

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
January 10, 2005**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 10, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trir ette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:02 P.M.

**TOPICS OF DISCUSSION:**

Received information about and interviewed prospective employee. Authorized by I.C 5-14-1.5-6.1-(b)(5).

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

Pending or threatened litigation as authorized by I.C. 5-14-1.5-6.1(b)(2)(B).

No subject matter was discussed in the executive session other than the subject matter specified in the public notice.


Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, meeting adjourned at 7:14 P.M.

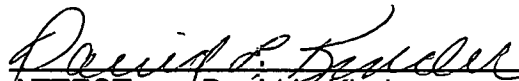
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

January 10, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on January 10, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Council Member Trinetta S. Imhof, Council Member Michael N. Lockhart, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:14 P.M.

### PRAYER:

Reverend Dale Offett, Sellersburg Church of Christ offered the prayer.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### REGULAR BUSINESS:

President Reiter states the first order of business is nomination of officers for the coming year.

Michael N. Lockhart nominates Douglas J. Reiter for president of the council, seconded by Jacques S. Smith.

Michael N. Lockhart makes a motion that Douglas J. Reiter be president of the council for the year, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved

Jacques S. Smith nominates Michael N. Lockhart to serve as vice-president of the council, seconded by Paul J. Rhodes.

Jacques S. Smith makes a motion that Michael N. Lockhart be vice-president of the council for the year, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** now opens the Public Hearing on Sewer Improvements.

**MELISSA J. WOODS, (Community Development Specialist, River Hills Economic Development District and Regional Planning Commission);** addresses the Council and audience about a grant she is helping to obtain for sewer improvements for the Town of Sellersburg. This grant is for \$500,000.00 (five hundred thousand dollars) and comes through the Indiana Department of Commerce.

Kenneth A. Alexander, Utility Administrator for the Town of Sellersburg, then explains how the grant will be implemented.

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Jacques S. Smith makes a motion to close the Public Hearing on Sewer Improvements, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter closes the Public Hearing at 7:58 P.M. and re-opens the regular meeting.

Melissa J. Woods, Economic Development District and Regional Planning Commission, presents a **RESOLUTION R2005-002, AUTHORIZING THE SUBMITTAL OF THE CFF APPLICATION TO THE INDIANA DEPARTMENT OF COMMERCE AND ADDRESSING RELATED MATTERS**, for the Downtown Revitalization Plan.

Michael N. Lockhart makes a motion to approve R2005-002, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** states the Council will now complete Board appointments for the coming year.

He asks Jacques S. Smith about the Police Commissioners since it is short a member. Jacques S. Smith states Jo Ann Kime has submitted a letter requesting appointment.

Jacques S. Smith makes a motion to approve Jo Ann Kime to be appointed to the Police Commission in 2005, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved. (This is a 3-year appointment, by statute).

President Reiter then assigns Council Members over Town Departments. Douglas J. Reiter will supervise the Sewer Department; Michael N. Lockhart will supervise the Street and Sanitation Departments; Jacques S. Smith will supervise the Police Department; Paul J. Rhodes will supervise the Water Department and is appointed to the Plan Commission and Trinette S. Imhof will supervise the Parks and Recreation Department.

Jacques S. Smith makes a motion to make these appointments, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**TRINETTE S. IMHOF** makes a motion to appoint Glennis Wisdom to the Parks and Recreation Department, seconded by Jacques S. Smith. After discussion Trinette S. Imhof withdraws her motion, Jacques S. Smith withdraws his second and this matter is tabled until the February 14, 2005 Town Council meeting.

Michael N. Lockhart makes a motion to accept letters of interest in any of the Town Board positions to the Clerk-Treasurer's Office by January 31, 2005, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved. (This will be advertised in the Evening News and The Leader).

Michael N. Lockhart makes a motion to retain the current members of the Zoning Appeals Board, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Regular Town Council Meeting**  
**January 10, 2005**  
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Jacques S. Smith makes a motion to retain the present members on the Police Commission with the addition of Jo Ann Kime, who was just appointed to the Commission, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to retain the present members of the Plan Commission, with the addition of Paul J. Rhodes, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to retain the present members of the Parks and Recreation Board, with the exception of Joseph Ledbetter, Jr. who has moved out of Town, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to retain the present members of the Technical Review Board, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Have a request for the Sellersburg Housing Authority for the appointment of Larry Nadeau to their Board. This appointment will be tabled until the February 14, 2005 Town Council Meeting.

Jacques S. Smith makes a motion to appoint Kenneth J. Alexander to the River Hills Economic Development District and Regional Planning Commission, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**NATHAN R. GRIMES** representing Scott, Steve and Krystal Williams reference Tax Abatement for a building at 503 Progress Way. After discussion this will be tabled until the February 14, 2005 Town Council Meeting.

**PRESIDENT REITER** presents the bills as submitted by the Clerk-Treasurer.

Michael N. Lockhart makes a motion to approve paying the bills as submitted, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter presents the minutes from the Town Council Meeting of December 13, 2004.

Jacques S. Smith makes a motion to approve the minutes of the December 13, 2004 Town Council Meeting as written, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

President Reiter presents enlargement of participation in the Public Employees' Retirement Fund. Council approval is given.

President Reiter says the Utility Administrator has requested the installation of an Auto-dialer at the lift station on highway 60-lift station #5, for \$3,900.00 (three thousand nine hundred dollars).

Jacques S. Smith makes a motion to approve the purchase and installation of an Auto-dialer for the lift station for \$3,900.00 (three thousand nine hundred dollars), seconded by Michael N.

**Regular Sellersburg Town Council Meeting**  
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Lockhart.

Paul J. Rhodes makes a motion to reimburse EMC (Environmental Management Corporation) \$1,897.40 (one thousand eight hundred ninety-seven and 40/100 dollars) for the Air Compressor installed at the sewer plant, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to pay Delta Electric Company, Inc \$1,836.60 (one thousand eight hundred thirty-six and 60/100 dollars) for the installation of the air compressor at the sewer plant, seconded by Jacques S. Smith. 5-aye, 0-nay motion approved.

President Reiter states that the motion to pay Delta Electric Company, Inc. needs to be amended because the bill was \$1,813.60 (one thousand eight hundred thirteen and 60/100 dollars), not the \$1,836.60 (one thousand eight hundred thirty-six and 60/100 dollars).

Trinette S. Imhof makes a motion to correct the motion to be \$1,813.60 (one thousand eight hundred thirteen and 60/100 dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** request a motion to purchase 40 (forty) STORC connectors to the fire hydrants.

Trinette S. Imhof makes a motion to purchase 40 (forty) STORC connectors at a price of \$115.00 (one hundred fifteen dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**R. THOMAS LOWE, (Town Court Judge):** Request the contracts with the service provider for the Defensive Driving Program, it is the same provider that did it in 2004, it is the same contract fees \$25.00 (twenty-five dollars) per person, with a \$10.00 (ten dollar) re-schedule fee.

In addition, both the Defensive Driving Program and the Alcohol Education Program are important to the Court.

Jacques S. Smith makes a motion to approve the contract of Lonnie Cooper for the Defensive Driving Program, retroactive until January 1, 2005 through December 31, 2005, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to accept the contract of Scott Lewis for the Alcohol Education Program, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to permit the present Alcohol Education Program provider to finish the classes for those persons already signed up for the class at this time, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**WILLIAM P. BRADSHAW, (Chief of Police):** Requests that the pay for Barbara Farnsley,

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Police Dispatcher, rehired, is paid at a salary of \$13.28 (thirteen and 28/100 dollars) per hour. That the Council approves the hiring of James Flemming as a dispatcher for the Police Department at an hourly rate of \$12.50 (twelve and 50/100 dollars) per hour.

William P. McCall, III, Town Attorney, advises to go ahead and approve the salaries increases and we will prepare and Ordinance, **Ordinance 2005-001**, to ratify the action at this meeting.

Jacques S. Smith makes a motion to increase the salary for Barbara Farnsley to \$13.28 (thirteen and 28/100dollars) per hour and to have the Salary Ordinance amended at the next Town Council Meeting retroactive to January 5, 2005 and hire James Fleming as a dispatcher at the hourly rate of \$12.50 (twelve and 50/100 dollars), seconded by Michael N. Lockhart

**PRESIDENT REITER**, states at the recommendation of the Chief of Police and the Police Commissioners that a Resource Officer be hired for the police department.

Jacques S. Smith makes a motion to approve Resource Officer John Corti, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**NATHAN GRIMES, (Building Commissioner)**: Presents his Building Commissioner report for December and asks if there are questions.

The Overton building was checked by me and Jacques (Smith) and the Overton's have a contract with TGO Construction to tear down part of the building around the first of February.

**KENNETH J. ALEXANDER, (Utility Administrator)**: Presents a sewer adjustment for James Benson for \$284.24 (two hundred eighty-four and 24/100 dollars). This was for watering of his new sod.

Michael N. Lockhart makes a motion to approve the \$284.24 (two hundred eighty-four and 24/100 dollars) sewer adjustment for James Benson, 12308 Vardon Vista, seconded by Paul J. Rhodes. 4-aye, 1-abstains. President Reiter polls the Council: Imhof, yea; Rhodes, yea; Reiter, yea; Lockhart, yea and Smith abstains. Motion approved.

Alexander presents three bills from Jacobi, Toombs and Lanz Engineering: Invoice number 05-1461, Sellersburg WWTP and system study \$1,225.00 (one thousand two hundred twenty-five dollars) payable from Sewer Tap-In fees. Invoice 05-1462, West Creek subdivision and general area drainage (5 areas) \$220.00 (two hundred twenty dollars) from Storm Drain account. Invoice 05-1463, State Road 311 – INDOT Utilities \$1,535.00 (one thousand five hundred thirty-five dollars payable between Water and Sewer accounts.

Paul J. Rhodes makes a motion to approve paying these three invoices, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents **ORDINANCE 2005-002,**  
**ORDINANCE AMENDING THE TOWN OF SELLESBURG TRAFFIC CODE.**

Jacques S. Smith makes a motion to consider Ordinance 2005-002, on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-002 on the first reading, seconded by Michael N. Lockhart.

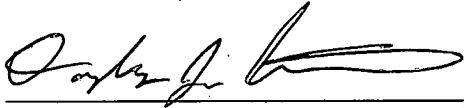
McCall presents an *AGREEMENT BETWEEN THE TOWN OF SELLESBURG AND JOHN ZURSCHMIEDE, D/B/A THE FIELDS OF PERRY CROSSING TO PROVIDE FOR PREPAYMENT OF SEWER TAP-IN FEE AND ....*

Michael N. Lockhart makes a motion to sign the agreement with John Zurschmiede, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

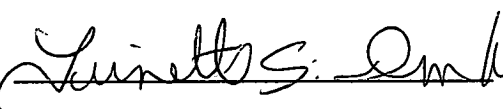
**TRINETTE S. IMHOF, (Council Member):** acknowledges Terry Langford for getting Christmas Decorations donated from Target to the Town for next years Christmas decorating.


**DOUGLAS J. REITER, (Council President):** Welcomes new Council Member Paul J. Rhodes to the Council. Thanks police department for the Meet your local police program this past year. Thanks R. Thomas Lowe for his efforts establishing the Town Court.

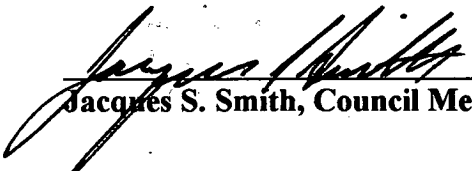
Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 9:36 P.M.


  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Council Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

January 17, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on January 17, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:04 P.M.

### PRAYER:

Reverend Bob Hauselman, Restoration Christian Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### REGULAR BUSINESS:

President Reiter, requests a moment of silence to remember Dr. Martin Luther King, Jr. on this his memorial day.

President Reiter Opens the Public Hearing on Downtown Revitalization Grant at 7:06 P.M. and turns the meeting over to Melissa Wood, River Hills Economic Development District.

**MELISSA WOOD, (River Hills Economic Development District):** Sellersburg is an applicant for a Downtown Revitalization Grant through the Indiana Department of Commerce. The Town should hear about the grant in February and then has one year to complete it.

President Reiter reads Down Town Revitalization Notes for Review from Council Member Trinette S. Imhof, (copy attached).

President Reiter closes public Hearing at 7:20 P.M.

President Reiter then re-opens the Town Council Special Meeting.

Jacques S. Smith makes a motion to approve the minutes of the January 10, 2005 Town Council Meeting as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve the minutes of the January 10, 2005 Executive Session of the Town Council, as written, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.



**Sellersburg Town Council Special Meeting**  
**January 17, 2005**  
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**MICHAEL N. LOCKHART, (Council Member):** Have a bill from Team Contracting for an additional charge of \$13,849.50 (thirteen thousand eight hundred forty-nine and 50/100 dollars).

Jacques S. Smith makes a motion to approve the additional amount for Team Contracting for the \$13,849.50 (thirteen thousand eight hundred forty-nine and 50/100 dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** Presents contracts for Tetra Tech, Inc. for Design and Construction Services for the sewer collection system.

Michael N. Lockhart makes a motion to approve the contract with Tetra Tech, Inc. pending review by Attorney McCall, for the design and inspection of the sewer collection system, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to re-activate the Task Order #2, dated August 11, 2003, page 8 of 16, paragraph 4.0, property and easement acquisition services, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Mr. Alexander has update on highway 311', by McDonalds, the movement of the water line, we will be fully reimbursed.

I also have two bids to build a building around our belt press. Kevin McNew's Post Buildings for \$21,000.00, (twenty-one thousand dollars), (marked over the telephone) on the Building Quote sheet of October 24, 2004.

The second is from Kamer Construction Company, a block building, 32'x30'x12' for \$18,900.00 (eighteen thousand nine hundred dollars). I recommend the Kamer Construction bid.

Paul J. Rhodes makes a motion to accept the Kamer Construction Company bid of \$18,900.00 (eighteen thousand nine hundred dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Nathan Grimes, Building Commissioner, states that there will need to be a design release from the State for this building. He and Ken Alexander will check to see if this design release is necessary and if so obtain the release if necessary.

**DAVID L. KINDER, (Clerk-Treasurer):** Have an unsigned copy of a Memorandum of Agreement between Clark County Soil and Water Conservation District and Sellersburg, there needs to be a signed copy for the files.

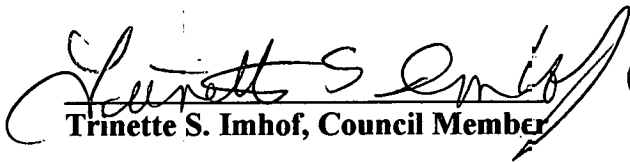
Mr. Alexander will obtain a copy for the Town files.

**Sellersburg Town Council Special Meeting**  
**January 17, 2005**  
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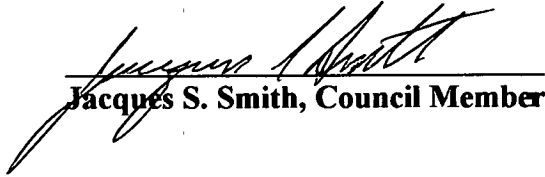
Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 7:42 P.M.

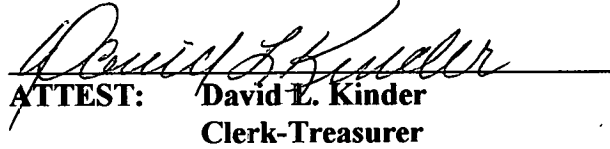
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinetta S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

**Attachment 1**

Down Town Revitalization  
Notes for Review

- Develop a plan which will consist of a detailed inventory of the businesses currently operating in the downtown District.
- Detailed analysis of the existing population living within the designated district.
- Inventory of visitors that come downtown.
- Description and analysis of any existing plans which could include: park and recreation, economic development, or plans the town has in place now
- Description of the current conditions and capacity of the downtown infrastructure. Examples: Entrances and Gateways, Open Space, Parking, Infrastructure-sidewalks; streets; alleys; and utilities.
- Private Property Inventory: Conditions and usage
- Analysis of Economic Development Financing Tools: Grants
- Summary of the districts strengths and weakness
- Review of Social events like Sellersburg Celebrates

Other words:

The Emphasis is being placed on creating an environment for the businesses in the downtown area to grow. Part of this grant proposal might conclude changing the look of downtown with new sidewalks, signage, or just keeping it cleaner. It also could look at vacant lots and suggest a marketing strategy to bring new business to town.

Trinette Imhof

**EXECUTIVE SESSION**  
**SELLERSBURG TOWN COUNCIL**

**January 31, 2005**

**EXECUTIVE SESSION:**

An Executive session of the Sellersburg Town Council was held at the Sellersburg Town Hall on January 31, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Michael N. Lockhart, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:02 P.M.

**TOPICS OF DISCUSSION:**


Town Council Discussed litigation strategy of threatened litigation as authorized by I.C. 5-14-1.5-6.1(b) (2) (B)

**NO SUBJECT MATTER WAS DISCUSSED IN THE EXECUTIVE SESSION OTHER THAN THE SUBJECT MATTER SPECIFIED IN THE PUBLIC NOTICE.**

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 6:49 P.M.

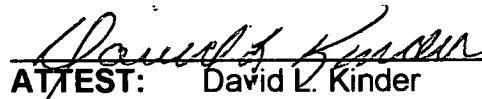
  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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**ATTEST:** David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL REGULAR MEETING

January 31, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on January 31, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 6:56 P.M.

### PRAYER:

Council President Douglas J. Reiter offered the prayer.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### REGULAR BUSINESS:

**President Reiter** asks if everyone has a copy of the minutes of the January 17, 2005 Special Town Council Meeting and asks for a motion to approve the minutes as written.

Paul J. Rhodes makes a motion to approve the January 17, 2005 minutes as written, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** states that he has called everybody individually about the secretary position for the Plan Commission and Zoning Appeals and at this point with the involvement that Mr. Alexander has with and wanting to interact with the Plan Commission and Zoning Appeals, while he is there, he would rather not be secretary. Dave Kinder has shown an interest to be secretary and if anyone would care to make a motion to remove Mr. Alexander as secretary and make Dave Kinder the secretary of the Plan Commission and Zoning Appeals.

Michael N. Lockhart makes the motion to remove Kenneth J. Alexander and appoint David L. Kinder the secretary of the Plan Commission and Zoning Appeals, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve a bid from Lucas Enterprises, (200 McGowan Ave, Bardstown, Kentucky 40004) to paint the water tank (Holman's Lane) for \$19,650.00 (nineteen thousand six hundred-fifty and no/100 dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.   
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**President Reiter** brings up the Building Commissioner contract; that when the Board first came

**Special Sellersburg Town Council Meeting**  
**January 31, 2005**  
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on they agreed as a Board that they would take into consideration all positions in the Town and review them as the year went on. At this time we are going to go ahead, if anyone cares to make a motion to go ahead and dissolve the contract between the Town of Sellersburg and Renaissance Design, paying them up through Friday of this week, to give them ample time to bring the materials of the Town back to the Town and turn in keys and do that within fifteen days, we will pay Renaissance Designs through this Friday, the 4<sup>th</sup> of February 2005. Does anyone care to make that motion?

Trinette S. Imhof states, "I will make that motion", seconded by Michael N. Lockhart. 5-aye, 0-nay, motion is approved.

**President Reiter** presents Tanner Services, located at 1035 Old Salem Road, Jeffersonville, (Indiana), you all received a resume from Mr. Tanner; has everyone had a chance to look over the resume? Two of the Board members have interviewed Mr. Tanner and I called out to Utica (Indiana) and talked to the ex-president, Jimmy Carter, and asked him if it would be a conflict if we asked Mr. Tanner to work for us as our building commissioner and also worked for them, Mr. Carter stated that it would not be a conflict.

