

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 001

AN ORDINANCE REGULATING TRAFFIC CONTROL AT CERTAIN INTERSECTIONS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, Councilman Terry Langford, and Town Manager, Charlie Smith, met with a large majority of the Home Owners Association of Lakeside Estates (“HOA”), wherein the HOA requested stop-signs be installed at the intersection of Sunset Court and Lakeside Drive; and,

WHEREAS, Councilman Langford also spoke to several neighbors in the Silver Glades Neighborhood whom also had concerns regarding traffic safety on Lakeside Drive and said neighbors requested stop-signs be installed at the intersection of Nugget Court and Lakeside Drive.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. The intersections of Sunset Drive & Lakeside Drive and Nugget Court & Lakeside Drive shall now become (3) three-way stops. *(See Exhibits A & B attached hereto).*

- 2. The Town Manager shall cause to have the necessary signage installed notifying the public of said modification. The signage shall be installed within public right of way and per INDOT and town standards where appropriate.
- 3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 13 day of February, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/13/2023

MOTION: Langford

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/13/2023

MOTION: Czarnecki

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Exhibit A



Exhibit B



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 002

AN ORDINANCE DISPOSING OF SURPLUS OR WORTHLESS PERSONAL PROPERTY BELONGING TO THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 5-22-22-3(b), this Council acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

WHEREAS, if the purchasing agent does not engage an auctioneer or if the surplus property is not sold through an Internet auction site under Section 4.5 of Ind. Code § 5-22-22 *et seq.*, the purchasing agent shall sell the property at a public sale or by sealed bids delivered to the office of the purchasing agency before the date of the sale. Advertisement of sale shall be made in accordance with Ind. Code § 5-3-1 and all sales shall be made to the highest and most responsible bidder. (*Ind. Code § 5-22-22-5*); and,

WHEREAS, pursuant to Ind. Code § 5-22-22-8, “if the property is worthless, it may be demolished or junked.” Property may be determined to be worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and,

WHEREAS, pursuant to Ind. Code § 36-1-11-9, “[w]henver a disposing agent purchases new property with a condition that property of a similar nature is to be traded in or exchanged as part of the purchase and in reduction of the purchase price, the exchange or trade-in may be made without compliance with section 7 of this chapter but must comply with section 16 of this chapter”; and,

WHEREAS, this Council, at the recommendation of the Chief of Police, has determined a need to dispose of a 2022 Dodge Charger that was totaled in a crash on January 26, 2023

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. The following personal property is deemed surplus, junk, or worthless:

2022 Dodge Charger
Vin# 2C3CDXKG2NH174082
Mileage: 7215

2. This Council, understanding the aforementioned personal property grants the Town Manager / Chief of Police with the authority to sell or trade the above referenced personal property pursuant to Ind. Code § 5-22-22 *et seq.* or if the property is deemed worthless then to have the property scrapped or turned over to the insurance company.
3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 13th day of February, 2023.

[Signature page to follow]



STATE OF INDIANA

CERTIFICATE OF TITLE FOR A VEHICLE

MAKE
DODGE

MODEL NAME
CHARGER POLICE

BODY TYPE
4S

YEAR
2022

VIN
2C3CDXKG2NH174082

TITLE TYPE
NORMAL

FORMER TITLE/STATE
C OF O/IN

PURCHASE DATE
09/13/22

ISSUE DATE
11/16/22

USAGE TAX PAID
\$0.00

OWNER(S) NAME

ODOMETER/BRAND

BRAND(S)

TOWN OF SELLERSBURG POLICE DEP
101 S NEW ALBANY AVE
SELLERSBURG IN 47172

000018/ACTUAL



MAILING ADDRESS

000314

ADDITIONAL OWNER(S)

TOWN OF SELLERSBURG POLICE DEPT
8757 OLD STATE ROAD 60
SELLERSBURG IN 471729470



FIRST HOLDER OF LIEN, MORTGAGE OR ENCUMBRANCE

FIRST LIEN, MORTGAGE OR ENCUMBRANCE RELEASED BY:

X

PRINTED NAME:

POSITION:

DATE:

SECOND HOLDER OF LIEN, MORTGAGE OR ENCUMBRANCE

SECOND LIEN, MORTGAGE OR ENCUMBRANCE RELEASED BY:

X

PRINTED NAME:

POSITION:

DATE:

THIRD HOLDER OF LIEN, MORTGAGE OR ENCUMBRANCE

THIRD LIEN, MORTGAGE OR ENCUMBRANCE RELEASED BY:

X

PRINTED NAME:

POSITION:

DATE:

The Commissioner of the Bureau of Motor Vehicles, pursuant to the laws of the State of Indiana, certifies that the vehicle/watercraft has been duly titled and the owner of the described vehicle/watercraft is subject to the liens set forth.

