor Tuesday, but they said that the gaming commission approved the site downtown.

Mr. Montgomery stated that the gaming commission will establish the gaming operator and the site regardless of what the City Council of Jeffersonville says or does, and every applicant will be judged by the Commissioner.

Mr. Montgomery stated that this was a economic development issue and Southern Indiana has been tromped upon for so many years that we have been neglected in a number of things and this is one area because of the great Ohio River we are able to grasp this economic development and make something out of it and will bring Sellersburg 215,000 annually for absolutely no cost. He doesn't see where there is an issue if it is going to bring Charlestown a like amount or Utica or Borden or any other municipalities and the County for absolutely no investment then it is something that we must do.

Mr. Montgomery stated that this is regulated entertainment and nothing more.

Lloyd Dold asked if it is true that two years from now if we got a new County Council they could cut Sellersburg down to \$1.00 per year if they wanted to.

Mr. Montgomery stated that he understood that this was a contractual agreement.

Doug Hall stated that this is not a religious issue, and the 1st amendment separates Church and State.

Mr. Hall stated that this doesn't mean that you have to go and gamble, it just allows your neighbor to go and gamble if he wants to.

President Tucker stated that at the last meeting it was suggested that the revenues from the Riverboat if received should be used for the Stormdrain problems in Sellersburg.

President Tucker stated that if this happens the drainage problem will probably be the primary thing we address.

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Minutes of the Last Meeting

President Tucker dispensed with the reading of the minutes of the last meeting and requested a motion be made to accept them.

Dave Broady made a motion to approve the minutes of the last meeting and seconded by Doug Eddings.  
Vote 3-0 (Karl Truman not present at time of vote)

Architect from Koetter Construction Addresses Council

President Tucker asked Council Member Eddings to introduce Century 21.

Council Member Eddings stated that Century 21 was to show support for an ongoing project of looking into building or reconstruction of the Town Hall and we have some requisitions here from Koetter Construction, their architects and he thinks they have the first pass or planning done and they want to make a presentation and nothing in concrete yet but we will know what kind of effort has been made.

Todd Machner and Gilbert Campbell addressed the Council Members and presented blue prints of the proposed new Town Hall.

Mr. Campbell stated that he was really opposed to do this tonight simply because it would have been much more desirable if we would have had a chance to report to each department and to at least get their blessing.

Mr. Campbell stated that this is the result of one meeting with the department heads, and trying to more or less write down their needs and put them on paper for them.

Mr. Campbell stated that what he has tried to do is utilize the existing Town Hall for the Clerks in the function it is used today and we did reorganize it because they requested quite a bit of storage space in which they are in need of.

Mr. Campbell stated that we have a central lobby that you can enter the Clerks or the Police Dept., into the Water or the Sanitary Departments.

Mr. Campbell stated that on the back area is a carport because of alot of vehicles they would like to get under cover.

Mr. Campbell stated that it was mentioned that we also needed a Meeting Hall and we elected, because of the shortage of real estate at this location to go on the second floor and we installed an elevator and this will give us a meeting hall that will accomodate about 150 and also that can be left open for any kind of a function Sellersburg may want but in the future it could be reconditioned for additional office space or however you want to use it, but it has self contained toilets for the entire building on the second floor

Mr. Campbell stated that they have attempted to outline the structure of the building and also by Dept.

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Architect from Koetter Construction Addresses Council Cont.

Mr. Campbell stated that the exterior wall would be metal steel studs with brick veneer.

Mr. Campbell stated that all the restrooms are handicap and will meet the ADA requirements.

Council Member Eddings stated that he guessed this was the reason for the elevator.

Mr. Campbell stated "yes" and before we get up to 10 people we have to have an elevator.

President Tucker asked Council Member Eddings how he would like to proceed from here.

Mr. Campbell stated that he brought three sets of blueprints and if there are any questions he can be called but like he said this is the first stab at it and he was quite pleased of how it turned out.

Mr. Brown asked if the construction of the new town hall would go out for bid or how will they do that.

Council Member Eddings stated that it would go out for bid once we obtain a design for the building.

Mr. Brown stated that he had one other question concerning Fuzzy Zoeller's place wanting an addition on the sewer line and there was some doubt where we had the documentation necessary.

President Tucker stated that we are working on that right now.

Attorney McCall stated that in correspondence he was provided the Covered Bridge Subdivision Restrictive and Protective Covenant for those two areas and in those restrictive and protective covenants which are binding for future land owners there was a connection to the sanitary sewer waver any remonstrance and in fact as we provided the sewer as indicated they would wave all rights to present and future remonstrance.

Attorney McCall stated that he had a question about paragraph 30 which gave them the right to modify during the development period and the letter indicated that the development period has ended and the documents cannot be changed and it is binding.

Mr. Brown stated that, that development had a Phase I and a Phase II and a Phase III.

Attorney McCall stated that as he recalled we only contracted with them for Phase I and Phase II and Phase III has not been determined yet.

Mr. Brown stated that the gentlemen was talking about January and that isn't to far off, and isn't that area out there in the no annex zone west of 60.

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Architect From Koetter Construction Addresses Council Cont.

President Tucker stated, no sir, it is East of 60.

Mr. Brown stated one other thing, looking at one of the maps that you have and you mentioned that the school was not in the Town of Sellersburg and according to the maps it is and you probably have a more common border with Essroc that what you realize.

President Tucker stated that it was his understanding, looking at John Toombs at this point in time that the High School is not in the Town of Sellersburg.

Roy Everitt stated that we have Renz Ave.

President Tucker stated so Renz Ave. is where it stops.

Street and Sanit. Superintendent, Mark Warren did varify that it was in the Town of Sellersburg.

President Tucker stated that he apologized he was misinformed.

Council Member Eddings Addresses Council/Metering Pump Installation

Council Member Eddings stated that he had checked with Mr. Tinkle on the engineering specifications for the installation of the metering pump for injecting a phosphate solution in the water treatment facility and we do need to go ahead and contract him to write those specifications and we need to use the funds from the capital improvment Servend Account and the cost of the specifications will be 1,500.00.

Doug Eddings made a motion that we approve, Ed Tinkle, from Commonwealth Engineers to write the specifications for 1,500.00 for the installation of a metering pump for injecting a phosphate solution, this motion was seconded by Dave Broady.

Vice Pres. Broady stated that it was for the completion of an IDEM Const. Permit Application.

Council Member Eddings stated that it will be a seperate permit application and has nothing to do with the sewer plant.

Vice Pres. Broady stated that he thought it was a on going thing and this is the construction permit application.

Council Member Truman stated that people in the back can't hear.

President Tucker stated that Commonwealth Engineering has to write some specifications for us to get a permit to change this water filter system and they are charging 1,500.00 to write the specifications and Vice Pres. Broady was questioning what they were doing.

President Tucker stated that the motion has been made and seconded and all in favor say I and opposed nay. Vote 4-0

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Council Member Eddings Addresses Council/Metering Pump Installation Cont.

Two copies of the agreement was presented for signature of the council.

Council Member Eddings Addresses Council/Water Tower

Council Member Eddings stated that we will be contracting C.T. Services on their bid on the water tower thats in town.

Council Member Eddings stated that they gave us a quote on the repairs, the exterior coating test, and the first anniversary inspection on the new water tower and based on the outcome of the testing of the exterior coating test they would write the specifications if those test were favorable to paint the exterior of the water tower that is located in town and what we want to do is have them go ahead and perform the first anniversary test on the new water tower and perform the exterior coating test on the old water tower and wait on the results of the test before we contract any repair work done or any specifications written to make sure the new coating system will paint the whole water tower.

Council Member Eddings made a motion to approve 1,415.00 to C.T. Services out of the Capital Improvement Servend Account for exterior coating testing and the first anniversary inspection of the new water tower, this was seconded by Dave Broady.

President Tucker asked if there was any questions.

Council Member Everitt asked Clark Henson, water superintendent, if they were suppose to have a one year inspection on the water tower.

President Tucker asked of there was any other questions if not all in favor say I and opposed, nay.

Vote 4-0

Vice President Broady Addresses Council/ Sewer Supt. To Attend Course

Vice Pres. Broady stated that the sewer supt. needed to go to school in Indianapolis for two nights at 62.00 per night for the room and the fee of 120.00 for the course.

Motion made by Dave Broady to approve Rick Wheeler to attend a course in Indianapolis, the fee of 120.00 for the course and 62.00 for two nights lodging for a total of 264.00, this motion was seconded by Doug Eddings.  
Vote 4-0

Council Member Truman Addresses Council/Special Audit

Council Member Truman stated that he was wanting to find out how much the special audit was going to cost the town.

Clerk Treasurer Schafer stated excuse me?

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Council Member Truman Addressed Council /Special Audit Cont.

Council Member Truman stated, how much is the special audit going to cost the town.

Clerk Treasurer Schafer asked, Special Audit?

Council Member Truman stated, by the State Board of Accounts.

Clerk Treasurer Schafer stated, do you mean the 1992 audit?

Council Member Truman stated the one that was just done.

Clerk Treasurer Schafer stated to council member Truman that when she got the bill she would let him know.

Council Member Truman stated do we have an expectation of how much it will cost.

Clerk Treasurer Schafer stated that she really had no idea, maybe 1000.00 or 2,000.00.

Clerk Treasurer Schafer stated that they audited 1991 and also 1992.

Council Member Truman stated was this not a special audit requested.

Clerk Treasurer Schafer stated that it was not a special audit but based on the population she did request an annual audit.

Clerk Treasurer Schafer stated that they were doing an audit, it is safer for the town and the accounts to do an annual audit with the population she felt it totally necessary.

Council Member Truman stated O.K. without board approval.

Clerk Treasurer Schafer stated did I need board approval?

Council Member Truman stated that he thought so, and o.k that answered his question.

President Tucker asked if there was anything else.

Council Member Truman stated no.

Council Member Everitt addresses Council/Halloween

Council Member Everitt stated that this being Halloween week and coming up and he guessed Saturday night would be Halloween, he asked Dave Kinder if he had anything on that time.

Chief Kinder stated it would be 6 to 9 p.m. and was that in the paper.

Council Member Everitt stated yes, it was but he wanted to make sure that

Council Member Everitt addresses Council/ Halloween Cont.

the Sellersburg people knew it.

Council Member Everitt asked if there was an age limit.

Chief Kinder stated that age 16 and above could not wear a face mask.

Council Member Everitt stated that we have had problems with the older children.

Council Member Truman Addresses Council/Leaf Pickup

Council Member Truman asked if the town was going to do a leaf pickup.

Council Member Everitt stated that Mark Warren, street & sanit. superintendent started a leaf pickup last week and it's on garbage pickup day.

President Tucker asked if there was any particular number of bags or anything.

Council Member Truman asked how long are we going to do that.

Council Member Everitt stated that it usually was till the middle of November.

Clerk Treas. Addresses Council On Audit

Clerk Treas. Schafer stated that she would like the council to retroactively approve the annual audit.

Clerk Treasurer Schafer stated that back in 1990 there was a theft from the town and it is not that she doesn't trust her employees it just secures the taxpayers moneys and assets and in the future to have an annual audit.

President Tucker stated that he would make a motion on behalf of Clerk Treas. Schafer to approve the annual audit.

Council Member Broady asked if it normally was an annual audit.

Pres. Tucker stated that normally it is every two years but due to the circumstances of us comming in and etc. her request was to have an annual audit to in essence have the books looked over.

President Tucker's motion was seconded by Doug Eddings.

President Tucker stated that in order to be as safe as possible the State Board of accounts come in everything has to be ship shape and it is safer to do an annual audit instead of every two years.

Council Member Truman stated so its going to double the cost to the town.

President Tucker stated that we don't know that and I don't think so.

Council Member Truman stated that it is his understanding that an audit like this cost the town about 5,000.00.

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Clerk Treas. Addresses Council On Audit Cont.

Council Member Eddings stated could we ammend the motion to retroactively approve this audit and then evaluate where we need an annual audit or a two year audit in the future after we see what this one cost.

Council Member Truman stated that it seems like we do alot of things retroactively.

President Tucker stated not a whole lot.

Council Member Truman stated that our employees retroactively and audits retroactively.

Chief Deputy Clerk, Cheryl Dean, stated that this audit took several months and if you speak to anyone, and she has been through several audits working for the state, once your books are in line you follow the guidelines that they set up they can come back in and audit you and their pay is based on the amount of time it takes, and if there is an annual audit you cut down on the amount of time it takes to do it.

Council Member Truman stated that it would be more cost effective to have our own internal audit done by our own CPA.

President Tucker stated that the motion was made to have an annual audit from now on and it was ammended by Doug Eddings to where we do it this time and look into the future to see if it necessary, this was seconded by Dave Broady.

Vote 3-1 with Truman voting against.

Council Member stated that was just on the motion to ammend the motion and there is still a motion on the floor.

President Tucker stated that the motion on the floor was to have annual audits from this point on is that not correct, and we would look at it in the future.

President Tucker stated that the motion is to continue the audits over to this year and to look next year to see if we need annual audits and that has been seconded.

President Tucker stated that all in favor say I and opposed, nay.  
Vote-3 in favor, Broady, Eddings, and Tucker  
2-against, Truman, Everitt.

Chief Deputy Dean asked if it is set up to do an annual audit do you call and say we have changed our mind we don't want the annual audit.

President Tucker stated that he didn't know he would have to call and ask them that question.

Clerk Treasurer Schafer stated that if there is an annual audit for clerk treasurers it is a lot safer even for clerk treasurers after her father



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Clerk Treas. Addresses Council On Audit Cont.

than to have a new treasurer to come in with a mess like what she had.

President Tucker stated that he didn't say they would not do it, all we did was to reserve the right to see how much this one is going to cost.

Clerk Treasurer Schafer stated that you do understand it is a 1991 and 1992 audit.

Clerk Treasurer Presented Claims For Building Commissioner

Clerk Treasurer stated that Steve Prather, building commissioner is not able to attend the meeting tonight so she would like to present the claims for him from October 12th to October 25th in the amount of 814.50.

Council Member Everitt stated that why the council was signing the voucher for Mr. Prather he would like to bring up this coming Wednesday, and asked Clark Henson how many people were going to New Albany.

Clerk Treas Schafer replied, fifteen.

Council Member Everitt asked Dave Broady if he would be attending the meeting Wednesday.

President Tucker stated that on behalf of Steve Prather his claim is from October 12th to October 25th in the amount of 814.50 and requested a motion to approve those fees.

Motion made by Roy Everitt and seconded by Karl Truman.  
Vote 4-0

Clerk Treasurer Schafer presents Claim/ Hepatitis-B Serum

Clerk Treasurer Schafer presented a claim for the serum for the third shot and stated that she hoped that was o.k. with Mr. Truman and requested that the claim be approved in the amount of 1493.10.

President Tucker stated and that is for the....

Clerk Treasurer Schafer stated the Hepatitis-B serum, the last shot for the towns employees.

President Tucker stated that you have already taken two is this not correct.

Clerk Treasurer replied, thats correct.

Motion was made by Roy Everitt and seconded by Doug Eddings.  
Vote 4-0

President Tucker Requested Motion To Approve Town Bills For this Meeting

President Tucker requested a motion to approve the towns bills for this

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Pres. Tucker Requested Motion To Approve Town Bills For This Meeting Cont.

meeting. Motion was made by Dave Broady and seconded by Doug Eddings to approve the bills as presented.  
Vote 4-0

Attorney McCall Presents Ord.93-579/Administrator Deferred Comp. Plan

Attorney McCall stated that the former ordinance 92-495 appointed the former clerk treasurer, Patricia Rush as the administrator of the Deferred Comp. plan and the ordinance 93-579 would ammend ordinance 92-495 to read the clerk treasurer and not state a name.

Motion was made by Doug Eddings and seconded by Dave Broady.  
Vote 4-0

Attorney McCall Presents Ordinance 93-580/Police Dept. Station Fund Acct.

Attorney McCall presented to the Council Members an ordinance establishing a Town of Sellersburg Police Dept. Station Fund Account.

Attorney McCall stated that basically he was contacted by the Chief Of Police Dave Kinder who indicated that from time to time the police dept. receives donations of money from groups or individuals and they also have a vending machine and he asked to establish a fund where the money could be deposited for non budgeted expenses and special items, an example was police vest and it would take some burden off the budget.

Motion was made by Karl Truman and seconded by Roy Everitt.

Don Brown asked what the money was going to be used for.

Chief Kinder stated for police vest and for stripes on police cars.

Chief Kinder stated the State Board of Accounts stated that the money received needed to be forwarded to the Clerk Treasurer and an ordinance was needed to establish that account, and it must be paid by claim.

President Tucker stated that all in favor say I and against, Nay.  
Vote 4-0

Attorney McCall Presented Resolution 93-13/ Increasing Pol. Dept. Petty Cash

Attorney McCall presented to the council members for approval a resolution to increase the police dept. petty cash fund from 100.00 to 300.00.

Chief Kinder stated that the petty cash fund is used for items such as stamps or where they need to pay cash.

Motion was made by Roy Everitt and seconded to approve resolution 93-13 to increase the petty cash fund at the police dept. from 100.00 to 300.00.

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Att. McCall Presented Resolution 93-13/Increasing Pol Dept. Petty Cash Cont.

Cindy Shelton, billing clerk, asked where the 200.00 would come from.

Clerk Treasurer Schafer stated that there was accounts that needed to be depleted anyway such as the accident fund that we could get the money.

President Tucker stated that the clerk treasurer and Chief Kinder could work out the mechanics.

President Tucker stated that a motion to approve resolution 1993-13 has been made and all in favor state I, and opposed, Nay.  
Vote 4-0

Attorney McCall Presents Resolution 1993-14/Transfer of Funds-Pol. Dept.

Attorney McCall presented to the council for approval resolution 1993-14 a resolution for transfer of funds to the Town Of Sellersburg Police Dept.

Attorney McCall stated that the resolution is to transfer funds for the Town Of Sellersburg Police Dept. and not to.

Motion made by Doug Eddings and seconded by Dave Broady.

Council Member Everitt asked if we had already spent up the clothing allowance for this year.

Chief Kinder stated that they had to use 700.00 and some odd dollars for the new police officer plus that he needs 200.00 more of equipment which will make the account overdrawn and some of the officers has had to do without.

Council Member Everitt stated that he thought Chief Kinder wanted to have his pants fixed.

President Tucker stated that the motion had been made and seconded and all in favor state I and opposed, Nay.  
Vote 4-0

President Tucker Addressed Council/Ammended Covenant AVCO Leasing

President Tucker stated that he was sent the ammended restriction covenant for AVCO Industrial Park where it was changing it from a 20ft to a 10ft and he thinks he needs permission from the board in order to sign that ammended restriction covenant.

President Tucker asked John Toombs to comment on that a little.

John Toombs stated that when they established the park they developed restrictions, so that control, that control is ammended and does not harm the town in anyway.

President Tucker stated that he had asked someone to make a motion to give

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Pres. Tucker Addressed Council/Ammended Covenant AVCO Leasing Cont.

him permission to sign the ammended restriction covenant basically changing the frontage from 20ft to 10 ft.

Motion was made by Roy Everitt and seconded by Doug Eddings.  
Vote 4-0

President Tucker Addressed /New Pol. Officer and Town Clerk Salary

President Tucker stated that he had two items of old business to clean-up.

President Tucker stated that Timothy Oldham is the new police officer is he not, and we did not in essence have approval of his salary of 370.79 and we need to ratify that and this was not in the information we had before so that Timothy Oldham will be receiving 370.79 per week.

Motion made by Doug Eddings and seconded by Dave Broady.

Clerk Tres. Schafer asked if this is retroactive from the employment date of 09/09/93.  
Vote 4-0

Council Member Truman stated that it is not retroactively creating the position though.

President Tucker stated that we did have Patty Wilkerson Crawford who is now employed with the town Hall who holds the position which was created and talked about in a past board meeting and we need to ratify Patty Wilkerson Crawfords salary which was 6.00 per hour and after 90 days increased to 6.50 per hour and will not be part of the 3.5% increased on January 1994, so Pres. Tucker requested a motion to approve Patty Wilkerson's salary of 6.00 per hour and increased to 6.50 per hour after 90 days.

Motion made by Dave Broady and seconded by Doug Eddings Jr.  
Council Member Truman asked if this was the third person in that job.

Clerk Treasurer Schafer stated that she had a comment.

Council Member Truman stated that the first person lasted two days and this is the third person in that job.

Clerk Treasurer Schafer Asked Ms. Shelton if she would like to comment on that

Clerk Treasurer Schafer stated that if she is not mistaken, maybe she should be asking for a sec. instead of a town hall worker.

Clerk Treasurer Schafer stated that there was a part-time dispatcher's position that was listed not to long ago it was filled, she resigned, it was filled, she resigned and it was filled twice so you currently have two part time dispatchers working a part-time that occassionally will work over 48 hrs. per week so I would say if you are going by one set of rules then everyone

Pres. Tucker Addressed/ New Pol. Officer and Town Clerk Salary Cont.

needs to go by one set of rules and if you want a double standard then we will go by a double standard.

Chief Kinder stated that we have two part-time dispatchers that do share a part time and there hours total one part time position.

Chief Kinder stated that the purpose of this is to avoid paying overtime.

Clerk Treasurer Schafer stated that it was her understanding that the two people that was hired for one part time position was to work a part time position which is not to exceed 20 to 25 hours per week.

Clerk Treasurer Schafer stated that she was not cracking on Mr. Kinder's dept. only making a point.

President Tucker stated that there was a motion on the floor to approve the salary for the new employee and we can talk about personnel issues in the personnel meeting.

Vote 3-1 approving the motion with Karl Truman voting against.

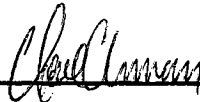
Adjournment

Doug Eddings made a motion to adjourn the meeting and motion to adjourn the meeting was seconded by Dave Broady.  
Vote 4-0

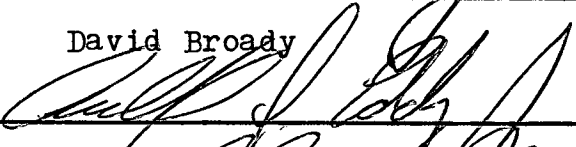
With no further business this meeting was adjourned by President Tucker at 7:35 p.m.

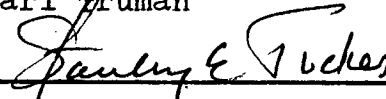


David Broady

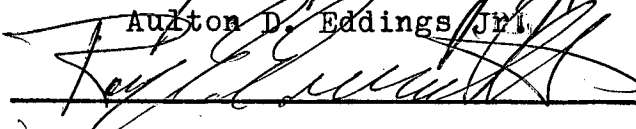


Karl Truman

  
Aulton D. Eddings, Jr.



Stanley E. Tucker

  
Roy E. Everitt

Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

November 8, 1993

Executive Session

An executive session of the Sellersburg Town Council was held at 6:00 p.m. at the Sellersburg Library to discuss pending litigation and personnel matters. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings Jr., Council Member; Perry McCall, Attorney; and Linda Schafer, Clerk Treasurer. Karl Truman and Roy Everitt, both council members were absent.

Called To Order

President Tucker Called the executive session to order at 6:05 p.m.

Topics Of Discussion

Tax, Sale Of Town Property  
Annexation Remonstrance  
Pixley VS Town Of Sellersburg  
Diefenbach R. Water Line/Easements  
Water Dept. Tariff  
Bond Coupons  
Billing Charge Rural Water  
Ran Paige  
Subdivision Ordinance  
Zoning Maps  
Covered Bridge Subdivision  
Annual Audit  
Town Hall Clerk's Position

Adjournment

With no further business the executive session was adjourned by President Tucker at 6:30 p.m.

Regular Meeting

A regular meeting of the Sellersburg Town Council followed the executive session. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings Jr., Council Member; Karl Truman, Council Member; Roy Everitt, Council Member; Perry McCall, Attorney and Linda Schafer, Clerk Treasurer.

Called To Order

The regular meeting of the Town Council was called to order by President Tucker at 6:38 p.m.

Prayer

President Tucker dispensed with the prayer due to the minister not being present.

Pledge

The pledge to the flag was recited.

President Tucker Addresses Council on New Road Request

President Tucker stated that Tuesday night, two weeks ago, Keith Gilbert came to the Zoning Board and presented his property that is located off of Utica at Fern Street and is wanting to expand the road back in essence off Fern and coming back on Utica Street and at that point in time the Zoning Board was not sure if it was in the Town of Sellersburg or how it was zoned and in the mean time we have done some work and the area is in the Town of Sellersburg and is already zoned I-1, which is light industrial so there was really no need for Larry or Keith Gilbert to come to the Zoning Board because it was already in the Town and zoned correctly, however, they do want to build a road from Gilberts property coming out on Utica Street and there is a request there.

President Tucker stated this is what he would like to propose for the Town Board to look at this evening.