President Reiter asks (Town Attorney McCall) if he has looked over the contract. Mr. McCall recommends that the Council approve the contract pending additional review.

President Reiter asks if anyone would like to make a motion to approve the contract between the Town of Sellersburg and Tanner Services, located at 1035 Old Salem Road, Jeffersonville, Indiana 47130 providing review by the Towns Attorney and adding the termination clause and any other additions will be discussed between the Town and Mr. Tanner.

Paul J. Rhodes states "so moved", seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 7:37 P.M.

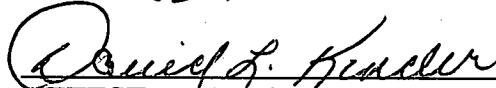
  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

**EXECUTIVE SESSION**  
**SELLERSBURG TOWN COUNCIL**

**February 14, 2005**

**EXECUTIVE SESSION:**

An Executive session of the Sellersburg Town Council was held at the Sellersburg Town Hall on February 14, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Michael N. Lockhart, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:16 P.M.

**TOPICS OF DISCUSSION:**

Town Council Discussed litigation strategy of threatened litigation as authorized by I.C. 5-14-1.5-6.1(b) (2) (B).

Employee Matters, authorized by I.C. 5-14-1.5-6.1(b) (6).

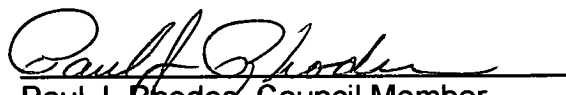
**NO SUBJECT MATTER WAS DISCUSSED IN THE EXECUTIVE SESSION  
OTHER THAN THE SUBJECT MATTER SPECIFIED IN THE PUBLIC NOTICE.**

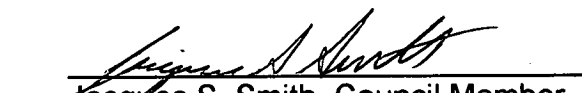
Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 7:02 P.M.

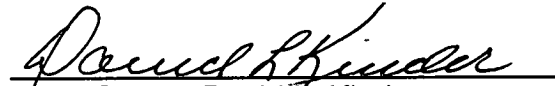
  
\_\_\_\_\_  
Douglas J. Reiter, Council President

  
\_\_\_\_\_  
Michael N. Lockhart, Vice-President

  
\_\_\_\_\_  
Trinette S. Imhof, Council Member

  
\_\_\_\_\_  
Paul J. Rhodes, Council Member

  
\_\_\_\_\_  
Jacques S. Smith, Council Member

  
\_\_\_\_\_  
**ATTEST:** David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL REGULAR MEETING

February 14, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on February 14, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:16 P.M.

### PRAYER:

Reverend Father Paul Richert, St. Paul's Catholic Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### REGULAR BUSINESS:

President Reiter introduces Chief W. Pat Bradshaw who introduces new Police Officer John F. Cortie and has Town Court Judge R. Thomas Lowe administer the oath of office to Officer Cortie.

Trinetta S. Imhof nominates Jamie Hudgins to fill the vacancy on the Parks and Recreation Board, seconded by Douglas J. Reiter. 4-aye, 1-nay, motion approved. President Reiter polls the Council for their vote: Imhof, yea; Rhodes, yea; Reiter, yea, Lockhart, yea and Smith, nay.

NATHAN GRIMES: Requesting tax abatement for Scott, Steve and Krista Williams for the property at 5030 Progress Way, Sellersburg, Indiana.

Jacques S. Smith makes a motion to approve the tax abatement, second by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter presents ~~Ordinance 2005-001~~, **ORDINANCE AMENDING THE 2004-029, SALARY, HOLIDAY AND LONGEVITY PAY AND RATIFYING TOWN COUNCIL VOTE AND APPROVAL MADE ON JANUARY 10, 2005**

Jacques S. Smith makes a motion to approve Ordinance 2005-001 on the second reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has read the minutes of the January 31, 2005, Special Council Meeting. Paul J. Rhodes makes a motion to approve the minutes of the January 31, 2005 Special



**Regular Sellersburg Town Council Meeting**  
**February 14, 2005**  
**Page 2 of 5 pages**

Council Meeting with the correction that Trinetta S. Imhof abstained from the vote on painting the (Holman's Lane) water tank, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve the minutes of the Executive Session of January 31, 2005 as written, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter presents the bills for payment as submitted by the Clerk-Treasurer. Michael N. Lockhart makes a motion to pay the bills as presented by the Clerk-Treasurer, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**SARAH CRAWFORD:** Speaks to the Council about the widening of Cherry Street. President Reiter tables this until the March 14, meeting.

**NATHAN GRIMES:** Seeking a Tax Abatement for Irvin John for the property at 5020 Progress Way. This was approved February 9, 2004 but the Resolution was not attached. I just want to get the information into the minutes that the Resolution is attached.

Mr. Grimes presents the Council a General Service Agreement to do engineering and design services for the Town. The hourly fee schedule is attached.

President Reiter says the Council will look at it for approval

**President Reiter** advises John Gilkey and the audience that there will be a workshop meeting February 21, 2005 to consider Health Insurance for Town employees.

**KENNETH J. ALEXANDER** presents a request for sewer permit connections and water from Hawthorn Glen, which is located out on Highway 403 and John Noble Road. Present are Scott Adams, Dan Christiani and attorney Gregory Fifer. It has been through the Clark County Planning, is approved, and now is coming to Sellersburg to request sewer and water permits.

Michael N. Lockhart makes a motion to approve the sewer permit taps, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** presents an advertisement that River Hills put into The Evening News, for the public hearing on the Redevelopment Grant. Paul J. Rhodes makes a motion to pay \$32.90 for the advertisement, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Paul J. Rhodes** presents the CINergy proposal for Forrest Estates Sub-division. Jacques S. Smith makes a motion permitting President Reiter to sign the agreement with CINergy, subject to review by the Town Attorney, seconded by Douglas J. Reiter. 5-aye, 0-nay, motion approved.

President Reiter presents a bill from D & B Roofing Corp for reroute of 35 feet of downspout per

**Regular Sellersburg Town Council Meeting**  
**February 14, 2005**  
**Page 3 of 5 pages**

quote of \$320.00 (three hundred twenty dollars).

Jacques S. Smith makes a motion to pay the invoice, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Michael N. Lockhart** presents the final invoice from Team Contracting, repairs to sidewalks. Michael N. Lockhart makes a motion to pay the invoice of \$1,258.75 (one thousand two hundred fifty-eight and 75/100 dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KEVIN WRIGHT, (Environmental Management Corporation):** Requesting purchase of laboratory equipment, a quanta tray, for sewer plant to test for e-coli, this will be a cost of \$3,319.00 (three thousand three hundred nineteen dollars). Michael N. Lockhart makes a motion to purchase this piece of equipment, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Mr. Wright presents the Town with a check for \$4,250.88 (four thousand two hundred fifty and 88/100 dollars); this was a savings on the chemicals purchased in 2004.

Mr. Wright also advises he will be having a lunch for employees February 24 at 11:30 A.M. until 1:00 P.M., for their 3500 days without a lost day accident.

**WILLIAM P. McCALL, III (Town Attorney):** Presents **ORDINANCE NO. 2005-003, AN ORDINANCE AMENDING ORDINANCE 2001-027 REGARDING UNIFORM/CLOTHING ALLOWANCE FOR THE TOWN OF SELLERSBURG POLICE OFFICERS.**

Jacques S. Smith makes a motion to consider Ordinance 2005-003 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-003 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

McCall presents **ORDINANCE NO. 2005-004, AN ORDINANCE AMENDING ORDINANCE 2004-030, FIXING COMPENSATION APPOINTED TOWN OFFICIALS FOR CALENDAR YEAR 2005.**

Jacques S. Smith makes a motion to consider Ordinance 2005-004 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-004 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

McCall presents **ORDINANCE 2005-005, AN ORDINANCE RESCINDING ORDINANCE**

**Regular Sellersburg Town Council Meeting**

**February 14, 2005**

**Page 4 of 5 pages**

**NO. 2003-004.**

Paul J. Rhodes makes a motion to consider Ordinance 2005-005 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approved Ordinance 2005-005 on first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

McCall presents **RESOLUTION 2005-003, RESOLUTION OF THE SELLERSBURG TOWN COUNCIL REGARDING THE SILVER CREEK TOWNSHIP PARK.**

Jacques S. Smith makes a motion to approve Resolution 2005-003, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**MARK ROBINSON, (Animal Control Officer):** Presents Memorandum of independent contractor agreement for animal control services with Mike Ettel.

Jacques S. Smith makes a motion to approve the contract, pending receiving a letter from the Clark County Commissioners approval for Ettel to use County Animal Control equipment for this service, seconded by Trinetta S. Imhof. 5-aye, 0-nay, motion approved.

**W. PAT BRADSHAW, (Chief of Police):** Presents an invoice for \$94.00 (ninety-four dollars) for Safe Place Checklist for window decals.

Jacques S. Smith makes a motion to pay this invoice, seconded by Trinetta S. Imhof. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** Presents a request for a sewer adjustment for Essroc. They had a sewer problem and it has now been corrected. The adjustment is for \$62,000.00 (Sixty-two thousand dollars).

Paul J. Rhodes makes a motion to approve the sewer adjustment for Essroc, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Paul J. Rhodes** makes a motion to contract with James Agee Home Improvement to remodel a room in the police building to be used as a conference room for the sewer and water utilities as well as for meetings with other groups. The cost of this project is \$2,988.00 (two thousand nine hundred eighty-eight dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**DAVID L. KINDER, (Clerk-Treasurer):** Presents an invoice from Bart Meyer for computer updates, one new computer and two flat screen monitors for Clerk-Treasurer's office, Sewer and Water Departments, Building Commissioner and the new meeting room in the police building.

**Regular Sellersburg Town Council Meeting**  
**February 14, 2005**  
**Page 5 of 5 pages**

**DOUGLAS J. REITER, (Council President):** Abby Lowe is interested in the position of secretary for the Parks Board and the Police Commissioners. Jacques S. Smith makes a motion to approve Abby Lowe as the secretary for the Parks Board and the Police Commission, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Mr. Reiter presents CF-1 Tax Abatement Compliance forms for J. L. Gilbert Company. Paul J. Rhodes makes a motion to approve the CF-1 forms for Tax Abatements compliance form for J. L. Gilbert, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to have Council President Reiter sign the forms, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Mr. Reiter has recommendation from Housing Authority for appointment of Larry Nadeau to the Housing Authority. Michael N. Lockhart makes a motion to appoint Larry Nadeau to the Housing Authority, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Mr. Reiter advises that appointments to the Economic Development Commission need to be made. Jacques S. Smith makes a motion to appoint Earl G. Bonnville to a three year term, February 12, 2005 through February 12, 2008, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

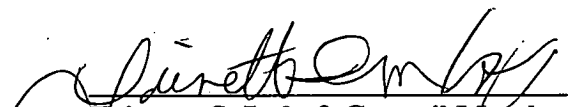
Jacques S. Smith makes a motion to appoint David C. Duggins, Jr. for a one year term, February 13, 2005 through February 13, 2006, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

The two year appointment will be appointed at the March meeting.


Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 9:58 P.M.

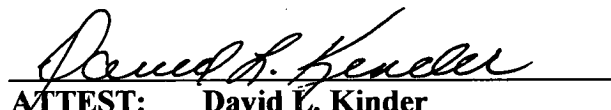
  
Douglas J. Reiter, Council President

  
Michael N. Lockhart, Council Vice President

  
Vrinette S. Imhof, Council Member

  
Paul J. Rhodes, Council Member

  
Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL WORKSHOP MEETING**

**February 21, 2005**

The Sellersburg Town Council met in a workshop meeting February 21, 2005 at the Sellersburg Town Hall, 316 East Utica Street.

The meeting was called to order by Council Vice President Michael N. Lockhart at 7:01 P.M. Present were Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith and Clerk-Treasurer David L. Kinder.

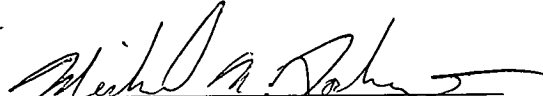
Council President Douglas J. Reiter was absent.

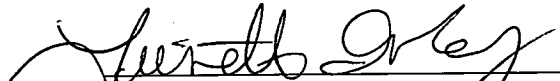
Vice-President Lockhart introduced Joe Olson who presented a proposed Health Insurance Plan for Town Employees.

After discussion it was decided that another workshop meeting would be held Monday, February 28, 2005 at 6:00 P.M at the Sellersburg Town Hall.


Jacques S. Smith made a motion to adjourn the meeting, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved and meeting adjourned at 7:48 P.M.

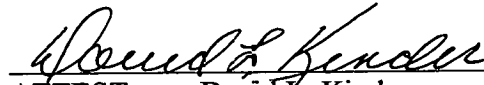
  
Douglas J. Reiter, Council President

  
Michael N. Lockhart, Vice President

  
Trinette S. Imhof, Council Member

  
Paul J. Rhodes, Council Member

  
Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL WORKSHOP MEETING**

**February 28, 2005**

The Sellersburg Town Council met in a workshop meeting February 28, 2005 at the Sellersburg Town Hall, 316 East Utica Street.

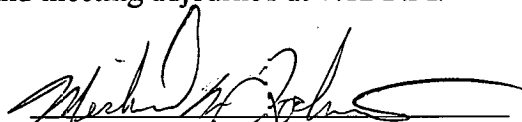
The meeting was called to order by Council President Douglas J. Reiter at 6:00 P.M. Roll call of members taken and the following members were present, Council President Douglas J. Reiter, Council Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith and Clerk-Treasurer David L. Kinder.

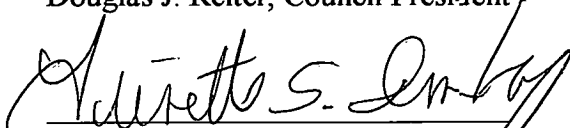
Council President Reiter introduced Joe Olson who presented a proposed Health Insurance Plan for Town Employees.

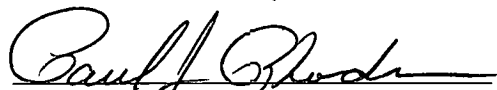
After discussion it was decided Mr. Olson should check with Human Health care and see if they will lower their premium, check into an employee dental plan and check into a Health Reimbursement Arrangement.

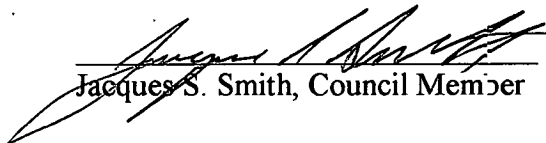
Jacques S. Smith made a motion to adjourn the meeting, seconded by Michael N. Lockhart, 5-aye, 0-nay, motion approved and meeting adjourned at 7:12 P.M.

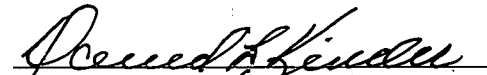
  
Douglas J. Reiter, Council President

  
Michael N. Lockhart, Vice President

  
Trinette S. Imhof, Council Member

  
Paul J. Rhodes, Council Member

  
Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

## **SELLERSBURG TOWN COUNCIL REGULAR MEETING**

**March 14, 2005**

### **TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on March 14, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### **CALL TO ORDER:**

Vice President Michael N. Lockhart called the meeting to order at 7:03 P.M.

### **PRAYER:**

Reverend Robert Hauselman, Restoration Christian Church.

### **PLEDGE OF ALLEGIANCE:**

Offered by all present.

### **OLD BUSINESS:**

Vice President Lockhart asks Town Attorney McCall for advice about the appointment of a member to the Sellersburg Economic Development Commission, if the Council should wait for President Reiter to arrive since it is his appointment. Attorney McCall advises to wait for his arrival.

Vice President Lockhart says to remove Sarah Crawford from the agenda; reference the widening of Cherry Street it is still under advisement and it will be looked at later this year.

### **NEW BUSINESS:**

Vice President Lockhart opens the Public Hearing for Sewer Grant and introduces Melissa Woods, River Hills Economic Development District.

Two letters are presented, addressed to Greg Beumer, Indiana Department of Commerce, Sanitary Sewer Improvements CFF Application and letter authorizing River Hills Economic Development District to prepare and submit the minutes of required hearings, signed by Council President Reiter.

Resolution R2005-004, RESOLUTION OF THE TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA, AUTHORIZING THE SUBMITTAL OF THE CFF APPLICATION TO THE INDIANA DEPARTMENT OF COMMERCE AND ADDRESSING RELATED MATTERS, is introduced and read by Vice President Michael N. Lockhart.

**Sellersburg Town Council Regular Meeting**

**March 14, 2005**

**Page 2 of 5 pages**

Paul J. Rhodes makes a motion to pass **Resolution R2005-004**, as read, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

Ms. Woods presents four additional documents to be signed: CDBG Disclosure Report; Civil Rights Certification; Indiana Department of Commerce Community Development Block Grant Small Cities Program Assurances and Certifications and Citizen Participation Report.

Ms. Woods also requests the Council give authorization for President Reiter to sign a sight control, status of the permits and environmental review after the attorney and engineer have signed off on it.

Jacques S. Smith makes a motion to authorize Council President Reiter to sign the above permit when it is prepared and submitted, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Ms. Woods also presents a letter Request Authorization to Incur Costs – Town of Sellersburg – Downtown Revitalization Planning Grant.

Paul J. Rhodes makes a motion to authorize Council President Reiter to sign the above letter, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to close the Public Hearing, seconded by Jacques S. Smith, 4-aye, 0-nay, motion approved and Public Hearing closed at 7:26.

**NATHAN GRIMES, (Renaissance Design Build, Inc.):** requesting a petition for a public hearing to vacate lot 3, section 1, Greenwood sub-division, at the next Council meeting in April. We will notify all the neighbors by certified mail that are in Greenwood, section 1 and publish twice in the paper.

(Council President Douglas J. Reiter arrives for meeting)

**EDWARD CULPEPPER COOPER, (Maverick Insurance):** presents proposal for health insurance for town employees.

**JERRY ADAMS, (Pekin Insurance):** presents proposal for health insurance for town employees.

**RICHARD ZOELLER, (Neace-Luken Insurance):** presents proposal for health insurance for town employees.

Trinette S. Imhof makes a motion to make Richard A. Zoeller, Insurance Agent of Record, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Anthem for \$191,888.71 (one hundred ninety-one



**Sellersburg Town Council Regular Meeting**  
**March 14, 2005**  
**Page 3 of 5 pages**

thousand eight hundred eighty-eight and 71/100 dollars), the Town yearly portion that actual segment of the Anthem through Rick Zoeller, with us going on the Indiana Chamber (of Commerce), seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to have the Clerk-Treasurer contact the Indiana Chamber of Commerce, and fill out the application and present the payment for the annual dues, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** appoints Don Haas to the Sellersburg Economic Development Commission for a two-year term.

**DON LOSEMAN, (Sellersburg American Legion):** Requesting permission for the Legion to have 22 caliber shoots at the Legion.

Town Attorney advises that this will have to be amended in the present Town ordinance.

Jacques S. Smith makes a motion to consider **ORDINANCE 2005-007, AN ORDINANCE AMENDING ORDINANCE 130-03 REGARDING DISCHARGE OF FIREARMS WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF SELLERSBURG** on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2005-007 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**WILLIAM P. BRADSHAW, (Chief of Police):** Presents three invoices for payment: Donald L. Ross for \$77.44 (seventy-seven and 44/100 dollars): William R. Whelan \$505.06 (five hundred five and 06/100 dollars) and Richard K. Goodwin \$100.00 (one hundred dollars).

Michael N. Lockhart makes a motion to pay the above invoices, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** Have a quote from Delta Services, LLC to install electric in the "Belt Press building" at a cost of \$26,590.00 (twenty-six thousand five hundred ninety dollars).