INDIANA BUREAU OF MOTOR VEHICLES

Joe B. Hoage, Commissioner

State Form 9697 (R11/5-22)

Approved by State Board of Accounts, 2016

TITLE NUMBER

22811216000271

H5118367

PLEASE TYPE OR PRINT INFORMATION

REQUIREMENTS: Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failing to complete this form, or providing any false statements may result in fines and/or imprisonment.

TO SELLER: Seller is responsible for completing this form. If title is issued in more than one name, all owners listed on the title must sign as Seller. Do not sign as a Seller until all areas of the assignment are completed. Any person signing on behalf of a company must state their position.

TO PURCHASER: You must apply for a new certificate of title within forty-five days of the date of purchase, or pay an administrative penalty. All liens, mortgages or other encumbrances shown on the face of this title must be released before you apply for a new title.

I/we, as Seller, certify that to the best of my/our knowledge the information contained on this document is true and correct and that the odometer now reads and is the **ACTUAL MILEAGE** of the vehicle unless one of the following statements is checked. , No Tenths MILES
 The odometer reading stated is in excess of its mechanical limits. The odometer reading is not actual mileage **WARNING ODOMETER DISCREPANCY.**

For value received, I/we hereby sell, assign and transfer the vehicle described on this document and warrant title to Purchaser.

SELLER INFORMATION

Signature of Seller		Position (if applicable)	
Signature of Seller		Position	
Printed Name of Seller		Dealer Number (if applicable)	
Printed Name of Seller			
Date of Sale (month, day, year)	Selling Price	Trade in Price (if any)	Total Price Paid

PURCHASER INFORMATION

Name of Purchaser		Dealer Number
Address		
City	State	Zip Code
Holder of lien, mortgage or encumbrance (if applicable)		
Address		
City	State	Zip Code
I AM AWARE OF THE ABOVE ODOMETER CERTIFICATION MADE BY THE SELLER(S)		
Signature of Purchaser		Printed Name of Purchaser

FIRST RE-ASSIGNMENT BY REGISTERED DEALER ONLY

I/we, as Seller, certify that to the best of my/our knowledge the information contained on this document is true and correct and that the odometer now reads and is the **ACTUAL MILEAGE** of the vehicle unless one of the following statements is checked. ,
 The odometer reading stated is in excess of its mechanical limits. The odometer reading is not actual mileage **WARNING ODOMETER DISCREPANCY.**

Name of Dealership	
Signature	
Printed Name	
Position	Dealer Number
Date of Sale (month, day, year)	

Name of Purchaser		Dealer Number
Address		
City	State	Zip Code
Holder of lien, mortgage or encumbrance (if applicable)		
Address		
City	State	Zip Code
I AM AWARE OF THE ABOVE ODOMETER CERTIFICATION MADE BY THE SELLER(S)		
Signature of Purchaser		Printed Name of Purchaser

SECOND RE-ASSIGNMENT BY REGISTERED DEALER ONLY

I/we, as Seller, certify that to the best of my/our knowledge the information contained on this document is true and correct and that the odometer now reads and is the **ACTUAL MILEAGE** of the vehicle unless one of the following statements is checked. ,
 The odometer reading stated is in excess of its mechanical limits. The odometer reading is not actual mileage **WARNING ODOMETER DISCREPANCY.**

Name of Dealership	
Signature	
Printed Name	
Position	Dealer Number
Date of Sale (month, day, year)	

Name of Purchaser		Dealer Number
Address		
City	State	Zip Code
Holder of lien, mortgage or encumbrance (if applicable)		
Address		
City	State	Zip Code
I AM AWARE OF THE ABOVE ODOMETER CERTIFICATION MADE BY THE SELLER(S)		
Signature of Purchaser		Printed Name of Purchaser