President Tucker stated that in order for Larry Gilbert to have the road approved we would need more detailed plans of the road with profile cross sections, draining design and pavement section designs and the calculations would be submitted for approval, the right of way would need to be deeded to the Town and an inspection would have to be done during construction, by the Town and the roadway would not be completely taken over by the Town until one year after the construction is completed and at that time an inspection will be made and any repairs done by the owner before the Town takes it over.

President Tucker stated that all the other items are taken care of (as far as the zoning and the area being in Town, it's just a request.

President Tucker stated that he didn't mean to put words in the other Council members mouths but that is what we need in order to take it over.

President Tucker asked if there was anyone at this meeting that had received letters who would like to comment on this.

Resident Deloris Snyder stated that her property runs the entire length of the road and she does have an objection to the road coming in because of the type of traffic that would be on the road which would be industrial semi's.

Ms. Snyder stated that she questioned first of all, the ability for these trucks to pass to turn into the road, which it is a very narrow lot with houses close and she also wondered about the ordinance banning the rock trucks off the street of E. Utica, and the load limits and these trucks are going to be coming into Town, through the Town, or even through Bean Road, she asked if the load limit is going to be changed and again allowing these trucks to pass on City streets that would be industrial type traffic and industrial type business into a residential area that will be evaluated property wise from residential.

President Tucker Addresses Council on New Road Request Cont.

Ms. Snyder stated that because of the traffic this would be endangering lives of children who are on these streets.

Ms. Snyder stated that these are residential narrow streets never designed for industrial type traffic.

Ms. Snyder stated that they are limited as to the width because the houses are close to the road and they can't widen the roads anymore.

Ms. Snyder stated that she questioned the traffic that this mini-industrial park will bring into the area that the streets of Sellersburg are going to be able to handle this.

Ms. Snyder stated that as a resident and a property owner, whose directly influenced by this road she questions its excessability and its need.

Ms. Snyder stated that she can see her property devaluated and people on her block which eight of them are elderly people who are retired, with a fixed income, "their homes", they have no other assets other than these homes and if their property is devaluated due to the additional traffic they will have no assets and they can't sell and they could not get out of their property what they would need to move to a quieter area and besides the elderly people we have quite a few children, about seven of them below the age of seven who live on this one block.

Ms. Snyder stated that she feels that this is a danger and a disadvantage for those of us who live in that area.

A resident asked President Tucker if it would be a one-way road from Fern Street to Utica Street?

President Tucker stated that he probably did not describe it well enough.

President Tucker requested Larry Gilbert to explain it.

Mr. Gilbert stated that his property, the entrance to his property goes from North Fern to Utica Street.

Mr. Gilbert stated that what he would like to do is to be able to sell no more than six of these lots and it would be a two-way street.

A resident of that area stated that the appearance of that driveway did not seem to be big enough to turn in and also it did not seem that two trucks could pass.

Mr. Gilbert stated that there is a seven foot right-of-way and it is ample room for them to turn and any trucks that would pass, would pass in the seven foot area. The resident stated, "so there would be no chance that the trucks would be driving onto our property as they would make the turn."

Mr. Gilbert stated that he would think not.



President Tucker Addresses Council on New Road Request Cont.

Mr. Gilbert stated that if you are familiar with the entrance, with how narrow it now is, and still the trucks have been able to turn in there.

The resident stated, but they have to swing out and if they pave that part of the road in which they have to swing out to make that turn, the swing out would be impossible because of the property in front of it.

The resident stated that what she was saying is that the turn off Utica Street may not be wide enough to make that turn.

Mr. Gilbert stated that if there is another truck there he just couldn't say because you have good drivers and bad drivers and we have had only one truck that came to deliver that could not make the turn.

The resident asked how Mr. Gilbert proposed to keep the noise level down?

Mr. Gilbert stated that the noise would be dictated by the number of trucks that go in there and the number of trucks that go in would be the same and he would expect his business to go and as the business grows naturally there will be more trucks.

Mr. Gilbert stated that he didn't know if anyone is familiar with it but he would like to call it to everyone's attention, "the City of Jasper".

Mr. Gilbert stated that Jasper was very progressive and they encourage this sort of development, and when he is up there he goes thru a residential area but they feel that industry is important to the Community so rather than have obstacles in the way they do everything they can do to see that industry comes in and he would hope that the residents of Sellersburg would have the same attitude.

The resident stated that she was all for Sellersburg growing and she is all for improving the lots which would encourage people to have jobs and she assumes it would provide people in this area some jobs but even in an area particularly in an area which is progressive, right now especially in a residential area is to make the change at a minimum, and this is why she asked about the noise level and she asked what Mr. Gilbert was going to do to eliminate these fears of turning, noise, roads, runoffs and how are you going to eliminate these fears?

Mr. Gilbert stated that most of the things that have been addressed have been brought up at the Planning Commission and we have to do what ever we have to do to satisfy these Departments.

Mr. Gilbert stated that the only problem we had with noise is with trucks coming in at 2'o'clock in the morning and parked on our lots and left their motors running.

Mr. Gilbert stated that he was called out about twice at 2:00 a.m. and he put on all his purchase orders that there is no overnight parking and we don't have that problem anymore.

President Tucker Addresses Council on New Road Request Cont.

The resident asked if Mr. Gilbert had considered putting up sound barriers?

Deloris Snyder stated that Mr. Gilbert was a responsible business man with interest in Sellersburg but you are selling off four to six lots to people we do not know, who may not have the same types of interest, and you were called out at 2:00 a.m. but others may not have the same interest about trucks going back and forth past my window which would be destroying my peace and my right to peace and quiet also why do we need a new industrial park when we have one right out on Hamburg Pike that was developed by the Town of Sellersburg to encourage industry to come into the Town, and why is that not being developed, when there are roads that are excessable, property that was designed specifically for industry and yet a residential area where young children and old people want to live in peace and quiet they are developing a new industrial park. That is her concern and she worries about the children she loves in her neighborhood and the old people who have nowhere to go and she is worried about her own house.

Ms. Snyder stated that what she sees down the road is a large volumn of traffic not only from Industrial but from the Little League Park and Fern Street is the only access at this time and how is Fern Street going to carry the volumn of traffic? This should be thought about in the long range.

Ms. Snyder stated that you have houses 6 or 8 feet from it and isn't there a load limit inside the City of Sellersburg.

President Tucker stated on the other side of the Railroad tracks.

A resident stated that the sign on load limits is at the Town limits sign.

Council Member Everitt stated that in the Town of Sellersburg if someone has a business they are allowed to go to and from that business and it has always been an ordinance in the Town.

Deloris Snyder asked if the Rock Quarry was allowed to come to and from their business.

Council Member Everitt stated that Sellersburg Stone, since we built Bean Road has taken it upon themselves to tell all drivers when they are coming into Sellersburg to use Bean Road and they have been pretty good at it.

A resident asked about the wear and tear on Utica Street, who is going to maintain it?

Council Member Everitt stated that the Town has always maintained this street and we have done pretty well with it the last six years.

Deloris Snyder stated, don't you see the problems with the Semi's coming thru Town?

President Tucker stated that at this point in time, I'm sure Mr. Gilbert is correcting things, there are zoning regulations for this, and truck drivers are asked to come thru Bean Road past the Quarry and turn on, but he is not saying this will happen, but it is an option.

President Tucker Addresses Council on New Road Request Cont.

President Tucker stated to address a couple of your statements and questions, the property was already zoned industrial back in 1986 and so basically he has the right to do that with his property and his question with us tonight is will we allow him to build a road and will the Town take it over after a period of time. So as to whether it can be an industrial sight or not it is already an industrial sight.

Deloris Snyder stated then basically it is none of our business right?

President Tucker stated that he did not say that.

Deloris Snyder stated that it is effecting her property more than anyone elses, due to it running the entire length of her property.

President Tucker stated that he feels sure that Mr. Gilbert has addressed this to the best of his ability.

Council Member Everitt stated that some of the trucks are using Penn St. instead of coming up thru Town and now they are using 31 coming behind the Bowling Alley to those industrial sights.

Council Member Everitt stated that he would like to say something off the record and it may be on record, but Bean Road may be straightened out to go closer and eliminate the humps out there and the trucks will be able to clear that crossing better, thats in the talk right now.

A resident asked if trees could possibly be planted out there to help with the noise level.

President Tucker requested a motion to approve the street being built into the industrial park based on the conditions as was stated before.

Motion made by Roy Everitt to approve the building of the Street and turning it over to the Town, possibly one year after completion and seconded by Dave Broady.

Vote 4-0

President Tucker addresses Correction on Ordinance 93-579/Defferred Comp.

President Tucker stated that it was requested by Attorney McCall to let the minutes show a correction on Ordinance 93-579, amending original ordinance #91-495 instead of 92-495.

President Tucker/Recind Res. 93-14 Transfer of Funds/Police Department

President Tucker stated that it was suggested that 93-14 be recinded due to the correction of language of transfer of funds to transfer of Appropriations for the Police Department.

Motion was made by Doug Eddings, Jr. to recind the Res. #93-14 and seconded by Karl Truman.  
Vote 4-0

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President Tucker Presents Resolution 93-15/Transfer of Approp-Sburg Police Dep.

President Tucker presented to the Council for approval Resolution 93-15/  
Transfer of appropriations for the Sellersburg Police Department.

Motion was made by Dave Broady and seconded by Karl Truman.  
Vote 4-0

President Tucker discussed Subdivision Regulations/Resolution 93-16

President Tucker stated that on 10-26, we had the last planning commission meeting which dealt with the subdivision regulations for the Town of Sellersburg and it was recommended at that meeting by Rod Pate the President of the Planning Commission that a resolution recommending that the Town Council approve a proposal initiated by the Planning Commission to update the subdivision regulations, where as the Planning Commission, Town of Sellersburg, did on October 26, 1993 held a legally advertised Public Hearing on a proposed update, the Subdivision Regulations in the Town of Sellersburg until all objections and remonstrances were heard where as this amendment was initiated by the Planning Commission, Town of Sellersburg, certifies that the Commission makes a favorable recommendation to the Town of Sellersburg that the attached Subdivision Regulations be adopted.

President Tucker requested a motion that we approve Resolution 93-16, the Subdivision Regulations presented by the Planning Commission.

Motion was made by Doug Eddings, Jr., and seconded by Karl Truman.  
Vote 4-0

Karl Truman asked if we needed to do anything with our moritorium, and do we need to take any action to recind that?

Minutes of last Meeting

President Tucker dispensed with the reading of the minutes and requested a motion to approve them.

Motion made by Doug Eddings, Jr. to approve the minutes of October 25, 1993 and seconded by Roy Everitt.

President Tucker asked if there were any questions or changes.

Council Vice President Dave Broady stated that there was a correction page #13. Motion was made by Dave Broady to approve bill and seconded by Dave Broady, this should read: Motion made by Dave Broady and seconded by Doug Eddings, Jr.  
Vote 4-0

President Tucker Presents Additional Bond/Clerk Treasurer

President Tucker stated that it was brought to our attention that the Clerk Bond was basically \$15,000.00 which only covered \$1,000,000. and since our budget is considerably more at the treatment plant and so forth, he would like to recommend that we increase the Clerk Treasurers Bond from \$15,000. to \$75,000. to cover the Clerk Treasurer.

President Tucker Presents Additional Bond/Clerk Treasurer Cont.

President Tucker requested a motion that the Clerk Treasurer's bond be increased from \$15,000. to \$75,000. thru American States thru Hinton & Corby Ins. Co.

Motion made by Doug Eddings, Jr. and seconded by Dave Broady.

Karl Truman asked what the cost would be?

President Tucker stated he didn't know and asked Clerk Treasurer, Linda Schafer.

Clerk Treasurer Schafer stated that she didn't have the bill yet and it didn't matter Mr. Truman because it was required by law. Clerk Treasurer Schafer stated that it is \$15,000. per \$1,000,000. and she handled about \$12,000,000. last year.

Council Member Truman stated that the Clerk Treasurer needed not to be so defensive, he just asked a question.

Vote 4-0

Public Hearing/Additional Appropriations MPP/Ordinance 93-578

President Tucker read the Ordinance 93-578 stating that whereas, it has been determined that it is now necessary to appropriate more money that was appropriated in the annual budget for calander year 1993, now, therefore; be it obtained by the Town Council of the Civil Town of Sellersburg, Clark Co., Indiana, that for expenses of the taxing unit the following additional sum of money are hereby appropriated out of fund named and for the purpose specified, subject to the laws governing the same.

MPP/Other Services and Charges/Pensions to Retired-\$1,300.00

President Tucker asked if there were \$1,300.00 being moved out of, is that correct? Clerk Treasurer Linda Schafer stated that it was a request to spend that money, so it is an additional appropriation.

President Tucker stated to be put into the pension for the Retired.

Clerk Treasurer Schafer stated that it was the approval to spend the money for their salaries.

President Tucker stated salaries for the Retired People's Pension.

Clerk Treasurer Schafer stated when she did the budget last year and estimated the salaries, it was advised that we increase the Police Departments salary by 3% and by doing that it affected the salaries of the Metro Police Pension People, so we are raising the appropriation to fund the budget for the rest of the year.

MPP/Other Services and Charges/Pensions to Retired - \$1,300.00 Cont.

President Tucker requested a motion to approve Ordinance 93-578 to increase the appropriation of the MPP Fund of \$1,300.00.

Motion made to approve Ordinance 93-578 by Doug Eddings, Jr. and seconded by Dave Broady.  
Vote 4-0

President Tucker Presents Ordinance 93-581/Transfer of Appropriations

President Tucker stated to Clerk Treasurer, if she would like to present the Ordinance 93-581.

Clerk Treasurer Schafer stated that when she did the original budget she had underestimated in some areas where we needed to shorten some appropriations to increase appropriations in other categories as follows:

<u>Town Council</u>		<u>Town Council</u>	
395- Settlements & Judgements	\$4,000.	394-Misc. Services	\$4,000.
<u>Clerk Treas.</u>		<u>Clerk Treas.</u>	
124- Group Insurance	\$2,500.	323-Telephone & Pagers	\$2,500.
341- Insurance	500.	331-Legal Publications	500.
341- Insurance	2,000.	351-Electric	2,000.
124- Group Insurance	500.	353-Water	500.
<u>MVH</u>		<u>MVH</u>	
397- Paving	\$600.	225-Gasoline	\$600.
397- Paving	500.	224-Supplies	500.
397- Paving	500.	368-Bituminous Mat.	500.
<u>Parks</u>		<u>Parks</u>	
111- Park Salary	\$3,000.	362-Repairs/Maint.	\$3,000.

President Tucker requested a motion to approve Ordinance 93-581/Trans. of Appropriations.

Motion was made by Roy Everitt and seconded by Doug Eddings Jr.  
Vote 4-0

Reappointment Of Housing Authority Member/Carl Waiz

President Tucker stated that he received a letter from Mary Jo Trester, who is the chairman of the Board of Commissioners for the Sellersburg Housing Authority and the term of office for Mr. Waiz will be up December 31, 1993 and she has asked that we reappoint Carl Waiz, who has served us a number of years in that capacity and President Tucker requested permission to sign his reappointment to the Sellersburg Housing Authority and he thought the term was a three year term.

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Reappointment Of Housing Authority Member/Carl Waiz (Cont.)

Motion was made by Dave Broady and seconded by Doug Eddings Jr. to approve the reappointment of Carl Waiz.

Vote 4-0

President Tucker asked if there were any questions or discussion.

Council Member Everitt asked if anyone had talked to him.

President Tucker replied, yes.

Vote 4-0

Petitions And Comments From those Citizens Present

President Tucker called upon Mr. Don Brown, who was on the agenda to ask the council some general questions.

Mr. Brown stated that his information he wished to discuss tonight did not arrive in time to put together a very good presentation and stated that he preferred that option for another time at a later date.

Building Commissioner Presents Claims

Steve Prather, building commissioner, presented his claims from October 26, 1993 thru November 8th, 1993 in the amount of 770.85.

President Tucker requested a motion to approve the claims presented by Mr. Prather.

Motion was made by Karl Truman and seconded by Roy Everitt.  
Vote 4-0

Mr. Prather stated that he would like to thank the clerk treasurer for filling in last month on his reports due to him having another engagement.

Clerk Treas. Schafer stated that he was welcome.

Council Member Eddings Discusses New Town Hall

Council Member Eddings stated that we are working diligently on the plans for the new town hall.

Council Member Eddings stated that we got with the supervisors from the various departments and have made considerable amount of cuts on the first plan.

Council Member Eddings stated that there are still some parking issues we are trying to overcome and we are looking into and we still have the markup drawings sometime this week and we will get another ball park figure on the cost.

Vice President Broady Discusses/Heating Sewer Dept. Building

Vice Pres. Broady stated that we had a building at the sewer plant that is

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Vice Pres. Broady Discusses/Heating Sewer Dept. Building (Cont.)

58 by 48 and he and sewer superintendent had discussed originally to partition off a portion of this building and heat one bay but it has come to our attention that really there is no where in our facility that is heated right now to work on the trucks of the water dept. and things for the street dept. to keep them from freezing so it seems the logical thing to heat the whole building.

Vice Pres. Broady stated that he had some ruff estimates and it looks like the full cost would be approximately 3925.00 to do this.

Vice Pres. Broady stated that what he was asking the board to approve would be to install the heat and he would like to spread the cost among the sewer, water, and street depts. which would be approximately 1310.00 each.

Vice Pres. Broady stated that it was a 58 by 48 pole type building.

Roy Everitt, council member, asked if this cost would included the heater also.

Vice Pres. Broady stated, yes it would.

Vice Pres Broady stated that we received a price from a heating company and they recommended that we get a 3000 BTU furnace and someone called Grainger which we have an account there and they have a 3000 BTU furnace for a little over 1000.00 and it would be 300.00 or 400.00 for installation of that and 2500.00 for insulation of that which would total 3925.00 or about 4000.00.

Council Member Everitt stated that he was for it on account of the truck we have to use in the winter time to salt the roads.

Clerk Treas. Schafer stated that she didn't really see an area in the Civil Town that 1310.00 could be taken out of unless we used the Town Councils Misc. Services appropriation and it would be possible due to transferring 4000 into that area.

Clerk Treas. Schafer stated that she would need to apply for an additional appropriation to be able to pay this unless she paid it from misc. services.

Clerk Treas. Schafer stated that its not that we don't have the money its the appropriation.

Vice President Broady stated that he would like to make a motion that to proceed with the insulation and heating of the 58 by 48 building at the WWTP and the cost to be shared by three depts., street, sewer, and water and the payment will be worked out. This motion was seconded by Roy Everitt.

Vote 4-0

Council Member Truman Discusses/ Utility Director

Council Member Truman stated that since the council had approved the position



Council Member Truman Discusses/Utility Director (Cont.)

of utility director he was contacted by the manager of Clarksvilles WWTP suggesting that we look into the possibility of contracting their management services, and he has contacted the other council members also regarding the other types of services that they do.

Council Member Truman stated that he thought they had a really good program and he explained it in some literature and obviously they aren't the only people that do this type of thing and one of the positive things also is the fact that they had initially promised Clarksville to save them 10% and ended up saving them 20% and he also stated that when you are talking about a town manager that they could also include that roll in their director and they would also serve as a town manager.

Council Member Truman stated that personally he thinks this is something we need to do and presented some booklets of a monthly status report they give the Town Of Clarksville that they give the council every month regarding the status of the WWTP, financial information, complaints, and everything and also an annual report that they put out.

Council Member Truman stated that the way to begin this process is to basically submit a request for proposals to various companies that do this type of thing and he had given the board members a sample of what Clarksville has sent out and a list of operations they sent it to.

Council Member Truman stated that at this time he makes a motion that the town council submits or send out a request for proposals to these companies to basically see what kind of proposals we get and obviously we don't have to accept any of them if we don't want to but he thinks that this is the next step that we need to do to persue this.

President Tucker stated that the motion was made by Karl Truman and asked if there was a second to this motion.

President Tucker stated that it had to be seconded before it could be discussed, and seconded by Dave Broady.

Vice Pres. Broady stated that he understood what Council Member Truman was saying and asked what services he was asking for.

Council Member Eddings stated that he thought what any management company would want is basically a scope of what we want that service to provide to us, and until we have something like that written, and he is all for down the road and lets see how much this service would cost us and lets see what the benefits would be and the down side and weigh one side against the other and we have to know what our scope of the project is going to be, we can't just go in open ended and say we want you to come in and provide services for our town it could be anything from managing the town municipal system, including road, street, sewer, building commissioner, the whole ball of wax.

Council Member Truman stated that we need a proposal covering all those scopes broken down initially we want a proposal for management of the WWTP and management of the water utility and assuming the billing services, collection service

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Council Member Truman Discusses/Utility Director (Cont.)

and even a proposal of even providing management of the town and everything in between.

Council Member Eddings asked if council member Truman would like to write something up and bring it back to the council.

Council Member Truman stated that he would prepare it but he doesn't want to put this off another six months.

Pres. Tucker stated that what he is hearing Doug Eddings and Dave Broady say is they aren't comfortable with proceeding with this at this time, they would like to get a little more of the specifics.

President Tucker stated that it was not exactly correct when it was stated that the management company had talked to all council members because he had not talked to them at all so it is not correct that we have all talked to them and know where they are coming from because he hasn't.

Pres. Tucker stated that he would agree with Doug Eddings and Dave Broady and either by telephone or whatever it is he would like to set down and talk about this and if council member Truman has an agenda for the council to look at they will be happy to look at it.

Pres. Tucker stated that he is not trying to drag his feet but this has been done in two meetings basically without a lot of background and as far as he is concerned he is uncomfortable with it.

Council Member Truman stated that if the other council members are uncomfortable with it.

Council Member Truman stated that if the other council members are uncomfortable with it he will prepare it and present it for a motion at the next meeting.

Council Member Eddings stated that this would be better to have something we can discuss and say, yes this makes sense or we don't agree with it.

Council Member Everitt asked if maybe we could have this discussion in an executive session with the board, prior to the 22nd of Nov. meeting.

Attorney McCall stated that he didn't think it could be an executive session.

and  
Council Member asked Attorney McCall to check to see if an executive session could be held.

President Tucker stated that there was a motion on the floor to pursue to send out RFP's for people who can provide this service.

President Tucker stated that he would like to take a vote on that.

All in favor state I and all opposed nay.

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Council Member Truman Discusses/Utility Director (Cont.)

Vote: 1 in favor- Karl Truman  
7 against- Stan Tucker, Dave Broady, Doug Eddings Jr.  
1 abstained- Roy Everitt

Council Member Truman stated that since Vice Pres. Broady and Council Member Truman are over the utilities would they like to do the preparation of the the RFP's to be put together for the next meeting.

Council Member Truman stated that his problem is that he doesn't want this to set another 6 or 12 months, he stated that it generally discussed and put on the back burner.

President Tucker stated that what he heard is that they would try to give it to the board at the next meeting.

Council member Everitt Discusses Gas Meter/Sewer Dept.

Council Member Everitt asked if Rick Wheeler, sewer supt. had talked to Vice Pres. Broady about this gas meter the one at the plant that he talked about buying.

Mr. Wheeler stated yes, we discussed it apparently were still, what he is talking about we have some gas monitors that we use in manholes before we could legally get down in a manhole, we have tow at the new plant, but as Council Member Everitt saw at the seminar two weeks ago, right now we are trying them out for two weeks and after that we are going to try another one for two weeks or a month and as far as discussing the purchase of one the ruff price would be about 2000.00 but OSHA is going to require it.

Council Member Everitt stated that it is required and right now in this kind of weather it is really dangerous.

Council Member Everitt asked, but you have one you are using.

Rick Wheeler, sewer supt., replied, Yes.

Resident Addressed Council/Water Leak

Richard Allen addressed the council members with a problem with his utility bill stating that he had a water leak and had contracted a plumber.

Mr. Allen stated that the plumber stated that there was a leak around the meter and he was told that the water dept. couldn't do anything about adjusting his bill.

Council Member Eddings stated that he had talked to Clark Henson, water supt., and the people that were out at Mr. Allens house and what they told him is that the leak was on the towns side and was not going through the meter and the water that was going through the meter was going through because of the toilet leak, and the charges on the bill has to go through the meter in order

Resident Addressed Council/Water Leak (Cont.)

to be billed for it and the leak that was there did not go through the meter s  
the bill that Mr. Allen has is not the towns part.

Council member Eddings stated that the water leak was repaired out on the road  
and didn't go through the meter.

Ms. Allen stated that she had been there since February and the toilet has  
been messed up but the highest her bill has ever been is 45.00.

Council Member Eddings stated that the report he got the water didn't go  
through the meter.

Council Member Eddings stated that he would like to hear from the plumber  
and if he can convince him that any part of that water ran through the  
meter he can make an adjustment and at that time if it can't be resolved  
we do have something set up to make payments on the bill.

Mr. Allen stated that he felt like he was up against the wall on this.