Jacques S. Smith makes a motion to approve the quote from Delta Electric, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

There was additional work from Kamer Construction Company on the "Belt press Building" at the sewer plant. This is a footer and large door opener installation. Total cost is \$1,380.00 (one thousand three hundred eighty dollars).

Jacques S. Smith makes a motion to pay this invoice, seconded by Michael N. Lockhart. 5-aye,

**Sellersburg Town Council Regular Meeting**

**March 14, 2005**

**Page 4 of 5 pages**

0-nay, motion approved.

Have a change order from Steve Green Enterprises, Inc. for storm drain St. Paul and Oak Street, add a 12 X 12 RCP Tee to the pipeline. Total cost of change order is \$950.00 (nine hundred fifty dollars).

Michael N. Lockhart makes a motion to approve the change order, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Have a quote from ArCom for installation of overhead cabling between Town Hall and police building for computers. The quote is \$2,744.00 (two thousand seven hundred forty-four dollars).

Michael N. Lockhart makes a motion to approve the quote as stated, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to authorize Kenneth J. Alexander to decide about the re-wire option from ArCom for \$777.50 (seven hundred seventy-seven and 50/100 dollars) if Alexander determines the re-wiring should be completed, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Ken Alexander request payment of \$895.00 (eight hundred ninety-five dollars) for the work on the computer software for the sump pump, down spout etc. inspections reports. He will furnish an invoice at a later date.

Trinette S. Imhof makes a motion to approve the \$895.00 when the invoice is available, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney): Presents ORDINANCE 2005-008, AN ORDINANCE AMENDING ORDINANCE NO. 1993-552. This was discussed at an earlier meeting and needs to be approved on second reading.**

Michael N. Lockhart makes a motion to approve Ordinance 2005-008 on the second reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

There is an issue with Friendly Village of Indian Oaks, no trash pick-up and no sewer. I am prepared to send a letter to Gary Miller, who is their attorney of record, and I want Council approval to do that.

Jacques S. Smith makes a motion to approve a letter from Town Attorney McCall to Friendly Village of Indian Oaks with a 30-day response, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**President Reiter** presents the following invoices for payment: Waller meter, invoice 77034

**Sellersburg Town Council Regular Meeting**  
**March 14, 2005**  
**Page 5 of 5 pages**

amount of \$1,201.00 (one thousand two hundred one dollars): Waller meter, invoice 76950, amount \$2,917.88 (two thousand nine hundred seventeen and 88/100 dollars): Jacobi, Toombs and Lanz invoice 05-1540, amount \$325.00 (eight hundred twenty-five dollars): Jacobi, Toombs and Lanz, invoice 05-1541, amount \$120.00 (one hundred twenty dollars): Jacobi, Toombs and Lanz, invoice 05-1542, amount \$1,462.79 (one thousand four hundred sixty-two and 79/100 dollars): J. B. Ogle Animal Shelter, invoice 4633, amount \$5,000.00 (five thousand dollars): Delta Electric, invoice 26430, amount \$4,226.92 (four thousand two hundred twenty-six and 92/100 dollars): IDEXX, invoice 215528180, amount \$3,354.29 (three thousand three hundred fifty-four and 29/100 dollars), and Papa Johns Pizza, invoice 0004, amount \$63.60 (sixty-three and 60/100 dollars).

Michael N. Lockhart makes a motion to pay the above invoices, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve the minutes, as written, for the Executive Session of February 14, 2005, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.


Michael N. Lockhart makes a motion to approve the minutes, as written, of the Regular Meeting of February 14, 2005, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

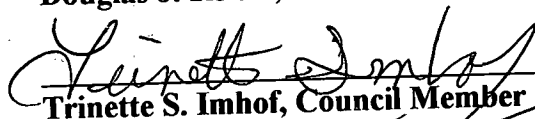
Jacques S. Smith makes a motion to approve the minutes, as written, of the Workshop meeting of February 21, 2005, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

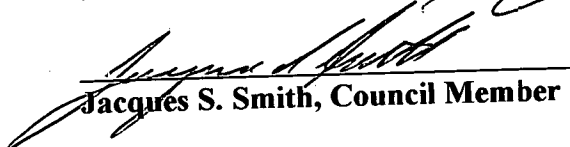
Michael N. Lockhart makes a motion to approve the minutes, as written, of the Workshop meeting of February 28, 2005, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve the bills as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to adjourn the meeting, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved and meeting adjourned at 9:37 p.m.

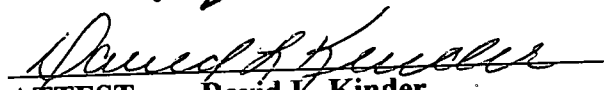
  
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Douglas J. Reiter, Council President

  
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Trinette S. Imhof, Council Member

  
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Jacques S. Smith, Council Member

  
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Michael N. Lockhart, Council Vice President

  
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Paul J. Rhodes, Council Member

  
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ATTEST: David E. Kinder  
Clerk-Treasurer

# SELLERSBURG TOWN COUNCIL SPECIAL MEETING

March 31, 2005

## SPECIAL TOWN COUNCIL MEETING:

The Sellersburg Town Council met in special session March 31, 2005, at the Sellersburg Town Hall. Those present were Council President Douglas J. Reiter, Council Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

## CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 9:00 P.M.

## PRAYER:

Council President Douglas J. Reiter offered a prayer to open the meeting.

## PLEDGE OF ALLEGIANCE:

Recited by all present.

## REGULAR BUSINESS:

Edward Culpepper Cooper addresses the council reference Health Insurance for the employees and Insurance Agent of Record.

Jacques S. Smith makes a motion to approve the proposal from Rick (Richard) Zoeller for United Health Care, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to consider **ORDINANCE 2005-010, AMENDMENT TO ORDINANCE 2000-025** on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve **ORDINANCE 2005-010** on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Rick (Richard) Zoeller as Agent of Record for United Healthcare, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Council President Reiter to sign a letter to United Healthcare (Insurance) showing Rick (Richard) Zoeller as Agent of Record, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**

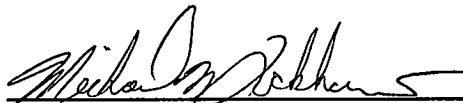
**March 31, 2005**

**Page 2 of 2 pages**

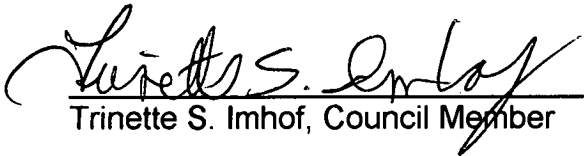
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.



Douglas J. Reiter, Council President



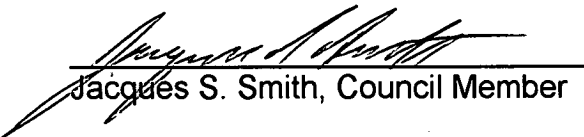
Michael N. Lockhart, Vice President



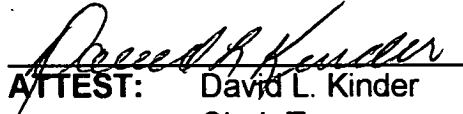
Trinette S. Imhof, Council Member



Paul J. Rhodes, Council Member



Jacques S. Smith, Council Member



**ATTEST:** David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL REGULAR MEETING

April 11, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on April 11, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

### PRAYER:

Reverend Father Paul Richart, St. Paul's Catholic Church.

### PLEDGE OF ALLEGIANCE:

Troop 7, Boy Scouts of America, presented the colors and leads everyone in the pledge of allegiance.

### UNFINISHED BUSINESS:

NATHAN GRIMES, (Renaissance Design Build, Inc.) presents the Council with a General Services Agreement.

### NEW BUSINESS:

NATHAN GRIMES, (Renaissance Design Build, Inc.), represents Gary Speth requesting a sewer extension in Sunset Hills sub-division.

Jacques S. Smith makes a motion to give preliminary approval to the sewer extension to Sunset Hills, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, (Renaissance Design Build, Inc.), reference vacating a lot for Jerry Berge in Greenwood sub-division.

Michael N. Lockhart makes a motion to consider on the first reading **ORDINANCE NO. 2005-013, AN ORDINANCE VACATING A LOT IN THE TOWN OF SELLERSBURG, INDIANA**, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance No. 2005-013 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

NATHAN GRIMES, (Renaissance Design Build, Inc.), presents an ordinance for a zoning

**Sellersburg Town Council Regular Meeting**

**April 11, 2005**

**Page 2 of 6 pages**

change for Steve Doherty at 1228 Bringham Drive. Change the zoning from an I-1 to a B-3.

Jacques S. Smith makes a motion to approve **ORDINANCE NO. 2005-009, AN ORDINANCE AUTHORIZING ZONING CHANGE WITHIN THE TOWN OF SELLERSBURG, INDIANA**, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** advises the Council that Linda Davidson wants to construct a chain link fence in an alleyway that is not used by the Town.

Michael N. Lockhart makes a motion to approve the construction of the fence, pending approval of a variance from the Zoning Appeals and having Town Attorney McCall draft a letter to Mrs. Davidson permitting her to install the fence, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**JOHN TOOMBS, (Jacobi, Toombs and Lance Engineering, Inc.):** reference the State Road 311 utility relocation bid. Toombs recommends that the bid be awarded to Excel Excavating for \$78,142.78 (seventy-eight thousand one hundred forty-two and 78/100 dollars). INDOT (Indiana Department of Transportation) will reimburse the entire cost of the project.

Jacques S. Smith makes a motion to award the bid to Excel Excavating for \$78,142.78 (seventy-eight thousand one hundred forty-two and 78/100 dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER**, asks the Council if they have read the minutes of the Special Meeting on March 31, 2005?

Michael N. Lockhart makes a motion to approve the minutes, as written, for the Special Town Council Meeting on March 31, 2005, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER**, asks the Council if they have read the minutes of the Regular Town Council Meeting of March 14, 2005?

Jacques S. Smith makes a motion to approve the minutes, as written, for the Regular Town Council Meeting of March 14, 2005, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER**, asks the Council if they have reviewed the bills as submitted by the Clerk-Treasurer?

Jacques S. Smith makes a motion to approve the bills as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes. President Reiter questions the payment of the cleaning of the Town Hall, \$100.00 (one hundred dollars) for the Town Hall and \$50.00 (fifty dollars) for the Clerk-

**Sellersburg Town Council Regular Meeting**

**April 11, 2005**

**Page 3 of 6 pages**

Treasurer Office, so he recommends that the motion be amended to pay only the \$100.00 (one hundred dollars) for the cleaning, \$50.00 (fifty dollars) for cleaning the Town Hall and \$50.00 (fifty dollars) for cleaning the Clerk-Treasurer's Office, for a total of \$100.00 (one hundred dollars) 5-aye, 0-nay, and motion approved as amended.

**PRESIDENT REITER** presents the Sewer Plant Construction Contract.

Paul J. Rhodes makes a motion to approve the contract of Pace Contracting, LLC for \$2,550,000.00 (two million five hundred fifty thousand dollars), seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** presents an invoice for a new commercial mower, from (New Albany Ford Tractor, Inc.) for \$7,499.00 (seven thousand four hundred ninety-nine dollars) which will be paid equally by Sewer, Water and Street Departments.

Michael N. Lockhart makes a motion to pay this invoice, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** states that Kevin Harper has been acting superintendent of the Street and Sanitation Departments and that his pay be increased to \$20.10 per hour, retroactive for 30 days since he has been doing this for forty-five days.

Paul J. Rhodes makes a motion to increase Kevin Harper's pay to \$20.10 (twenty and 10/100 dollars) and make it retroactive for 30 days, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** asks Town Attorney McCall to read **ORDINANCE 2005-011, AN ORDINANCE ESTABLISHING THE TOWN OF SELLERSBURG IS RESPONSIBLE FOR MANAGEMENT.**

Jacques S. Smith makes a motion to consider Ordinance 2005-011 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-011 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**TOWN ATTORNEY McCALL** presents and reads **ORDINANCE 2005-012, AN ORDINANCE AMENDMENT TO ORDINANCE NO 2004-026, ORDINANCE CONTROLLING URBAN CONSTRUCTION SITE RUNOFF WITHIN THE TOWN OF SELLERSBURG, INDIANA.**

Michael N. Lockhart makes a motion to consider Ordinance 2005-012 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.



**Sellersburg Town Council Regular Meeting**

**April 11, 2005**

**Page 4 of 6 pages**

Michael N. Lockhart makes a motion to approve Ordinance 2005-012 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve the Building Commissioner to issue permits and collect fees and the MS4 operator the authority to issue fines for non-compliance, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to give Council President Reiter authority to sign RULE 13, Certification of the Development, Implementation, Management, and Enforcement of an Erosion and Sediment Control Program for the Construction Site Storm Water run-Off Control MCM and Certification of the Plan to Detect, Address, and Eliminate Illicit Discharges for the Illicit Detection and Elimination MCM, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KEVIN WRIGHT, (Environmental Management Corporation):** Request approval to pay REMC \$1,651.00 (one thousand six hundred fifty-one dollars) to move electrical poles at the Wastewater Treatment Plant because of the new construction.

Paul J. Rhodes makes a motion to approve paying the invoice from REMC, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Kevin Wright asks that EMC be reimbursed \$132.48 (one hundred thirty-two and 48/100 dollars) for Meter Tap.

Jacques S. Smith makes a motion to pay the \$132.48 (one hundred thirty-two and 48/100 dollars) to EMC for the Meter Tap, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**PRESIDENT REITER** states that in the EMC contract if there is utility increase that the Town will pay the extra cost.

Michael N. Lockhart makes a motion to pay EMC the April Sewer Department Operating Component of \$55,037.88 (fifty-five thousand thirty-seven and 88/100 dollars), the April Water Department Operating Component of \$36,059.30 (thirty-six thousand fifty-nine and 30/100 dollars); the April MVH Operating Component of \$3,795.71 (three thousand seven hundred ninety-five and 71/100 dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

The Electric/Gas Threshold Increase 1/1/04 – 3/31/05 for \$19,697.81 (nineteen thousand six hundred ninety-seven and 81/100 dollars) withhold until the Council checks into the contract.

Kevin Wright advises the Council that one of the trucks was involved in an accident; a tree fell onto the truck. The insurance company has totaled the truck with a salvage value of \$5,915.00 (five thousand nine hundred fifteen dollars).

Mr. Wright has quotes for two new trucks from Jim O'Neal Ford. A 2005 F-150 4 x 4 Regular

**Sellersburg Town Council Regular Meeting**

**April 11, 2005**

**Page 5 of 6 pages**

Cab, 8 foot bed for the water department at a cost of \$18,001.65 (eighteen thousand one and 65/100 dollars) and a 2005 F250, 4 x 4, Regular Cab, 8 foot bed for the sewer department for \$21,432.65 (twenty-one thousand four hundred thirty-two and 65/100 dollars).

Paul J. Rhodes makes a motion to purchase the two trucks for a total of \$39,434.30 (thirty-nine thousand four hundred thirty-four and 30/100 dollars), seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to send the title for the wrecked truck to the insurance company so they can send a check for \$5,915.00 (five thousand nine hundred fifteen dollars) for the salvage value of the truck, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith presents an invoice and makes a motion to pay Kiesler's Police Supply, Inc. for \$589.00 for a Sig P226 40 Caliber Special Configuration, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents and reads two resolutions for software from Keystone Consulting Services.

Michael N. Lockhart makes a motion to approve **RESOLUTION NO. R2005-005, ADOPTING KEYSTONE CONSULTING SERVICES, INC. FINANCIAL SOFTWARE**, seconded by Jacques S. Smith, 5-aye, 0-nay, and motion approved.

Jacques S. Smith makes a motion to approve **RESOLUTION NO. R2005-006, ADOPTING KEYSTONE CONSULTING SERVICES, INC. COURT SOFTWARE**, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**TRINETTE S. IMHOF:** Need to have replacements to the Zoning Appeals Board for Louis R. Imhof, Jr. and two replacements for the Plan Commission to replace Louis R. Imhof, Jr. and "Woody" Bailey.

**PRESIDENT REITER** suggests that the Council consider raising the litter penalty to \$1,000.00 (one thousand dollars) at the next Council meeting.

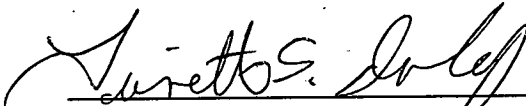
Kevin Staton, developer of Adams Creek sub-division, asks the Council to consider having the street sweeper come through the sub-division and sweep the streets. President Reiter says this can be discussed at the next Council meeting.

**Sellersburg Regular Town Council Meeting**  
**April 11, 2005**  
**Page 6 of 6 pages**

Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 8:18 P.M.

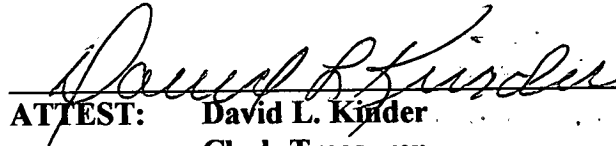
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

Attachments: 2



**RULE 13 –  
Certification of the Plan To Detect, Address, and  
Eliminate Illicit Discharges for the Illicit Detection and  
Elimination MCM**

State Form 51271 (R2 / 11-03)  
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:  
IDEM – Rule 13 Coordinator  
100 North Senate Avenue, Rm 1255  
P.O. Box 6015  
Indianapolis, IN 46206-6015  
Phone: (317) 234-1601 or  
(800) 451-6027, ext. 41601 (within Indiana)  
Web Access:  
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

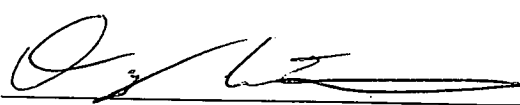
- NOTE:**
- This form must be used to comply with section 14(g) of 327 IAC 15-13.
  - The implementation plan for this MCM must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
  - Submit this completed form when the plan has been developed and implemented.
  - Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

**CERTIFICATION AND SIGNATURE**

The State of Indiana requires Mr. Doug Reiter, Town Council President (MS4 Operator) to develop and implement a plan to detect and eliminate illicit discharges, including illegal dumping, into the MS4. As part of this plan, outfall systems within the regulated MS4 area must be mapped throughout the five-year permit term. The plan must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

► The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040116.

*"I certify, under penalty of law, that this plan and all required materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

Authorized Signature<sup>1</sup>: 

Date: 4-11-05  
(mm/dd/year)

Title<sup>2</sup>: President  
(typed or printed)

<sup>1</sup>The "authorized signature" required above must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual.  
<sup>2</sup>The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).



**RULE 13 –  
Certification of the Development, Implementation,  
Management, and Enforcement of an Erosion and  
Sediment Control Program for the Construction Site  
Storm Water Run-Off Control MCM**

State Form 51272 (R2 / 11-03)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:

IDEM – Rule 13 Coordinator  
100 North Senale Avenue, Rm 1255  
P.O. Box 6015

Indianapolis, IN 46206-6015

Phone: (317) 234-1601 or

(800) 451-6027, ext. 41601 (within Indiana)

Web Access:

<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

**NOTE:**

- This form must be used to comply with section 15(b) of 327 IAC 15-13.
- The program required under this MCM must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
- Submit this completed form when the program has been developed and implemented.
- Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

**CERTIFICATION AND SIGNATURE**

The State of Indiana requires Mr. Doug Reiter, Town Council President (MS4 Operator) to develop, implement, manage, and enforce an erosion and sediment control program for construction activities that disturb one (1) or more acres of land within the regulated MS4 area. As part of this program, an ordinance or other regulatory mechanism must be created or modified, and be substantially similar to IDEM's construction storm water program (327 IAC 15-5). This program and associated legal authorities must be obtained and implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

► The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040116.