THIRD RE-ASSIGNMENT BY REGISTERED DEALER ONLY

I/we, as Seller, certify that to the best of my/our knowledge the information contained on this document is true and correct and that the odometer now reads and is the **ACTUAL MILEAGE** of the vehicle unless one of the following statements is checked. ,
 The odometer reading stated is in excess of its mechanical limits. The odometer reading is not actual mileage **WARNING ODOMETER DISCREPANCY.**

Name of Dealership	
Signature	
Printed Name	
Position	Dealer Number
Date of Sale (month, day, year)	

Name of Purchaser		Dealer Number
Address		
City	State	Zip Code
Holder of lien, mortgage or encumbrance (if applicable)		
Address		
City	State	Zip Code
I AM AWARE OF THE ABOVE ODOMETER CERTIFICATION MADE BY THE SELLER(S)		
Signature of Purchaser		Printed Name of Purchaser

NO ADDITIONAL RE-ASSIGNMENTS PERMITTED

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/13/2023

MOTION: Czarniecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/13/2023

MOTION: McVoy

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 003

AN ORDINANCE AMENDING THE 2023 SALARY ORDINANCE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, this Council is charged with the responsibility of adopting a salary ordinance; and,

WHEREAS, this Council now desires to amend the 2023 Salary Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following salaries and the respective funds from which to pay said salaries for the calendar year 2023 are amended as follows:

1. See Exhibit A attached hereto for a comprehensive list of job titles for the Town of Sellersburg and the specified funds by which to pay each position.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 13 day of February, 2023.

[Signature page to follow]

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/13/2023^{MDM}

MOTION: Czarniecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/13/2023

MOTION: Czarniecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Clerk-Treasurer												
Clerk-Treasurer + Longevity per Ordinance 2022-OR-xxx	Full-time	1	Exempt	34%	33%	33%					\$2,484.57	\$2,484.57
Chief Deputy Clerk-Treasurer	Full-time	1	Exempt (appointed)	34%	33%	33%					\$1,915.38	\$2,238.46
Deputy Clerk-Treasurer	Full-time	1	Non-Exempt (appointed)	34%	33%	33%		\$15.50	\$18.00			
Parks and Recreation												
Park Superintendent	Full-Time	1	Exempt (appointed)							100%		\$192.31
Pool and Events Manager	Part-time	1	Non-Exempt							100%	\$17.50	\$20.00
Assistant Pool Manager (seasonal)	Part-time	2	Non-Exempt							100%	\$12.50	\$14.50
Lifeguard (seasonal)	Part-time	14	Non-Exempt							100%	\$10.50	\$13.00
Concession Worker (seasonal)	Part-time	4	Non-Exempt							100%	\$9.22	\$10.00
Maintenance Worker	Part-time	1	Non-Exempt							100%	\$10.00	\$16.00
Parks and Recreation Board President	Part-time	1	Exempt (appointed)							100%		\$1,800.00
Parks and Recreation Board Members	Part-time	4	Exempt (appointed)							100%		\$1,200.00
Parks and Recreation Town Council Liaison (non-voting)	Part-time	1	Exempt (appointed)							100%		\$1,200.00
Parks and Recreation Board Secretary (non-voting)	Part-time	1	Non-Exempt							100%		\$1,200.00

Includes rate of overtime to be time and one half, health, dental, and longevity benefits.

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 004

AN ORDINANCE ESTABLISHING AN ECONOMIC DEVELOPMENT COMMISSION.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative and fiscal bodies for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 36-7-12-4, this Council, acting in its capacity as the fiscal body for the Town, has deemed it necessary to establish a department of economic development, to be controlled by a commission known as “Sellersburg Economic Development.”

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. ***Establishment.*** The Sellersburg Economic Development Commission is hereby established.
2. ***Board Membership.*** The Board shall be made up of three (3) commissioners appointed by the Town Executive as follows:
 - a. One (1) of the members shall be selected by the Town Executive;
 - b. One (1) shall be nominated by the fiscal body of the county in which the town is located; and,
 - c. One (1) shall be nominated by the town fiscal body.
3. ***Term.*** The Sellersburg Economic Development Commissioners shall take office upon their appointment, and their terms run February 1 after their original appointment, for a period of:
 - a. three (3) years, if selected by the Town Executive;
 - b. two (2) years, if nominated by the town fiscal body; and,
 - c. one (1) year, if nominated by the county fiscal body.

4. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 13 day of February, 2023.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/13/2023

MOTION: M=Voy SECOND: Czarniecki
VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/13/2023

MOTION: M=Voy SECOND: Czarniecki
VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 005

AN ORDINANCE REPEALING AND REPLACING §§ 110.15 – 110.20 OF THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative and fiscal bodies for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, this Council has determined a need to repeal and replace the Peddler, Solicitors, and Transient Merchants section of the Code of Ordinances for the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. Sections 110.15 – 110.20 of the Code of Ordinances are hereby repealed and replaced with the Sections 110.15 – 110.29 that are attached hereto as **Exhibit A**, including the Transient Merchant Permit Application.
2. This ordinance shall be in full force and effect thirty (30) days after its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council and its publishing in the News and Tribune or another acceptable publication.
3. The Executive Secretary is hereby charged with the responsibility of causing said ordinance to be published per Indiana law.

So Ordained this 27th day of February, 2023.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Absent
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/27/23

MOTION: McVoy

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/27/23

MOTION: McVoy

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS

§ 110.15 Definitions

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HOA: Abbreviation for Homeowner Association. A homeowner association (HOA) is an organization in a subdivision, planned community, or residential building that makes and enforces rules for the properties and residents. Those who purchase property within an HOA's jurisdiction automatically become members and are required to pay dues, which are known as HOA fees.

Non-commercial door-to-door advocate: A person who goes door-to-door for the primary purpose of disseminating religious, political, social, or other ideological beliefs. For purposes of this article the term door-to-door advocate shall not fall under the term solicitor and include door-to-door canvassing and pamphleteering intended for non-commercial purposes.

Peddler. A person who goes from house to house, door to door, business to business, street to street, any other type of place-to-place movement, for the purpose of offering for sale, displaying or exposing for sale, selling or attempting to sell, and delivering immediately upon sale the goods, wares, products, merchandise, other personal property, or services that the person is carrying or otherwise transporting.

Person: Any natural individual, group, organization, corporation, partnership, or similar association.

Personal Fundraiser. Any person, including a corporation or other entity, who, for compensation, performs any solicitations or other services for a religious, political, social, or other charitable organization.

Solicitor. A person who goes from house to house, door to door business to business, street to street, or any other type of place-to-place movement, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur later. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. For purposes of this article, the term solicitor shall have the same meaning as the term canvasser.

Transient Merchant: A person who temporarily sets up business out of a vehicle, trailer food truck, boxcar, tent, other portable shelter, or empty storefront for the purpose of exposing or displaying for sale, selling, or attempting to sell, and delivering goods, wares, products, merchandise, or other personal property and who does not remain in any one location for more than three (3) consecutive days.

§ 110.16 Exceptions to Definitions

For the purpose of this chapter, peddler and solicitor, shall not apply to non-commercial door-to-door advocates. Nothing within this article shall be interpreted to prohibit or restrict non-commercial door-to-door advocates. Persons engaging in non-commercial door-to-door advocacy shall not be required to register as a solicitor under this ordinance.

- a) Any person selling or attempting to sell wholesale any goods, wares, products, merchandise, or other personal

- property to a retail seller of the items being sold by the wholesaler.
- b) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.
 - c) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.
 - d) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
 - e) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales.
 - f) Any person conducting an auction as a properly licensed auctioneer.
 - g) Any officer of the court conducting a court-ordered sale.
 - h) Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirement provided by this or any other Town ordinance.

§ 110.17 License or Registration Required

- a) State or County license required: No person shall conduct business as a peddler, or solicitor in the Town limits without first having obtained the appropriate license from the State of Indiana or Clark County, including the Health Department that may be necessary, if the state or county issues a license for the activity.
- b) Town license required: Except as otherwise provided for by this article, no person shall conduct business within this jurisdiction as either a peddler, or solicitor without first having obtained a license from the Town.
 - 1) *Exceptions:*
 - a. The license requirement shall not apply to a non-commercial advocate.
 - b. No license shall be required of any person going from house to house, door to door, business to business, street to street, or other type of place to place movement for the primary purpose of exercising that person's state or Federal Constitutional rights such as the freedom of speech, press, religion, political, or the like, except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity.
 - c. No license shall be required of any transient merchant operating at a Town-sanctioned carnival, fair, festival, fundraiser, or other special event.
 - d. No license shall be required of any transient merchant operating less than 8 hours within a 24-hour period on a privately owned parcel with express written permission from the property owner operating.