Pres. Tucker stated that he thought what council member Eddings was suggest-  
ing is that he would like to talk to the plumber and get with the supervisor  
and if it can't be fixed he will have suggestions on how he can make the  
payments.

Clerk Treas. Presents Claims For This Meeting

Clerk Treas. Schafer presented her claims for this meeting in the Civil, Sewer  
and Water Depts. for the last two week period.

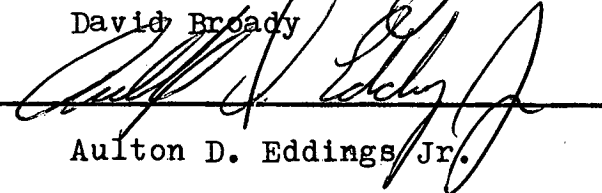
Motion was made by Dave Broady and seconded by Doug Eddings to approve the  
claims as presented.  
Vote 4-0

Adjournment

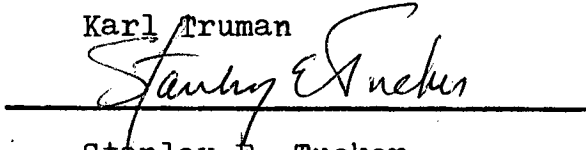
Motion was made by Doug Eddings Jr. to adjourn this meeting and seconded by  
Roy Everitt.  
Vote 4-0

With no further business this meeting was adjourned by President Tucker at  
7:42 P.m.

  
\_\_\_\_\_  
David Broady

  
\_\_\_\_\_  
Aulton D. Eddings Jr.

  
\_\_\_\_\_  
Karl Truman

  
\_\_\_\_\_  
Stanley E. Tucker



Sellersburg Town Council  
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November 8, 1993  
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Adjournment(Cont.)

Roy E. Everitt

Attest: Linda G. Schafer  
Clerk Treasurer



SELLERSBURG TOWN COUNCIL

November 22, 1993

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at 6:30 p.m. at the Sellersburg Library. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings Jr., Council Member; Roy Everitt, Council Member; Perry McCall, Attorney; and Linda Schafer, Clerk Treasurer; with Karl Truman being absent.

Called To Order

President Tucker called the regular meeting to order at 6:30 p.m.

Prayer

The prayer was offered up by Rev. Gary Fenner.

Pledge

The Pledge of Allegiance to the flag was recited.

Minutes Of Last Meeting

President Tucker dispensed with the reading of the minutes from the last meeting and requested a motion to approve them.

Motion was made by Roy Everitt to approve the minutes of the last meeting and seconded by Doug Eddings Jr.  
Vote

Discussion on Diefenbach Waterline

Jim Pennington stated he had a few questions concerning the Diefenbach Waterline Project.

Mr. Pennington stated that he was told that the easements had been turned in and he wanted to know if they had been filed.

President Tucker stated that it was his understanding that they had been turned into Mr. Pennington's attorney, the gentleman, Charlie Murphy who was representing them initially left the firm and moved to a firm in New Albany and someone took his place and he has all the easements and as far as is known they were all correct but as for if the attorney has recorded them or not President Tucker stated he did not know.

Mr. Pennington stated that it was his understanding that the Town Attorney was suppose to file the easements and he was wondering if they had been filed

John Toombs, Consulting Engineer stated that the Town Attorney has them and he had a copy and as far as he knows they have all been recorded.

Mr. Pennington asked where we go from there?

President Tucker stated that it was his understanding that Attorney Allen Applegate talked to Attorney Perry McCall today and asked the Town of

Discussion on Diefenbach Waterline Cont.

Sellersburg to be the Escrow Agent for the money.

President Tucker stated that we do not want to be the Escrow Agent for the money.

President Tucker stated that the Town had enough judicial responsibility and there is enough burden on the Clerk Treasurer that we would rather not act as an Escrow Agent.

President Tucker stated that Attorney Applegate can act as the Escrow Agent and it's just the question of paying your money into the Escrow Agent and having your contractor complete the hook up of the water line and paying your contractor.

President Tucker asked Mr. Toombs if this sounded correct.

Mr. Toombs replied, "Yes".

Mr. Pennington asked if there was a reason why the Town could'nt be the Escrow Agent?

Mr. Pennington stated that we will have to have an engineer on this job.

President Tucker stated that Mr. Pennington's contractor, he assumes is the person who will be overseeing this construction.

President Tucker stated that its not really in the Town of Sellersburg.

Mr. Pennington asked if the Town would have an engineer working with the contractor.

President Tucker stated, "No Sir".

President Tucker stated that John Toombs is the engineer that helps us in the Town of Sellersburg.

John Toombs stated that Attorney McCall gave him a letter from the Attorney Allen Applegate and the agreement was that all the people putting up money and suggested that Mr. Pennington be agent which I assume would be the Escrow Agent and he didn't think that Attorney McCall or himself had a problem with any of this and all of them have been recorded.

Mr. Toombs stated that he understood that two people were giving them prices to do the work and his advice was that everyone put there money up and once the money was placed the town was going to see if they could purchase the pipe due to getting a better price and then as soon as they had a contract and a price they would let Clark Henson, Water Superintendent, know and we would keep an eye on what they are doing and once they were all finished and upon completion the Town would take it over one year later.

Mr. Pennington stated that he was given a price from Clark Henson, water supt.

Mr. Pennington asked who would put this together.

Sellersburg Town Council  
Regular Meeting  
November 22, 1993  
Page 3.

Discussion on Diefenbach Waterline Cont.

John Toombs stated that Mr. Pennington and his attorney would put it together and they can pro-rate that anyway they want perhaps according to the frontage of the property or whatever and once they find out how many feet it is going to be Mr. Henson can determine how much it will cost.

Mr. Pennington asked if there is anyway of telling how much it will cost.

President Tucker stated that Mr. Pennington needed to get with the contractor that was going to do the work and not us.

President Tucker asked Clark Henson if he had given some numbers before.

President Tucker stated that as soon as Mr. Pennington had the specific footage then the town would give a specific price.

President Tucker stated that we are waiting for the contractors to basically bid it to tell you how much it is going to cost for them to put it in.

John Toombs stated that once Mr. Pennington has chosen a contractor they can supply the town with a list of materials that will be needed and we can give them a price.

President Tucker stated to Mr. Pennington that when he got the bids from the contractors, Mr. Henson can give Mr. Pennington a price on the materials.

President Tucker stated to Mr. Pennington that Attorney Applegate and the contractors that are going to install the waterline are the first step.

President Tucker stated that when Mr. Pennington gets the figures from the contractor to call John Toombs or himself and they will try to put all the pieces together.

Chief Kinder Addresses Council On Police Vehicles

Chief Kinder addresses council members on two police cars that he stated were unserviceable and a T-Bird that was given to the police dept. and if the council will give him the authority he will be able to trade these three vehicles for a 1989 Tempo at Jim O'Neal Ford.

President Tucker stated that parts of one of the cars had gone to get the other car working, which both are in bad shape.

President Tucker stated that the third car was obtained through a drug bust and the three cars together with an additional 1,600.00 would get the police dept. a 1989 Tempo.

Vice President Broady asked if this was in his budget.

Chief Kinder stated that the money was in a fund of money that has been donated to the police department.



Sellersburg Town Council  
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Chief Kinder Addresses Council On Police Cars Cont.

Clerk Treasurer Schafer asked if this was in Mr. Kinder's special police fund.

Chief Kinder replied, "Yes".

Clerk Treasurer Schafer stated that she understood.

Motion was made to approve Mr. Kinders request by Dave Broady and seconded by Doug Eddings Jr.  
Vote 3-0

I-65 Extension and Crossover Discussed

Mr. Kinder stated that he was contacted by the State Highway Dept., they came to us and asked us for a letter.

Mr. Kinder stated that they are getting ready for the expansion of I-65 and they asked us about a crossover, and we asked them to keep it at the 8 mile marker and it is our understanding that it will be the same place.

President Tucker stated, so the exit would be the same place.

Mr. Kinder replied, "Right".

Mr. Kinder stated that in reference to the Corp of Engineers survey that 311 and Utica Street where two lanes are coming north and make it a turn there due to having 15 accidents in that area.

President Tucker stated that Chief Kinder will need the titles from the vehicles he requested to trade in.

Clerk Treasurer Schafer stated she would like to state that any sale of a town vehicle needs to have an appraisal and bids need to be taken but she is not so sure.

Chief Kinder stated, "only if it is over \$1,000.00.

Clerk Treasurer Schafer stated that how do you know unless there is an appraisal done.

Clerk Treasurer Schafer stated that she was unaware until the State Board of Accounts pointed that issue out.

Chief Kinder stated that there was two different dealers came up and looked at the cars.

President Tucker asked Chief Kinder if he could get the appraisal statements to the Clerk Treasurer.

Sewer Superintendent Discusses Gas Monitor/IN. OSHA

Rick Wheeler, Sewer Superintendent, stated in order to keep up with the new OSHA regulations we need to purchase a new gas monitor to get us up to standard and what these are for is to test the gas in manholes and lift stations before you get down into them and we have tested about three of them so far and the price were looking at is about \$2,500.00.

President Tucker asked if all were about the same price.

Mr. Wheeler stated they were all within 2 or 3 hundred dollars.

Council Member Everitt asked if that was with the charger and everything? Motion was made by Vice President Broady to approve purchase of the gas monitor for \$2,500.00 and seconded by Council Member Everitt.

Council Member Everitt asked if the guy from Georgetown came down and looked at that, the one that was unusable.

Council Member Everitt stated that the reason he asked is that, was Mr. Wheeler going to let him use it or sell it to him.

Mr. Wheeler stated that the trade in value was not that good but the Fire Dept. was interested in purchasing it for a training purpose.

Vote 3-0

Building Commissioner Presents Claims

Steve Prather presented his claims from Nov. 9th to Nov. 22nd in the amount of \$153.00.

Motion was made by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

Council Member Eddings Presents Revised Plans/Town Hall

Council Member Eddings stated that he has the revised plans for Town Hall after we have had a chance to look at it and cut it back and there are two copies. If anyone wants to look at them and if there is any comments or anything that we can cut down on he would appreciate it if they would leave it in his mailbox.

President Tucker asked if the different departments have had a chance to look at this.

Council Member Eddings stated "yes".

Council Member Everitt asked if they were planning to take all the buildings out back.

Sellersburg Town Council  
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Page 6.

Council Member Eddings Presents Revised Plans/Town Hall Cont.

Council Member Eddings stated that what this plan does; the present Town Hall would become the public meeting room and then all the offices for the Water and Street Department and Employees, Police Station, Breakrooms will be behind the present Town Hall, all on one floor.

President Tucker requested that what ever, whether we agree or disagree, whether we don't want to do it or do want to do it or whatever the case may be, in some shape or form, put them in writing and put them in Doug Eddings box at Town Hall.

Clerk Treasurer Schafer stated that she has reviewed the plan and it is going to be really nice, and it doesn't matter where she works, being a representative of the people of the Town of Sellersburg but that the plan was extremely high for what we can afford. She would like to see it done in phases if at all possible.

Council Member Eddings stated that it will be a lot less than the first proposal.

Clerk Treasurer Schafer stated that if you take in consideration all the additional offices that at this point in time are not really necessary and to furnish all those offices would be enormous all in itself and that is her personal opinion.

President Tucker stated to the Clerk Treasurer, why did she not recommend phases.

Clerk Treasurer Schafer stated that she did.

Clerk Treasurer Schafer stated to secure the \$75,000.00 grant, the free money would be the first phase as far as her opinion.

Dave Broady requested Permission To Tap On Sewer Line

Dave Broady stated that he had a request to tap on from David Young.

President Tucker asked if they had to contact Fuzzy Zoeller to do that?

Dave Broady stated that it was his understanding when we gave them permission to lay the line it belonged to us.

John Toombs, Consulting Engineer stated that we can give limited permission to tap on.

President Tucker stated wouldn't it be better to communicate through the group that is doing this and asked if it's O. K.?

John Toombs stated yes we could do that.

Sellersburg Town Council  
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Vice President Broady Discusses Utilities Manager

Vice President Broady stated getting back to what we did last week concerning utilities manager. He said he would get back to the Council this week and he was gathering information but he has no recommendation at this time. Vice President Broady stated that Mr. Truman called and said that he probably would not be there and asked him to bring it before the Board if you would like something as Clarksville has got to take proposals on price and see how much something like that would cost.

Doug Eddings stated that he would like to see the scope of what we are after and all agreed to by the board before we go shopping around for price.

Council Member Everitt stated that he felt the same as Council Member Eddings

President Tucker stated that he had an opportunity to talk to John Toombs and he thinks we need to gather some more information and John can help us. As to if this position exists, what do we need this position and do we have the economics for this.

President Tucker stated that we didn't have the answers to any of this and what he is suggesting is that John Toombs work with the Board to get what he thinks as a scope to see if we have the economics to do that which will be after the first of the year.

President Tucker asked the Council Members present what they thought about th

Doug Eddings stated that was fine with him.

Dave Broady stated that was fine with him.

Council Member Everitt stated that he knew John Toombs opinion, so he would stay out of this one.

President Tucker asked John Toombs to look into this and we would look at this sometime after the first of the year.

Clerk Treasurer Schafer stated that she had done some checking into the people who now run the Clarksville Sewer Utility and they are paid \$900,000.00 per year to run the sewer and Clarksville has approximately 20,000 as opposed to Sellersburg's approximately 6,000. We do now have outstanding bond issues so this would also be needed to be taken into consideration and a resident of Clarksville stated that she was told by her landlord that her water & sewer had increased by 50% within the past year so there are all sorts or areas that need to be investigated before the Council jumps into something like that.

Clerk Treasurer Schafer presented a letter from Mary Ann DellaRosa which she requested it be read at this meeting.

Council Member Everitt stated that Clarksville and Jeffersonville both increased their utilities by 50%.

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Vice President Broady Discusses Utilities Manager Cont.

Clerk Treasurer Schafer stated that she would have to see the figures on where they are getting the 10% or 20% savings because at this point there hasn't been enough time on anything to see if Clarksville has had a savings and she would hope the Council would make a wise decision.

Clerk Treasurer Schafer stated that she does pay alot of things out of water & sewer that normally would be budgeted from civil town but it helps keep the budget down also I would hope that if a manager comes in that there would not be an increase in utility rates because these people cannot afford it and also she feels that it would be duplicating services the Town now does.

Clerk Treasurer Schafer stated that she hopes the Council will review all aspects before jumping into something like that.

President Tucker Read Ms. DellaRosa's Letter:

Sellersburg Town Council  
RE: Utilities Manager  
Gentlemen:

I am sure most citizens of Sellersburg will agree with me in stating that you five men were voted into office to take care of the towns business, which includes overseeing the utilities. This is the reason you get a paycheck from the town.

As representatives of the people of Sellersburg, if you find you can no longer do the job you are paid to do, then I believe it is time to either quit as councilmen or use your salaries to pay whomever you hire to do your job.

I do not want to see another tax hike placed on our towns-people, which is what will happen if you go through with this unnecessary hiring.

Signed,

Mary Ann DellaRosa

Council Member Everitt Gives Holiday Sanitation Schedule

Council Member Everitt stated that due to the Thanksgiving Holiday Thursday garbage will be picked up on Monday and Friday's garbage will be picked up on Tuesday of the following week.

Council Member Everitt/Coveralls For Workers

Council Member Everitt requested permission to furnish coveralls for two sanitation workers that work on the garbage truck.

President Tucker asked the other Council Members if they had a problem with that and they did not.

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Council Member Everitt/Coveralls For Workers Cont.

President Tucker stated, "absolutely" in favor of the coveralls for the winter.

Clerk Treasurer Linda Schafer Presents Claims

Clerk Treasurer Schafer presented to the Council her claims for this meeting.

Motion was made by Dave Broady and seconded by Doug Eddings.  
Vote 3-0

Attorney McCall Presented Resolution 93-17/Revitalization Area

Attorney McCall presented to the Council Members for approval of Res. 93-17, a resolution declaring Economic Revitalization area within the Town limits of Sellersburg Indiana.

Motion was made by Dave Broady and seconded by Doug Eddings to approve Resolution 93-17.

Attorney McCall stated if the Council wished to pass this resolution tonight there would be a hearing where the public could participate with any type of concerns. So if you pass this Resolution tonight there will be notices sent out for a public hearing and there will be copies of the Resolution description and the map in the County Assessors office for display.

Attorney McCall stated that in the future, the Council needs to set down with the Town Engineer and see if there are any other areas to be considered revitalizaion areas.  
Vote 3-0

Perry McCall stated that he would let Clerk Treasurer Schafer know when to publish notice of the public hearing.

Attorney McCall Presents Resolution 93-18/ Diefenbach Waterline

Attorney McCall presented Resolution 93-18, a resolution by the Town of Sellersburg to assume maintenance and repair of Diefenbach Road Waterline upon Transfer and conveyance of residents interest.

Motion was made by Doug Eddings and seconded by Dave Broady.  
Vote 3-0

Attorney McCall Presents Resolution 93-19/Storm Drainage Design

Attorney McCall presented Resolution 93-19 in reference to a storm drainage design criteria.

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Attorney McCall Presents Resolution 93-19/Storm Drainage Design Cont.

John Toombs, Consulting Engineer stated that we passed all the necessary resolutions to accept the comprehensive plan, zoning and subdivision ordinances and on the completion the Corradino Group were required to turn over certain copies, they carried boxes over to the office and there is 20 copies of the comprehensive plan and 20 copies of the zoning ordinance and subdivision ordinance and the "originals" and the CAD disks of the maps have also been turned over.

Mr. Toombs suggested they be kept in a safe place and used only to make copies. Mr. Toombs also suggested that the copies should be sold for \$15.00 each.

Mr. Toombs stated that by passing resolution 93-19 adopting the Storm Drainage design if someone wants to do a subdivision or any kind of development they must do it according to this design.

President Tucker asked if we needed another locked box to keep this document in. Clerk Treasurer Schafer asked if Community Savings Bank had any boxes available?

President Tucker stated that they had none but PNC may have.

Motion made by Doug Eddings to approve resolution 93-19, seconded by Dave Broady.

Vote 3-0

Mr. Toombs stated when the document was approved he wanted to make some copies

Storm Drain Study Discussed/Document Signed

Mr. Toombs stated that in connection with the drainage study itself now that it's done Theresa Brading of River Hills has prepared a document that the Town needs to sign and also a claim voucher to repay the Town for money they have spent.

Mr. Toombs asked President Tucker to sign these documents.

Motion was made by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

WasteWater Letter Discussed/Signed

Mr. Toombs stated that he had prepared a letter for the signature of President Tucker in reference to the Waste Treatment System to Donald R. Daily, Office of Water Management, IDEM.

Sellersburg Town Council  
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WasteWater Letter Discussed Signed Cont.

Motion was made by Doug Eddings and seconded by Roy Everitt.  
Vote 3-0

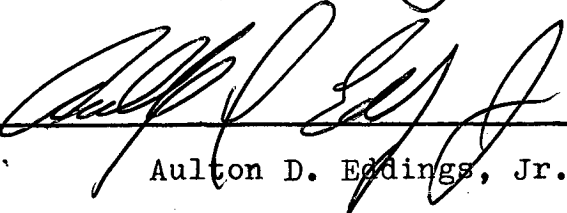
With no further business this meeting was adjourned by President Tucker  
at 7:25 P. M.



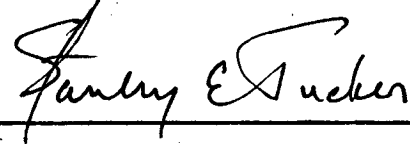
David Broady



Karl Truman



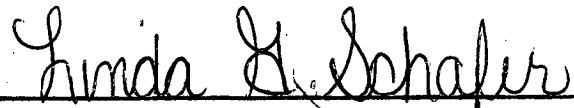
Aulton D. Eddings, Jr.



Stanley E. Tucker

*absent*

Roy Everitt



Attest: Linda G. Schafer  
Clerk Treasurer



SELLERSBURG TOWN COUNCIL

December 13, 1993

Executive Session

An executive session of the Sellersburg Town Council was held at 6:00 p. m. at the Sellersburg Library to discuss pending litigation and personnel matters. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings, Council Member; Roy Everitt, Council Member, Linda G. Schafer, Clerk Treasurer; with Karl Truman, Council Member, arriving at 6:17 p.m. Perry McCall, Town Attorney absent.

Called To Order

President Tucker called the Executive Session to order at 6:06 p.m.

Topics of Discussion

Covered Bridge Sewer Line/ Sewer Taps  
Police Commissioners Term of Expiration  
Council President/Vice President Appointments  
Eckert/Reconnect Fee  
Servend Project Bill to Clarksville  
I-65 Waterline Final Payment  
Length of Contracts/Town Personnel

Adjournment

With no further business President Tucker adjourned the Executive Session at 6:20 p.m.

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at 6:30 p.m. following the Executive Session, at the Sellersburg Library. Those present were Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings, Council Member, Karl Truman, Council Member; Linda G. Schafer, Clerk Treasurer, with Perry McCall, Attorney; and Roy Everitt, Council Member being absent due to illness.

Prayer

The prayer was offered up by Rev. Jerald Boyer.

Pledge

The pledge to the flag was recited.

Minutes of Last Meeting

President Tucker dispensed with the reading of the minutes of last meeting and requested a motion to approve the minutes of the last meeting (Nov. 22).

Minutes of Last Meeting Cont.

Motion was made by Doug Eddings, Jr. to approve minutes of the last meeting and seconded by Dave Broady.

Vote 3-0

President Tucker Gives Information on Trash Pick-up

President Tucker stated that Roy Everitt, Council Member had to leave early, but on Friday December 24th there will not be garbage collection because of the Holiday but the people who live in Hill N Dale, Greenwood Road and Forrest Estates will have their garbage picked up on the following Monday, December 27th and during the week between Christmas and New Years anyone putting their Christmas materials to be picked up, if they put it in plastic bags it will be picked up.

President Tucker stated that he was not sure about Christmas trees yet.

Public Hearing/Copper & Lead in Water

Nick Stanley from Water Solutions, Inc. was present at this Public Hearing to help to answer any questions for residents present.

Linda Schafer, Clerk Treasurer, stated that when the report on the copper and lead in the water first came out there were several residents called and stated that they were sick and she asked if the copper and lead was coming from the water treatment plant or actually from the residents homes with copper and lead piping.

Mr. Stanley stated that the copper and lead was not coming from the water treatment plant, based on the water samples tested at the plant.

Clerk Treasurer Schafer stated that a way to correct the high copper & lead would be for residents with copper and lead pipes to replace those lines.

Mr. Stanley stated that this would not be cost effective.

Mr. Stanley presented a proposal to add chemicals to the water to coat the lines.

President Tucker stated so the coating that Mr. Stanley would do would fix the problem.

Mr. Stanley stated that it would be the very first thing you would try to do is to use chemicals to treat this problem and there is always a chance that it will only resolve 60% of the problem.

President Tucker asked if there were any other questions from residents present. There were none.

Mr. Stanley stated that Clark Henson, Water Superintendent needed to send in a copy of the minutes where the issue was discussed and the meeting notice to the Public.

Sellersburg Town Council  
Regular Meeting  
December 13, 1993  
Page 3

Public Hearing/Copper & Lead in Water

President Tucker stated that he assumed the issue is a motion to allow Water Solutions Unlimited to go ahead with their process of putting their chemicals in the filtration system.

Motion was made by Doug Eddings, Jr. to allow Water Solutions Unlimited to go ahead with their process of adding the chemicals to the water system and seconded by Dave Broady.

Vote 3-0

Jim Banet Addresses Handicap/Elderly Apartments

Jim Banet stated that this was the 6th time he has appeared mainly to correct alot of wrongful statements that were very upsetting to him and he was quoted by the Town of Sellersburg Building Inspector that this was a low income housing apartment building.

President Tucker stated that what was said is that some of the financing could be through HUD.

Mr. Banet stated that yes, but that doesn't mean that it is low income.

Mr. Banet asked if there were any questions.

Marilyn Welsh stated that this proposed apartment complex would be right outside her back door

Ms. Welsh stated that her husband was suppose to be spokesperson for the Forty-Three people on the petition, but he had to work late.

Ms. Welsh stated that everytime it rains her property was flooded out.

Ms. Welsh stated that the Bank built up to her property line and built a new drive through and anytime you alter that drain there is water.

Ms. Welsh stated that she is tired of water and she doesn't want anything else built around her property until the Town gets this water problem solved.

Mr. Banet stated that when the petition was passed around there would not have been as many signatures unless it was stressed as a low income housing.

Mr. Banet stated that Ms. Welsh's problem with the water drainage doesn't pertain to him.

Mr. Banet stated that President Tucker was quoted in the paper that the drainage problem would be fixed this comming year.

President Tucker stated that the Town had a study done and we are in the process of asking the State to give us some money to fix this particular problem.

Mr. Banet stated that he was directed to downtown Sellersburg because of the economic boom to the Town and he thought he was doing something to help the community, and he has already spent about 8,000.00.