*"I certify, under penalty of law, that this program and all required documents and materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

Authorized Signature<sup>1</sup>:

Date:

4-11-05

(mm/dd/year)

Title<sup>2</sup>:

President

(typed or printed)

<sup>1</sup>The "authorized signature" required above must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual.

<sup>2</sup>The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).

**EXECUTIVE SESSION**  
**SELLERSBURG TOWN COUNCIL**  
**May 9, 2005**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on May 9, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III, and Clerk-Treasurer David L. Kinder,

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:03 P.M.

**TOPICS OF DISCUSSION:**

1. Town Council discusses litigation strategy of the threatened litigation as authorized by I.C. 5-14-1.5-6.1(b)(2)(B).
2. Employee matters, authorized by I.C. 5-14-1.5-6.1(b)(6).

Michael N. Lockhart makes a motion to adjourn; seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 6:59 P.M.

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

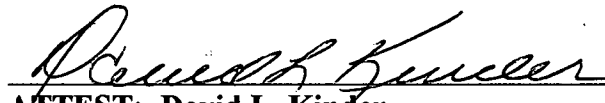
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Council Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL REGULAR MEETING**

**May 9, 2005**

**TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on May 9, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:10 P.M.

**PRAYER:**

Reverend Larry Poe, Faith Community Church.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**REGULAR BUSINESS:**

**President Reiter:** Have all the council members reviewed the invoices as submitted by the Clerk-Treasurer? Jacques S. Smith makes a motion to approve the invoices as presented, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved

Have all council members reviewed the minutes of the April 11, 2005 Town Council meeting? Michael N. Lockhart makes a motion to approve the minutes from April 11, 2005, as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter then turns the meeting over to Chief of Police W. Pat Bradshaw for presentation of the retirement plaque to William Huber after 28 years and 5 months of service. President Reiter presents the plaque. Jacques Smith then presents William Huber with his service weapon.

**VIRGIL BOLLY, (Attorney-at-Law):** Mr. Bolly is representing the Hardy Business Center and asks for a preliminary petition to make this an economic development area.

Mr. Bolly will prepare a preliminary petition to bring to the Town Hall, tomorrow, May 10, 2005.

This will be **RESOLUTION R2005-008;** Paul J. Rhodes makes a motion to pass Resolution R2005-008, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

The Preliminary petition to be sent to the Economic Development Commission.

**Sellersburg Town Council Regular Meeting**  
**May 9, 2005**  
**Page 2 of 5 pages**

**UNFINISHED BUSINESS:**

Appointment to Plan Commission and Board of Zoning Appeals; tabled until the June 13, 2005 meeting.

Increasing the penalty for littering; tabled until the June 13, 2005 meeting.

**KEVIN STATON**, sweeping of the streets in the Adams Creek sub-division; continue until the June 13, 2005 meeting.

**President Reiter** addresses the possible annexation of land, from US 31 and SR 403, West of Bethany Road, North of High Jackson and have Perry (Town Attorney) check into it.

In addition, there will be a Town Hall meeting on May 16, 2005 at 7:30 P.M. discussing the annexation of Hamburg.

**MARY ANN BARTLETT**: Address the Council about the Dietz property becoming a truck terminal and presents an EPA study on the effects of diesel exhaust.

**ROD PATE, (American Legion, Post 204 Commander)**: requesting a donation from the Town for July 4 fireworks display.

**DAN LENFERT**: requesting a preliminary approval for sewer taps for 23-acre development, Autumn Ridge sub-division, on Perry Crossing Road.

Michael N. Lockhart makes a motion to give the preliminary approval for Autumn Ridge sub-division sewer taps, seconded by Jacques S. Smith.

**W. PAT BRADSHAW, (Chief of Police)**: presents invoices for payment: Metro Plumbing for \$189.25 (one hundred eighty nine and 25/100 dollars) and invoice from Tanner Services for \$825.00 (eight hundred twenty-five dollars).

Jacques S. Smith makes a motion to approve the payment of these invoices, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**JIM BARTLETT**: Speaks in opposition to the development of the Dietz property on US 31 as a truck terminal.

**VICKIE HARTLEDGE**: Speaks in opposition to the development of the Dietz property on US 31 as a truck terminal.

**JAY TANNER, (Building Commissioner)**: presents invoice from Indiana Builders Association, Inc. for IRC codes Manuals, \$74.00 (seventy-four dollars).



**Sellersburg Town Council Regular Meeting**

**May 9, 2005**

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Jacques S. Smith makes a motion to pay the invoice, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator)**: Presents invoices for payment:

**USABlueBook**, invoice #968827, containment Decks, \$475.75 (Four hundred seventy-five and 75/100 dollars).

**EXCEL EXCAVATING, INC.** Invoice 2187, 4" wet tap, \$450.00 (four hundred fifty dollars):

**CHAPPELLE Sheet Metal**, aluminum cap, \$125.00 (one hundred twenty-five dollars):

**ESR ELECTRONICS**, Invoice 1368, full LED bar, switch box and labor and wiring, \$1,581.40 (one thousand five hundred eighty-one and 40/100 dollars):

**ESR ELECTRONICS**, invoice 1372, 244p Strobe kit, mini bar, gc light and installation of strobe kit, \$695.85 (six hundred ninety-five and 85/100 dollars):

**B & B SIGNS**, lettering and striping of 2 trucks, \$400.00 (four hundred dollars):

**SOUTHERN INDIANA LININGS & COATINGS, INC.** Line-X spray-on bedliners, \$1,256.55 (one thousand two hundred fifty-six and 55/100 dollars):

**SOUTHERN INDIANA LININGS & COATINGS, INC.**, line-x spray on bedliner 8' under rail, ball mount regular 2" insert, 2" ball, \$431.00 (four hundred thirty-one dollars):

**ArCom**, level 5e data drop (server) 3ft. level 5 patch cords and 10 ft. patch cords, \$100.50 (one hundred and 50/100 dollars):

**SLC METER SERVICE, INC.** Order # 175666, Valve Plug 4' actuated flanged 120V, 100 psi and flange 4' C.I. meter kit, \$1,560.17 (one thousand five hundred sixty and 17/100 dollars):

**DELTA SERVICES, LLC**, invoice 26994, service call; installed start sun cap kit; reinstalled pump #1, pulled pump #2 relocated sight lighting switch, \$1448.31 (one thousand four hundred forty-eight and 31/100 dollars):

**DERBY CITY ELECTRIC, INC.** Invoice R11932, Myers grinder pump, \$1,812.00 (one thousand eight hundred twelve dollars):

**DIG SAFELY**, ID8066, quarterly per ticket fee, \$653.40 (six hundred fifty-three and 40/100 dollars):

**Sellersburg Town Council Regular Meeting**

**May 9, 2005**

**Page 4 of 5 pages**

**EMC (Environmental Management Corporation)**, 6 tap fees, \$988.50 (nine hundred eighty-eight and 50/100 dollars):

**METRO PLUMBING, INC.**, Invoice 6805, service to Mr. Charles Ridenour residence, \$802.57 (eight hundred two and 57/100 dollars).

Jacques S. Smith makes a motion to pay the invoices, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Have negotiated a \$3,000.00 (three thousand dollar) reduction in the electric increase with EMC, as per our contract. They will furnish us an invoice for payment of \$16,000.00.

Jacques S. Smith makes a motion to pay this invoice, when received, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Have a request from Keith and Terry Lynn for installation of 150 feet of 18-inch pipe across their property at a cost of \$5,600.00 (five thousand six hundred dollars).

Michael N. Lockhart makes a motion to approve the \$5,600.00 (five thousand six hundred dollars) pending approval of all legal requirements, both State and Federal, including a waiver of liability and review by the Town Attorney of the contract, seconded by Paul J. Rhodes. 4-aye, 0-nay.

There was a Team Meeting, all Town Employees, which will be held every quarter. The first one was quite successful and all departments of the Town were present. I am submitting an invoice from JayC Food store for \$107.01 for the food at this meeting.

Jacques S. Smith makes a motion to pay this bill from promotional funds, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney)**: Request the Council approve no more than \$4,000.00 for payment of the McDermit vs Sheffield case subject to insuring that the Town has no insurance to cover this payment.

Michael N. Lockhart makes a motion to pay no more than \$4,000.00 upon receipt of invoice for the total cost to resolve this matter, seconded by Jacques S. Smith. 5-ayes, 0-nay motion approved.

Have an ordinance, **ORDINANCE 2005-014, AN ORDINANCE ESTABLISHING A CAPITAL ASSET POLICY FOR THE TOWN OF SELLERSBURG.**

Michael N. Lockhart makes a motion to consider Ordinance 2005-014 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**May 9, 2005**  
**Page 5 of 5 pages**

Michael N. Lockhart makes a motion to pass Ordinance 2005-014 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**DAVID L. KINDER, (Clerk-Treasurer):** Need for the Council to establish the longevity date of Police Officer Richard Goodwin. The date will be April 9, 1998.

Resolution R2005-004 to R2005-007, this was passed at the last Council meeting, the numbers were incorrect.

Jacques S. Smith makes a motion to change the Resolution numbers as requested, seconded by Michael N. Lockhart.

Jacques S. Smith makes a motion to change Ordinance 2005-007 to 2005-013, (The Ordinance 2005-007 was incorrectly numbered when passed at the last council meeting), seconded by Michael N. Lockhart.

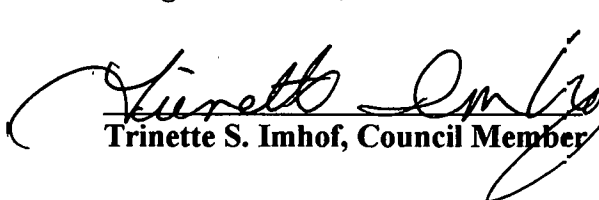
Need for the Council to approve payment of \$297.72 to Officer John Cortie; this amount was withheld from his pay as payment to 1977 Police and Firemen's Pension Fund, but he had not been accepted into the fund until March 10, 2005.

Jacques S. Smith makes a motion to refund the money to Officer Cortie, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to adjourn the meeting, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved and meeting adjourned at 9:00 P.M.

  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

May 16, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on May 16, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinetta S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 8:55 P.M.

### PRAYER:

Council Vice President Michael N. Lockhart:

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### SPECIAL BUSINESS:

Jacques S. Smith makes a motion to accept the minutes of the Town Council Meeting of May 9, 2005 as written, seconded Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to accept the minutes of the Executive Session of May 9, 2005 as written, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

WILLIAM P. McCALL, III, (Town Attorney): Presents **ORDINANCE 2005-015, AN ORDINANCE AMENDING ORDINANCE NO. 2004-029 REGARDING 2005 SALARY, HOLIDAY AND LONGEVITY PAY.**

Michael N. Lockhart makes a motion to consider Ordinance 2005-015 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve ordinance 2005-015 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

KENNETH J. ALEXANDER, (Utility Administrator): Request the Council place an advertisement in the newspaper.

Jacques S. Smith makes a motion to place an advertisement in the (Evening News) paper to advertise for temporary workers, age 17 and above, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved. (This advertisement will be Thursday, May 19 through Sunday May 22, 2005).

**Sellersburg Town Council Special Meeting**

**May 16, 2005**

**Page 2 of 3 pages**

**Ken Alexander** submits a change order from Steven L. Green Enterprises, reference the Storm Drainage on Mayfair Drive, for \$11,270.00 (eleven thousand two hundred seventy dollars).

Michael N. Lockhart makes a motion to approve the \$11,270.00 (eleven thousand two hundred seventy dollars) for the change order, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney)**: Presents an invoice for Paul Sheffield for \$3,800.00 (three thousand eight hundred dollars) for installation of the fence (reference McDermitt vs Sheffield). Last Council meeting you approved up to \$4,000.00 for this.

**Michael N. Lockhart** makes a motion to remove Mark Warren as Superintendent of the Street and Sanitation Department, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Michael N. Lockhart** makes a motion to promote Kevin Harper to Superintendent of the Street and Sanitation Department, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Michael N. Lockhart** makes a motion to have Mark Warren a laborer for the street department, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Trinette S. Imhof** makes a motion to pay Mark Warren \$16.00 (sixteen dollars) per hour as a laborer for the street department, seconded by Jacques S. Smith. 5-aye, 0 nay, motion approved.

**Michael N. Lockhart** suggests the Council make an appointment to the Sellersburg Planning and Zoning Board. He and Paul J. Rhodes have discussed this and they recommend that Glennis Wisdom be appointed to that Board. They will have another recommendation, for the remaining vacancy at the next Council meeting.

Michael N. Lockhart makes the motion to appoint Glennis Wisdom to the Sellersburg Planning and Zoning Board, seconded by Paul J. Rhodes. 4-aye, 1-nay, motion approved.

**Council President Douglas J. Reiter** polls the Council vote: Smith, aye, Lockhart, aye, Reiter, nay, Rhodes, aye, and Imhof, aye.

**Council President Douglas J. Reiter** asks the Council for a recommendation for the request from the Sellersburg American Legion for a donation for the annual July 4<sup>th</sup> fireworks. The request was made at the last Council meeting, no amount was requested but merely a donation from the Town to help with the expenses.

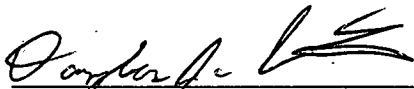
**Jacques S. Smith** makes a motion to donate \$2,000.00 (two thousand dollars) to the American Legion for the 4<sup>th</sup> of July fireworks, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**

**May 16, 2005**

**Page 3 of 3 pages**

**Jacques S. Smith** makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.



**Douglas J. Reiter, Council President**



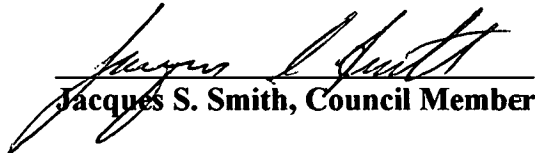
**Michael N. Lockhart, Council Vice President**



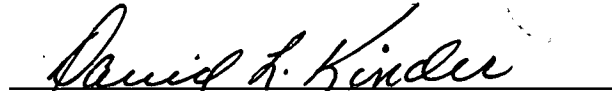
**Trinette S. Imhof, Council Member**



**Paul J. Rhodes, Council Member**



**Jacques S. Smith, Council Member**



**ATTEST: David L. Kinder  
Clerk-Treasurer**

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

June 13, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on June 13, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:02 P.M.

### PRAYER:

Council Member Paul J. Rhodes.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone has reviewed the minutes from May 16, 2005. Michael N. Lockhart makes a motion to approve the minutes from May 16, 2005 Town Council Meeting as written, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the bills as submitted by the Clerk-Treasurer. Jacques S. Smith makes a motion to approve the bills as submitted by the Clerk-Treasurer, seconded by Paul J. Rhodes.

President Reiter submits an invoice from the police department for \$182.56 (one hundred eighty-two and 56/100 dollars) for four tablecloths. Jacques S. Smith makes a motion to approve payment of the invoice, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Town Council recognizes Greg Pratt for his efforts toward cleaning up Camp Creek with Scout Troop 7.

### UNFINISHED BUSINESS:

Appointments to Plan Commission and Board of Zoning Appeals. Glennis Wisdom has been appointed to the Plan Commission and the other position candidates are still being considered.

President Reiter directs the utility manager to put signs out that the maximum fine for littering will be \$2,500.00 (two thousand five hundred dollars).

KEVIN STATON: Sweeping of the streets of Adams Creek. Jacques S. Smith makes a motion to have the Utility Administrator and Street Superintendent to sweep the streets of Adams Creek one time free and determine the cost for later sweeping, seconded by Michael N. Lockhart. 5-

**Sellersburg Town Council Meeting**  
**June 13, 2005**  
**Page 2 of 5 pages**

Aye, 0-nay, motion approved.

**MELISSA WOODS, (River Hills Economic Development District):** The Town has received a Downtown Revitalization Planning Grant in the amount of \$49,750.00 (forty-nine thousand seven hundred fifty dollars) and the Wastewater Grant for \$500,000.00 (five hundred thousand dollars).

As far as the sanitary sewer grant, I am here to ask, contingent upon Mr. McCall's review, that the grant agreement be signed outside of a meeting. We will probably receive it between now and the next Council meeting.

Paul J. Rhodes makes a motion to approve grant authorization pending Perry McCall's reading and approval, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

On the Downtown Revitalization Planning Grant, we received the authorization to incur cost letter from the Lieutenant Governors Office. That means you can go ahead and incur costs such as the planning contract but you are responsible for the costs incurred until you receive the grant agreement.

Jacques S. Smith makes a motion to authorize President Reiter to sign a contract with the Estopinel Group after review by Perry McCall, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Today the Town received two original grant agreements for the Downtown Revitalization Planning Grant, Mr. McCall has approved them, and I am asking they be approved to be signed so I can send it back to the State Office for execution of it.

Jacques S. Smith makes a motion to authorize President Reiter to sign the contract for Revitalization Planning Agreement, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Also have a W-9 form for the Downtown Revitalization Planning Grant, McCall has reviewed it, and I am asking that President Reiter sign it.

Jacques S. Smith makes a motion to have President Reiter sign the W-9, Taxpayer Identification Number Request, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Have an original signature card with Mr. Reiter and Mr. Kinder they can sign any pay requests to do with the Downtown Revitalization Planning Grant and Mr. McCall must approve it as well, with his signature.

Jacques S. Smith makes a motion to authorize President Reiter and Clerk-Treasurer Kinder to sign the signature card for the grant, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion



Approved.

**WILLIAM L. SKEES, (Frost Brown Todd, LLC)**: I am acting as the Bond Counsel for Graceland (Southern) Baptist Church, Inc. Before you is a Bond Ordinance authorizing the issuing of up to \$3,000,000.00 (three million dollars) in Economic Development Revenue Bonds. We have reached an agreeable administration fee of \$7,500.00 (seven thousand five hundred dollars) upon the issuance of the Bonds. That is a one lump sum payment.

Paul J. Rhodes makes a motion to consider on the first reading **ORDINANCE 2005-017, AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA AUTHORIZING THE ISSUANCE OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2005 (GRACELAND SOUTHERN BAPTIST CHURCH, INC. PROJECT), IN THE PRINCIPAL AMOUNT OF UP TO \$3,000,000.00 TO FINANCE THE COSTS OF AN ECONOMIC DEVELOPMENT FACILITY FOR GRACELAND SOUTHERN BAPTIST CHURCH, INC. AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AND LOAN AGREEMENT WITH RESPECT TO THE PROJECT AMONG THE TOWN OF SELLERSBURG, INDIANA, AS ISSUER, STOCK YARDS BANK & TRUST COMPANY, AS PURCHASER, AND GRACELAND SOUTHERN BAPTIST CHURCH, INC., AS BORROWER, PROVIDING FOR LOAN REPAYMENTS SUFFICIENT TO PAY THE PRINCIPAL OF, AND INTEREST ON THE BONDS AS THE SAME BECOME DUE; AND TAKING OTHER RELATED ACTION**, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2005-017 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**RICHARD A. ZOELLER, (Neace Lukens Insurance)**: I am recommending BMS, LLC, (Benefit Marketing Solutions) at a fee of \$60.00 (sixty dollars) a month to administer COBRA for the Town.

Jacques S. Smith makes a motion to have BMS take care of our COBRA administrative services for a first time fee of \$310.00 (three hundred ten dollars) then \$60.00 (sixty dollars) a month thereafter, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**GREG FIFER, (Attorney with Applegate, Mull and Fifer)**: I represent four different developers, Glenwood Farms, Inc, Klein Development Company, Inc, Schmitt-Zurschmiede Developers and Premier Homes of Southern Indiana, Inc. with two properties along St. Joe Road West, and two properties across highway 111, in Floyd County.

This is intended to utilize a Build-Operate-Transfer ("BOT") Agreement.