Jim Banet Addresses Handicap/Elderly Apartments Cont.

Ms. Welsh stated if Mr. Banet wanted to see bills come down to her house, she has had 18,000.00 worth of damage to her property due to water.

Ms. Welsh stated that if Mr. Banet thinks he put out money he doesn't know what money is.

Ms. Welsh stated that as a property owner she doesn't think that the location Mr. Banet has chosen to build on is the proper location when there is other properties in Town.

Mr. Banet stated that they were getting away from the facts and the facts are; is it zoned properly.

Mr. Banet stated that he has met every rule and regulation that the Town has including the parking.

President Tucker stated that since then there have been zoning regulations passed.

President Tucker stated that he never saw plans for the building.

Mr. Banet stated that he left the plans with Doug Eddings, or someone on the Council and they were going to take the plans and share them with the Community.

President Tucker asked if Steve Prather, Building Commissioner, had seen a set of the plans.

Mr. Prather stated that he would look for the plans.

President Tucker stated that there was a set of zoning regulations at the Library and also a copy at Town Hall.

Mr. Banet asked if we could take a vote on it tonight.

President Tucker stated that he thought it would take five people to vote on it and five Council Members were not at this meeting.

Mr. Banet stated that he thought he had made all the appearances.

John Toombs, Consulting Engineer, stated that the way this is suppose to work is that Mr. Banet comes to the Town Council with a request to hook up to the sewer and water and then he would go to the Planning Commission if the needs to.

John Toombs stated that he thought the Council could deny connection to the sewer to anyone.

Mr. Banet stated that he didn't think that was legally acceptable.

Council Member Truman stated that he was wondering what the Council needs to approve or disapprove.

Mr. Banet stated that he met all the zoning before in this particular situation and was denied and followed through on that.

Council Member Truman asked if there is an ordinance.

Jim Banet Addresses Handicap/Elderly Apartments Cont.

Mr. Toombs stated that when he was here before the new ordinance was passed.

Council Member Truman stated that the moratorium has been lifted.

Mr. Toombs stated that the moratorium didn't say that no one could do anything, it stated that anyone who wanted to do something needed to come to the Council and ask.

Council Member Truman stated that he thought we needed to get an opinion from the Town Attorney saying whether we even have the authority to say yes or no because if someone meets all the regulations he is wondering if we even have the authority to say no if they meet the regulations.

Ms. Welsh stated that she had a question.

Council Member Truman stated that he wasn't advocating one side or the other he just wanted to .....

Ms. Welsh stated that she knows that the Town has to have regulations but the day that regulations are more important than homeowners, taxpayers and the general public such as she represents, then it is time to start reviewing because it is the little people that make up this Town, am I not right?

Council Member Truman stated that he didn't refer to them as little people.

Ms. Welsh stated that she didn't mean, small in stature. Ms. Welsh stated that it is not right to shove things down peoples throats.

Council Member Truman stated that he is not advocating anything and he is not for or against anything he is just saying that he just don't want to get sued if someone follows the rules of the Town and we deny it and say no, he doesn't want to be sued over that.

President Tucker stated to Mr. Banet that our Town Attorney was ill and he felt that we did need a legal opinion and he will get back with Mr. Banet personally.

Mr. Banet stated that if it is approved he is not so sure he wants to build it.

Steve Welsh stated that was great because he didn't want it there.

Mr. Banet stated that Mr. Welsh didn't but there was handicap and elderly that would love to have something nice to live in.

Mr. Welsh stated that everyone of the neighbors on both streets do not want this. Mr. Welsh stated that whether it is high income, low income or whatever, it's going to increase the water problem.

Ms. Welsh stated that we haven't received any money yet to fix the storm problems yet and that may be wishful thinking.

President Tucker stated that we don't have the money yet, we are not going to create a problem for the residents if it is a water problem and we would ask the developer not to make the water problem any worse.

Jim Banet Addressed Handicap/Elderly Apartments Cont.

Mr. Toombs stated that it is the engineers job to not cause any problems.

Mr. Welsh asked if he had Mr. Banets assurance that it will not be low income housing and is HUD financing part of this.

Mr. Banet stated yes.

Mr. Welsh stated that the bottom line is that we don't want it and what happened to his idea that he wasn't so sure he wants to build it.

Mr. Welsh stated that he intends to fight this if it means legally.

Mr. Banet stated that the maximun number of units for the record is 32 and its not low income.

Annexation Hearing Notice

Timothy Sells stated that there was a hearing in front of the judge on Wednesday at 9:00 a.m. if anyone wanted to attend concerning annexation.

Record Keeping Correction Building Commissioner

Steve Prather stated that on the report issued October 12th thru October 25th the Building Commissioners report, Permit #0333 issued to Positive Electric for the Pro-laminators job was issued during the previous period which was September 28th to October 11th and that permit fee of \$500.00 was counted on both reports and the report has been adjusted and presented corrected reports.

Building Commissioner Presents Claims

Steve Prather stated that the current report for November 23rd thru December 13th, which shows the current fees collected \$1,038.00 fees owed to the Commissioner of \$934.20 on the voucher it has been adjusted \$450.00 has been reduced to be a total of claims of \$484.20.

Motion was made by Karl Truman and seconded by Dave Broady.

Vote 3-0

Claim for Engineering Work/Waterline Construction

Council Member Eddings stated that he had a bill from Jacobi, Toombs, & Lanz for engineering work for waterline construction surveys in reference to the Diefenbach waterline.

Clerk Treasurer Schafer asked if that was the Towns bill.

Council Member Eddings replied yes.

New Town Hall Discussed

Council Member Eddings stated that we are still looking to make additional cuts on the new Town Hall and also looking at doing the project in two phases where we will do construction on the Town Offices, the Clerk Treasurers office, Street Department, Water Department also a meeting place at the present Town Hall and adding the Police Station at a later date.

Council Member Eddings stated that we have to spend the grant money by November 1994 and we have called the State Budget Agency and spoke with the Attorney and we can use the money to reimburse the Town for the payments we have made on the Police Building and also improvements to the building and pay the Police Station off to be put in to a Building Fund and this might be an option to look into if we can't get the plans to a lower amount.

Virgil Bolly stated that he has someone interested in the property on Prather Lane.

Council Member Eddings stated that there was alot of people interested in that property.

Council Member Eddings stated that if anyone has any questions about the properties they can call Karen Elliott.

Council Member Eddings stated that if they decide to go with the two phase project the Town will be selling three parcels of property and not the Police Station.

President Tucker stated that there was a small parcel of land close to CarMerica that he understood that the Town may own and the Clerk Treasurer was looking for some information.

Karen Elliott asked if this property had a recorded or unrecorded deed.

President Tucker stated that we are not really sure.

President Tucker stated that several people had talked to him about this and there was an alley way that ran behind the service station and over across Prather Lane to where Ken Hobacks building and as part of the overall design of Prather Lane the small plat probably 12 ft. by 12 ft. square, which is now being dug up by a backhoe is the Town of Sellersburgs and apparently the right-of-way Ken Hoback has something to do with the alleyway, so the suggestion was why don't we just trade off so to speak with Mr. Hoback taking the little spot and Mr. Hoback doesn't own that building by the way, so that would go to Ken Hobacks building owner and we can get the right-of-way back to the alleyway so again Mr. Bolly called him on it and he doesn't have the specifics on it.

Council Vice President Gives Information on Sewer Damage

Council Vice President Broady stated that the sewer damage to Ms. Hinton's property had been taken care of.

Sellersburg Town Council  
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Page 8

Council Member Request Police Commissioners Pay

Council Member Truman stated that at the last Police Commissioner Meeting the Police Commissioners asked him to present, well not present, but to make sure that their claims got approved tonight and they were submitted to the Clerk Treasurer and to make sure those got approved and to make sure they were in the packet.

Clerk Treasurer Schafer asked Chief Deputy Clerk if they were on the list for approval.

Cheryl Dean, Chief Deputy Clerk, stated that she thought the vouchers were already approved.

Council Member Truman stated that they also want to go on and get their checks.

Council Member Truman stated that they have had their final meeting for the year and some were counting or looking forward to using the money for Christmas.

President Tucker stated that this was strickly money for the Police Commissioners.

Council Member Truman stated that this was their annual salary for serving as Police Commissioners.

President Tucker stated that the Clerk Treasurer and he had talked about this.

Motion was made to approve the Claims for Police Commissioners salaries of \$500.00 each, made by Doug Eddings and seconded by Dave Broady.

Vote 3-0

Clerk Treasurer Schafer stated that she was not being deceitful by not paying before Christmas but she checked past Clerk Treasurer records and this was not paid until the 30th of December.

Clerk Treasurer Schafer also stated that there are residents in Sellersburg that are willing to set on the Police Commissioners Board for nothing.

Council Member Truman stated that the Police Commissioners also had a party for the Police Department and the Commissioners including myself paid for the party for the Police Departmen

Clerk Treasurer Presents Claim

Clerk Treasurer Schafer requested a motion be made to approve the claim presented by Doug Eddings earlier in the meeting, a claim to Jacobi, Toombs & Lanz for going over water line field, and ck. esmt/contc. Pennington in the amount of \$160.00.

Motion was made by Doug Eddings and seconded by Dave Broady.

Vote 3-0



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Clerk Treasurer Presents Claims

Clerk Treasurer presented claims for this meeting for the last two weeks for the Civil, Sewer & Water.

Motion to approve claims made by Dave Broady and seconded by Doug Eddings.

Vote 3-0

Sewer Tap Request/Mary Moss

Mary Moss stated that she had spoken to Rick Wheeler about possibly tapping on the the sewer lines.

Ms. Moss stated that she was building a house close to Covered Bridge Golf Course.

President Tucker stated that this was discussed earlier and when we had Fuzzies developer come and asked us to tap onto our sewers we allowed the first phase.

President Tucker stated that the line they ran was real small and they have already come back to us and asked for a second phase along with two other contractors that want to develop land out in that area.

President Tucker stated that if we allow other people to tap on it we will not be able to service Fuzzies section one.

President Tucker stated that we are in the process of looking into expanding the sewer and he will not know until Spring if and when this is going to be done.

Ms. Moss stated that the Council had allowed someone to tap on.

President Tucker stated that was an accident we did it and did not know the problem was going to exist until the engineers came and told us this.

Ms. Moss stated is the Town not going to take over that line?

Ms. Moss asked if they are going to be out \$8,000.00 for a sewer system and then a few years down the road be forced to go on the lines.

President Tucker stated that at this point in time that area is not in Sellersburg.

Vice President Broady suggested that Ms. Moss contact Covered Bridge and asked them if it would be possible to connect on.

Ms. Moss stated that she would contact them.

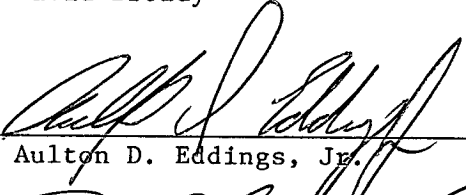
Adjournment

Motion was made by Doug Eddings to adjourn this meeting and seconded by Karl Truman.

Vote 3-0

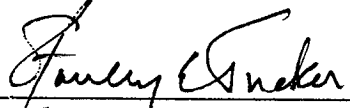
With no further business this meeting was adjourned by President Tucker at 8:06 p.m.

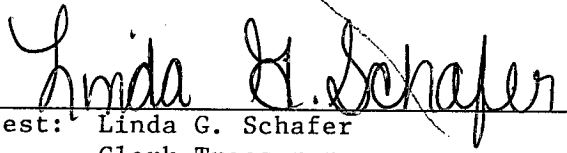
\_\_\_\_\_  
David Broady

  
\_\_\_\_\_  
Aulton D. Eddings, Jr.

  
\_\_\_\_\_  
Roy E. Everitt

\_\_\_\_\_  
Karl Truman

  
\_\_\_\_\_  
Stanley E. Tucker

  
\_\_\_\_\_  
Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

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December 27th 1993

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were: Stanley E. Tucker, Council President; Doug Eddings, Jr., Council Member; Roy Everitt, Council Member; Perry McCall, Attorney; and Linda Schafer, Clerk Treasurer; with Dave Broady, Council Vice President and Karl Truman, Council Member being absent.

Called To Order

President Tucker called the regular meeting to order at 6:32 p.m.

Prayer

President Tucker dispensed with the invocation for this meeting.

Pledge

The Pledge of Allegiance to the Flag was recited.

Minutes of Last Meeting

President Tucker dispensed with the reading of the December 13th meeting and requested a motion be made to approve both the Executive Session and the Regular Meeting.

Motion was made by Doug Eddings to approve both the Executive Session and Regular Meeting of December 13th with Council Member Everitt seconding only the December 13th Executive Session due to not being present at the Regular Meeting and President Tucker seconding the motion to approve the minutes of the Regular Meeting held on December 13th.

Vote 3-0

Public Hearing/Economic Revitalization Area

President Tucker stated that this was a Public Hearing tonight in reference to Resolution 93/17 declaring Economic Revitalization in some areas within the Town of Sellersburg.

President Tucker stated that this was in two specific areas one is on Utica, off Utica Street running parallel to Fern St. and the other is on Penn Street running from South of Lynnwood to approximately 100 yards or so to the end of Penn Street where it runs into 31.

President Tucker asked if there was anyone at this meeting who was here on behalf of this Revitalization area who had comments or questions or anything of that nature.

Lloyd Dold, resident, stated that he would like to object to the revitalization.

Mr. Dold stated that he would like for the Council to pass a resolution that not one penny of the tax payers money be spent to provide flood protection for this area.

Public Hearing/Economic Revitalization Area Cont.

Mr. Dold stated that this is a known flood area and it has been flooded many times, and a house could not be built in there but businesses are going to be built in there and they will be back asking for flood protection.

Mr. Dold stated that there was alot of areas to put businesses in except down in that hole.

President Tucker stated that the area in question is approved by the Corp. of Engineers.

Mr. Dold stated that this area was is a flood plain, or is it not?

President Tucker stated yes, it was in a flood plain but Commerical Buildings can be built in the flood plain.

Mr. Dold stated, yes, but why put it there, why allow it there?

President Tucker stated it was because it's already there and all they are doing is expanding

President Tucker stated and there is an area next to the Bowling Alley that is not in the deepest part of the flood plain that can be developed.

Mr. Dold stated that quite a few times thousands of dollars have been spent on flood control already this year.

President Tucker stated that the money was spent to have a study of the area that had water drainage problems, and we are still applying for that grant which will help that particular area with their drainage problems.

President Tucker stated the revitalization will help generate jobs and economics for the area.

Mr. Dold asked what kinds of jobs do Ran Paige have to offer to help this area.

President Tucker stated that it helps some people in this area have jobs at all.

President Tucker stated that Ran Paige had over 100 employees.

President Tucker stated that the Council accepts his suggestion.

Mr. Dold stated that it should be put in there that not one penny of our tax dollars be spent for flood protection.

President Tucker stated that they were not spending tax dollars.

President Tucker asked if there were any more comments.

The owner of Richard Scale Company on Penn Street stated that his company was expanding and he was wondering how this would affect his purchasing more equipment as far as tax abatement?

President Tucker stated that an abatement would not be offered on the expansion of just equipment alone, there was on buildings and there had to be additional employees.

Public Hearing/Economic Revitalization Area Cont.

President Tucker stated that first of all, we found out that we needed a revitalization area before any kind of tax abatement could be given and then secondly they prepared a request for a tax abatement for the new structure and any new equipment that would be going into the new building and part of that tells you how many new employees and how many new positions that are going to be available.

The owner of Richard Scales stated, so you have to build a new building to get an abatement?

President Tucker stated, yes, this is my understanding.

President Tucker stated that there was an economic development council down in Jeffersonville that can help with any questions and if there is a way to give an abatement on additional equipment only, then we would be happy to look at it.

President Tucker stated that with no further questions or comments he requested a motion be made to confirm resolution 93-17.

Motion was made by Doug Eddings, Jr. to confirm Resolution 93-17 and seconded by Roy Everitt even though Council Member Everitt did have some questions on this.

Vote 3-0

Attorney McCall stated that residents objecting did have rights to file a remonstrance against this action within 10 days from this date, to be filed in Circuit Court within the next 10 days.

Jerry Fuller/Clark Co. Solid Waste District Addressed Council

Jerry Fuller from the Solid Waste District stated that he had talked to Council Member Everitt a couple of weeks ago concerning the curbside recycling program and stated that we are a little bit behind our proposed schedule for January 1st, we are not going to make that date.

Jerry Fuller stated that the earliest date that the program will begin is about the middle of February.

Mr. Fuller stated that one thing they would like to do to introduce this program is to send out a brochure. Mr. Fuller presented the Council Members with a copy.

Mr. Fuller stated that with this brochure he would like to send a letter on Town Stationary and in a Town envelope and presented a copy of a letter to the Council that could be used as an example letter.

Mr. Fuller stated that if this letter goes out from Solid Waste Management District it may get thrown in the trash.

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Jerry Fuller/Clark Co. Solid Waste District Addressed Council Cont.

The example letter read as follows:

Example Letter Introducing Curbside Program

December 1, 1993

Resident of Sellersburg  
Sellersburg, Indiana

Dear Sellersburg Resident

The Indiana Legislature passed a law in 1990 which requires us to try to reduce the amount of solid waste which we send to the Clark-Floyd Landfill by 35% by 1996 and by 50% by 2001. To reach this goal, the Town of Sellersburg has joined with Clarksville, Jeffersonville, Charlestown, the Oak Park neighborhood, Clark County and the Clark County Solid Waste Management District to establish a residential curbside recycling program. A brochure is enclosed which describes this recycling program.

This recycling program is essential if we are to meet the waste reduction goals established by the Indiana Legislature. It will be necessary for your family to separate recyclables from normal household refuse in the future. As you know, the revenues received for recycled commodities generally covers less than 25% of the cost of collecting those items. You will therefore be billed directly to cover the cost of operating this curbside recycling program.

For the benefit of our children as well as those yet unborn, I urge you to work with us to ensure the success of this new waste reduction program. Questions about the Clark County Comprehensive Curbside Recycling Program should be directed to the Clark County Solid Waste Management District at 285-7963.

Sincerely,

Stan Tucker, Council President

Mr. Fuller stated that again the above letter could be revised any way that the Council sees fit, and the stationery will be of no cost to the Town of Sellersburg,

President Tucker stated that for the benefit of some of the people who are here can Mr. Fuller give us a paragraph or two of what it is going to take and is this similar to the ones in Louisville because they have a system.

Mr. Fuller stated that he knows that he has not been down to speak with anyone in quite a while.

Mr. Fuller stated there is a Comprehensive curbside recycling program which the Town of Sellersburg has chose to include itself.

Mr. Fuller stated that what will happen is that a vendor who is going to be collecting the recyclable material will provide each household with a square 18 gallon bin which, newspaper, all colors of glass bottles, aluminum cans, metal cans, tin cans and soda jugs and milk jugs and a special garbage truck will come around once every two weeks to collect.

Jerry Fuller/Clark Co. Solid Waste District Addressed Council Cont.

Mr. Fuller stated that we will begin to bill from day one.

Mr. Fuller stated that bills will be sent out quarterly of \$3.00.

Mr. Fuller stated that there may be some questions and maybe the bi-monthly pickup won't be sufficient for some people and there may be a need to provide those people with a second bin and if that is a serious enough problem system wise they may go to weekly collection.

Mr. Fuller stated that this is something that some people may be upset about and they don't want to have to do this but the Council and the Solid Waste Management are working under the heat of Indianapolis to reduce the landfill.

Mr. Fuller stated that if anyone had any questions when the program starts up have them call him, Jerry Fuller the deputy director of the Solid Waste Management District.

Council Member Everitt stated that he spoke with Mr. Smith at West Clark Community Schools and for Mr. Fuller to get in touch with those two principals again.

Mr. Fuller stated that he would like for the Council to think about how they want to handle the collection of yard waste.

Mr. Fuller stated that the Solid Waste Management is in the process of striking up an agreement with a private group to do yard waste composting and they have received 5 good proposals and the decision will be made by January as which one they will go with at their board meeting January 27th at 5:30 p.m.

Mr. Fuller stated hopefully that they will come to some agreement at this meeting and then hopefully we will have a site for composting by the beginning of the summer.

Council Member Everitt asked if the Solid Waste Management pay for the blade for a mulching mower.

Mr. Fuller stated yes, but it will officially end December 31st but he is going to request that his board extend the program and as long as they have the money he would like to do it indefinitely.

Mr. Fuller stated that this program existed since April and it is in essence a rebate program.

Mr. Fuller stated that the Solid Waste Management will send you a check for \$25.00 if you purchase a mulching mower. You a Clark Co. resident, and purchased this mower from a Clark Co. retailer.

Mr. Fuller stated that you would receive a \$5.00 rebate if you purchase a mulching blade a Clark Co. resident, and purchased from a Clark Co. Dealer.

Mr. Fuller stated that there was one other item that your probably aware of and that there are two private groups that is Essroc and Great Lakes Enviro. who wish to build a large regional sludge reuse facility at the Essroc facility.

Jerry Fuller/Clark Co. Solid Waste District Addressed Council Cont.

Mr. Fuller stated that the proposal would be for Essroc and Great Lakes Enviro. to finance the Construction of the sludge reuse facility.

Mr. Fuller stated so rather to landfill sludge it would be recycled and sold.

The heat from the kiln would kill the pathogenic organisms in the sludge which they would end up with a relatively sterile fairly clean product that would have economic value.

Mr. Fuller stated that the sludge would have to be dewatered and the Town of Sellersburg may not wish to purchase the equipment but could possibly work out something with Clarksville.

Council Member Everitt stated that he was at the meeting and the Town of Clarksville stated that they would charge us approximately \$35.00 per ton.

Barb Sanders/Schuler Realty-New Resident AVCO

Barb Sanders addressed the Council Members concerning a new resident into Avco Blvd.

Ms. Sanders stated that the name of the new residents was Truck Driver Institute of Indiana and their business was training truck drivers.

There was some questions on whether the Town Council needed to approve the businesses now that the moritorium has been lifted.

John Toombs, Consulting Engineer stated that each time a resident moves into Avco that they need to have the approval of the Council.

Mr. Toombs stated that this is a way that Avco has of letting the Town know what they are doing.

Motion was made by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

Barb Sanders/Schuler Realty-Avco Resident

Barb Sanders from Schuler Realty addressed the Council Members with a request for a new tenant, Pro Stop of Indiana and Allpoints.

Mr. Sanders stated that Allpoints was in the business of hauling freight and Pro Stop handles the maintenance of the tractor-trailers.

Motion was made by Roy Everitt and seconded by Doug Eddings to approve Allpoints and Pro Stop.

Vote 3-0



Barb Sanders/Schuler Realty-AVCO Resident Cont.

Council Member Everitt asked John Toomes if there was still a plan to build another road into the Park.

John Toombs stated that there was but it had not been activated as yet.

Council Member Everitt stated that if they change the interstate, the people from the Mobile Home Park possibly could use that entrance.

Mr. Toombs stated that they haven't programmed the design yet.

Council Member Everitt stated that he has seen the map.

Karen Elliott Gives Information on Old Fire House

Karen Elliott, Realtor, addressed the Council Members stating that she and Jim Baker had a chance to go over and look at the Old Fire House and go inside and there are some repairs that need to be made.

Ms. Elliott stated that they need to adjust the figure originally given \$5,000.00 or \$10,000.00 at an auction and again the appraisers should be able to give the Council a very definite figure but she wanted to let the board know.

President Tucker asked if anything had been found on Prather Lane.

Clerk Treasurer Schafer stated that she had given Attorney McCall a stack of papers to look through on Prather Lane.

Resident Request Security Light/Highway 60

A resident, who resides at 9114 Highway 60 requested that the Council install a security light stating the children wait for the bus in the dark.

Council Member Everitt is to look into getting one installed.

Building Commissioner Presents Claims

Building Commissioner, Stephen Prather presents claim for permits from December 14th thru December 27th in the amount of \$216.00.

Motion to approve this claim was made by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

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Council Member Eddings Addressed New Town Hall

Council Member Eddings stated that for the past four months we have looked at all the alternatives available to us for doing something with the present Town Hall.

Council Member Eddings stated that we have looked at purchasing additional property we have looked at the buildings that existed in the Town of Sellersburg and we have looked at revamping the new Town Hall and Police Station and he had drawn up a formal recommendation.

Council Member Eddings presented the following recommendation to the Council Members:

December 26, 1993

Sellersburg Town Council

Dear Sirs,

The past four months we have researched the alternatives available to us for the construction of a new Town Hall/Police Station. The funding for this project was to be obtained by using existing grant money along with the sale of town property. We have obtained plans and cost estimates for construction of a facility located on the site of the present Town Hall. We have investigated the possibility of purchasing additional property in the town of Sellersburg. Most of our research has yielded cost results far beyond our available resources. After several meetings to scale back and reviewing the alternatives available to us, we are prepared to make the following recommendations.

The Police Station grant money available to us can be used to reimburse the Town for the purchase price of the present Police Station as well as any money used for improvements made to the Police Station for the past two years. Also any construction for a new facility which will be for Police use can be funded by the grant money.

The financial results of this alternative would yield the following:

Initial installment	\$9,000.00
1st Principle and Interest payment (1992)	\$14,520.00
2nd Principle and Interest payment (1993)	\$13,640.00
Remaining Principle (1994 and 1995)	\$22,000.00
Estimated improvements funded by the General Fund for the past two years.	\$2,000.00
Total	<u>\$61,160.00</u>

This would leave a total of approximately \$13,840.00 for additional improvements either at the present Police Station or any improvement to the Town Hall property which would be designated for Police use.

Council Member Eddings Addressed New Town Hall Cont.

We propose to scale (3) of the (4) properties currently being evaluated by the Century 21 Realty group. The financial results should yield the following:

Highway 31 & Prather Lane	\$81,800.00
Villa Drive property	\$8,200.00
Old Fire House	\$14,500.00
Total	\$104,500.00
Less Attorney Fees	\$1,400.00
Less Surveyor Fees	\$800.00
Less Appraiser Fees	\$2,000.00
Grand Total	\$100,300.00

This proposal would give us a total capital expenditure budget of between \$161,460.00 and \$175,300.00 for a renovation to the present Town Hall.

Based on the current construction estimates, (per square foot), provided by Koetter Construction, we propose the following:

1. Renovate the present Town Hall to be used as a public meeting facility.
2. Construct a new building with office space for the Clerk Treasurer office and staff, the Water Department, the Street and Sanitation Department, and the Building Inspector. The office space would also include ample areas for record storage and break room facilities.
3. Remove the existing aluminum and brick structures behind the present Town Hall. Add a (3) bay work room and pave the remainder of the grounds including parking stripes.
4. Relocate the Packers and other equipment to the Waste Water Treatment grounds with construction of a new pole building for equipment storage.

The cost estimate for our proposal are as follows:

1. Renovation of the present Town Hall	\$15,000.00
2. Construction of building addition including work room 3325 sq. ft. @ (\$42.08 sq. ft.)	\$139,916.00
3. Paving and striping	\$8,000.00
4. Construction of Pole Building for Packer and equipment storage (60 X 25)	\$12,000.00
Total	\$174,916.00

Thank You

Doug Eddings

Council Member stated that he had prepared this proposal for the Council Members to take home tonight and if there are any questions to call him and he would like to try to make a decision on it at the next board meeting.

Council Member Eddings stated that we had until November to spend the grant money or we will no longer have it.

Council Member Eddings Addressed New Town Hall Cont.

President Tucker stated that since two of the Council Members are not at this meeting could Council Member Eddings poll them.

Council Member Eddings stated that he would make sure they get a copy.

Council Member Everitt Addresses Sanitation Pickup

Council Member Everitt stated that the sanitation pickup for Friday, December 31st, will be picked up on January 3rd.

Council Member Everitt stated that christmas trees will be picked up separate and taken to Clarksville.

Clerk Treasurer Presents Ordinance 93-582-Transfer of Appropriations

Clerk Treasurer Schafer presented to the Council Members an ordinance 93-582 to transfer appropriations as follows:

Acct. #, Name & Amount

To Acct. #, Name & Amount

Clerk Treas.

Clerk Treas.

113 Building Commissioner Sal. \$100.00  
113-Building Commissioner Sal. 10.00

112-Clerk Treas. Salary \$100.00  
121-Clerk Treas. S.S. 10.00

Street & Sanitation

Street & Sanitation

431-Storm Drains \$500.00  
431-Storm Drains 7,000.00  
431-Storm Drains 1,200.00

115-Street Salary \$500.00  
381 Garbage Contract 7,000.00  
125-Civil Retirement 1,200.00

Police Dept.

Police Dept.

121-Social Security \$3,500.00  
121-Social Security 1,000.00  
225-Gasoline 600.00

114-Dispatchers Salary \$3,500.00  
125-Civil Retirement 1,000.00  
363-Maint. Police Veh. 600.00

Clerk Treasurer Schafer stated that she had discussed this with Mr. Kinder, and the Street Superintendent.

Clerk Treasurer Schafer stated that in her salary this was where she was unable to take her vacation and she had to sell it back.

Motion was made by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

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Clerk Treasurer Presents Claim for River Hills

Clerk Treasurer Schafer presented a claim for River Hills for work they had done on the storm water planning grant in the amount of \$1500.00.

Motion was made to approve ordinance 93-532-by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

Clerk Treasurer Presents Claims For This Meeting

Clerk Treasurer presented her claims for the Civil, Water & Sewer bills for the last two weeks.

Motion to approve the claims was made by Doug Eddings and seconded by Roy Everitt.

Vote 3-0

Clerk Treasurer Request President & Vice President Appointment for 1994

Clerk Treasurer Schafer stated that it was getting close to 1994, and there are documents that she needs to fill out concerning President and Vice President appointments for 1994, to fill out and send to the State Board of Accounts.

Doug Eddings made a motion that President Tucker remain President of the Town Council and that Council Member Broady remain the Council Vice President, this was seconded by Roy Everitt.

Vote 3-0

Clerk Treasurer Addresses Letter to Council on Expiration of Police Commissioners

Clerk Treasurer Schafer stated that she had presented the Council Members with a letter on the expiration dates of the terms of the current Police Commissioners.

President Tucker stated that Mr. Truman had called him and was unable to attend this meeting and asked to bring this up at the January 10th meeting.

Adjournment

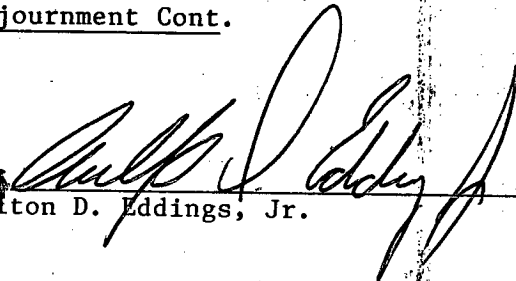
Motion was made by Doug Eddings to adjourn the meeting and seconded by Roy Everitt.

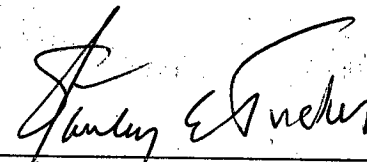
With no further business this meeting was adjourned by President Tucker at 7:25 p.m.


Absent  
David Broady

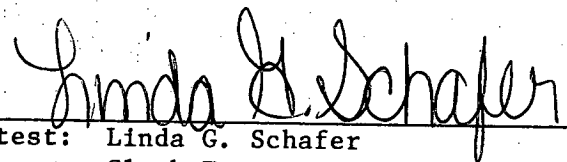
Absent  
Karl Truman

Adjournment Cont.

  
Aulton D. Eddings, Jr.

  
Stanley E. Tucker

  
Roy Everitt

  
Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

January 10, 1994

EXECUTIVE SESSION

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Library at 6:00 p.m. to discuss pending litigation and personnel matters. Those present were: Stanely E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings, Jr. Council Member; Roy Everitt, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer; Karl Truman, Council Member arriving late at 6:17 p.m.

Called to Order

President Tucker called the Executive Session to order at 6:04 p.m.

Topics of Discussion

Conroy properties  
Land on Prather Lane  
Reimbursement from Drainage Study  
Conflict of interest forms

Attorney McCall Addresses Litigation

Remonstrance - Annexation  
Ordinance 94-583-Ordinance amending Animal Control consistant with Clarksville  
Dixon vs Town of Sellersburg  
New Albany/Utica Street-storm drain  
Austin vs Town of Sellersburg  
Dold Fire Hydrant  
Resolution 1994-20 Rescinding moritorium

Adjournment

With no further business, President Tucker adjourned the Executive Session at 6:20 p.m.

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were: Stanley E. Tucker, Council President; David Broady Council Vice President; Doug Eddings, Jr., Council Member; Roy Everitt, Council Member; Karl Truman, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer.

Called to Order

President Tucker called the Regular Meeting to order at 6:35 p.m.

Prayer

Father Herman Lutz offered up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the Flag was recited.

Minutes of the Last Meeting

President Tucker dispensed with the reading of the minutes of the last meeting and requested a motion to approve them.

Motion to approve the minutes of the last meeting was made by Doug Eddings, Jr. and seconded by Dave Broady.

Vote 4-0

Steve Tolliver addressed the Council concerning managing the Sewer & Water Utilities

Mr. Tolliver stated that he was responding to the newspaper add for a manager.

Mr. Tolliver stated that he had talked with 3 or 4 of the Council Members and shared with them some of the activities that has taken place in the Town of Syracuse. Syracuse is very similar to the Town of Sellersburg and I've also tried to explain what we are doing in the Town of Clarksville. Since then we've started working with Henryville. I wanted to share with you some costs that we incurred since 1989. The figures came in today. These figures are from the Clerk Treasurer, that we are working with. What you will notice on these figures is that we've been able to reduce the cost and maintain the facility. I'm presenting an annual report from Syracuse from 1991, giving an idea of the type of work we are doing. I have presented a statement of qualifications to you. We wanted to come here tonight to answer any questions you may have. I have brought Tom Gordon, President of Contract Managing Services.

President Tucker thanked Mr. Tolliver and Mr. Gordon for coming and asked if there were any questions from the Board or anyone in the audience.

Karl Truman asked what was the size of the operation in Syracuse.

Mr. Gordon stated they have been working with the Town of Syracuse for 4 years. I would like to invite you up there to visit Syracuse to see what kind of work we do. We have last Spring the Town of Syracuse asked us to take over their Water and Street Departments as well when they lost their Water and Street Superintendent. We took that over with full endorsement. We do not beat up on employees. We provide leadership. We are professionals. We'd like to work with the Town of Sellersburg.

Council Member Truman asked how large is Syracuse, is their facility the same size as Sellersburg?

Mr. Tolliver stated they are very similar.

Mr. Gordon stated they work with various sizes and also with Street Departments and Water Departments.



Steve Tolliver addressed Council concerning managing the Sewer & Water Utilities Cont.

Council Member Truman asked if there was a certain size where it becomes profitable or cost effective to have a management company rather than an inhouse manager.

Mr. Gordon stated part of the problem is there are many differend aspects to operating a facility, technical part, regulatory, budgeting, chemistry. We can provide a team of full basic resources.

President Tucker stated a couple of questions have come up, one is what has been the effect at Syracuse and second has the management coming on board increased, decreased kept it the same or what?

Mr. Gordon stated, if you look at our monthly reports, what we will report to you is performance at the facility, what transpired, the financial picture.

President Tucker asked about the management fee.

Mr. Gordon stated there are a couple of ways to do this. Contract manage, where we provide a manager, that's usually a monthly fee or contract operations, where all of the staff comes on our payroll.

President Tucker asked how long have you been doing this is Clarksville?

Mr. Gordon stated we began July 1st. We've been in Syracuse for 4 years, other facilities for 4 years.

Council Member Truman asked if the fees were determined at the beginning of the year or based on revenues or what?

Mr. Gordon stated we issue a contract based on the services.

Clerk Treasurer Linda Schafer asked how much Clarksville paid you to manage their facility last year in 1993, for the last six months.

Mr. Bob Hawkins, Corporate Liason for Contract Management stated there are two components, they have a certain amount they are paid every month to operate the facility that covers everything involved with the operation, labor, electricity, chemicals, sludge disposal, everything, that was \$77,000.00 per month.

Clerk Treasurer Schafer asked if that covers equipment, repairs and etc.

Mr. Hawkins stated as I said there are two components, the other is for maintenance. The cost of maintenance is something we pay for and invoice them that amount. When you add that in it works out to about \$970,000.00.

Clerk Treasurer Schafer stated \$970,000.00.

Mr. Hawkins stated this is less than what they were spending, what their budgeted amount was for 1993.

Steve Tolliver addressed Council concerning managing the Sewer & Water Utilities Cont.

Clerk Treasurer Schafer asked if there were any problems with the utilities such as fines, penalties or inefficiencies you people would be responsible and you would pay all fines.

Mr. Gordon stated that there are some extra maintenance fees. These are extraordinary maintenance repairs.

Clerk Treasurer Schafer asked, do you have any figures available for the six months you've been in Clarksville as far as what they've spent before as opposed to the items you have in the last six months.

Mr. Tolliver stated not here.

Clerk Treasurer Schafer stated she would like to see those.

Mr. Tolliver stated he does the accounting and has figures thru November. He's working on December and will get these figures to Ms. Schafer as soon as possible.

Clerk Treasurer Schafer stated I do apologize, I just feel that Clarksville is very close to Sellersburg. I don't feel there has been enough time even though my personal opinion, it may be something to look into in the future. I have a problem with not having a good data base on your performance. Since I've been in office for the last two years, rates have not increased whatsoever. They were scheduled to increase when I came in. Have the rates in Clarksville increased as far as sewer and water?

Mr. Hawkins stated they had passed a rate increase of 50%.

Clerk Treasurer Schafer stated that was why she was totally against this. She asked if there was a guarantee that there would not be a rate increase.

Mr. Hawkins said he had no control over revenue, he could say what it would cost to run the operation.

Clerk Treasurer Schafer stated If we did not meet that in revenues, then we would have just cause to raise rates?

Mr. Hawkins stated "yes", you would have to.

Clerk Treasurer Schafer asked how many employees did Clarksville have six months ago and how many do they have now?

Mr. Hawkins stated six months ago they had 15, eight now they have 14. Two have left-one said he would not work under a contract operation and one left to work for his dad.

Mr. Gordon stated they have had Syracuse for 4 years and they have only had 1 rate increase, it was not because of the contract operation.

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Steve Tolliver addressed Council concerning managing the Sewer & Water Utilities Cont.

Clerk Treasurer Schafer asked if they were in this for a profit.

Mr. Gordon stated "yes".

Clerk Treasurer Schafer stated the Town of Sellersburg is not and the people at this point can pretty much control their increased by talking to the Council and Clerk Treasurer's office. This part of it does concern me. Are you going to be as caring about these people as I am?

Mr. Gordon stated we don't have the power to raise rates. We have a renewable contract yearly. If we can't operate it for less than you can, why would you even want us to do this. Our profit comes from us being able to manage the operation for 10% less than you can.

President Tucker asked are you under contract for six years?

Mr. Gordon stated it can be written anyway, 3 years, annually, we would rather have a 3 year contract.

Resident William Collier asked if this company would get an annual raise.

Mr. Gordon stated consumer price index.

President Tucker thanked them for coming.

Council Member Truman asked if they could look at our numbers and give us an estimate on how much you could save the Town.

Mr. Hawkins stated we could look at those and give you an estimate and if you were serious we would finalize those numbers before a contract was signed.

Chief Dave Kinder addresses Resignation of Leetha Campbell

Chief Kinder stated that Leetha Campbell submitted her resignation. We'd like to elevate Shirley Yochem who is currently a part-time dispatcher into Leetha's position and place an add for a part-time dispatcher. I have discussed this with Linda Schafer.

Motion was made to Karl Truman to approve filling the part-time position and seconded by Doug Eddings, Jr.

Vote 4-0

Chief Dave Kinder addressed Drainage on Georgian and Nevada

Chief Kinder stated that where they have paved in this area, it is freezing and there was an accident.

Council Member Everitt stated he and Mark Warren had looked at this. It has been a problem since Hill n Dale was built.

Richard Wheeler addresses Council on Salary Recommendation Presented

Richard Wheeler, Sewer Superintendent asked if CDL license would be taken into consideration.

Clerk Treasurer Schafer stated that Mark Warren asked the CDL license not be taken into consideration. This was part of the job description.

Council Member Everitt stated that all employees had the opportunity to obtain the CDL license and the Town would pay for it.

Stephen Prather, Building Commissioner addresses Council on Property at 825 So. Indiana Ave.

Stephen Prather, Building Commissioner stated that he had brought Mr. Harshey with him tonight to explain the situation at 825 So. Indiana Ave.

Mr. Harshey stated that property located at 825 So. Indiana Ave/Babbs Auto Body, they have at least 10 cars behind the shop that haven't been moved in over six months. Do we have to have a permit to have a junk yard?

President Tucker stated that Mr. O'Neal had a problem similar to this close to Broadway.

Mr. Prather stated that this was Jim O'Neals used car lot across from the Dealership. He had some complaints from people on Broadway. He had five or six vehicles that had been there and weren't licensed. It was determined that we could not make him move these cars off this property because he was in fact a used car dealer and these were used cars, even if they did not run or were not properly licensed. Babbs is a body shop. Currently, we have no ordinance as to what a body shop can or can not have on their property. The property is zoned properly. I have no authority to make these people move these cars. Booker's actually own this property. There was a section in the Comprehensive Plan pertaining to buffer areas. If a commercial area, industrial or business area borders on a residential area, but actually it's commercial against commercial in this area.

President Tucker asked if Mr. Prather could find out from some of our surrounding communities what type of ordinances they have about this particular subject matter.

Mr. Prather said he asked Mr. Harshey here tonight, he thought maybe a letter could be written by the Town Board or Town Attorney to request that he move the cars or put up a fence to hide the cars.

President Tucker stated he would ask Attorney McCall to see what other Towns are doing and get back to them with the information.

Council Member Eddings addresses Council/Building Fund

Council Member Eddings stated that he would like to ask for a motion or three motions to go ahead and set up the building fund, proceed with the sale of the properties and proceed with obtaining the funds, \$75,000.00 build Indiana fund to do this project. This first thing we need to do is go ahead and get the funding for it. All of the numbers today are still matching up. In the sale of the property, there is an amount that the Town would have to receive before they would let the property go. If we don't get X amount of dollars we do not have to sell. There are other monies available that Linda has found that we can use.

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Council Member Eddings addresses Council/Building Fund

Motion was made by Doug Eddings, Jr. to set up the Building Fund, sell the properties, and utilize the grant funds from the Build Indiana Grant, seconded by Karl Truman.

Vote 4-0

Discussion:

Council Member Eddings stated that the old fire house would be reduced in the worst case by 10,000 for roof damage.

William Collier asked about the holding tank/storm drain on Villa Drive.

Council Member Eddings stated you could not do anything to that property that would damage the storm drain. You can in fact sell the property but it could not be altered.

It was discussed that the Town of Sellersburg may own more property on Prather Lane that first thought. John Toombs, Consulting Engineer will investigate further and provide the information to the Town Board.

President Tucker stated that the sale would be by closed bid or auction, the decision has not been made at this time.

Council Member Truman asked what the Realtor's fee on this would be?

Council Member Eddings stated the realtor's fee were included in the original package, the only difference shows you where the realtor and auctioneers fee come out.

Council Member Truman asked at the next meeting are we going to talk about the method of sale?

David Broady addresses Council/Salary Recommendation

January 10, 1994

To: Town of Sellersburg Board Members  
Re: Salary Recommendation

I would like to submit the following proposal for your review. We have several employees who have completed additional schooling to obtain certification for the Water & Sewer Departments. The Town of Sellersburg does pay for the cost of schooling but the employees attend on their own time and uses this certification in the performance of their job. No additional compensation is now earned by the employee. I would like to propose the following incentive program for eligible employees:

Water Classification

D. S. License 50¢/hr. increase  
D. S. L. License additional 25¢/hr.  
P. F. License additional 25¢/hr.  
A. T. License additional 25¢/hr.

Sewer Classification

Class 1 50¢/hr. increase  
Class 2 additional 25¢/hr.  
Class 3 additional 25¢/hr.  
Class 4 additional 25¢/hr.

Please review the above proposal. If you should have any questions, please see me.

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David Broady addresses Council/Salary Recommendation Cont.

Council Member Truman asked what are these license?

Clark Henson and Rick Wheeler explained the different types and classes of these license.

President Tucker stated that the CDL license was brought up.

Council Member Broady stated that the CDL should be part of the qualification when you hire someone.

Council Member Truman asked if these license were for certain jobs we have or something that anybody in the water or sewer department that want the license can go and get these license.

Council Member Broady stated it's not restricted to anybody, we have paid for these license.

Council Member Eddings stated the more license or higher grade license you have the more flexible you are to cover yourself for vacations or other things that come up thru the year. If someone is off for a longer period of time, if you don't have the right person with the right license taking care of the right thing you can get in trouble real fast. It would help to make each department more flexible.

Council Member Truman asked what was the base hourly rate for water and sewer.

Clerk Treasurer Schafer stated about \$7.11, is an average. They start at \$6.00 or \$7.00, position rate is \$7.36.

Council Member Truman asked how long it would take someone to go through four classes?

Rick Wheeler stated for that they had to have experience, Class one you have to have 1 year experience, to reach class four there are alot of requirements, three to five years experience, so it would be awhile before someone would reach that.

Clark Henson stated that he had his D. S. & P. F. for water and also his Class 1 and Class 2 for sewer.

Council Member Eddings stated as the State gets more & more strict on what it takes to operate municipal sewer & water departments, they are raising the types of license required we may have people in two years down the road that are underqualified to operate those facilities.

Resident Don Brown asked how many license and how many people do we have licensed?

Rick Wheeler stated in waste water we have 2 people that have Class 1 and 1 has Class 2, 1 and himself have Class 3.

Council Member Truman asked if this increase applies to Superintendents also, they are on salary.

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David Broady addresses Council/Salary Recommendation Cont.

Council Member Eddings stated they are not asking for 50¢ more on the hour because they have these license. They are asking when they get these license, if you don't have them.

Council Member Truman stated so if they presently have a Class 2 they aren't going to get a 75¢ an hour raise?

President Tucker offered the suggestion that they come up with a recommendation as to what the employees in question should receive and bring it back to the Board and it be discussed at that time.

Council Member Truman addresses Council/Police Commissioners Expiration Dates

Council Member Truman stated there was some discussion regarding the starting dates and ending dates for the four year terms of the Police Commissioners. I think there has been alot of confusion over who is picked up or vacating term. It would probably be best to set the dates to make it clear for the record for the minutes as far as the ending dates for the respective terms of the Commissioners.

President Tucker stated the only question he has is there has been some comment about Mr. Paschal wanting to come off the Board.

Council Member Truman stated that has not been confirmed.

President Tucker stated we need to clarify ending dates for the people who are currently on the Board assuming they all want to remain on the Board of Commissioners. I tried to go back and decipher the minutes from 1989, 1990 and Police Commissioners minutes from 1992 and some recommendations that Linda had made. Basically what I came up with is Linda Stewarts term would end 12-31-94. This would be a 3 year term if I understand it. The state law on that is a recommended 3, 2, 1 year term.

Council Member Truman stated that is when your initially create the Board to begin staggered terms, it is a four year term.

Clerk Treasurer Schafer stated it is a 3 year term.

Council Member Truman stated at any rate, 3, 2, 1, it doesn't mean any one person has a 3, 2, 1 year term, that is after the initial appointment.

President Tucker stated it reads: All three Commissioners shall be appointed Jan 1, will serve for 1 year, 1 will serve for 2 years and 1 will serve for 3 years. The longest term is 3 years.

Council Member Truman stated that is the initial appointment.

President Tucker stated what we are trying to do tonight is get all of the terms on the right period which is almost like setting up a brand new one.

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Council Member Truman addresses Council/Police Commissioners Expiration Dates Cont.

President Tucker stated the difference is there is already five existing members. What I tried to do is come up with the terms, most people who have been on the longest get off the soonest and those who have been on the shortest be on the longest. So if I can continue, let me give you the dates. Linda's term would end on 12-31-94, Danny Vogel's term would end on 12-31-94, Earl Bonneville's term would end 12-31-95, Ed Denton's term would end 12-31-96, Bill Paschal's term would end 12-31-96. Those are the five Police Commissioners as I understand it. I've sort of thrown that out, do you all have some input, differences, changes.

Council Member Everitt stated you have Bonneville going to 95 instead of 94.

President Tucker stated yes, and the reason was due to the staggering. I'm trying to get the numbers to roll off so technically there will always be one or two people changing every year, which is what it recommends in the statute.

Council Member Truman stated he'd like to put that in the form of a motion.

Motion made by Karl Truman to approve the expiration dates of the Police Commissioners as read, seconded by Dave Broady.

Discussion:

Council Member Everitt stated he has someone he would like to put on the Democratic party side of it, Dennis Amos has requested he would like to set on the Police Commissioners Board.

President Tucker stated you mean when Linda comes off.

Council Member Everitt stated that he thought at the last meeting it was stated that two were coming off. You said last meeting that Danny Vogel and Linda Stewart's terms were up.

President Tucker stated according to this, all of this has been put together in the last two weeks.

Clerk Treasurer Schafer stated they both expire at the end of 1993.

President Tucker stated can I suggest that in order to get all of this straightened out, so to speak, we make the terms, their period of time in office to follow what I recommended a few minutes ago. If one of them wants to step down, Dennie Amos is the person that could take their place. All I'm trying to do is get it coordinated at this point in time. If Danny Vogel wants off them he can get off now and Dennie Amos can take his place.