Michael N. Lockhart makes a motion to approve agreement between Town of Sellersburg and joint venture of Glenwood Farms, Inc, Mr. Klein, Schmitt-Zurschmiede Developers, LLC and

**Sellersburg Town Council Meeting**

**June 13, 2005**

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Premier Homes of Southern Indiana, Inc. pending review of final document by the Towns Attorney Perry McCall, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

**VIRGIL BOLLY, (Attorney-at-Law):** I am here on behalf of the Hardy Business Center. Last month I filed a preliminary request for abatement. Notices have been published.

No motion made to grant the abatement.

**TRINETTE S. IMHOF, (Council Member):** makes a motion to cancel the Special Council Meeting of June 20, 2005, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**KEVIN WRIGHT, (EMC, Environmental Management Corporation):** Will have three bids for roof repair at the Town Water Plant.

**JONAS "Jay" TANNER, (Building Commissioner):** Request for authority to have grass cut at 515 Adkins Court. Michael N. Lockhart makes a motion to approve the street department to cut the grass at 515 Adkins Court, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Manager):** Request that two air packs for the water plant be purchased.

Michael N. Lockhart makes a motion to purchase two air-packs from USA Blue Book for \$3,084.00 (three thousand eighty-four dollars) plus shipping and handling, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Need to purchase chemicals for the high school lift station air scrubber for \$2,800.00 (two thousand eight hundred dollars).

Jacques S. Smith makes a motion for the Utility Administrator to purchase, on as needed basis, limited to every four months, up to \$3,000.00 (three thousand dollars) for chemicals for the high school lift station, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Utility Administrator requests permission to purchase a GPS Trimble GeoXT handheld for \$4,650.00 (four thousand six hundred fifty dollars).

Jacques S. Smith makes a motion to approve the purchase of the GPS Trimble GeoXT handheld for \$4,650.00 (four thousand six hundred fifty dollars), seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion for the Utility Administrator the authorize designee for professional services of sewer project, seconded by Jacques S. Smith. 5-aye, 0-nay motion approved.

**Sellersburg Town Council Meeting**

**June 13, 2005**

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Have an invoice from Pace Contracting, LLC, General Contactor for the Wastewater Treatment Plant expansion, for \$104,400.00 (one hundred four thousand four hundred dollars).

Paul J. Rhodes makes a motion to pay the invoice, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**WILLIAM P. MCCALL, (Town Attorney):** Have Ordinance 2005-016, an Ordinance amending Ordinance 2003-007, bond anticipation notes. The changes you are making to the ordinance are the length of time and the period of payments.

Jacques S. Smith makes a motion to consider **ORDINANCE 2005-016, AN ORDINANCE AMENDING ORDINANCE NO. 2003-007** on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to pass ordinance 2005-016 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Was able to finalize the settlement of the McDermitt, Sheffield case the cost and expenses and need to approve the amount of \$2,000.00 (two thousand dollars) for final settlement.

Michael N. Lockhart makes a motion to approve the \$2,000.00 (two thousand dollar) final settlement, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

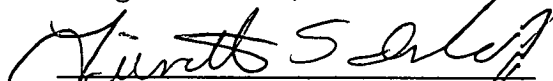
**JACQUES S. SMITH, (Council Member):** I make a motion to expire the term of Wayne Byrns on the police commission, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to appoint Claudia Schuster to the police commission, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.


Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned 9:59 P.M.

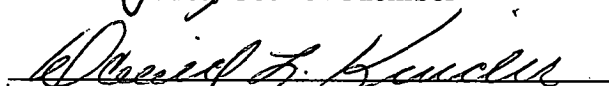
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**JUNE 27, 2005**

The Sellersburg Town Council met in Special Session, June 27, 2005. The meeting was called to order by Council President Douglas J. Reiter at 7:00 P.M. The following members were present. President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council Member Michael N. Lockhart opened the meeting with a prayer.

Pledge of Allegiance was recited by all present.

**BETTY BROADY** addressed the Council, speaking in favor of the zoning change.

**DAVID FRANKE** addressed the Council, speaking in favor of the zoning change.

**ADAM KOCH** addressed the Council, speaking in favor of the zoning change.

**RICK MARTIN** addressed the Council, speaking in opposition to the zoning change.

**RAY CONN** addressed the Council, concerning drainage around the buffer zone.

**BOB LYNN** addressed the Council, speaking in favor of the project.

**MARCIDA BAKER** addressed the Council, speaking in favor of the zoning change.

**JEFF OLTMAN** addressed the Council, concerning the trees already present in the area and his desire to retain the trees.

**GARY YOUNG** addressed the Council, speaking in opposition to the zoning change.

**C. GREGORY FIFER, (Attorney with Applegate and Fifer):** addresses the Council on behalf of David Summitt and proposes an Ordinance for the Council to consider along with an Exhibit "A", Zoning Commitment.

Mr. Fifer reads the Zoning Commitment to the Council.

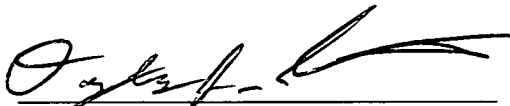
Michael N. Lockhart makes a motion to approve **ORDINANCE 2005-018, AN ORDINANCE CHANGING THE ZONING MAP DESIGNATION OF THAT CERTAIN 77.892-ACRE TRACT OF REALESTATE LOCATED AT THE COMMONLY KNOWN ADDRESS OF 7615 STATE ROAD 31, SELLERBURG,**

**Sellersburg Town Council Special Meeting**  
**June 27, 2005**  
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**CLARK COUNTY, INDIANA, FROM "A, AGRICULTURAL" AND "R-1, RESIDENTIAL" TO "I-1, LIGHT INDUSTRIAL, seconded by Paul J. Rhodes. 4-aye, 1-nay, motion approved.**

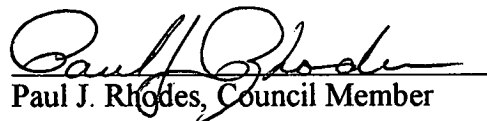
Council President polls the Council; Imhof, aye; Rhodes, aye; Reiter, aye; Lockhart, aye; and Smith, nay.

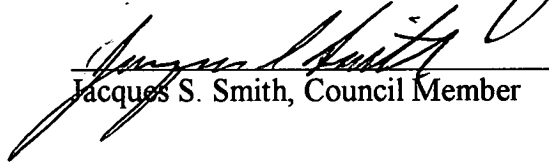
Jacques S. Smith makes a motion to adjourn the meeting, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved and meeting adjourned at 8:23 P.M.


  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer



# SELLERSBURG TOWN COUNCIL SPECIAL MEETING

July 11, 2005

## TOWN COUNCIL MEETING:

The Sellersburg Town Council met on July 11, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, and Clerk-Treasurer David L. Kinder.

Town Attorney William P. McCall, II was absent.

## CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

## PRAYER:

Council President Douglas J. Reiter.

## PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone has reviewed the minutes from special meeting June 27, 2005. Jacques S. Smith makes a motion to approve the minutes from June 27, 2005 Town Council Meeting as written, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the bills as submitted by the Clerk-Treasurer, David L. Kinder. Michael N. Lockhart makes a motion to approve the bills as submitted by the Clerk-Treasurer, David Kinder, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the invoices as submitted by the Utility Administrator Kenneth J. Alexander.

EMC 8 water meters	\$ 686.63	Water
USA Blue Book Air Packs	2,789.77	Water
Delta Electric	11,430.83	Sewer C1
Waller Meters Butler Road	2,888.41	Water
BioChem Polymer Belt Press	553.32	Sewer
Indiana Department Environmental Management	2,121.67	Water
Hall Signs	28.58	Street
Clark County Soil and Water	471.28	Storm
Tetra Tech	67,800.00	Sewer Tap
Tetra Tech	5,700.00	Sewer Tap
The Office Supply	34.95	Sewer
MSD Environmental Services	720.00	Sewer

**Sellersburg Town Council Regular Meeting**  
**July 11, 2005**  
**Page 2 of 5 pages**

FMSM

\$ 6,900.00 Storm consulting

Jacques S. Smith makes a motion to approve the invoices as submitted by the Utility Administrator, Ken Alexander, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

**UNFINISHED BUSINESS:**

Appointments to Plan Commission and Board of Zoning Appeals. Michael N. Lockhart makes a motion to re appoint Louis R. Imhof, Jr. to the Planning Commission, seconded by Jacques S. Smith. 4-aye, 1 abstains, motion approved.

Michael N. Lockhart states that Nancy Casteel has resigned from the Planning Commission. Michael N. Lockhart makes a motion to appoint Lee Mabe to the Planning Commission, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

The appointment to the Board of Zoning Appeals will be filled by the newly elected president of the Planning Commission.

**MELISSA WOODS, (Community Development Specialist):** I have two contracts for Grant Administration, River Hills, the first is for the sewer grant in the amount of \$48,000.00 (forty-eight thousand dollars), I have two originals here that need to be approved and signed.

Paul J. Rhodes makes a motion to approve and have President Reiter sign the Sewer Grant, approval for professional services, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Also, on the Downtown Revitalization Planning Grant I have a contract for River Hills services, the amount of that is \$5,528.00 (five thousand five hundred twenty-eight dollars), and that will be paid out of the local match portion of the grant.

Paul J. Rhodes makes a motion to approve President Reiter to sign the contract for professional services for River Hills, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Melissa Woods also wants to ask the Council to authorize Doug (President Reiter) to sign a semi-annual report for the Revitalization and Planning Grant, for the office of Rural Affairs; it is just a financial update on the grant. (I do not have that with me (Woods) this evening but as soon as I can get it to Perry (McCall) to review which will be after this week.

Paul J. Rhodes makes a motion for President Reiter to sign the Downtown Revitalization Status Grant, after review by our Town Attorney McCall, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**FLORA KUKLA:** Asking for no parking signs at driveways at her residence. President Reiter, Council Member Lockhart and Chief Bradshaw to meet with Mrs. Kukla and make a decision about the signs.



**Sellersburg Town Council Regular Meeting**

**July 11, 2005**

**Page 3 of 5 pages**

**GREGORY FIFER, (Attorney at Law):** This is to establish an area that would be eligible for tax abatement. This is a declaratory resolution that sets up the Dietz property as an Economic Revitalization Area that allows a Statement of Benefits to be filed and a public hearing to be held, which we propose to do at your next monthly public meeting, to hear concerns about those issues and then you would pass another resolution finalizing whatever you determine to do.

**RESOLUTION R2005-009, A RESOLUTION DESIGNATING OF A 77.892-ACRE TRACT OF REAL ESTATE LOCATED AT THE COMMONLY KNOWN ADDRESS OF 7615 STATE ROAD 31, SELLERSBURG, CLARK COUNTY, INDIANA, AS AN ECONOMIC REVITALIZATION AREA.**

Michael N. Lockhart makes a motion to approve Resolution R2005-009, seconded by Paul J. Rhodes. 4-aye, 1-nay, President Reiter polls the Council; Imhof, aye; Rhodes, aye; Reiter, aye; Lockhart, aye, Smith, nay. Motion approved.

**KEVIN WRIGHT, (Environmental Management Corporation):** Need to purchase water meters for \$2,000.00 (two thousand dollars) worth that would give us 52 meters.

Jacques S. Smith makes a motion to approve the \$2,000.00 (two thousand dollars) for water meters, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Also at the last meeting, we discussed the roof at the Water Treatment Plant needing repaired. Clark Henson, supervisor at the Water Department, got three proposals: **Diamond Roofing** for \$15,450.00 (fifteen thousand four hundred fifty dollars) with 10-year warranty. **Royalty Companies** for \$17,847.00 (seventeen thousand eight hundred forty-seven dollars) with 15 year warranty. **Concord Roofing** \$20,647.00 (twenty thousand six hundred forty-seven dollars) with 10-year warranty.

Jacques S. Smith makes a motion to have Council Member Rhodes meet with the two lowest proposals, along with Ken Alexander and Kevin Wright and select the best proposal, let the Town Attorney review the contract and then sign the contract, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Have an invoice from Bastin-Logan, Inc. for the new well for \$18,684.00 (eighteen thousand six hundred eighty-four dollars).

Paul J. Rhodes makes a motion to approve the payment of \$18,684.00 (eighteen thousand six hundred eighty-four dollars) to Bastin-Logan, Inc., seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** discusses the new position of Public

**Sellersburg Town Council Regular Meeting**  
**July 11, 2005**  
**Page 4 of 5 pages**

Works Director and the termination of the EMC (Environmental Management Cooperation) contact.

Trinette S. Imhof makes a motion to have Town Attorney McCall send a certified letter to terminate the EMC contract January 13, 2006 and comply with their contract by sending this letter 120 days prior to the end of their contract, seconded by Michael N. Lockhart.

Alexander, we opened bids for the paving of streets, I do not have them with me, but there were two bidders, Mac Construction and Gohman Asphalt. Gohmann Asphalt was the low bidder at approximately \$104,000.00 (one hundred four thousand dollars).

Michael N. Lockhart makes a motion to award the paving contract to the low bidder Gohmann Asphalt, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Have an invoice from Pace Contracting, LLC for an Emergency Pump Connection at the Camp Chelan Lift Station for \$3,990.00 (three thousand nine hundred ninety dollars).

Jacques S. Smith makes a motion to pay Pace Contracting, LLC \$3,990.00 (three thousand nine hundred ninety dollars), seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Alexander, we are having trouble with out fall pipe at the sewer plant. We need to install two air relief valves on the airport property. Pace Contracting, LLC will do this for \$6,350 per pipe.

Paul J. Rhodes makes a motion to have Pace Contracting, LLC install the air relief valves for a total of \$12,700.00 (twelve thousand seven hundred dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**MICHAEL N. LOCKHART, (Council Member):** Makes a motion to contribute to IACT (Indiana Association Cities and Towns) \$424.97 (four hundred twenty-four and 97/100 dollars) for an IACT Local Government Finance Proposal, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

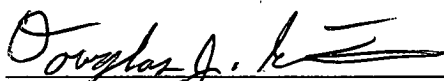
**DOUGLAS J. REITER, (Town Council President):** need a motion to permit me to sign financial agreement for leasing of (police) vehicles pending review of the lease by Town Attorney McCall, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER (Utility Administrator):** I recommend that the Town increase Mr. Tanner, the Building Commissioner, contract by \$7,500.00 (seven thousand five hundred dollars) so he can check sump pump connections throughout the Town.

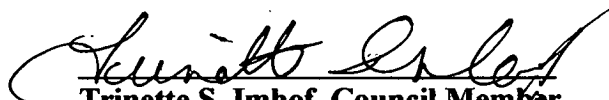
Jacques S. Smith makes a motion for President Reiter to sign an addition to Mr. Tanner's contract, effective now, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**July 11, 2005**  
**Page 5 of 5 pages**

Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 8:41 P.M.


  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

## SELLERSBURG TOWN COUNCIL MEETING

August 8, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on August 8, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:18 P.M.

### PRAYER:

Reverend Paul Drake, Speed Memorial Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

**UNFINISHED BUSINESS:** Opened Public Hearing at 7:21 P.M. on Resolution R2005-009, Economic Revitalization Development Area.

There was no comment from the public present.

Public Meeting is closed at 7:26 P.M. and reopen the Council Meeting.

Trinette S. Imhof makes a motion to pass R2005-009, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Council President Reiter polls the Council vote; Imhof, aye; Rhodes, aye; Reiter, aye; Lockhart, aye, Smith, nay.

**MELISSA WOOD, (Community Development Specialist, River Hills Economic Development District):** Have disclosure reports for Downtown Revitalization and Sewer Grant that need Council President Reiter's signature.

Michael N. Lockhart makes a motion to have Council President Reiter sign the disclosures, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**MICHAEL WHALEN, (Hinton-Corby Insurance):** Presents insurance proposal for the year 2005-2006 for the Liability, Workman Comprehensive and Inland Marine.

Paul J. Rhodes makes a motion to continue the Town's Insurance with Hinton-Corby Insurance, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**August 8, 2005**  
**Page 2 of 4 pages**

**STEVE HEIL, (Auctioneer):** Presents contract for Council approval to sell used equipment.

Paul J. Rhodes makes a motion for Council President Reiter to sign the contract, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved. (Contract will become effective when date is set for the auction).

**BOYCE ADAMS, (Sellersburg Volunteer Fire Department):** Request for the Town to purchase 25 (twenty-five) Storz Connectors at a cost of \$125.00 (one hundred twenty-five dollars each).

Trinette S. Imhof makes a motion to purchase the Storz Connectors, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**R. THOMAS LOWE, (Town Court Judge):** Request that the two part time clerks in the Town Court have their salaries increased due to Mrs. Weitzel going on maternity leave and the two part time will take over her duties.

Michael N. Lockhart makes a motion to increase the salaries and amend the salary ordinance so they get Weitzel's pay rate, on a temporary bases, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KENNETH A. ALEXANDER, (Utility Administrator):** Buckner A&FM Lodge is request the be permitted to place signs at Penn Street and Utica Street intersection and two signs on US 31, if the State approves the location on US 31.

Jacques S. Smith makes a motion to approve the signs, if approved by the State, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**ALEXANDER** states the Water Tank, on Holmans Lane, has been painted and there was a change order for \$2000.00 (two thousand dollars).

Jacques S. Smith makes a motion to approve the change order, seconded by Michael N. Lockhart. 4-aye and 1-abstention.

Janet Gehlbach had a sewer back up in December 28, 2004 and she has a bill for \$525.90 (five hundred twenty-five and 90/100 dollars) and I recommend that we reimburse her this amount of money.

Michael N. Lockhart makes a motion to pay Janet Gehlbach \$525.90 (five hundred twenty-five and 90/100 dollars) for the sewer back-up, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Have a request from for payment for purchase of equipment for a 15 inch interceptor along

**Sellersburg Town Council Regular Meeting  
August 8, 2005  
Page 3 of 4 pages**

Applegate Lane and Utica Street.

Jacques S. Smith makes a motion to pay Dan Cristiani Excavating Company, Inc. \$28,130.00 (twenty-eight thousand one hundred thirty dollars) for parts received and used on this project, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Desire to purchase a Brine System for \$11,410.00 (eleven thousand four hundred ten dollars) this is part of our Storm Phase II system

Jacques S. Smith makes a motion to approve a contract between Harold Renn and the Town of Sellersburg for excavating and construction work, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve the Town to use their equipment and chemicals to spray Silver Creek Park the week of Sellersburg Celebrates, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to use the Town street sweeper in and around Speed Park during Sellersburg Celebrates, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

ALEXANDER presents invoices to be paid:

07-31-2005	Greenbaum Associates, Inc.	\$ 2,900.00
08-02-2005	Lucas Enterprises	19,650.00
07-29-2005	Pace Contracting, LLC	380.00
07-30-2005	Electric Motor Corporation	11,884.00
07-26-2005	EMC	1,446.47
06-30-2005	Superior Print	322.00
07-11-2005	Americon/Cat Rental Store	728.00
07-18-2005	Dig/Safely	882.90
07-09-2005	BioChem, Inc.	2,815.78
07-01-2005	B & B Signs	200.00
07-20-2005	Water works suppliers, Inc.	2,041.84
07-29-2005	SLC Meter Service, Inc.	1,995.00
07-21-2005	SLC Meter Service, Inc.	371.98
07-29-2005	Pace, Contracting, LLC	113,884.33

Michael N. Lockhart makes a motion to approve the invoices as presented by Utility Administrator. 5-aye, 0-nay, motion approved.

**DOUGLAS J. REITER, Council President**): Has everyone reviewed the minutes of the July 11, 2005 meeting?

**Sellersburg Town Council Regular Meeting**

**August 8, 2005**

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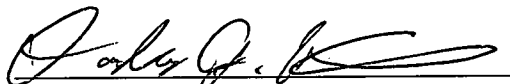
Paul J. Rhodes makes a motion to approve the minutes, as written, of the July 11, 2005 meeting, seconded by Jacques S. Smith.