Council Member Everitt stated Danny Vogel and Linda Stewart's terms were up on 12-31-93. Since then Mr. Amos has said he would like that position.

President Tucker asked what did Mr. Vogel say.

Council Member Everitt stated he hadn't talked to Mr. Vogel.



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Council Member Truman addresses Council/Police Commissioners Expiration Dates Cont.

President Tucker stated then what you are recommending is that we have Danny Vogel's term expire 12-31-93 and you would like to open the nomination to have someone else in his place.

Council Member Everitt stated I would like to see Danny Vogel's term continue and Dennie Amos to replace Linda Stewart.

Council Member Truman stated there is a motion on the floor.

President Tucker stated we've had the discussion, what we have to do now is go back and get the vote on whether these five recommended commission ending dates would be appropriate.

Council Member Everitt asked if we are just voting on the dates and not the people.

President Tucker stated I put the term and the name.

Council Member Everitt asked, so if we vote on this we are not replacing the people.

President Tucker stated that is correct.

Council Member Everitt asked, so we are voting on the date.

President Tuckers stated we are voting on the date and the name.

Council Member Everitt stated than we are not having any replacements.

President Tucker stated thats correct. We are not having any replacements tonight.

Council Member Everitt stated all I know is 12-31-93 we have two commissioners that were supose to come off. By law, by the voters, the people in this community, some 18, 20 years ago, voted we had a Police Commission. It was set up to Indiana State Code. I know when the last Town Board came in there were some dates changed or something. We had this ironed out, it went from 5 to 3, Bill Mosley's term when Charlie Ridenhour was President we went back to a 5 board in 1989. It's due not for 2 of those people to come off.

President Tucker stated you had a copy of this.

Council Member Everitt stated he doesn't know what happened, all I know is Linda has copies of the minutes, we've gone over this.

President Tucker stated what I did was come up with what I thought was the logical choice of how we could do this.

Vote 3-1

Council Member Everitt voting against

Resident Don Brown asked to be enlightened on the State Law.

President Tucker stated it says you can have five.

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Council Member Truman addressed Council/Police Commissioners Expiration Dates Cont.

Council Member Everitt stated you can have three, five or seven.

Mr. Brown asked what that job pays?

President Tucker stated \$400.00 a year.

Clerk Treasurer Schafer stated \$500.00 a year.

Mr. Brown asked if they met every quarter.

President Tucker stated every month at 7:00 a.m.

Council Member Truman stated plus additional meetings if there is hiring or disciplinary action.

Clerk Treasurer Presents Claims for this Meeting

Clerk Treasurer Schafer presented claims from 12-27-93 to 01-07-94.

Motion made by President Tucker to approve these claims and seconded by Dave Broady.

Vote 4-0

Attorney McCall Presents Ordinance 94-583/Control of Dogs/Cats within Sellersburg

Attorney McCall presented ordinance 94-583 amending ordinance 92-535, amending the ordinance to include a section which concerns the humane treatment for domestic animals as follows: No owner shall fail to provide his/her animal(s) with proper food and water, proper shelter, where appropriate, and reasonable care to prevent suffering.

Motion made by Doug Eddings, Jr. seconded by Dave Broady.

Vote 3-0

Attorney McCall Presents Resolution 1994-20/Rescinding Moratorium

Attorney McCall presented Resolution 1994-20, a resolution rescinding moratorium on construction of new commercial, industrial, multi-family and single-family development in the Town of Sellersburg.

Motion made by Dave Broady and seconded by Karl Truman.

Vote 3-0

President Tucker Addresses Abatement for P & L Leasing

President Tucker stated at the last Board Meeting we put into place two revitalization areas. I've been requested by Larry Gilbert of P & L Leasing, who has property at 254 No. Fern Street, he wants to build a new structure. This would create two new jobs, salaries of about \$30,000.00, structure is going to be worth roughly \$80,000.00, new machinery. I would entertain a motion to approve the tax abatement on the dwelling of the building in this particular case value \$79,150.00 for the new equipment. Which is a saw to the tune of \$133,000.00. I would recommend a 10 year on the dwelling and a 5 year on the equipment.

Motion was made by Doug Eddings, Jr. to approve the tax abatement and seconded by Dave Broady.

Vote 3-0

Discussion: Stephen Prather, Building Commissioner stated that he had questions on the tax abatement. He was told it had to be on something that had not existed prior to the abatement being applied for.

President Tucker Addresses Abatement of Ran/Paige

President Tucker stated that Ran/Paige would be building a new building to the tune of \$220,000. This would create 5 additional employees. There is no equipment abatement only on the building. I would entertain a motion for a 10 year abatement on the building.

Discussion: President Tucker stated there is a concrete slab and what they are going to do is, there is a shell with no building on the inside. I mean there is nothing there.

Stephen Prather, Building Commissioner stated there is a shell structure, so what they are basically doing is making office areas and work places. The structure outside does exist. I'd like a ruling on that.

President Tucker stated that since no motion was made, that He will call the State and find out what one has to do in order to do that.

Resident Don Brown asked before this meeting is adjourned, that I would like to get on the agenda for the rest of the year.

President Tucker asked if he would be satisfied with half a year and we do it again in July.

Mr. Brown stated he hoped to be around then.

President Tucker stated Mr. Brown would be on the agenda thru June.

Adjournment

President Tucker made the motion to adjourn the meeting seconded by Karl Truman.

Vote 3-0

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Adjournment Cont.

With no further business this meeting was adjourned by President Tucker at 8:05 p.m.

David Broady  
David Broady

Aulton D. Eddings, Jr.  
Aulton D. Eddings, Jr.

Roy E. Everitt  
Roy E. Everitt

Karl Fruman  
Karl Fruman

Stanley E. Tucker  
Stanley E. Tucker

Linda G. Schafer  
Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

January 24, 1994

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were Stanley E. Tucker, Council President; Dave Broady, Council Vice-President; Doug Eddings, Jr., Council Member; Karl Truman, Council Member; Roy Everitt, Council Member; Perry McCall, Attorney; Linda G. Schafer, Clerk Treasurer.

Called To Order

President Tucker called the regular meeting to order at 6:33 p.m.

Prayer

President Tucker dispensed with the invocation for this meeting.

Pledge

The Pledge of Allegiance to the Flag was recited.

Minutes of Last Meeting

President Tucker dispensed with the reading of the minutes from the last meeting.

Motion made by Council Member Broady to approve the minutes and seconded by Council Member Eddings.

Vote 4-0

Building Commissioner Presents Claims

Stephen D. Prather, Building Commissioner presented his claims from December 28, 1993 thru January 24, 1994 in the amount of \$1951.20.

Motion was made by Karl Truman and seconded by Doug Eddings, Jr.

Vote 4-0

President Tucker Commends Street Department

President Tucker stated that the Street Department did a wonderful job. Mark and his department worked a lot of hours to keep up with the snow.

Chief David Kinder stated that the Police Department delivered medicine to residents. The Fire Department lent us a 4-wheel drive and driver. Covered Bridge Golf Community which isn't even part of Sellersburg loaned a 4 wheel drive Cherokee Jeep. The Police Department had no problem.

Council Member Eddings addresses Council/Salary Increases

Council Member Eddings addressed the Council on recommendations for salary increases for the Sewer & Water Departments.

Council Member Eddings stated the recommendation is to make retro-active the increases for Robin Samples, Boyce Adams & Travis Walters. Robin Samples would get a 35¢ increase because when he got his license he only received a 15¢ increase, that would give him a 50¢ increase. Boyce Adams would get 50¢ for his new operating license and Travis Walters would get 50¢ for his up-grade license.

Council Member Eddings stated that from this time forward you would receive 50¢ for CSL-1 license and 25¢ additional an hour for Class 2, 3 and 4.

Clerk Treasurer Linda Schafer asked if this was retro-active back to the last meeting or last pay period.

Council Member Eddings stated it would be on their next paycheck.

Motion made by Doug Eddings, Jr. and seconded by David Broady.

Vote 4-0

Council Member Eddings addresses Council/Mounds of Snow and Broken Meters

Council Member Eddings stated that due to the snow, mounds of snow and also broken meters that we've had throughout the Town, instead of going through all the bills and adjustments for people who have had water leaks and trying to get to some of the meters which may be covered with snow mounds, what we'd like to do is average the February bills, as an average billing.

Clerk Treasurer Schafer asked you mean everyone's bills.

Council Member Eddings stated "yes", for January, we are not going to be able to get to some meters to read them and we don't want to overcharge people for water and sewer rates where they had leaks and busted pipes. Average them all.

President Tucker asked if it would be a 3 month average, 6 month average or what.

Clerk Treasurer Schafer stated that we have a years average from last year and asked Mrs. Shelton if there was a problem with that.

Mrs. Shelton stated "no", but more people would complain.

Council Member Eddings stated we would not be able to read the meters anyway.

Clerk Treasurer Schafer stated I think it would be fair to adjust everyone's bill.

Motion made by Doug Eddings, Jr., and seconded by Karl Truman.

Vote 4-0

Council Member Eddings addresses Council/New Building

Council Member Eddings stated at the next meeting we should have a recommendation on the blueprints we are working on and as to the best way to go about the sale of the three pieces of property.

Council Member Karl Truman addresses Council/Trash Can Limit

Council Member Truman asked if we would have a four can limit on trash pick up.

Council Member Everitt stated we will double up on trash.

President Tucker stated basically we will double up, we didn't pickup last week, they can have more than four cans. We'd like it stacked up if possible. We don't want it to be like a yard sale with couches and things. Just regular garbage.

Council Member Everitt addresses Council/Police Commissioners

Council Member Everitt stated at the last meeting when we voted on Police Commissioners, the Council gave each Commissioner an additional year on their time that they are serving. I called the State Board of Accounts the next morning and explained what happened. He said that's a no no. The gentlemen I talked to was Charlie Pride and that's not the country singer, that's his name. He said that we can not do that, you can't add on another year to the Police Commissioners. We have records in the Town Hall who is and who is not to come off with each year anyway. I think Mrs. Schafer brought that in. I put in a gentlemen's nomination. I'm not going to say we have to do this tonight but I will say that I'll give the telephone number to our Attorney. You can check me out, but what he says is that we have to go back. The people who is coming off, who's time is up should of been voted on the first meeting in January. The other one's time goes back to where it was instead of giving them a year, it goes back to where it was. What you all did at the last meeting was to give everybody another year. It's 1, 2 and 3 years.

President Tucker stated so it need to be staggered. It has to be at least 1, you can make it up to 5, has to be staggered 1, 2 and 3. What Roy is saying, in some cases because we couldn't figure out the starting and ending place, that we in essence changed the terms and increased the terms in some cases based on when we thought they started. Say for example, Danny Vogel, his three years say was up but because I couldn't find where it would begin and end I suggested we make it up in 1994. and I moved the 95 to 96. Charlie Pride is saying we can not do that.

Council Member Everitt stated that I said in the minutes that I think Mr. Tucker asked me about Mr. Vogel, I said I have no quarrels. Mr. Vogel is a republican and I was trying to elect a democrat. I have no quarrels with Mr. Vogel. I still have input as to a nominee for that job, replacement for Linda Stewart. We can vote on it tonight or we can let the Attorney talk with Mr. Pride.

President Tucker stated what he'd like to do is get it clarified to the best of our ability so to do it right this time so we don't have to do it again. He asked Attorney McCall to check with Mr. Pride and come back with a recommendation.

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Council Member Everitt addresses Council/December 27th Meeting

Council Member Everitt stated at the meeting on December 27th, when we had the appropriation transferring money in the accounts. The first one was the Building Commissioners salary of \$110.00 going to Clerk Treasurer for salaries and Linda I asked you what this was for and you said it was for a vacation you didn't take.

Clerk Treasurer Schafer stated two weeks, vacation sell back.

Council Member Everitt stated as an elected officer you aren't allowed to do that, you can't sell back your vacation.

Clerk Treasurer Schafer stated, as I recall the Town Board approved that.

Council Member Everitt stated they approved for salaried employees like Mark, the gentlemen that's out at the wastewater, Rick and these people. I don't believe it was meant for the Clerk Treasurer, cause you are an elected officer.

Clerk Treasurer Schafer stated there was a motion made and the Council approved that I sell my vacation back since I was unable to take it.

Council Member Everitt stated it's true, I'm just bringing it before the Council and yourself. The State Board of Accounts stated you may have to pay it back because you are and elected official. You can take any vacation that you want or sick days as an elected officer. I mean that's your prerogative, you can take six months if you want to as long as you have a deputy to run the shop. As far as buying or selling vacation to the Town, you can't. It's against Indiana Statute.

Clerk Treasurer Schafer asked if that was the Council's error and not hers for approving the vacation.

Council Member Everitt stated that there's three of us voted on it. I think I seconded and Doug Eddings made the motion and it was passed 3-0. I'm just trying to clarify something.

President Tucker stated he would have Perry check with Charlie and if he needs to go to somebody besides Charlie he can do that.

President Tucker also stated that when we wrote the personnel manual it said people that in situations for whatever reason that could not take their vacations could sell it back based on supervisor or in this case Board approval. If that's in the manual & it's not suppose to be in the manual for elected officials we will need to know that.

Council Member Everitt stated it says salary and if that's the case it's more or less talking about Clark Henson, not an elected officer. He says there is situations were Clerk Treasurer's does this it's against the Indiana Code. What they do is keep a 40 hour clock just like the men out back and then when if they lose their term in office they want to draw unemployment. No one has ever done that.

Council Member Truman stated he wasn't present at that meeting but I got to agree with Roy on that, it doesn't seem quite proper.



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Council Member Everitt addresses Council/December 27th Meeting Cont.

Council Member Everitt stated the reason why and I'll bring this up, the reason why I knew this was wrong is because when Mrs. Schafer beat Patty Rush in the election the last two weeks she refused to work at the Town Hall and State Board of Accounts told her, her salary was already been paid. She said there wasn't enough money in there to pay her for the last two weeks, based on 52 weeks in the year.

President Tucker stated the best way to address this is to have our Attorney check with Pride to see what the correct thing is to do.

Clerk Treasurer Schafer stated if I have to pay back the \$110.00 or it wasn't even \$110.00 it was more like \$80.00 that I received from Civil Town. I don't have a problem with that at all as long as I can have my two weeks vacation.

Council Member Everitt stated you can take 5 weeks honey if you want to. You can take a month if you want to, it's up to you.

President Tucker stated we will look into it.

Clerk Treasurer Schafer thanked President Tucker.

Council Member Everitt stated as Clerk Treasurer you can take any vacation you want to.

Clerk Treasurer Schafer presents bill/Dr. Bizer's VisionWorld

Clerk Treasurer Schafer stated that Mr. Blevins in the Sewer Department broke his glasses on the job and would like the Council to approve the bill of \$85.00 for the glasses.

Motion made by David Broady and Seconded by Roy Everitt.

A Resident asked if our liability insurance would pay for that.

President Tucker stated it would be less the deductible so we would have to pay anyway.

Vote 4-0

Clerk Treasurer presents Claims for this Meeting

Clerk Treasurer Schafer presented her claims for this meeting in the Civil, Sewer and Water Departments for the last two week period.

Motion was made by Doug Eddings, Jr. and seconded by Dave Broady.

Vote 4-0

Attorney Perry McCall addresses Council/Fee for Filing Ordinances

Attorney McCall stated that he needed to file a couple of ordinances and the Clark County Recorders Office and I need a voucher for \$28.00. In addition to that I would like to have copies of all of the annexation ordinances, standard ordinances that have been passed since the recodification.

Attorney McCall stated that he did not have a copy of those.

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Attorney McCall/Resolution #1994-21/Civil NSF Check Fee

Attorney McCall stated he had received a memo from the Clerk Treasurer for the need or desire to establish a fee for a returned check for non sufficient funds. Attorney McCall stated that she requested this fee due to the additional man power hours it takes to process these returned checks.

Clerk Treasurer Schafer stated that this request was only for the Civil Town fund due to already having one established for Water and Sewer.

Attorney McCall stated that it was a \$10.00 fee for returned checks in regards to Civil Town.

Motion was made to approve Resolution 1994-21 by Council Member Eddings and seconded by Council Member Everitt.

Vote 4-0

Attorney McCall Presents Ordinance 94-584

Attorney McCall stated that in addition to the request for the NSF check fee there was a request for an ordinance for the transfer of funds from the utility cash reserve fund to the debt service reserve fund to pay off a debt for a garbage packer in the amount of \$10,000.00. Attorney McCall asked if there was any additional appropriations needed.

Clerk Treasurer Schafer stated that additional appropriations were not needed but it was either pay off the packer or refinance this.

President Tucker stated that Farmers Home Administration is calling mostly everyone and asking to refinance, and fortunately we have the money to pay off the packer and we need to try to do that instead of trying to get a \$10,000.00 loan from a bank.

Motion was made by Council Member Eddings and seconded by Council Member Everitt.

Council Member Everitt stated that the packer that they were talking about is the oldest packer that was bought back some eight years ago. I think Melvin Curtis was low on funds and they bought this through Farmers Home and that is the last two terms.

Vote 4-0

Attorney McCall discusses Hazardous Burning

Attorney McCall stated that back some time ago there was a discussion on hazardous waste burning and he had went back and looked through the minutes that Clerk Treasurer had provided for him, and it appears that the Towns decision to adopt an ordinance or Resolution against hazardous waste burning would have been adopted or passed when the county pass theirs.

Attorney McCall stated that he was not sure if the county passed an ordinance or resolution.

Attorney McCall discusses Hazardous Burning Cont.

Attorney McCall stated that if the Town Council wants to go on and pass one.

President Tucker stated that if he is not mistaken and he doesn't want to put words in Karl's mouth but the suggestion was rather than reinventing the wheel if and when they put the verbage together that we would paraphrase their ordinance.

Council Member Truman stated that he thought they put this in their zoning ordinances.

President Tucker asked Attorney McCall to look into this.

President Tucker stated that if Attorney McCall could find the verbage we could do an ordinance or resolution and redo the zoning.

Attorney McCall addresses Remonstrance Waiver Sewer Line Allentown Road

Attorney McCall/remonstrance to have a sewer line waiver on Allentown Road on an individual basis.

President Tucker stated that if he remembers correctly, John Toombs is going to check with Covered Bridge.

President Tucker Presents Authorization For Charles Murphy Attorney

President Tucker stated that Charlie Murphy who is an Attorney of Jeffersonville, who did some work for Stites & Harbison in the area of title research on properties here in Sellersburg has changed affiliations and the Council needs to give President Tucker the permission to sign the authorization statement to Stites & Harbison as follows:

As a client of Stites & Harbison, I/we hereby authorize and request that a copy of my/our file be given to Charles R. Murphy, Esq., and I/we release Stites & Harbison from any further responsibility relating to pending matters which were being handled by Stites & Harbison.

Motion was made by Council Member Eddings and seconded by Council Member Truman.

Vote 4-0

President Tucker Presents Letter From Recodification Service

President Tucker stated that he had received a letter from Betty Lou Nimtze who is the owner of Hoosier Codification Services Inc.

President Tucker stated that two years ago when we found it quite difficult to find what ordinances or resolutions applied to Sellersburg, we decided to have this company codify or put in some kind of order our ordinances and resolutions.

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President Tucker Presents Letter From Recodification Service Cont.

President Tucker stated that we have passed several ordinances and resolutions since 1993 and at that point in time since we paid \$3900.00 to keep this up so naturally not only would we know what ordinances or resolutions were passed but one day the next board would know it too, so this is an agreement basically to continue with Hoosier Codification and Clerk Treasurer Schafer to send ordinances and resolutions that have been passed from February 1993 that they can be interfaced into the system and they are going to charge us \$5.00 per page for all that work.

Council Member Truman asked when do we get our book.

Council Member Truman stated that we never got a book.

President Tucker stated that when he leaves the meeting tonight Council Member Truman can have one.

Attorney McCall stated that the Police Department has to have one.

Clerk Treasurer Schafer stated that there is one at the Town Hall in the bookcase of the office they come into.

Council Member Everitt asked if he could make a suggestion.

Council Member Everitt asked if we could have copies of the books made for all of the Council Members and that way if they would like to give it back to the Clerk Treasurer or present it to the next Council Members.

Council Member Everitt asked what they would charge us for five additional books.

President Tucker stated that he thought that they only gave us two copies.

President Tucker stated that the Clerk Treasurer has one, Attorney McCall has one and he has one he will give to the Police Department.

President Tucker asked the Clerk Treasurer to check to see how much it would cost or would it be cheaper to just copy it.

President Tucker made a motion to approve the continuation of the codification of our ordinances since we have it there it seems silly to just let it die.

Motion made by Council Member Truman and seconded by Council Member Everitt.

Vote 4-0

Building Commissioner, Stephen Prather requested a copy of the codification also.

President Tucker stated if Mr. Prather would see him after the meeting he would give him a copy of the new zoning regulations but he only had one copy of the ordinances.

President Tucker requested that Clerk Treasurer Schafer look into having copies made.

President Tucker Discusses Zoning Appeals Board

President Tucker stated that he didn't mean to place Council Member Broady on the spot but did they come up with names for the zoning appeals board.

Council Vice President Broady replied no.

President Tucker Addresses/Revitalization Areas

President Tucker stated that at the last meeting we did the approval of two areas which we named revitalization areas and there was a question by Mr. Prather to whether we could give a tax abatement to Ran Paige who was going to build a building which to some extent was already there and he had asked Attorney McCall to look into that and he had a letter from Attorney McCall that stated, yes we could do that.

President Tucker stated that he had a letter of request from J. Brodski, a request of tax abatement on the two buildings, one is an office and he is going to put three walls around a concrete slab and make an office out of it and build another one as soon as we pass this.

President Tucker stated that it is going to create fifteen additional jobs, now their salaries are over \$1,000,000.00 to the people who work at Ran Paige.

President Tucker stated that we did name it a revitalization area a meeting or two ago and he would like the approval of tax abatement for Ran Paige for the two buildings. No equipment involved only the buildings.

President Tucker stated that we have basically given a ten year tax abatement on buildings we have abated so far.

Motion was made by Council Member Truman to approve the tax abatement for Ran Paige and seconded by Council Member Eddings.

Vote 3-1 Council Member Everitt voting against.

Consulting Engineer Addresses Council/Flood Hazard Zone

John Toombs, Consulting Engineer addresses the Council stating that President Tucker had given him a note to call Tammy Baker.

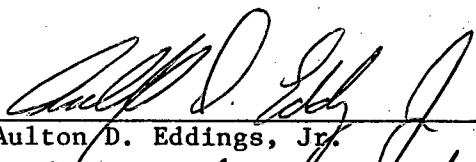
Mr. Toombs stated that she works for the State and there is a new problem with the flood hazard zone ordinance.

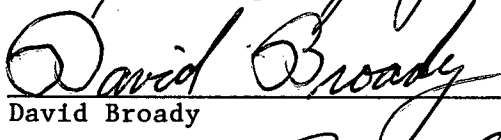
Adjournment

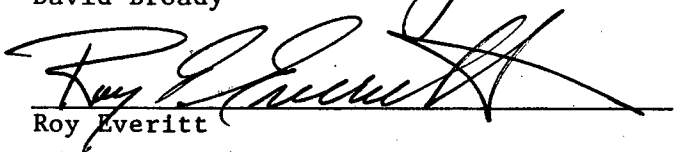
Council Member Truman made motion to adjourn the meeting and seconded by Council Member Everitt.

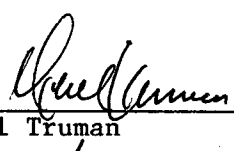
Adjournment Cont.

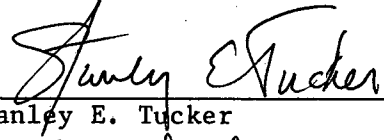
With no further business, this meeting was adjourned by President Tucker at 7:07 p.m.

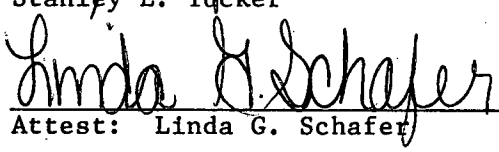
  
\_\_\_\_\_  
Aulton D. Eddings, Jr.

  
\_\_\_\_\_  
David Broady

  
\_\_\_\_\_  
Roy Everitt

  
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Karl Truman

  
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Stanley E. Tucker

  
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Attest: Linda G. Schafer

SELLERSBURG TOWN COUNCIL

February 14, 1994

EXECUTIVE SESSION

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Library at 6:00 p.m. to discuss pending litigation and personnel matters. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings, Jr., Council Member; Roy Everitt, Council Member; Perry McCall, Attorney; Linda G. Schafer, Clerk Treasurer; Karl Truman, Council Member arriving late at 6:29 p.m.

Called to Order

President Tucker called the Executive Session to order at 6:04 p.m.