Jacques S. Smith makes a motion to pay the invoices as submitted by the Clerk-Treasurers office, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve a donation of \$10,000.00 (ten thousand dollars) to Sellersburg Celebrates, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to release the bond on Phase one of Adams Creek, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved and meeting adjourned at 9:53 P.M.

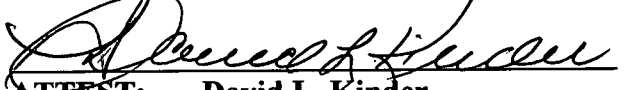
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder  
Clerk-Treasurer**

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

August 15, 2005

### TOWN COUNCIL SPECIAL MEETING:

The Sellersburg Town Council met on August 15, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice-President Michael N. Lockhart, Council Member Trnette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:00 P.M.

PRAYER: Offered by Council President Douglas J. Reiter.

PLEDGE OF ALLIGENCE: Offered by all present.

### SPECIAL MEETING:

W. Pat BRADSHAW, (Chief of Police): Presents a bill for travel for himself and Detective Whalen to Texas, for \$960.42 (nine hundred sixty and 42/100 dollars).

Jacques S. Smith makes a motion to approve payment of this bill, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve the minutes of the August 8, 2005 Council Meeting with one change, a typing error, the vote on the Resolution R2005-009, was typed as 4-aye and 0-nay it should be 1-nay, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to accept the proposal from JP Morgan Chase Bank to finance the police vehicles and have President Reiter sign the proposal, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

KENNETH J. ALEXANDER, (Utility Administrator): Presents two bills for payment.

Excel Excavating, Inc for \$450.00 (four hundred fifty dollars) for 4 inch water main tap and postage for EMC in the amount of \$812.10 (eight hundred twelve and 10/100 dollars).

Michael N. Lockhart makes a motion to pay Excel Excavating, Inc. \$450.00 (four hundred fifty dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.



**Sellersburg Town Council Special Meeting**  
**August 15, 2005**  
**Page 2 of 4 pages**

Michael N. Lockhart makes a motion to pay \$812.10 (eight hundred twelve and 10/100 dollars) to EMC (Environmental Management Corporation) for postage, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Alexander states that the Town is going to close on the easements for the sewer capital improvements and need for the Council to have checks issued for the closings this week. One check is to Samuel R. and Theresa A. Lomax for \$3,980.00 (three thousand nine hundred eighty dollars) and a check to William E. and Helen M. Bridges for \$15,500.00 (fifteen thousand five hundred dollars).

Paul J. Rhodes makes a motion to approve purchase of both of these easements one for \$3,980.00 (three thousand nine hundred eighty dollars) to Samuel R. and Theresa A. Lomax and the other being \$15,500.00 (fifteen thousand five hundred dollars) to William E. and Helen M. Bridges, upon execution of the easements, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Alexander has a request for information about the Sewer and Water Department for boundary maps and the County is doing a study in Clark County about regional sewers and they request some maps about our boundaries.

Michael N. Lockhart makes a motion to release the information about the sewer, water and town boundary maps to Lockmuller for the project, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Alexander has a quote from Agro-Chem East for a brine system for the street department.

Michael N. Lockhart makes a motion to approve the purchase of the Brine system for \$11,410.00 (eleven thousand four hundred ten dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Alexander presents a quote from Kamer Construction Co. for a pole barn building for \$31,300.00 (thirty-one thousand three hundred dollars). Have quotes from Kevin McNew's Post Buildings for \$37,000.00 (thirty-seven thousand dollars); Shelby Enterprises LLC for \$38,378.52 (thirty-eight thousand three hundred seventy-eight and 52/100 dollars); Tallent Lumber for \$34,893.29 (thirty-four thousand eight hundred ninety-three and 29/100 dollars).

Michael N. Lockhart makes a motion to approve Kamer Construction Co. bid of \$31,300.00 (thirty-one thousand three hundred dollars), with a one year warranty,

**Sellersburg Town Council Special Meeting**  
**August 15, 2005**  
**Page 3 of 4 pages**

for construction of a 40 by 60 foot pole barn, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III (Town Attorney):** Presents **ORDINANCE 2005-019, AN ORDINANCE AMENDING ORDINANCE REGARDING SALARY, HOLIDAY AND LONGEVITY PAY.**

Trinette S. Imhof makes a motion to consider Ordinance 2005-019 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2005-019 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

McCall presents an Agreed Order for release of claims for Mike Davis.

Michael N. Lockhart makes a motion to have Council President Reiter sign a release of claims for Mike Davis, Agreed Order Dismissing as Settled; cause 10D03-0507-SC-1222, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

McCall says that in April the Council discussed providing health insurance for the Town Judge, Town Attorney and other individuals on the Town Council.

Trinette S. Imhof makes a motion to consider on the first reading **ORDINANCE 2005-020, Approval of Health Insurance for Town Attorney and elected officials.** seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to approve Ordinance 2005-020 on first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to waive the 60 day waiting period for elected officials and Town Attorney in office at this time, who have already served the 60 days to get the insurance immediately, seconded by Trinette S. Imhof.

**TRINETTE S. IMHOF, (Council Member):** In the past we discussed a cell phone for the Town Council President and that we retroactive pay the basic cost of the Town Council President's cell phone. Michael N. Lockhart confirms that the cell phone should be furnished for the Town Council President and that the present Council President should be reimbursed for the basic cost of the cell phone he has used. This is tabled until the next meeting.

**Sellersburg Town Council Special Meeting**  
**August 15, 2005**  
**Page 4 of 4 pages**

Have two bills from the Clark County Landfill to be paid, if not already paid, May 31, 2005 in the amount of \$1,959.00 (one thousand nine hundred fifty-nine dollars) and February 28, 2005 in the amount of \$1,013.60 (one thousand thirteen dollars and 60/100 dollars).

Trinette S. Imhof makes a motion to pay these bills, if not already paid, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

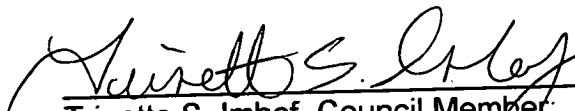
Have three bills from past meeting that were not approved for payment. The bills are from Water Works Supply, one for \$415.00 (four hundred fifteen dollars); one for \$68.18 (sixty-eight and 18/100 dollars) and one for \$34.09 (thirty-four and 09/100 dollars) for Speed Park fire hydrant repairs.

Michael N. Lockhart makes a motion to approve payment of these bills, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

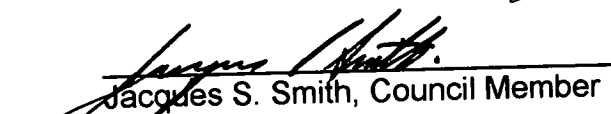
Paul J. Rhodes makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 8:38 P.M.

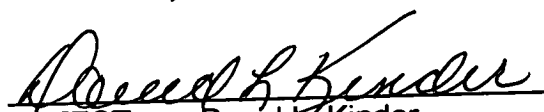
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL  
EXECUTIVE SESSION**

**August 22, 2005**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on August 22, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice- President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:31 P.M.

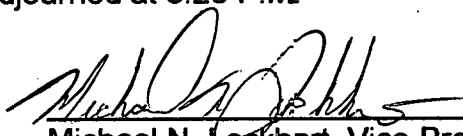
**TOPICS OF DISCUSSION:**

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

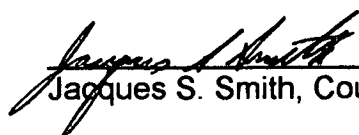
Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, meeting adjourned at 8:26 P.M.

  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
\_\_\_\_\_  
Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL SPECIAL MEETING

August 22, 2006

### TOWN COUNCIL SPECIAL MEETING:

The Sellersburg Town Council met on August 22, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 8:35 P.M.

PRAYER: Offered by Council Member Michael N. Lockhart.

PLEDGE OF ALLIGENCE: Offered by all present.

### SPECIAL MEETING:

Jacques S. Smith makes a motion to approve Hinton-Corby Insurance bills for Town Insurance, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion is approved.

Paul J. Rhodes makes a motion to consider on the first reading **ORDINANCE NO. 2005-021, AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES**, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve **Ordinance No. 2005-021** on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to support the recommendation of the Street and Sanitation Supervisor and the Utility Administrator to terminate employment of Thomas A. Layman, Sr. and Thomas A. Layman, Jr., seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion for Supervisor to notify both employees of their termination, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion for "Perry" (Town Attorney) to draft something for the employee manual empowering the supervisor for termination, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

KENNETH J. ALEXANDER, (Utility Manger): Harold Renn needs to have the sewer pipe at the Bridges property to run 300 feet instead of 150 feet.

**Sellersburg Town Council Special Meeting**

**August 22, 2005**

**Page 2 of 2 pages**

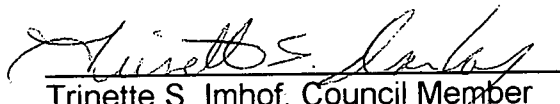
Jacques S. Smith makes a motion to approve Kenneth Alexander to make a change order for this extra 150 feet of sewer for \$1,750.00 (one thousand seven hundred fifty dollars), seconded by Michael N. Lockhart.

Douglas J. Reiter makes a motion to approve up to \$3,000.00 (three thousand dollars) to purchase a lap top computer for the Utility Administrator, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

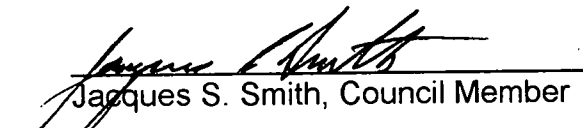
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 9:03 P.M.

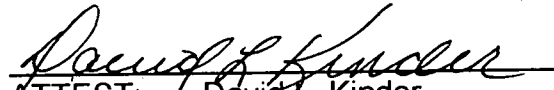
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

September 12, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on September 12, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:04 P.M.

### PRAYER:

Reverend Bob Hauselman, Restoration Christian Church.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### UNFINISHED BUSINESS:

Motion by Trinette S. Imhof to retroactively pay the basic cost of a cell telephone for the Council President, seconded by Jacques S. Smith. 4-aye, 1 abstains, motion approved.

### President Reiter presents Resolution **R2005-011, RESOLUTION APPROVING AN INCREASED TAX LEVY FOR THE TOWN OF SELLERSBURG 2006 BUDGET.**

Jacques S. Smith makes a motion to pass Resolution R2005-011 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Resolution R2005-011, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter asks if everyone has reviewed the minutes of the Town Council Executive Session, August 22, 2005, as written.

Michael N. Lockhart makes a motion to approve the minutes as written, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve the minutes of the Special Council Meeting, August 22, 2005, as written, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve the minutes of the Special Council Meeting, August 15, 2005, as written, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**

**September 12, 2005**

**Page 2 of 5 pages**

**President Reiter** presents the invoices and statements as provided by the Clerk-Treasurer's office.

Jacques S. Smith makes a motion to pay the invoices and statements as provided by the Clerk-Treasurer's office, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** presents **ORDINANCE 2005-020, AN ORDINANCE AUTHORIZING TOWN OF SELLERSBURG ELECTED OFFICIALS AND TOWN ATTORNEY TO RECEIVE INSURANCE BENEFITS THROUGH THE TOWN OF SELLERSBURG HEALTH, DENTAL, AND LIFE INSURANCE PROGRAM.**

Jacques S. Smith makes a motion to consider Ordinance 2005-020 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-020 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** presents an invoice from Russ Whelan, for vehicle rental and gasoline, for \$79.61 (seventy-nine and 61/100 dollars).

Paul J. Rhodes makes a motion to pay this invoice, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** Presents an invoice from EMC (Environmental Management Corporation) for water tap fees, \$1,969.13 (one thousand nine hundred sixty-nine and 13/100 dollars).

Kenneth J. Alexander also presents an invoice from Delta Services, LLC, for Invoice 28351, re-install pump #2 at Ivy Tech lift station #1, \$343.00 (three hundred forty-three dollars).

Paul J. Rhodes makes a motion to pay both invoices, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Kenneth J. Alexander presents the following invoices for payment:

Spencer Machine	Invoice 8000	8-31-05	\$2,240.00
Delta Services, LLC	Invoice 28084	8-17-05	531.82
Spencer Machine	Invoice 7993	8-30-05	1,938.85
Con-way Central Express	Invoice 669-031462	8-05-05	246.77
Harrington Inc.	Invoice 061502	9-02-05	3,183.70
Greenbaum Associates, Inc.	Invoice 05-342	8-30-05	1,066.00
Pace Contracting, LLC	Invoice 817	8-25-05	131,400.62



**Sellersburg Town Council Regular Meeting  
September 12, 2005  
Page 3 of 5 pages**

Jacobi, Toombs & Lanz, Inc. Invoice 05-1796	7-31-05	1,765.00
Jacobi, Toombs & Lanz, Inc. Invoice 05-1794	7-31-05	501.26
Jacobi, Toombs & Lanz, Inc. Invoice 05-1795	7-31-05	480.00

Jacques S. Smith makes a motion to approve payment of these invoices, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion that we allow our Utility Administrator and the Town Attorney to pursue the matter of finding someone to develop a fiscal plan for annexation, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to pay Diamond Roofing Company fifty percent of their quoted price for the new roof at the water treatment plant, \$8,187.50 (eight thousand one hundred eighty-seven and 50/100 dollars) until Ken (Alexander) verifies that the work has been completed to his satisfaction, seconded by Paul J. Rhodes. 4-aye, 1-nay, motion approved.

Kenneth J. Alexander presents a change order for Harold Renn's Backhoe and Landscape Service for an extra 150 feet of 18-inch pipe at a cost of \$1,760.00 (one thousand seven hundred sixty dollars).

Paul J. Rhodes makes a motion to pay the \$1,760.00 (one thousand seven hundred sixty dollars), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Kenneth J. Alexander presents a contract with Underground Pipe & Valve, Inc. for 5 (five) Radix Model R300 demo units along with charger/communication stands, all cables required to interface to PC, \$375.00 (three hundred seventh-five dollars) for 48 (forty-eight) months.

Paul J. Rhodes makes a motion to purchase five meters, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Kenneth J. Alexander presents a change order for the pole barn under construction for the street department. The change order is for a six-foot drain.

Jacques S. Smith makes a motion to approve payment of the change order, \$2,900.00 (two thousand nine hundred dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to give the Utility Administrator permission to take applications and make recommendations, formulate job descriptions and put in place a Public Works structure, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to give President Reiter authority to sign this Indiana Economic Development Corporation Infrastructure Application, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Regular Meeting**  
**September 12, 2005**  
**Page 4 of 5 pages**

Michael N. Lockhart makes a motion to approve the BOT (Build, Operate and Transfer) agreement with the Town of Sellersburg with the changes of typographical errors, change of names and take it from twenty years to ten year period of agreement, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve sewer permits for the following developers, Steve E. Klein, Woods of St. Joe; D. J. Hines, Glenwood Farms; Bryan Lenfert, Autumn Ridge; B. C. Land Development, Estates of Elk Run; Schmidt and Zurschmeide, Fields of St. Joe and John Zurschmeide, Fields of St. Joe (West Addition), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion that the sewer permits just approved that it must pass the Town Engineer inspection and the operator at the sewer plant, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to authorize Council President Reiter to sign letters to Floyd County, for Woods of St. Joe; Clark County for Autumn Ridge, Estates of Elk Run, Fields of St. Joe and Fields of St. Joe (West Addition), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney):** Have an invoice from Applegate and Fifer (Law Firm) for title work they had done for Revitalization Grants and the invoices were over billed, by error, so the total amount due to Applegate and Fifer is \$375.00 (Three hundred seventy-five dollars).

Michael N. Lockhart makes a motion to pay the invoice from Applegate and Fifer, \$375.00 (three hundred seventy-five dollars, to Allen Applegate, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

McCall submits **ORDINANCE 2005-022, AN ORDINANCE AMENDING SECTION 95.15 OF THE SELLERSBURG CODE**, this allows the Town of Sellersburg Building Commissioner, as well as the Town of Sellersburg Police Department to issue notice to the owner or occupant of the premises where a nuisance is found to exist and an abatement is required.

Michael N. Lockhart makes a motion to consider Ordinance 2005-022 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2005-022 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

McCall submits **ORDINANCE 2005-023, AN ORDINANCE AMENDING SECTION 95.12 OF THE SELLERSBURG TOWN CODE**, elimination of Section 95.12, as it concerns animal

**Sellersburg Town Council Regular Meeting**  
**September 12, 2005**  
**Page 5 of 5 pages**

nuisances and has found that subsection (F) paragraphs 1, 2, and 3 are no longer appropriate and should therefore be deleted from the Sellersburg Town Code.

Jacques S. Smith makes a motion to consider Ordinance 2005-023 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to approve Ordinance 2005-023 on the first reading, seconded by Jacques S. Smith. 5-ay, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** Presents the Council with education on the MS-4 operations for the Town.

**DAVID L. KINDER, (Clerk-Treasurer):** Submits invoice from Nicer Reflections for mold testing of the Town Hall; invoice is \$1,027.64 (one thousand twenty-seven and 64/100 dollars).

Jacques S. Smith makes a motion to approve payment of the invoice from Nicer Reflections, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 8:51 P.M..

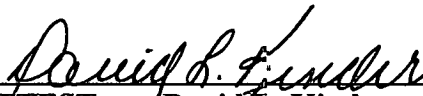
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

## SELLERSBURG SPECIAL TOWN COUNCIL MEETING

September 26, 2005

### SPECIAL COUNCIL MEETING:

The Sellersburg Town Council met on September 26, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall III and Chief Deputy Clerk Treasurer Michelle D. Eve.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 6:30 p.m.

### PRAYER:

Council Member Michael N. Lockhart

### PLEDGE OF ALLEGIANCE:

Offered by all present.

### JAY TANNER, BUILDING COMMISSIONER

Presents photos of 109-111 New Albany Street, owned by Steve Williams. A letter was sent and Mr. Williams received it on September 9, 2005 advising Mr. Williams to correct three violations: 1. Unsafe electric 2. Structural issues 3. Debris. Mr. Tanner recommends to the Town Council to start citing Mr. Williams from this day forward with the maximum fines, \$2,500.00 (two thousand five hundred dollars) per day per violation.

Michael N. Lockhart entertains a motion to start levying the maximum fine of \$2,500.00 (two thousand five hundred dollars) per violation per day. Mr. McCall will issue the citation by certified letter on September 27, 2005; the fines will start on October 11, 2005. Motion seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

### KENNETH J. ALEXANDER, UTILITY ADMINISTRATOR

Presents a State Revolving Fund (SRF) loan application for financing of the sewer project. The application needs to be signed by President Reiter.

Michael N. Lockhart makes a motion to approve the signing of the State Revolving Fund loan application by President Reiter, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Mr. Alexander presents an invoice for reimbursement in the amount of \$69.97 (sixty-nine dollars and ninety-seven cents) for hard drive mechanic software from DriveFix.

Michael N. Lockhart makes a motion to approve re-imbursement to Mr. Alexander for the software in the amount of \$69.97 (sixty-nine dollars and ninety-seven cents), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**Sellersburg Town Council Special Meeting**  
**September 26, 2005**  
**Page 2 of 2 pages**

Mr. Alexander asked for the Council's approval to have Kevin Harper, Street Superintendent, to tear down the lean-to on the Street Department garage, off duty, in exchange for the metal. No vote required. Council doesn't see a problem with it.

Mr. Alexander asked the Council's permission to borrow the Town's asphalt roller for his own personal use, after hours. Mr. Lockhart will check with Kevin Harper, Street Superintendent, to see if it would be okay.