Topics of Discussion

Land on Prather Lane  
Property on Villa Drive  
Pixley vs. Town of Sellersburg  
Dixon vs. Town of Sellersburg  
Hazardous Waste Burning Ordinance  
Ellenbrand/Unemployment  
Clerk Treasurer/Sell Back Vacation

Adjournment

With no further business, President Tucker adjourned the Executive Session at 6:34 p.m.

Regular Meeting

A Regular Meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were: Stanley E. Tucker, Council President; Dave Broady, Council Vice President; Doug Eddings, Jr., Council Member, Roy Everitt, Council Member; Karl Truman, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer.

Called to Order

President Tucker called the Regular Meeting to order at 6:40 p.m.

Prayer

Reverend Bob Hauselman offered up the prayer for this meeting.

Pledge

The Pledge of Allegiance to the Flag was recited.

Minutes of the Last Meeting

President Tucker dispensed with the reading of the minutes of the last meeting and requested a motion to approve them.

Motion to approve the minutes of the last meeting was made by Council Member Eddings and seconded by Council Member Broady.

Vote 4-0

President Tucker presents letter/Karen Marshall

President Tucker stated that he had received a letter in the mail which read as follows:

Dear Mr. Tucker,

The City should be congratulated on the excellent way it takes care of the streets in snowy weather. The City did a great job with the big snow and today 02-03-94 once again provided better streets than any other city around. I can sail to work, my employees have trouble on streets to travel.

Thank you, Karen Marshall

President Tucker stated that Ms. Marshall is the Director of the Rehab Center on 131 and also is his neighbor and he really appreciated that.

Karen Elliott, Jim Baker/Discussion of Town Properties

Karen Elliott stated that there are a few revisions on what had originally been given on a survey from Jacobi, Toombs and Lanz, with respect to the Prather Lane property, evidencing that the tract 1.13 acres as of last Friday we were given a new survey indicating that the tract in fact contains only .566 acres.

Ms. Elliott stated that the reason for that is the original survey showed that the property went over to the old Prather Lane and since the road was moved some of the property is across the new Prather Lane, this would reduce the price from the original estimate of \$100,000.00 to \$75,000.00.

Ms. Elliott stated that they found that because of the surveys recently provided on Villa Drive, John Toombs had several different drawings as to how the property could be used.

Ms. Elliott stated that Jim Baker and her opinion was that the highest and best use for the property would be to rezone it for multi-family dwellings, possibly two four-plexes with a parking lot and it would then give us a new value of \$16,000.00 to \$20,000.00, depending on how much earth must be moved, as it sits in the flood plate basically the first floor must set at 467 feet.

Ms. Elliott stated that in reference to the old Fire House, it still remains at the revised estimate of \$20,000.00 to \$25,000.00 due to the roof repairs needed.

Jim Baker stated that there is one other property across from the Prather Lane property next to the Tire Store, a tract of .193 acres.



Karen Elliott, Jim Baker/Discussion of Town Properties Cont.

Mr. Baker stated we are using the same square foot value as the property across the street at \$3.00 a square foot that would indicate a value of about \$25,000.00, but the question is whether or not the adjacent land owner would give that much.

Mr. Baker stated that at first we had indicated a value of the Prather Lane property at \$100,000.00 but after Mr. Toombs did the survey we found that it was in the roadway and now we are down to .566, and it is somewhat odd shaped.

President Tucker stated that one of the questions presented was if Charlie Murphy had completed the title search or not.

Mr. Baker stated that he had hoped he would be here tonight and he had done some title research but how extensive he didn't know.

Council Member Eddings stated that we have received the bill for the work.

Jim Baker stated that the other thing he would like to address is the method of sale of the town properties either sealed bid or through public auction.

Mr. Baker stated that we have looked at a couple of ways that the property could be sold.

Mr. Baker stated that on a public auction where we would bring in a commercial auctioneer, and notices would be sent out in the newspaper and that sort of thing having a one day event where that property would sell that day. We would be looking at 10% buyers premium where on a sealed bid you would be looking at something like 6% and there would not be a need for the auctioneer. One thing that the sealed, the highest bidders could be brought in to see which one would bid the most and at that time an auctioneer might be brought in.

Council Member Eddings stated that he would like to bring up that on the alley on Prather Lane, it is a Town policy that when we vacate a alley half of that property goes back to the owner and you've got it down here at 54.3000 a 140 ft. deep would be 150.

John Toombs stated that the alley was not vacated and the Town owns that, we would not have to split that.

President Tucker stated that if he understands that correctly, if it has not been vacated we own it and can sell it, and if it has been vacated we can't.

John Toombs stated that what we need at this point is to rezone Villa Drive before we turn it loose on which ever option we choose for sale.

Betty Billingsly stated that she has a question on Villa Drive.

Ms. Billingsly stated that the Council better look at the road because you can't hardly get in and out of there.

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Eric Eisert/Cedco Communications addresses Telephone System

Eric Eisert stated a couple of months ago I discovered that you were going to build a new Town Hall. I'd like to have the opportunity to bid on the telephone system.

A representative from Cedco stated he would just take up a second of your time. Cedco, which is a communication engineering company, we are a Kentuckiana company. We work in Indianapolis and Louisville. We do alot of work for the state of Kentucky, the city of New Albany, Jeffersonville and Clarksville. We have a system in Clarksville. We just wanted to turn our name in as far as getting on the bid list, also our equipment is made in America, so we would not be affected by President Clinton's Japanese trade embargo, which will keep the price down. We've been in business fifteen years. We just wanted to make sure we got on the list. We have an information packet to leave with the appropriate people.

President Tucker stated it was probably a little premature since we have to sell the property to have the money to expand.

President Tucker stated you can leave the packet of information and we will be happy to keep it on file and when we get to that point we will be happy to consider it.

Gary Plaskett addresses Council/Fern Street

Gary Plaskett stated I wanted to talk about the hole cut across north Fern Street across from the Cabinet Co. It keeps settling real bad. Who is responsible to repair it.

President Tucker stated the Town is but we have to wait for the weather to break before we do that. He stated we have put rock in it and we will continue to put rock in it.

Mr. Plaskett stated it keeps knocking his front end out of alignment.

President Tucker stated as soon as the weather breaks we will put some asphalt in it.

President Tucker stated the Town of Sellersburg cut the hole and we will fix it. The weather has not permitted us to fix it. We will put some more rock in it.

Mr. Plaskett stated it keeps knocking his front end out of line and costing him money.

President Tucker stated he was not being fecious but maybe if you go a little slower it won't knock your front end out of alignment. The speed limit is 20 miles an hour if I'm not mistaken. We will put some more rock in it and as soon as the weather breaks we will put some ashpalt down.

President Tucker stated he thinks the weather will break pretty soon. If the weather holds the way they say we can get to it very soon like the next couple of weeks. If not you can get a hold of me at Community Savings Bank and I'll be happy to deal with you.

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Stephen D. Prather, Building Commissioner presents Claims

Steve Prather, Building Commissioner presented his claims from January 25, 1994 thru February 14, 1994, in the amount of \$553.50.

President Tucker requested a motion to approve the claims presented by Mr. Prather.

Motion was made by Council Member Truman and seconded by Council Member Everitt.

Vote 4-0

Council Member Everitt Address Speed Limit on Mulberry Street

Council Member Everitt stated that Dave may be able to help me. Council Member Everitt asked if Council Member Broady knew the speed limit on Mulberry off hand.

Council Member Broady stated 20 m.p.h. he thought.

Council Member Everitt stated he got a call from a gentleman on Catalpa. Mr. Everitt stated I guess Mark must of taken a 30 m.p.h. speed sign.

Council Member Everitt stated if it is 30 m.p.h. he would like to see it cut back to 20 m.p.h. cause that's going to the park and I need the Boards permission to do this.

Council Member Everitt stated that Robert Smith called and said the sign put in his neighbors yard says 30 m.p.h.

Council Member Broady stated residential is 20 m.p.h.

Council Member Everitt asked did anyone tell the Street Department to put a street sign up there in a persons yard, cause what it is I think is some neighbors having a few words about it.

President Tucker stated no one on the Board.

Clerk Treasurer Presents Claims for this Meeting

Clerk Treasurer, Linda Schafer presented her claims for this meeting in the Civil, Sewer and Water Departments for the last two week period.

Motion was made by Council Member Eddings and seconded by Council Member Broady to approve the claims as presented.

Vote 4-0

President Tucker presents Ordinance 94-585-Flood Hazard Areas for Consideration

President Tucker presented Ordinance 94-585 for consideration amending Ordinance 92-541 regarding the Indiana Model Ordinance for Flood Hazard Areas.

Motion was made by Council Member Truman to consider Ordianace 94-585 and seconded by Council Member Eddings.

Vote 4-0

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President Tucker Presents Ordinance 94-585/Amending Ordinance 92-541/Flood Hazard Areas

President Tucker presented Ordinance 94-585, an ordinance amending Ordinance 92-541, regarding the Indiana Model Ordinance for Flood Hazard Areas.

President Tucker requested a motion to approve Ordinance 94-585.

Motion to approve Ordinance 94-585 made by Council Member Everitt and seconded by Council Member Truman.

Vote 4-0

President Tucker Addresses Revitalization Area

President Tucker stated that approximately six to eight weeks ago we designated a Revitalization area. A commercial area off Utica that's owned by Larry Gilbert and Co., and another one in the area of Penn Street.

President Tucker stated that I was presented by Larry Gilbert a request for a tax abatement on the building on his property to the tune of \$92,000.00 and that is a area where we normally allow a ten year tax abatement on buildings and five year tax abatement on equipment.

President Tucker stated that Mr. Gilbert is not asking for any equipment, just for the building.

President Tucker stated he would entertain a motion to approve the tax abatement for J. L. Gilbert and Co. for a 60 X 100 building on his property, which the estimated value is \$92,000.00 and will create seven new jobs and salaries of \$240,000.00.

Motion made by Council Member Truman to approve the tax abatement for J. L. Gilbert and Co. and seconded by Council Member Broady.

Council Member Everitt asked if when someone takes the building over can they apply for tax abatement on equipment.

President Tucker stated it wouldn't be a new building, you can only get a tax abatement on a new building.

Vote 4-0

President Tucker Addresses Council/Clerk Treasurers Vacation Sell Back

President Tucker stated there was an issue that came up at the last meeting in reference to the Town Employees and our Personnel Manuel.

President Tucker stated that Town Employees are allowed to sell their vacation back to the town if they are unable to take them, especially for work reasons. The question came as to whether the Clerk Treasurer was an elected official and/or a town employee.

Sellersburg Town Council  
Regular Meeting  
February 14, 1994  
Page 7.

President Tucker Addresses Council/Clerk Treasurers Vacation Sell Back Cont.

President Tucker stated in this particular case, Linda is all of the above. We checked with the State Board of Accounts, we also checked with Charlie Pride, who is with the State Board of Accounts. It is his opinion that it presents a red flag if you sell back a vacation as an elected official to the general fund but if that vacation is sold back to the Sewer and Water Department that is where in this particular case she would be a normal town employee, the Clerk Treasurer part is where she becomes the elected official. I may not of said that right but it was close.

President Tucker stated that when we put the manuel together in roughly February of 1992, we allowed employees who were unable to use their vacation for work type reasons to sell that back and I presented that to the Board approximately November of 1992 because Linda did not take her vacation. She has documentation that shows the number of hours she has worked.

President Tucker stated it does create a red flag as far as the State Board of Accounts for that amount of money which in this particular case is approximately \$80.00 paid out of the general fund.

President Tucker stated that my recommendation to the Board was that we leave 1993 as it was and 1994 if the same situation applies where she is unable to take that vacation, it be considered at that point in time.

President Tucker stated that I would entertain a motion at this time to allow 1993's vacation sell back to the Town remain and 1994's we will look at it at that time that it occurs.

Motion was made by Council Member Eddings to allow 1993's vacation sell back to the Town to remain and 1994's would be considered at that point in time, seconded by Council Member Broady.

Vote 3-2

President Tucker, Vice President Broady and Council Member Eddings voting in favor and Council Member Everitt and Council Member Truman voting against.

Timothy Sells Addresses Council/Tax Abatement

Mr. Sells asked if the Council can give County Tax and Sellersburg Tax Abatements.

President Tucker stated that the Council gives both.

President Tucker stated it's not like a zero abatement for ten years. It's like a declining scale. You pay 10% the first year, 20% the second year, 30% the third year, and so forth, then the tenth year you pay 100%.

President Tucker stated that the tax abatement is for a revitalization area and has to be on new construction, there are alot of stipulations.

Adjournment

Motion was made by Council Member Broady to adjourn the meeting and seconded by Council Member Everitt.

Vote 4-0

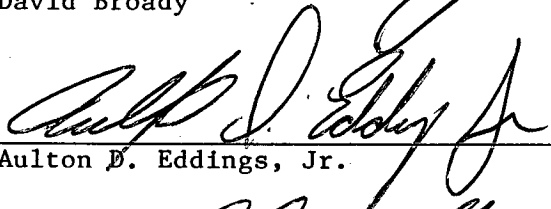
With no further business this meeting was adjourned by President Tucker at 7:05 p.m.



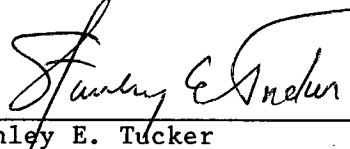
David Broady



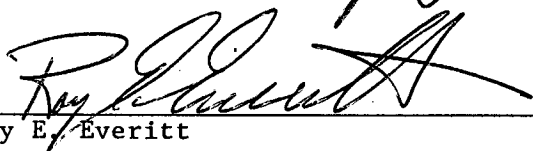
Karl Truman



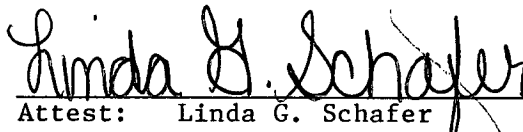
Aulton D. Eddings, Jr.



Stanley E. Tucker



Roy E. Everitt



Attest: Linda G. Schafer  
Clerk Treasurer

SELLERSBURG TOWN COUNCIL

February 28, 1994

Regular Meeting

A regular meeting of the Sellersburg Town Council was held at the Sellersburg Library at 6:30 p.m. Those present were Stanley E. Tucker, Council President; Dave Broady, Council Vice-President; Doug Eddings, Jr., Council Member; Karl Truman, Council Member; Roy Everitt, Council Member; Perry McCall, Attorney; and Linda G. Schafer, Clerk Treasurer.

Called To Order

President Tucker called the meeting to order at 6:30 p.m.

Prayer

Reverend Bob Hauselman offered the prayer for this meeting.

Pledge

The Pledge of Allegiance to the Flag was recited.

Minutes of Last Meeting

President Tucker dispensed with the reading of the minutes from the last meeting.

Motion made by Council Member Broady to approve the minutes from the last meeting, seconded by Council Member Eddings.

Vote 4-0

Karen Elliott Addresses Council/Sellersburg Properties

Ms. Elliott stated that she had prepared a marketing process. That we need to know exactly what's going to happen in the next few weeks, there's a few decisions that have to be made by the Board before we can do any type of real marketing with the property. The main thing is we will need a decision how to market Villa Drive. The Board will need a determination on rezoning for multi-family and advertising for a public hearing or to sell for single family residence and not rezone that property.

Ms. Elliott stated that the Board has to approve according to the law, two appraisers of the three properties by two individual licensed appraisers, Baker appraisal consultants and Marvin Schmidt, appraiser, have both given a bid of \$1,000.00 each to appraise all three properties.

Ms. Elliott stated that the next thing that will have to be taken care of is the Board will need to vote on how to market the properties.

Karen Elliott Addresses Council/Sellersburg Properties Cont.

Ms. Elliott presented the following marketing process:

1. Board must decide how to market Villa Drive Property.
  - A. Rezone for multi-family and advertize public hearing.
  - B. Sell for single family residence and not rezone.
2. Board must approve the appraisals of the three properties by two individual licensed appraisers. (Baker Appraisal Consultants and Marvin Schmidt, Appraiser, have both given a bid of \$1,000.00 each to appraise all three properties.
3. Vote by Board as to how to market properties. All legal Notices to be published and paid for by Town. Cash to be paid within 30 days of auction/bid deadline date.
  - A. Public auction-10% Buyers Premium. Brochures and newspaper advertisements 45 days prior to Auction. Auctioneer and all advertising to be paid out of the Buyers Premium.
  - B. Sealed bid-6% Brokerage Fee (based upon sales price). Newspaper advertising and individual property flyers to be distributed 45 days prior to bid deadline date. Bids will be posted in the Town Hall and highest bids at the end of bid deadline will be awarded properties. Bids may be increased and posted throughout the process and handled by Mr. Baker and Mrs. Elliott.
  - C. Sealed bid plus final auction among the bidders. 6% Brokerage Fee plus 2% Auctioneer Fee (based upon Sales Price). Bids will be accepted and posted, as above, however an auction will be set among the bidders to obtain highest and best price.
4. Board to approve method of sale and prepare and publish Notice of Public Hearing as to sale of properties in newspapers.
5. Auction date/sealed bid date to be set and advertized after public hearing.

Council Member Eddings asked that even with a sealed bid, can we stipulate that if the Town doesn't get x amount of dollars out of the property, it is not for sale.

Ms. Elliott stated that was her understanding.

President Tucker asked if the titles have been completed.

Ms. Elliott stated it was her understanding that they were complete and were good titles.

President Tucker asked Council Member Eddings where we go from here.

Council Member Eddings stated that he thinks the Old Fire House and Prather Lane Property, he didn't see any reason not to move forward with those and look at what we need to do to rezone the Villa Drive Property and then move forward with that. Use the same type of sale.

Council Member Eddings stated that he wouldn't let the legal work with the rezoning slow us up, go ahead and sell the other two pieces of property as soon as Mr. Murphy lets us know we have a clear title.



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Karen Elliott Addresses Council/Sellersburg Properties Cont.

Attorney McCall verified that the property must be appraised by two appraisers.

President Tucker stated that he doesn't mean to drag his feet, but as you can see we've been doing this for some time now and there's alot of pieces that have to fit.

President Tucker asked Mr. Eddings if within the next week to ten days that Mr. Eddings check with Mr. McCall who will check with Chuck, Chuck can check with Karen and everybody should figure out what to do next and come back with a recommendation whether we need to do a public auction, sealed bid or sealed bid plus final auction.

President Tucker stated hopefully by the next Town Board Meeting we can have some definate direction and make a vote to do something.

Dan Johnson Addresses Council/World War II Veterans Memorial Committee

Mr. Johnson passed out a proposal regarding the World War II Veterans Memorial Committee.

Mr. Johnson stated he was here to represent a World War II Veterans Memorial Committee. There are six members here in town who got together to provide for a monumnet to be added to the Tom Wilkerson Park in Sellersburg in honor of thirteen young men who gave their full measure of lively hood to preserve our Country during World War II.

Mr. Johnson stated that we propose and we asked the Park Committee for permission to do this, conversing with Dwight Hanger, he informed us that he has only two reservations.

1. Is stipulated that they are allowed to show us where to put this monumnet.
2. Is that we try to conform with the monumnet that is already present that honors the Vietnam Veterans.

Mr. Johnson stated that they had no problem with either of those. We are simply coming before you tonight to ask permission to place this monumnet in Wilkerson Park. If granted that permission we will start tomorrow to get the money to do this.

President Tucker stated that he didn't know what the monumnet looked like.

Mr. Johnson stated it would look very simular. It would be black granite. Tom Garr would sell it to them at cost.

President Tucker asked if they were taking donations.

Mr. Johnson stated yes, they will accept all donations and solicit businesses and you will see jars around town .

Motion made by Council Member Truman to approve the monumnet for World War II Veterans, seconded by Council Member Everitt.

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Dan Johnson Addresses Council/World War II Veterans Memorial Committee Cont.

Council Member Everitt stated he appreciated what you all have done. I just wish that we could go ahead and do something for World War I and Korean Veterans.

Mrs. Johnson stated it would be so hard to get the World War I Veterans, she stated she knew eleven of the thirteen men. She stated that she has worked on this for two years.

Council Member Truman asked what they anticipated this would cost.

Mr. Johnson stated between \$4,000.00 and \$8,000.00.

President Tucker stated he appreciated what they were doing.

Vote 4-0

Jerry Fuller From Solid Waste Management Addresses Council

Mr. Fuller passed out a brochure on curbside recycling.

Mr. Fuller stated that he wanted to let us know where we stand on curbside recycling. We do not at this time have a signed contract with BFI, so we can't give you a firm start date for the curbside program. We are shooting for the first or middle of April. If we can get a contract signed pretty quickly.

Mr. Fuller stated that when we do have a firm start date all of the people who will be included in the program will receive a direct mailing. We will have radio spots, cable, they will receive their 18 gallon recycling bin at least two weeks before the program starts. They will receive a bin which will include a pamphlet, a refrigerator magnet, it will state their collection date and also some information from BFI explaining the program. As soon as we have a good start date everyone eligible will be informed. All items that can be recycled will be put in the bin, they would like you to separate as much as possible. Newspapers need to be set aside if at all possible, please crush all items that can be crushed. These bins will be picked up every two weeks, an 18 gallon bin for a lot of families will not be sufficient. Any questions should be directed to Rucy Slight, she is running the program.

Council Member Truman asked what happens if your bin overflows every two weeks.

Mr. Fuller stated if they want to be our best friends they can go buy an additional bin themselves, otherwise they can call us and we will supply them with an additional bin. We will make sure that anyone who need an additional bin gets an additional bin.

Mr. Fuller stated that we went to every other week collection to try to save money, if it comes a time that bi-weekly collections is simply not doing the job, we will go to weekly to get the job done. That would entail additional cost. We will start out modest and if we have to upgrade we will.

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Jerry Fuller From Solid Waste Management Addresses Council Cont.

Mr. Fuller stated that one other item is the yard waste ban coming up really for municipalities at the end of June and landfill ban starts the end of September.

Mr. Fuller stated that you and your municipal collection people need to be thinking about it. You need some kind of separate collection system in place by the end of June, by law, at the end of June it will be illegal to mix garbage and yard waste in the same can. When the garbage man comes along and takes the lid off the can and he sees any yard waste at all, he can't touch it. He can't put it in his truck because if he does, that truck can't get into the landfill. So you need to have a separate collection system in place by the end of June. If there's anything the Solid Waste Management District can do to help you, we will be glad to do so.

Mr. Fuller stated when you get a system in place we will try to publicize it, to make people aware of what is going on. Clarksville and Jeffersonville have pretty much decided what they are going to do. They haven't made a formal move on it.

President Tucker asked what Clarksville and Jeffersonville were going to do.

Mr. Fuller stated that Jeffersonville is looking at implementing a separate tag program, in other words, a separate collection for yard waste and yard waste has to be either in a permanent container or a kraft bag container. No polyethylene bags, they can't get into the composting facility. This is the direction they are moving. It would have to have a special tag issued by the City and that tag would be purchased at their office, grocery store or hardware store. The cost of that tag covers the cost of the separate collection system

Mr. Fuller stated that Clarksville is looking at a similar program.

President Tucker asked, what is a kraft bag?

Mr. Fuller stated that it is like a brown paper bag that you use to get at the grocery store. Composting facilities will not accept plastic bags. Kraft bags complement the composting process. The kraft bags will counteract the high nitrogen content of the grass and reduce the odor problem.

Mr. Fuller stated that the Solid Waste Management District has asked for bids from private vendors to supply the county with commercial yard waste composting services. We are trying to get the best price and a facility that will be reasonably close. Hopefully that decision will be made in the next two weeks.

Gib Smart Addresses Council/Central Benefits

Mr. Smart passed out handouts to the Board regarding health insurance.

Mr. Smart stated that he was with the Bolly Insurance Agency and he knew that it was at this time of the year that the city health plan was up for renewal.

(A copy of this proposal is attached)

President Tucker thanked Mr. Smart and stated that he would look over this proposal and get back with Mr. Smart.

# Central Benefits

February 10, 1994

To the Management of SELLERSBURG TOWNSHIP:

The major cost components of health care are claims and the administrative expenses associated with processing those claims. Central Benefits has the experience and knowledge necessary to help you manage your health care dollars by providing cost-effective benefit options that will control both the cost and administration of your employees' claims.

Central Benefits, and your broker, are dedicated to helping you design a benefit package that will both manage cost and help you attract and retain talented employees. Our Custom product offerings give you the opportunity to customize a benefit package that corresponds to your desired level of risk assumption and benefit costs.