**ADJOURNED:**

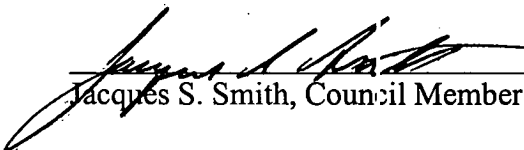
Trinette S. Imhof makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 7:34 p.m.


  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Council Vice President

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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: Michelle D. Eve,  
Chief Deputy Clerk Treasurer

**SELLERSBURG TOWN COUNCIL MEETING**

**October 10, 2005**

**TOWN COUNCIL MEETING:**

The Sellersburg Town Council met on October 10, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:05 P.M.

**PRAYER:**

Council Member Paul J. Rhodes gave the opening prayer.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**President Reiter** asks if everyone had reviewed the minutes of the September 12, 2005 meeting.

Paul J. Rhodes makes a motion to approve the minutes of the September 12, 2005 meeting as written, seconded by Michael N. Lockhart. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the minutes of the Special Town Council Meeting of September 26, 2005.

Michael N. Lockhart makes a motion to approve the minutes of the Special Town Council Meeting of September 26, 2005 as written, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has had a chance to review the invoices submitted by the Clerk-Treasurer.

Paul J. Rhodes makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

Have invoices submitted by the Utility Administrator:

B & B Signs	9-22-2005	Invoice #	\$200.00
Omega Rail Management	9-21-2005	Invoice # 05-LI-PH-001-B	264.00
SLC Meter	9-29-2005	Invoice # 204639	26.07
SLC Meter	9-29-2005	Invoice # 204647	9.55
SLC Meter	9-29-2005	Invoice # 204640	7.07
SLC Meter	9-29-2005	Invoice # 204649	97.45

**Sellersburg Town Council Regular Meeting**  
**October 10, 2005**  
**Page 2 of 5 pages**

SLC Meter	9-29-2005	Invoice # 204657	581.96
Ferguson Enterprises, Inc.	9-28-2005	Invoice # 729759	82.23
J. R. Hoe & Sons, Inc.	10-06-2005	Invoice # 109496	1,268.00
Greenbaum Associates, Inc.	9-28-2005	Invoice # 05-377	960.40

Jacques S. Smith makes a motion to approve payment of the invoices, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter**, just for the record (Council member) Trinette S. Imhof is present.

**President Reiter**, we have an ordinance to amend, the salaries for the two part time girls in the Town Court. We will go ahead and amend the ordinance.

Jacques S. Smith makes a motion to consider Ordinance 2005-024 on the first reading. An **ORDINANCE AMENDING ORDINANCE 2005-019**, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-024 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Town Attorney will type the ordinance.

**President Reiter** opens the public hearing for tax abatement for M & J Properties at 7:17 P.M. (No comments from the public). Public Hearing is closed.

Town Attorney McCall reads letter sent to Mark Wenning, of M & J Properties, dated September 27, 2005 by certified mail, returned receipt dated September 30, 2005.

Paul J. Rhodes makes a motion to pass a Resolution, Resolution 2005R-012, terminating the tax abatement for M & J Properties, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**SCOTT WILLIAMS** reference the building at 109 North New Albany Street and the fine imposed for violation of the building codes. Mr. Williams requests an extension of time to demolish the building.

Paul J. Rhodes makes a motion for the fines to remain in effect, the total fines will be collected unless the building is taken care as we desired with the demolition by 31 October the fines are three violations \$7,500.00 (seven thousand five hundred dollars) total and access to the building will be eliminated tomorrow, Jacques S. Smith. 5-aye, 0-nay, motion approved.

**KEVIN WRIGHT, (Environmental Management Corporation)**: Have a request from Restoration Christian Church to tap into the town sewer system.

**Sellersburg Town Council Regular Meeting**

**October 10, 2005**

**Page 3 of 5 pages**

Michael N. Lockhart makes a motion to approve Restoration Christian Church request to hook onto the sewers pending inspection by Kevin Wright and Utility Administrator Ken Alexander and that they pay all expenses and sign sewer extension and no remonstrations against annexation, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**DONALD ROSS (Assistant Chief of Police):** Submits invoice for school, meals and mileage for John F. Cortie in the amount of \$227.36 (two hundred twenty-seven and 36/100 dollars).

Jacques S. Smith makes a motion to approve payment of the invoice, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**KENNETH J. ALEXANDER, (Utility Administrator):** President Reiter requests a motion to give the Utility Administrator the authority to hire for the public works department.

Paul J. Rhodes makes a motion to grant the authority to Kenneth J. Alexander to hire personnel for the public works department, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Alexander** presents the Economic Development Agreement for the Summitt project for just the road which is \$750,870.00 (seven hundred fifty thousand eight hundred seventy dollars) which the State has granted \$375,000.00 (three hundred seventy-five thousand dollars) with a remainder of \$375,870.00 (three hundred seventh-five thousand eight hundred seventy dollars).

Paul J. Rhodes makes a motion for the Council President to sign the agreement but to give the Utility Administrator authority to hold the agreement until the status of the sewer grant is known, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Alexander** presents the agreement with Omega Rail Management for the forced main that will be going under the railroad.

Michael N. Lockhart makes a motion for the Council President to sign the Omega Rail Management for the License Agreement (No. LI-SEL-002), seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Dreyer Estates is requesting decorative lighting for the sub-division.

Jacques S. Smith makes a motion to approve the lighting for Dreyer Estates for Outdoor Lighting from Cinergy and have Council President sign the contract, seconded by Trinetta S. Imhof. 5-aye, 0-nay, motion approved.

**Alexander** request the Council purchase a snow plow for the Public Works Department.

Jacques S. Smith makes a motion to purchase a snow plow for the Public Works vehicle at a cost of \$4,199.00 (four thousand one hundred ninety-nine dollars), seconded by Michael N. Lockhart.



**Sellersburg Town Council Regular Meeting**  
**October 10, 2005**  
**Page 4 of 5 pages**

5-aye, 0-nay, motion approved.

**Mr. Alexander** has received three bids for foundation, concrete floor and cinder block walls on the 28 foot by 31 feet 6 inch addition to the Street Department Building. Kamer Construction Company, \$15,700.00 (fifteen thousand seven hundred dollars); Bruce Holt, Holt Construction, \$16,292.00 (sixteen thousand two hundred ninety-two dollars) and Tanner Services, \$15,900.00 (fifteen thousand nine hundred dollars).

Paul J. Rhodes makes a motion to accept the bid of Kamer Construction Company of \$15,700.00 (fifteen thousand seven hundred dollars), seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to have a check, not to exceed \$150.00 (one hundred fifty dollars), to be sent to the State for release of the plans on this project, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**Alexander** presents a Scope of Services, Responsibilities, Time, Budget and Related matters, Appendix A.3 from Fuller, Mossbarger, Scott and May Engineers, Inc. This will Task 1 – Update Parcel Boundaries; Task 2 – Development of Digital Zoning Layer; Task 3 – Greentree Water meter Application and Task 4 – Misc. GIS Support.

Paul J. Rhodes makes a motion to approve \$18,000.00 (eighteen thousand dollars) to purchase the GIS capabilities, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**TRINETTE S. IMHOFF, (Council Member):** Has past due Water/Sewer bill for the Town Pool that needs to be adjusted. She makes a motion to approve adjustment of the bill, \$6,867.42, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**JACQUES S. SMITH, (Council Member):** Makes a motion that Robert McNary be appointed to the Police Commission to fill the vacancy created by the death of Robert Adams, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**DAVID L. KINDER, (Clerk-Treasurer):** Has approval been granted by the Council to permit the repairs to the Town Hall for the mold that is present in the walls.

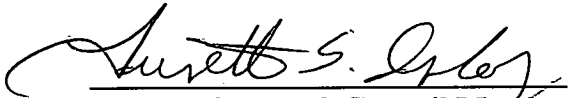
President Reiter advises that it was approved pending what the Insurance Company was going to do and after that to go ahead with the repairs.

**Sellersburg Town Council Regular Meeting**  
**October 10, 2005**  
**Page 5 of 5 pages**

Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 8:55 P.M.

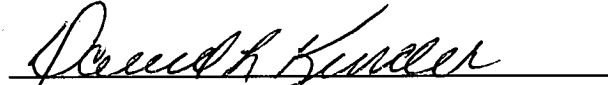
  
**Douglas J. Reiter, Council President**

  
**Michael N. Lockhart, Council Vice President**

  
**Trinette S. Imhof, Council Member**

  
**Paul J. Rhodes, Council Member**

  
**Jacques S. Smith, Council Member**

  
**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

**EXECUTIVE SESSION**  
**SELLERSBURG TOWN COUNCIL**  
**November 14, 2005**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on October 14, 2005. Present for the meeting were Town Council Vice-President Danny F. Yost, Council Member Trinette S. Imhof, Council Member Michael N. Lockhart, Council Member Jacques S. Smith, Town Attorney William P. McCall, III.

President Douglas J. Reiter was absent from the meeting and Clerk-Treasurer David L. Kinder was excused from the Executive Session.

**CALLED TO ORDER:**

Vice-President Michael N. Lockhart called the meeting to order at 6:32 P.M.

**TOPICS OF DISCUSSION:**

Personnel matter, [IC 5-14-1.5-6.1(b)(6)].

**ADJOURNMENT:** Vice-President adjourns the meeting at 7:15 P.M.

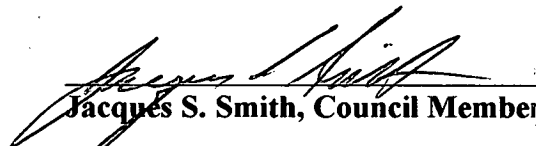
No subject matter was discussed in the executive session other than the subject matter specified in the public notice.

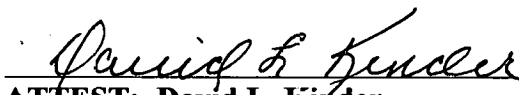
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

## SELLERSBURG TOWN COUNCIL MEETING

November 14, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on November 14, 2005 at the Sellersburg Town Hall. Present were Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

Council President Douglas J. Reiter was absent.

### CALL TO ORDER:

Vice-President Michael N. Lockhart called the meeting to order at 7:20 P.M.

### PRAYER:

Council Member Paul J. Rhodes gave the opening prayer.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

Vice-President Lockhart asks if everyone had reviewed the minutes of the October 10, 2005 meeting.

Jacques S. Smith makes a motion to approve the minutes of the October 10, 2005 meeting as written, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Vice-President Lockhart asks if everyone has had a chance to review the invoices submitted by the Clerk-Treasurer.

Jacques S. Smith makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

Have invoices submitted by the Utility Administrator:

Alexanders Triple A. Sales	11-07-05	Invoice 103	\$ 1,565.00
Tow Zone	10-20-05	1617	4,199.00
R-Delivery Systems, Inc	10-26-05	102605	91.31
B J. Heating & Air, Inc	10-13-05	13893	300.00
Jacobi, Toombs & Lanz	10-26-05	05-1920	720.00
Greentree Applied Systems	11-01-05		1,000.00
Gohmann Asphalt	10-13-05		119,054.36
Pace Contracting, LLC	10-31-05	850	164,048.40
Greenbaum Associates	10-23-05	05-416	1,286.80
Carmerica	10-18-05	01-53647	320.84

**Sellersburg Town Council Regular Meeting**

**November 14, 2005**

**Page 2 of 4 pages**

Purafil, Inc	10-19-05	128395	2,842.60
Charlie Alignment Svc.	10-27-05	24126	450.12
Environmental Management	09-15-05		85.00
Holy Moley Says	10-18-05	7741	790.20
Beckman Laboratory	10-20-05	157988	500.00
Ohio Valley Ready Mix	10-04-05	83082	305.00
Ohio Valley Ready Mix	10-05-05	83113	187.50
Ohio Valley Ready Mix	10-06-05	83150	111.25
Big G Supply, Inc.	11-01-05		1,996.71

Jacques S. Smith makes a motion to approve the invoices submitted by the Utility Administrator, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**VIRGIL BOLLY, (Attorney-at-Law):** Representing the Gillenwater family for rezoning of property in front of (Garr) funeral home, 7800 highway 311, from R1, Residential to B1, Business. The Council advises Mr. Bolly to re-submit his request to the Plan Commission and request this property be zoned as B3. The Plan Commission meeting is 6:00 P.M., December 19, 2005 and the Council can hold a special meeting following the Plan Commission meeting and approve the new zoning.

**MELISSA WOODS, (River Hills Economic Development District):** I have the first invoice for the Downtown Planning Grant and it is for the Estopinal Group, invoice #107249, in the amount of \$29,850.00 (twenty-nine thousand eight hundred fifty dollars).

Paul J. Rhodes makes a motion to pay the invoice 107249 to the Estopinal Group, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

The Sellersburg Sewer Improvement CFF Grant bids went out November 10 and the other will go out on Thursday, November 17. There will be a pre-bid meeting, Friday, November 18 at 10:00 A.M. here at the Town Hall and the bids will be opened on December 1 at 2:00 P.M.

**BRENDA WENNING, (M & J Properties):** This is reference the tax abatement that was discussed at the last Council meeting.

Jason A. Lopp, Attorney, I am representing a company that is interested in this property and the tax abatement that is in place now could effect the sale of the property to United Road, a nation wide trucking company.

Jacques S. Smith makes a motion for the Building Inspector to re-inspect the location and not to forward the Resolution rescinding the abatement, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

**BILL MINERS,** requesting a 15 foot Ingress/Egress easement behind his property.

**Sellersburg Town Council Regular Meeting**

**November 14, 2005**

**Page 3 of 4 pages**

Jacques S. Smith makes a motion to table this request until the next meeting, seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved.

**KENNETH A. ALEXANDER, (Utility Administrator):** Tetra Tech, Inc. has requested a change order to the Work Order Contract for Design and Construction Services Dated January 17, 2005. They have put in extra time and work that is outside the scope of their original contract.

Paul J. Rhodes makes a motion to approve change order # 1 for Tetra Tech, Inc in the amount of \$38,500.00 (thirty-eight thousand five hundred dollars), seconded by Trinetta S. Imhof. 4-aye, 0-nay, motion approved.

Mr. Alexander request the hiring of a billing clerk for the utility department, 40 (forty) hours per week at \$14.00 (fourteen dollars) per hour.

Trinetta S. Imhof makes a motion to amend the salary ordinance to hire a billing clerk at \$14.00 (fourteen dollars) per hour starting in the month of December (2005), seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

Have contract for the Summitt Project, the Town will not incur any cost for this project, the contract is with Jacobi, Toombs and Lanz, Engineering, Inc. to do the engineering on the roadwork and the sewer upgrade to Bean Road lift station. The amounts are \$74,000.00 (seventy-four thousand dollars) for the engineering of the sewer and roadwork and the additional \$70,000.00 (seventy thousand dollars) for inspection. This should be contingent that Mr. Summitt escrows the full amount and the funds are made available to the Town to pay the roadwork.

Trinetta S. Imhof makes a motion to approve the contract as stated above, seconded by Paul J. Rhodes. 4-aye, 0-nay, motion approved.

Need to have contracts signed with Omega Railroad for the sewer expansion.

Paul J. Rhodes makes a motion to approve payment of License Agreement for Underground Pipelines, Cables and Conduits with Omega Railroad, License # LI-SEL-002, in the amount of \$11,000.00 (eleven thousand dollars), seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve payment of Addendum to License Agreement # LI-PH-001-B in the amount of \$7,500.00 (seven thousand five hundred dollars), seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved

Paul J. Rhodes makes a motion to approve payment of Addendum # 251283 for \$11,899.49 (eleven thousand eight hundred ninety-nine and 49/100 dollars). \$4,399.49 (four thousand three

hundred ninety-nine and 49/100 dollars of this amount is past due from 1995 and \$7,500.00 (seven thousand five hundred dollars) as a one time license fee, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve payment of Addendum to Agreement # 251282 for \$11,899.49 (eleven thousand eight hundred ninety-nine and 49/100 dollars). \$4,399.49 (four thousand three hundred ninety-nine and 49/100 dollars) of this amount is past due from 1995 and \$7,500.00 (seven thousand five hundred dollars) as a one-time license fee, seconded by Trinette S. Imhof. 4-aye, 0-nay, motion approved.

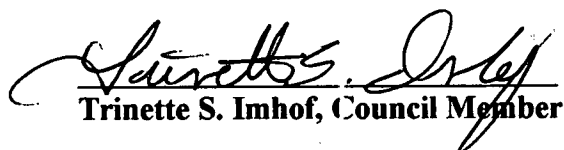
**WILLIAM P. McCALL, III, (Town Attorney):** Presents Resolution No. R2005-013, establishing a Cellular Telephone Policy for the Town of Sellersburg and reads the Resolution.

Trinette S. Imhof makes a motion to approve **Resolution No. R2005-013, RESOLUTION ESTABLISHING A CELLULAR TELEPHONE POLICY FOR THE TOWN OF SELLERSBURG**, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved.

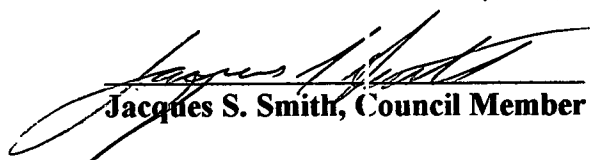
Trinette S. Imhof makes a motion to adjourn, seconded by Jacques S. Smith. 4-aye, 0-nay, motion approved and meeting adjourned at 9:02 P.M.

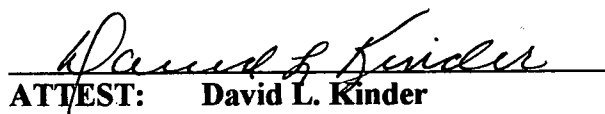
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
December 12, 2005**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on December 12, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice-President Michael N. Lockhart, Council Member Trnette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 6:03 P.M.

**TOPICS OF DISCUSSION:**

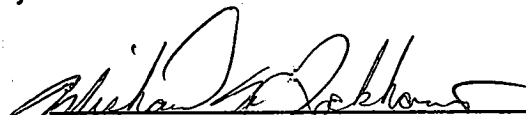
Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, meeting adjourned at 7:22 P.M.



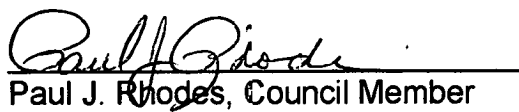
Douglas J. Reiter, Council President



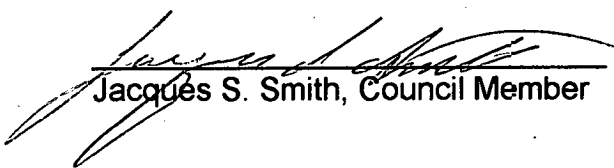
Michael N. Lockhart, Vice-President



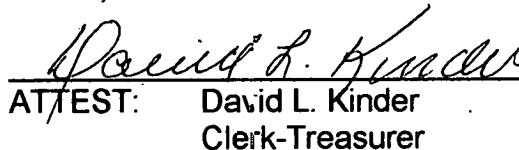
Trnette S. Imhof, Council Member



Paul J. Rhodes, Council Member



Jacques S. Smith, Council Member



AT/EST: David L. Kinder  
Clerk-Treasurer



## SELLERSBURG TOWN COUNCIL MEETING

December 12, 2005

### TOWN COUNCIL MEETING:

The Sellersburg Town Council met on December 12, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

### CALL TO ORDER:

President Douglas J. Reiter called the meeting to order at 7:33 P.M.

### PRAYER:

Reverend Gary Fenner, Calvary Christian Church gave the opening prayer.

### PLEDGE OF ALLEGIANCE:

Offered by all present.

President Reiter asks if everyone had reviewed the minutes of the November 14, 2005 meeting.

Michael N. Lockhart makes a motion to approve the minutes of the November 14, 2005 meeting as written, seconded by Jacques S. Smith. 4-aye, 0-abstention, motion approved.