Below are just a few advantages Central Benefits can offer your organization in relation to benefits administration and fiscal stability:

- 1) Service - Our claims administration team, on average, pays claims in 8 days or less. 99% of customer inquiries are resolved within two days. The majority of phone-in customers are connected immediately.
- 2) Managed Care - Central Benefits' INFORM program, which includes Preadmission Review, Second Surgical Opinion, Case Management, and Discharge Planning, helps control medical and surgical costs.
- 3) Experience - Central Benefits has 55 years experience in insuring, administering, and managing health care benefits.
- 4) Stability - Central Benefits has earned an "A" Claims Paying Ability rating from the highly respected Duff & Phelps rating agency. Central Benefits has financial reserves of \$78 million, an assets to liabilities ratio of 1.9 to 1, and ranks among the nations top traditional health insurers in financial strength.
- 5) Secure Investments - 93% of investable assets are entrusted to U.S. Government and investment grade securities. The remaining 7% is invested in blue-chip equities.

We at Central Benefits are proud of the tradition of service and stability our longtime customers have enjoyed. We would be pleased to have SELLERSBURG TOWNSHIP as our newest customer.

This proposal is presented in partnership with  
The Gemini Group  
and  
GIB SMART

# Central Benefits

RATED 02/10/1994  
Eff. 03/01/1994

Group Insurance Proposal for  
SELLERSBURG TOWNSHIP

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Log# 027154601

Benefit Provisions: PPO III - LOUISVILLE - PHP

## COVERED SERVICES:

Inpatient Hospital	Human Organ Transplants
Outpatient Hospital	Outpatient Physical Therapy
Medical/Surgical Care	Skilled Nursing Facility
Ambulance	Private Duty Nursing
Medical Supplies and Equipment	Temporomandibular Joint Dysfunction
Maternity	Home Health Care
Psychiatric	INFORM (Managed Care Program)
Alcoholism	Drug Addiction

## ADDITIONAL BENEFITS:

Supplemental Accident - 100% to \$1,000 Per Accident Maximum  
Outpatient Surgery - 100%  
Outpatient Diagnostic X-Ray and Lab - 100%  
Employee Physicals - 100%; 1 Per 1 Years - \$500 Maximum  
Well Child to age 16 - 100%  
Outpatient Physical Therapy - \$3,000 Annual Maximum  
Ambulance - \$2,000 Annual Maximum  
Mammography

The 100% coverage feature on any benefit, excluding APD, Vision Exams, and Supplemental Accident, will apply to In-Network Services only. Out-of-Network Services will be subject to the appropriate deductible & co-insurance.

## COVERAGE:

Covered Services and Additional Benefits are subject to employer selected deductibles, co-insurance options, as well as the limits described on the following page.

## EXCLUDED BENEFITS:

Prescription Drugs - See PRESCRIPTION DRUG BENEFITS:

## DEDUCTIBLES and CO-INSURANCE:

Deductible - \$100 per person per benefit year,  
\$200 family maximum per benefit year.

### Co-Insurance:

In-Network - 90%/10% of \$2,000 per person per benefit year,  
90%/10% of \$4,000 family maximum per benefit year.  
Out-of-Network - 70%/30% of \$2,000 per person per benefit year,  
70%/30% of \$4,000 family maximum per benefit year.

### Out-of-Pocket Maximum:

\$700 per person per benefit year plus \$12 for every Preferred Provider Office Visit,  
\$1,400 family maximum per benefit year plus \$12 for every Preferred Provider Office Visit.

*Central*  *Benefits*

RATED 02/10/1994  
Eff. 03/01/1994

Group Insurance Proposal for  
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Benefit Provisions Continued:

EMPLOYER FINANCING:  
Fully Insured

# Central Benefits

RATED 02/10/1994  
Eff. 03/01/1994

Group Insurance Proposal for  
SELLERSBURG TOWNSHIP

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Log# 027154601

## Benefit Provisions Continued:

### BENEFIT LIMITS:

All Items combined (Per Person)	\$3,000,000	lifetime
Human Organ Transplants	\$250,000	lifetime
Acquisition of Human Organ	\$10,000	lifetime
Private Duty Nursing	\$5,000	per year
Skilled Nursing Facility	30 Days	per year
Temporomandibular Joint Dysfunction	\$500	per year
Ambulance Services (Surface and Air)	\$2,000	per year
Outpatient Physical Therapy	\$3,000	per year
Well Child		to age 16
Inpatient Psychiatric, Alcoholism, and Drug Addiction (Combined)	\$7,000	per year
Outpatient Psychiatric	\$2,000	per year
Outpatient Alcoholism and Drug Addiction (Combined)	\$2,000	per year

### EXCLUSIONS:

No coverage will be provided for Pre-existing conditions until the individual with the condition has been continuously covered under the plan for a period of twelve months. A Pre-existing condition is a condition or illness for which medical treatment was recommended or received from a physician during the six months prior to the individual's effective date. There is a one year waiting period for both Voluntary Sterilizations and Human Organ Transplants.

Initial enrollees covered under the prior group plan, with no lapse in coverage, will receive credit towards the Pre-existing condition and Voluntary Sterilization waiting periods for the number of days covered under the prior plan. No credit is applied towards Human Organ Transplants.

The Benefit Provisions above are intended to be illustrative and not comprehensive. Upon your acceptance of this proposal, and Central Benefits' approval of your group application, a group policy and individual certificates will be issued and should be consulted for exact benefits and exclusions.

# Central Benefits

RATED 02/10/1994  
Eff. 03/01/1994

Group Insurance Proposal for  
SELLERSBURG TOWNSHIP

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## ANCILLARY COVERAGES:

### PRESCRIPTION DRUG BENEFITS:

#### PCS drug card.

Includes Legend drugs (drugs which bear the legend "Caution: federal law prohibits dispensing without a prescription"), insulin and insulin syringes/needles when prescribed and dispensed at the same time as the insulin. Acute care drugs are limited to a 30 day supply and 1 refill.

#### Mail-Order Drugs (HCS).

Includes a 90 day supply of maintenance prescriptions for Legend drugs. Maintenance drugs must be obtained through this mail-order program (90 day supply) where a co-payment will be applied.

For both PCS and HCS, brand name drugs will be reimbursed at the generic maximum allowable cost unless the physician specifies "Dispense as Written".

#### Employee Cost Sharing:

PCS Per Prescription Co-Payment - \$10  
Annual Maximum - \$2,000

Mail-order (HCS) Per Prescription Co-Payment - \$5.00  
Annual Maximum - \$5,000

### DENTAL BENEFITS:

Includes Preventive services, Basic Restorative services and Major Restorative services.

#### Employee Cost Sharing:

Deductible - \$50 per person per benefit year,  
\$150 family maximum per benefit year.

Co-Insurance - 80%/20% Basic, 50%/50% Major.

Aid to Preventive Dentistry - 100% Co-Insurance.

Annual Maximum - \$1,000 per person per benefit year.



*Central*  *Benefits*

RATED 02/10/1994  
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Group Insurance Proposal for  
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LIFE & DISABILITY BENEFITS:

Life & Accidental Death and Dismemberment:

Class 1 - \$15,000 Term Life benefit

35% reduction of face value at age 65,

Terminates at retirement.

# Central Benefits

RATED 02/10/1994  
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Group Insurance Proposal for  
SELLERSBURG TOWNSHIP

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Cost Summary  
=====

	Covered Persons	Rate	Monthly Cost	Annual Cost
Medical Benefits	15 Employee-Ee	\$112.30	\$1,684.50	\$20,214.00
	2 Ee/Spouse	\$220.28	\$440.56	\$5,286.72
	0 Ee/Children	\$214.31	\$0.00	\$0.00
	7 Ee/Sp/Chdn	\$346.65	\$2,426.55	\$29,118.60
			\$4,551.61	\$54,619.32
Sub-Total				
PCS/HCS Drugs	15 Employee-Ee	\$10.51	\$157.65	\$1,891.80
	2 Ee/Spouse	\$17.42	\$34.84	\$418.08
	0 Ee/Children	\$14.93	\$0.00	\$0.00
	7 Ee/Sp/Chdn	\$25.29	\$177.03	\$2,124.36
			\$369.52	\$4,434.24
Sub-Total				
Dental	15 Employee-Ee	\$12.49	\$187.35	\$2,248.20
	2 Ee/Spouse	\$23.55	\$47.10	\$565.20
	0 Ee/Children	\$23.01	\$0.00	\$0.00
	7 Ee/Sp/Chdn	\$34.20	\$239.40	\$2,872.80
			\$473.85	\$5,686.20
Sub-Total				
Health Total			\$5,394.98	\$64,739.76
			=====	=====

Term Life/AD&D (Based on 24 Contracts)  
Rate: \$0.29/1,000 (\$0.21/\$0.08 per \$1,000)  
Total Volume: \$360,000

	\$104.40	\$1,252.80
Total Health and Life Premiums	\$5,499.38	\$65,992.56

This proposal assumes an effective date of March 01, 1994 with rates to renew February 28, 1995; subject to the terms and conditions of the group policy. Rates quoted are available through April 01, 1994 and are subject to approval by Central Benefits' Underwriting and Issue Department. It is important that you do not cancel your current coverage until you receive written confirmation of your acceptance for coverage and approval of your rates by Central Benefits. Central Benefits must receive all required paperwork by the above effective date.

The rates illustrated above were generated on Version 7.01 and are for illustration only. These rates are based on initial census and health

*Central*  *Benefits*

RATED 02/10/1994  
Eff. 03/01/1994

Group Insurance Proposal for  
SELLERSBURG TOWNSHIP

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condition information as supplied to Central Benefits. Final rates are subject to change, and approval of benefits and rates available will be made by Central Benefits based on all data that Central Benefits deems relevant. Central Benefits will notify you, in writing, of the final rates approved for your group.

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Don Brown Addresses Council

Mr. Brown stated that he had a couple of things, I'm kind of behind due to being incompasitated and thanked all for their concern.

Mr. Brown stated that he was wondering if you had hired a utility consultant yet, someone to manage the utilities.

President Tucker stated not yet.

Mr. Brown asked about the new building by Taco Bell and if it was in Town.

President Tucker stated it is in Town and it will be a Dairy Mart.

President Tucker asked Building Commissioner Steve Prather if they were going to close the Dairy Mart by PNC Bank.

Mr. Prather stated not to his knowledge.

Stephen D. Prather, Building Commissioner Presents Claims

Steve Prather, Building Commissioner presented his claims from February 15, 1994 thru February 28, 1994, in the amount of \$423.00.

President Tucker requested a motion to approve the claims presented by Mr. Prather.

Motion made by Council Member Truman to approve claims and seconded by Council Member Everitt.

Vote 4-0

John Toombs Addresses Council

Mr. Toombs stated for the record we have received a hugh envelope which is now folded up in this folder from the Bureau of the Census wanting us to update the boundary of Sellersburg.

Mr. Toombs stated also a copy of a letter regarding a corrective action plan, that we need between now and June to get sump pumps off of sewers, and down spouts off sewers.

Chief Dave Kinder stated that the down spout at Utica and St. Paul's came loose and is causing a problem. When it freezes there is ice on 31 and the same problem at Georgian and Ohio.

President Tucker stated he knows John has heard about those, he doesn't know if John has an answer for that.

Mr. Toombs stated he has an answer for anything. If you've got enough money, I can supply the answer.

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John Toombs Addresses Council Cont.

Mr. Toombs stated the other thing I have is the State will take bids in May for the Holmans Lane, Allison Lane, State Road 62 interchange intersection improvement. What that means is we are going to need to spend about \$25,000.00 to lower our two main transmission mains, this was discussed in 1992. We need to formalize what we need to do.

Mr. Toombs stated also there are several little sanitary sewer projects that we formulated.

Don Brown stated you mentioned there are three houses not on sewer.

Mr. Toombs stated thats right on Renz Ave.

Mr. Brown asked if anybody from the Town has gone around to check if everybody's on sewers like they are suppose to be.

Mr. Toombs stated yes they have.

Mr. Brown stated he may have a problem on his property.

Mr. Toombs stated to Mr. Brown, if you call Rick Wheeler, he will look into that.

Attorney McCall Addresses Council/Voucher From John Kupke

Mr. McCall stated he had a voucher from John Kupke concerning services provided as a Consultant to us for Pixley vs. Town of Sellersburg in the amount of \$848.16. The total fee is at the bottom, Jeff Hansford has agreed to reimburse the Town.

Motion made to approve this bill for \$848.16 by Council Member Eddings and seconded by Council Member Broady.

Vote 4-0

Attorney McCall Presents Ordinance 94-586/Hazardous Waste Disposal in the Town of Sellersburg

Attorney McCall stated that the last time I was here I was asked to prepare an ordinance regarding Hazardous Waste Burning in the Town of Sellersburg, for you consideration, in order to approve this on the first reading you would have to approve this and then vote on the ordinance itself.

Motion made to consider Ordinance 94-586 by Council Member Eddings and seconded by Council Member Truman.

Vote 4-0

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Attorney McCall Presents Ordinance 94-586/Hazardous Waste Disposal in the Town of Sellersburg Cont.

Motion was made to approve Ordinance 94-586/Hazardous Waste Disposal in the Town of Sellersburg by Council Member Eddings and seconded by Council Member Truman.

Council Member Truman asked didn't the County do this as part of their zoning ordinance.

President Tucker stated yes, but we had already put our zoning ordinance together so we just did it as a separate ordinance.

Council Member Truman asked what about enforcing it.

Attorney McCall stated that basically it was his understanding that you just wanted the ordinance, going back to the minutes where it said we would do this, we can do it through planning and zoning.

Council Member Truman stated he is in favor of it, he's just concerned about having an ordinance that says you can't do something but there's no way to do something about it.

Attorney McCall stated this has no teeth in it.

President Tucker stated we have nothing in Town at this point to sink our teeth into.

Attorney McCall stated at some point, you would be better to try to get this into your zoning ordinance in the near future.

Vote 4-0

Attorney McCall Addresses Council/ Police Commissioner's Appointment Dates

Attorney McCall stated he was asked again to go back and look at the appointments of the Police Commissioners, how they exist and what there appointments should be. Basically without hesitation I can say that every since we've started this it's been screwed up, to say it bluntly.

Attorney McCall stated it's always been wrong. However, we did come up with Linda Stewart and Danny Vogel were appointed in 1989 to begin on January 1st of 1990, therefore on December 31st of 1992 they would be up for reappointment. If they were reappointed it would have to be for a three year term. You have no staggered system as to the two other members of the five member commission. It was expanded to five members in 1985 and then again in 1989. I think Roy might be able to back me up on this, the request was made to expand the commission to five members. It was done at that point. The expansion was made in 1984 to take effect in 1985.

Attorney McCall stated that the three year term, each members terms is to begin on January 1st of the year following their appointment. They were appointed January 5th 1984, so it would begin in 1985 for a three year term at that point it wasn't staggered.

Attorney McCall Addresses Council/Police Commissioner's Appointment Dates

Attorney McCall stated that who every replaced those people it would be for a three year term, so when new people come in if they replace someone or someone resigns or whatever, you don't give them a three year term, they fulfill the term that they are here to replace and give them a three year term on expiration.

Council Member Truman stated that's been one of the problems. When someone fills a vacancy it's never specified that they are filling a vacancy.

Attorney McCall stated that's absolutely right. I suggest this, hear me out, you can agree or not agree. Also in order, let's say that someone's position comes up that they are reappointed and they will get an automatic reconsideration for appointment unless the Town Council removes them from that particular position. It can be for any reason according to the statute. So lets say that someone comes up and there's another Board Member that wants to appoint someone different. Action would have to be taken to remove that one person to seek the other appointment. That's the way I read the Statute.

Attorney McCall stated that I believe that Linda Stewart and Danny Vogel's term should be from 1993 to 1996, a three year term. I believe that Earl Bonneville's term will expire in 1995. Action should be taken by the Town Council to make either Ed Denton's term expire in 1994 and consider him for another appointment to 1997 or vice versa on Bill Paschal.

Attorney McCall stated that way you will have your staggered system on the original three, you have the three year system on the two that was appointed in 1990.

Council Member Everitt stated that your figures, 1989, 1990 is when we went back to three, they let five commissioners go.

Attorney McCall stated that I understand that. What I'm saying is you have a five member commission that you have to fill. You can't change it until you do some legislation to change it back. You've made it that that's what it is, it's going to be that. I didn't find anything in the legislation that said it went back to a three member commission.

Council Member Everitt stated there's an ordinance passed where it went back to three and it should of been there.

Council Member Everitt stated then what you're doing is giving everybody an additional year as you've done in the past.

Attorney McCall stated we are not trying to do that. What I'm trying to do is basically get the original three staggered in a system where they would be appointed, so you would have not every term expiring at the same time. I'm looking at this memo here, you've got four year terms.

Council Member Everitt stated there was never a four year term. It states in the Statute 1, 2, & 3.

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Attorney McCall Addresses Council/Police Commissioner's Appointment Dates Cont.

Attorney McCall stated you have a 1 year term, a 2 year term and a 3 year term when it is initially created. After that one year term is up, that person is eligible for a three year appointment. Then the next one, the two year person, then the three year. You have one person serving six, one serving five, and one serving four years total. These are the original three. Then if you want you expand the Board by ordinance to five members. If you want to, that can be a staggered system if you do it by ordinance originally. The Town Council did not do that. They simply appointed it to a five member board and didn't stagger it. Therefore those two individuals are serving three year terms, both of them. Upon expiration of the three year term they will be eligible for another three year term. Those two individuals, I believe are Linda Stewart and Danny Vogel, based on what I can read. The other individuals, Paschal and Denton, I can't find anything that says when they started. They replaced someone, so when they replace someone, were they given another term?

Clerk Treasurer Schafer stated a four year term.

Attorney McCall stated they can't get a four year term.

Clerk Treasurer Schafer stated that was what they were given.

Council Member Truman asked what was wrong with the schedule like we got it.

Attorney McCall stated he didn't know what the schedule is, like you've got it.

Council Member Truman stated the last one we approved.

Attorney McCall asked what it that?

Council Member Truman stated it's in the minutes, I don't have my minutes.

Council Member Everitt stated he thought what Stan had done was move everybody up one year.

President Tucker stated that a month and a half ago he tried by reading all of that, to determine who was on first and what was on second.

Clerk Treasurer Schafer presented a copy of the January 1993 minutes.

Council Member Truman asked what was wrong with Stan's last proposal? My question is we just dealt with this two months ago.

Attorney McCall asked what was the decision?

Council Member Truman asked what was the decision?

President Tucker stated he didn't remember what the minutes stated.

Council Member Truman stated we reset some dates.



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Attorney McCall Addresses Council/Police Commissioner's Appointment Dates Cont.

President Tucker stated Linda and Danny were to expire in December 1994. Earl in 1995 and Ed and Bill in 1996.

Council Member Truman stated why can't we leave it like it is. Why is this such a big deal.

Council Member Everitt stated because the State Board of Accounts says you can't give additional years.

Council Member Truman stated we are not giving additional terms. When did the State Board of Accounts become our legal advisors.

Council Member Truman made a motion to leave it the way it is, the way it was approved two months ago and close the book on this thing.

Council Member Everitt stated he wanted to know who's getting what years. As of January 1st on 1990 is when Mr. Vogel and Ms. Stewart took office so she's been in there four years.

Council Member Truman stated we just dealt with this two months ago.

President Tucker stated the motion is to leave what we have in place, do I have a second on that.

Council Member Truman stated on what we decided two months ago.

Motion seconded by Council Member Broady.

The motion is that what we decided two months ago, I'm going strictly from memory, I don't know if it's correct that Linda Stewart and Danny Vogel's term expire in twelve of 1994, stated President Tucker.

Council Member Truman stated that if you say something wrong Stan, it's going to be in the minutes, conflicting with what we did previously.

Attorney McCall stated, pull the minutes.

President Tucker stated they were not at the meeting.

Council Member Truman stated the minutes were the minutes.

President Tucker stated the minutes of January 1994 meeting and was asked which one.

Clerk Treasurer Schafer stated she could find it.

Attorney McCall stated we've spent this much time on it, it must of been important to someone.

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Attorney McCall Addresses Council/Police Commissioner's Appointment Dates Cont.

President Tucker stated there is a motion on the floor that:

Vogel and Stewart's term expire 12-31-94  
Earl Bonneville term expire 12-31-95  
Paschal & Denton's term expire 12-31-96

Vote 3-1, with Council Member Everitt voting against.

Council Member Eddings Addresses Council/\$75,000 Build Indiana Grant

Council Member Eddings asked Clerk Treasurer Schafer if she had gone to Indianapolis today.

Clerk Treasurer Schafer stated yes she did.

Council Member Eddings asked her to give a report on this.

Clerk Treasurer Schafer stated if the Legislative Session was not in a meeting, we could have the money in a week. The paperwork was in order and she requested the \$75,000.00 complete. The documents were in order. This money was from the Build Indiana Fund, it's free money, well Mr. Kinder and I worked for it. He was very supportive.

Chief Dave Kinder state that Linda and her staff are to be complemented, they worked hard, they went through boxes, more than I'd of done, believe you me.

Clerk Treasurer Schafer stated he did as much work, he did alot of work to help, so I want to thank Mr. Kinder.

President Tucker stated he'd like to thank them both and all of the members of the staff.

Council Member Truman Addresses Council/Soliciting Insurance

Council Member Truman asked if we were going to solicit proposals for the other insurance also.

President Tucker stated if I'm not mistaken, we made a motion last year to not solicit insurance for two years which means 1994 and 1995.

Council Member Truman stated I did, I don't remember that.

Council Member Truman Addresses Council/Codification And Zoning Books

Council Member Truman stated he had a question on the codification and zoning books. Where are those, we talked about getting extra copies.

Clerk Treasurer Schafer stated that she had called her three times already. Mr. Prather can verify, he was there when I called, she has not returned my calls. Maybe President Tucker can be more effective.

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Council Member Everitt Addresses Council/Variable Housing Meeting

Council Member Everitt stated that on March 11 there will be a meeting at the Elk's Club in Seymour about variable housing at 10:30 a.m.

Council Member Everitt asked can anyone on the Board go to that.

President Tucker asked if Mr. Prather could possibly go.

Building Commissioner, Steve Prather stated he could possibly go.

Council Member Everitt Addresses Council/Paving

Council Member Everitt stated that paving the streets this year I would like to pave New Albany Street from 31 to the American Legion but we need to mill the street. I've already talked to a couple of people on it. Mark Warren has been informed that we need to get some drains by the church, down by the park, in front of the bank, we got two places that there's got storm drains that needs to be redone. Sidewalks, can the Town maybe work with the merchants along New Albany Street on both sides and also from 31 down to New Albany, where the License Branch is now, you can't see the sidewalk. I was wondering if maybe, we could work with the merchants to replace the sidewalks.

President Tucker stated he knew there's a certain amount of money in the budget to do the streets. I don't remember that number off the top of my head. Generally you kind of choose the streets that you want done.

Council Member Everitt stated I and Mark.

President Tucker stated his suggestion is that you can get some numbers from whomever, Gohmann, K & I, Libbs, Striegel or whoever to do that kind of thing and kind of come back and say this is what I want to do with the money this year.

Council Member Everitt stated at this time he's only going to work on the one street for the first part of the year.

Council Member Everitt asked what is the Boards opinion on talking with the Merchants on the sidewalks.

President Tucker stated that's fine.

Council Member Everitt Addresses Council/Clean Up, Fix Up Day, April 6

Council Member Everitt stated on April 6th from 8:00 a.m. to 3:00 p.m. students will be available to work in the Park. They are going to clean the High School and do work in the buildings. If you have a job you might contact the Principal. Silver Creek High School on April 6th, it's clean up, fix up day.

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Clerk Treasurer Presents Claims For This Meeting

Clerk Treasurer, Linda Schafer presented her claims for this meeting in the Civil, Sewer and Water Departments for the last two week period.

Motion was made by Council Member Broady and seconded by Council Member Eddings to approve the claims as presented.

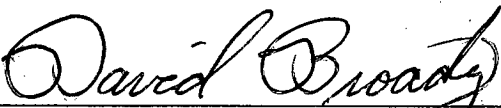
Vote 4-0


Adjournment


Motion was made by Council Member Eddings to adjourn the meeting and seconded by Council Member Everitt.

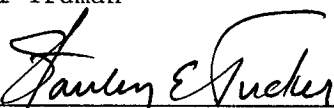
Vote 4-0

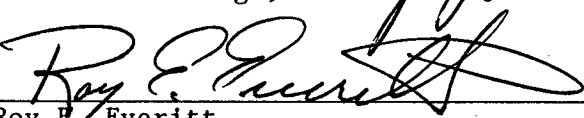
With no further business this meeting was adjourned by President Tucker at 7:47 p.m.

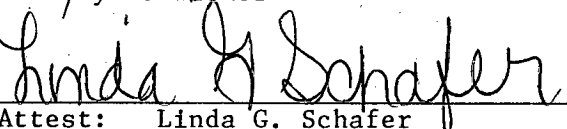
  
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David Broady

  
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Karl Truman

  
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Aulton D. Eddings, Jr.

  
\_\_\_\_\_  
Stanley E. Tucker

  
\_\_\_\_\_  
Roy E. Everitt

  
\_\_\_\_\_  
Attest: Linda G. Schafer  
Clerk Treasurer