President Reiter asks if everyone has reviewed the minutes of the Executive Session of November 14, 2005 as written.

Jacques S. Smith makes a motion to accept the minutes of the Executive Session of November 14, 2005, seconded by Paul J. Rhodes. 4-aye, 1 abstention, motion approved.

President Reiter asks if everyone has had a chance to review the invoices submitted by the Clerk-Treasurer.

Jacques S. Smith makes a motion to approve payment of the invoices as submitted by the Clerk-Treasurer, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter presents Invoice #1 from River Hills EDD & RPC for Administrative Services for Sanitary Sewer System Improvements Grant, CFDF Grant No, CF-04-124 for \$23,000.00 (twenty-three thousand dollars).

Jacques S. Smith makes a motion to pay the invoice from River Hills EDD & RPC from the Sewer Tap Fees, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

President Reiter presents invoice from Jerry Shipley for replacement of block wall of the new Utility Building for \$1,000.00 (one thousand dollars).

**Sellersburg Town Council Regular Meeting**

**December 12, 2005**

**Page 2 of 4 pages**

Michael N. Lockhart makes a motion to pay the invoice from Jerry Shipley, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**BRENDA WENNING, (representing M & J Properties):** Request for tax abatement for the M & J Properties. The Building Commissioner (Jonas "Jay" Tanner) checked to see if M & J was in compliance for the tax abatement and he advises they are in compliance.

Jacques S. Smith makes a motion to approve a re-submitted compliance for tax abatement from M & J Properties, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**MELISSA WOODS, (River Hills Economic Development):** The Bid openings for Sewer Improvements CFF Grant were held December 1, 2005, there were 5 bidders and I have a letter of recommendation to identifying Team Contracting as the lowest, responsive, responsible and that bid was \$1,599,000.00 (one million five hundred ninety-nine dollars).

Michael N. Lockhart makes a motion to accept the bid of Team Contracting, contingent upon the release of funds by Indiana Office of Rural Affairs and review by the Town Attorney, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

There will be a pre-construction meeting at the Sellersburg Town Hall December 28, 2005 at 10:00 A.M. Work cannot begin until after this date.

Trinette S. Imhof makes a motion authorizing Douglas J. Reiter, Council President, to sign updated sewer disclosure semi-annual report and the semi-annual Down Town Revitalization report, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

There will be a public hearing, January 9, 2006 on the Down Town Revitalization plan before submitting to the Office of Rural Affairs for approval.

**MATT CRONE (Estopinal Group):** Presents a preview of the Down Town Revitalization plan. You can get with Ken (Alexander) and set up a Public Workshop meeting prior to the January 9, 2005 Town Council Meeting.

**President Reiter** states that the EMC (Environmental Management Corporation) contract will terminate on December 31, 2005 at mid-night. This has been discussed with Greg Mundal, of EMC, Kenneth J. Alexander, Utility Administrator and myself; Phil Thompson, EMC, is present at this meeting.

**JONAS "JAY" TANNER, (Building Commissioner):** states that the (Williams) property at 109 - 111 does not comply with the Town Ordinances.

**KENNETH J. ALEXANDER, (Utility Administrator):** request that a employment contract be granted for Kevin Wright for the month of December until he becomes a full time employee

**Sellersburg Town Council Regular Meeting  
December 12, 2005  
Page 3 of 4 pages**

January 1, 2006, retroactive to December 2005.

Jacques S. Smith makes a motion to approve the contract for Kevin (Wright) and that insurance be paid by the Town, for one month, retroactive to December 1, 2005, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

**Alexander** request that the Public Works Department be departmentalized, Sanitation and Street Departments remain on Perf (Public Employees Retirement Fund) and that Water and Sewer be under AUL.

Michael N. Lockhart makes a motion that the Town Council President makes the decision about the employees' designation after meeting with them, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** schedules a Public Work Session for Thursday, December 15, 2005 at 4:00 P.M. in the Town Hall meeting room.

**President Reiter** presents contract with G & K Services for uniforms for town employees.

Paul J. Rhodes makes a motion to sign a 3-year contract with G & K Services for uniforms for the town employees, pending review by the Town Attorney, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Utility Administrator Alexander** presents a 3-year Memorandum of Agreement Between Clark County Soil and Water Conservation District and the Town of Sellersburg.

Michael N. Lockhart makes a motion to extend the contract with Clark County Soil and Water Conservation District for 3 years pending review by the Town Attorney, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**Alexander** presents Town of Sellersburg, Indiana Post-Construction Storm Water Management Ordinance.

Michael N. Lockhart makes a motion to consider **ORDINANCE 2005-028, ORDINANCE FOR POST-CONSTRUCTION STORM WATER MANAGEMENT** on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**Alexander** states that sprinkler connections have not been billed by EMC (Environmental Management Corporation) since the end of 1996 and this has caused a shortfall to the Town of \$68,917.33 (sixty-eight thousand nine hundred seventeen and 33/100 dollars).

Michael N. Lockhart makes a motion that this amount, \$68,917.33 (sixty-eight thousand nine hundred-seventeen and 33/100 dollars) be withheld from the December contract payment to

**Sellersburg Town Council Regular Meeting  
December 12, 2005  
Page 4 of 4 pages**

EMC, until a decision is made about the billing, seconded by Trinette S. Imhof. 5-aye, 0-nay, motion approved.

Alexander requests the purchase of a new F250 Ford Truck for the Sewer Department and that it is equipped with a snowplow.

Jacques S. Smith makes a motion to approve the purchase of a F250 Ford Truck, not to exceed \$25,000.00 (Twenty-five thousand dollars), seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to purchase a snowplow for this truck, not to exceed \$4,500.00 (four thousand five hundred dollars), seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**WILLIAM P. McCALL, III, (Town Attorney):** Presents Ordinance 2005-027, An Ordinance for the transfer of appropriations.

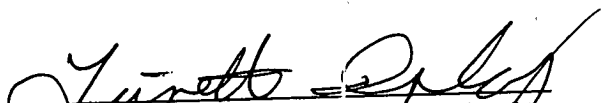
Michael N. Lockhart makes a motion to consider on the first reading **ORDINANCE 2005-027, AN ORDINANCE FOR THE TRANSFER OF APPROPRIATIONS REGARDING THE TOWN OF SELLERSBURG**, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2005-027 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

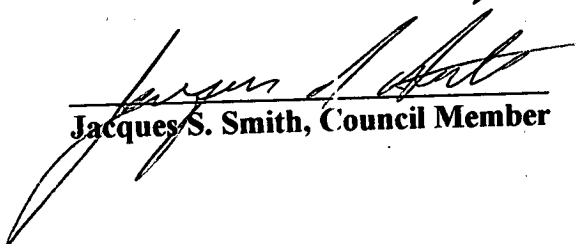
Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye 0-nay, motion approved and meeting adjourned at 9:33 P.M.

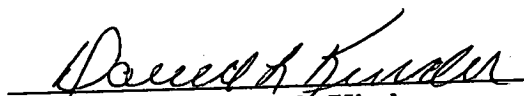
  
Douglas J. Reiter, Council President

  
Michael N. Lockhart, Council Vice President

  
Trinette S. Imhof, Council Member

  
Paul J. Rhodes, Council Member

  
Jacques S. Smith, Council Member

  
ATTEST: David L. Kinder  
Clerk-Treasurer

**EXECUTIVE SESSION  
SELLERSBURG TOWN COUNCIL  
December 15, 2005**

**EXECUTIVE SESSION:**

An Executive Session of the Sellersburg Town Council was held at the Sellersburg Town Hall on December 15, 2005. Present for the meeting were Town Council President Douglas J. Reiter, Council Vice-President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALLED TO ORDER:**

President Douglas J. Reiter called the meeting to order at 5:45 P.M.

Public Notice of this meeting was posted but 48 hours notice was not given for this type of meeting.

**TOPICS OF DISCUSSION:**

Employee matters, authorized by I.C. 5-14-1.5-6.1 (b)(6).

**No subject matter was discussed in the executive session other than the subject matter specified in the public notice.**

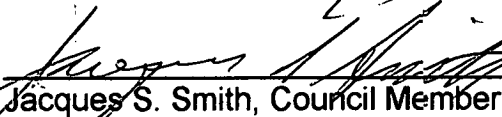
Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, meeting adjourned at 7:05 P.M.

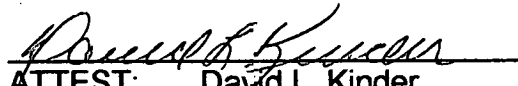
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Vice-President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL  
SPECIAL WORKSHOP MEETING**

**December 15, 2005**

**TOWN COUNCIL SPECIAL WORKSHOP MEETING:**

The Sellersburg Town Council met on December 15, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 4:15 P.M.

**PRAYER:**

Council Vice-President Michael N. Lockhart gave the opening prayer.

**PLEDGE OF ALLEGIANCE:**

Offered by all present.

**Kenneth J. Alexander, (Utility Administrator),** explained to Town employees present how the new work force will work, identified the departments and named the departments administrators.

**Alexander** explained that a new policy manual was being written.

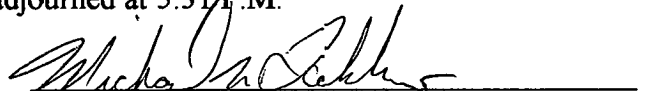
**Council President Reiter** said that the new policy manual would be in effect by January 1, 2006.

All Town employees will become members of Perf (Public Employee Retirement Fund) and will receive 5 years back time.

Vacation and sick time is still being discussed within the Council and will be covered in the new policy manual.

Jacques S. Smith made a motion to adjourn the meeting, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved and meeting adjourned at 5:31 P.M.

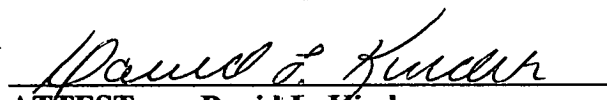
  
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Douglas J. Reiter, Council President

  
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Michael N. Lockhart, Council Vice President

  
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Trinette S. Imhof, Council Member

  
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Paul J. Rhodes, Council Member

  
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Jacques S. Smith, Council Member

  
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ATTEST: David L. Kinder  
Clerk-Treasurer

**SELLERSBURG TOWN COUNCIL SPECIAL MEETING**

**December 19, 2005**

**SPECIAL TOWN COUNCIL MEETING:**

The Sellersburg Town Council met in special session on December 19, 2005 at the Sellersburg Town Hall. Present were President Douglas J. Reiter, Vice President Michael N. Lockhart, Council Member Trinette S. Imhof, Council Member Paul J. Rhodes, Council Member Jacques S. Smith, Town Attorney William P. McCall, III and Clerk-Treasurer David L. Kinder.

**CALL TO ORDER:**

President Douglas J. Reiter called the meeting to order at 7:01 P.M.

**PRAYER:**

Council President Douglas J. Reiter gave the opening prayer.

**PLEDGE OF ALLEGIANCE:** Offered by all present.

**President Reiter** asks if everyone has reviewed the minutes of the Executive Session on December 12, 2005 as presented.

Jacques S. Smith makes a motion to approve the minutes, as written, for the Executive Session of December 12, 2005, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has reviewed the minutes of the Town Council Regular Meeting of December 12, 2005.

Jacques S. Smith makes a motion to approve the minutes, as written, for the Regular Council Meeting of December 12, 2005, seconded by Trinette S. Imhof. 5-aye, 0-nay.

**President Reiter** asks if everyone has reviewed the minutes of the Executive Session of December 15, 2005.

Michael N. Lockhart makes a motion to approve the minutes, as written, of the Executive Session of December 15, 2005, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**President Reiter** asks if everyone has had a chance to read the Special Workshop Meeting of December 15, 2005.

Jacques S. Smith makes a motion to approve the minutes, as written, of the Special Workshop Meeting of December 15, 2005, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

President Reiter advises that last week we did the first reading, passed 5 to 0, for the Town of Sellersburg, Indiana Post Construction Storm Water Management ordinance, does anyone want

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to make a motion to approve Ordinance 2005-028 on the second reading.

Jacques S. Smith makes a motion to approve Ordinance 2005-028, Town of Sellersburg, Indiana Post Construction Storm Water Management on the second reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**President Reiter** has letters from all the insurance carriers to make effective when EMC (Environmental Management Corporation) terminates the employees that come on board so their insurance is effective January 1, 2006.

Those insurance companies are, Assurant Employee Benefits; Fort Dearborn Life Insurance Company; One America and United Healthcare.

Paul J. Rhodes makes a motion authorizing President Reiter to sign the letters, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**VIRGIL BOLLY, (Attorney-at-Law)**: This is the rezoning of the Connie and Nan Gillenwater property at 7800 State Road 131. It is presently zoned R-1 and we are requesting that it be rezoned B-3. The restrictions to the B-3 will be #1, any commercial use permitted by B-1 and #3 auto parts/supplies and #2 and other parts of B-3 be excluded.

Jacques S. Smith makes a motion to approve the **Ordinance 2005-025 An Ordinance Authorizing Zoning Change Within The Town of Sellersburg, Indiana**, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**MERLE CASTRO**, making a complaint about the police department. Jacques S. Smith will interview Mr. Castro about this matter.

**ROBERT OVERTON** requesting extension in cleaning and restoring his building on North New Albany Street.

Ken Alexander will check with Boy Scouts and see if this can be an Eagle Scout project.

**WILLIAM P. McCALL, III, (Town Attorney)**: presents new contract.

Trinette S. Imhof makes a motion to approve the new contract as submitted and compensation of \$41,900.00 (forty-one thousand nine hundred dollars), with it being divided by Civil Account, Water Account and Sewer Account, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL** presents **ORDINANCE NO. 2005-032, AN ORDINANCE ESTABLISHING CONTROL OVER THE SEWER, WATER, AND STREET DEPARTMENTS BY THE SELLERSBURG TOWN COUNCIL AND CREATING A**



**DEPARTMENT OF MUNICIPAL WORKS FOR MANAGEMENT OF THE DAY-TO-DAY OPERATIONS OF SAME.**

Michael N. Lockhart makes a motion to consider Ordinance 2005-032 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Paul J. Rhodes makes a motion to approve Ordinance 2005-032 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL presents ORDINANCE 2005-033, AN ORDINANCE CREATING THE POSITIONS OF DIRECTOR OF MUNICIPAL WORKS, ASSISTANT DIRECTOR OF MUNICIPAL WORKS AND THE RESPONSIBILITIES AND DUTIES OF EACH POSITION.**

Michael N. Lockhart makes a motion to consider on the first reading Ordinance 2005-033, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve on the first reading Ordinance 2005-033 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL presents ORDINANCE 2005-034, AN ORDINANCE REVISING EMPLOYEE HANDBOOK REGARDING DISCIPLINE AND TERMINATION OF EMPLOYMENT POLICY AND PROCEDURE.**

Jacques S. Smith makes a motion to consider on the first reading Ordinance 2005-034, seconded by Paul J. Rhodes.

After discussion Jacques S. Smith amends his motion to include changes as marked and submitted in the ordinance, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-034 with amendments on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL presents ORDINANCE 2005-026, AN ORDINANCE FOR HOURLY, SALARY, HOLIDAY AND LONGEVITY PAY FOR EMPLOYEES OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2006.**

Michael N. Lockhart makes a motion to consider on the first reading Ordinance 2005-026, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2005-026 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

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**President Reiter** tells the Council that Glen Freeman has obtained his CDL license and he was told that he would get a fifty cent per hour raise when he obtains this license. I am requesting that an amendment be made to salary Ordinance 2004-029 to make it retroactive to his last pay.

Michael N. Lockhart makes a motion to consider **ORDINANCE 2005-035, AN AMENDMENT TO SALARY ORDINANCE 2004-029**, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved

Michael N. Lockhart makes a motion to approve Ordinance 2005-035 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

This will make it retroactive to his last pay period; this would be December 8, 2005.

**ATTORNEY McCALL**, presents **ORDINANCE 2005-029, AN ORDINANCE FIXING THE COMPENSATION OF APPOINTED OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2006.**

Jacques S. Smith makes a motion to consider Ordinance 2005-029 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-029 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL** presents **ORDINANCE 2005-030, AN ORDINANCE FIXING THE COMPENSATION OF ELECTED OFFICIALS OF THE TOWN OF SELLERSBURG, INDIANA FOR CALENDAR YEAR 2006.**

Jacques S. Smith makes a motion to consider Ordinance 2005-030 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-030 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL** presents **ORDINANCE 2005-031, AN ORDINANCE REGARDING LONGEVITY PAY FOR ELIGIBLE EMPLOYEES OF THE TOWN OF SELLERSBURG.**

Jacques S. Smith makes a motion to consider Ordinance 2005-031 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to approve Ordinance 2005-031 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL presents **ORDINANCE 2005-031, AN ORDINANCE REGARDING LONGEVITY PAY FOR ELIGIBLE EMPLOYEES OF THE TOWN OF SELLERSBURG****

Jacques S. Smith makes a motion to consider Ordinance 2005-031 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Trinette S. Imhof makes a motion to approve Ordinance 2005-031 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL presents **ORDINANCE 2005-036, AN ORDINANCE REGULATING MEDIAN SOLICITATION/ROADBLOCKS.****

Trinette S. Imhof makes a motion to consider on the first reading Ordinance 2005-036 on the first reading, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Michael N. Lockhart makes a motion to approve Ordinance 2005-036 on the first reading, seconded by Jacques S. Smith. 5-aye, 0-nay, motion approved.

**ATTORNEY McCALL presents **ORDINANCE 2005-037, AN ORDINANCE AMENDING THE TOWN OF SELLERSBURG ANIMAL CONTROL ORDINANCE.****

Jacques S. Smith makes a motion to consider Ordinance 2005-037 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

Jacques S. Smith makes a motion to approve Ordinance 2005-037 on the first reading, seconded by Paul J. Rhodes. 5-aye, 0-nay, motion approved.

**President Reiter** needs someone to make a motion to appoint a Director of Public Works and I have discussed this with Mr. (Kenneth J.) Alexander and he has agreed to take the position.

Jacques S. Smith makes a motion to hire Alexander as Director of Public Works starting January 1, 2006, seconded by Michael N. Lockhart. 5-aye, 0-nay, motion approved.

Mr. Alexander needs to submit a letter of resignation for his present contract and then becomes Public Works Director on January 1, 2006.

**President Reiter** advises that the Council needs to think of nominations for the vacancy on the Board of Zoning Appeals to fill the vacancy of Kenneth R. Hecker.

Reiter advises the Clerk-Treasurer to post the position on the Town bulletin Board, open until January 6, 2006.


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**President Reiter** explains to the Council that the Parks Board did not approve an expenditure of funds for shirts for an AAU basketball team. He requests that Council Member Trinette S. Imhof look into the matter.

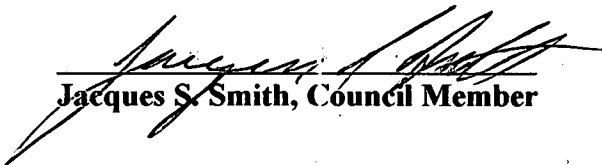
Jacques S. Smith makes a motion to adjourn the meeting, seconded by Michael N. Lockhart, 5-aye, 0-0nay, motion approved and meeting adjourned at 9:08 P.M.

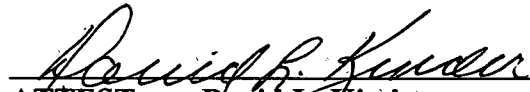
  
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**Douglas J. Reiter, Council President**

  
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**Michael N. Lockhart, Council Vice President**

  
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**Trinette S. Imhof, Council Member**

  
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**Paul J. Rhodes, Council Member**

  
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**Jacques S. Smith, Council Member**

  
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**ATTEST: David L. Kinder**  
**Clerk-Treasurer**