§ 110.18 Application and Procedures

Peddlers/Solicitors

- 1. Application: Application for a Town license to conduct business as a peddler or solicitor shall be made at least ten regular business days before the applicant desires to begin conducting business. Each individual person conducting business as a peddler or solicitor make application for a Town license. A license will

not be granted in the name of a business or other entity. The applicant must appear in person and show proper identification. Application for a license shall be made on a form approved by the Town Attorney and available at the Town of Sellersburg Police Department. All applications shall be signed by the applicant. All applications shall include the following information:

- Applicant's full legal name and any other names under which the applicant conducts business or to which applicant officially answers.
- A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features and the like).
- Full address of applicant's permanent residence.
- Full legal name of all business operations owned, managed, or operated by applicant, or for which applicant is an employee or agent.
- Full address of applicant's regular place of business (if any).
- All business-related telephone numbers of the applicant.
- The type of business which the applicant intends to conduct.
- The dates during which the applicant intends to conduct business.
- A statement as to whether the applicant has been convicted within the last five (5) years of any felony, gross misdemeanor, or misdemeanor for the violation of any state or federal statute or any local ordinance, other than non-moving vehicle traffic offenses.
- A statement as to whether the applicant has any pending criminal charges.
- A list of the three (3) most recent locations where the applicant has conducted business as a peddler or solicitor transient merchant.
- Proof of any requested state or county license.
- A general description of the items to be sold or services to be provided.
- The applicant's driver's license or other acceptable form of government-issued identification.
- The license plate number, registration information and vehicle identification number, and physical description for any vehicle to be used in conjunction with the licensed business operation.
- All additional information deemed necessary by the Town of Sellersburg Police Department.

2. **Non-Refundable Fee:** All applications shall be accompanied by a non-refundable fee, payable to the Town of Sellersburg Police Department by certified or cashier check as follows:

Duration	Fee
Per Month	\$100
Per 3 Months	\$150
Per 6 Months	\$200
Per 12 Months	\$300

3. **Background Check:** The Town of Sellersburg Police Department is required to do an investigation into the criminal record, driving record, business reputation, and personal character on all applicants for peddler or solicitor permits and the company represented by the applicant. In conducting the criminal history background investigation to screen such license applicants, the Police Department shall request a criminal history and driving record of the applicant through a third-party vendor. The applicant shall pay a separate, non-refundable background check fee of \$100.00 to the Town of Sellersburg Police Department as reimbursement for the third-party criminal and driving record check. Acceptable forms

of payment are money orders and certified checks, payable to the Town of Sellersburg.

4. **Approval:** Upon receipt of the completed application and payment of the licensee, the Town of Sellersburg Chief of Police or their designee, within two (2) regular business days, will determine if the application is complete. An application is determined to be complete if all required information is provided and the applicant has included a signed consent form authorizing a background check through the Town of Sellersburg Police Department and/or any third-party vendor. If the Chief of Police or their designee determines that the application is incomplete, they must inform applicant of the required necessary information that is missing. If the application is complete, the Chief of Police or their designee must order an investigation including a criminal history and wanted persons check with the Town of Sellersburg Police Department and other background checks necessary to verify the information provided with the application. In the case of questioned identity, where we cannot confirm if a record exists based on name and date of birth alone, fingerprint verification will be required.

Within ten regular business days of receiving a complete application the Chief of Police or their designee must issue the license unless there exist grounds for denying the license application under this ordinance, in which case the Chief of Police or their designee must deny the request. If the Chief of Police or their designee denies the license, the applicant must be notified in writing of the decision, the reason for the denial, and the applicant's right to appeal the denial by requesting, within 30 days of receiving notice of the rejection, the applicant may petition the Town of Sellersburg Town Manager for review. The Town Manager shall review the decision of the Chief of Police within 20 days of the date of the request to either confirm or reverse the decision. The decision of the Town Manager can be appealed by petitioning the Circuit Court within 30 days of the final decision.

5. **Duration:** A license granted under this chapter shall be valid through December 31 of the current calendar year. On January 1st of each year, the license shall automatically expire and be null and void.
6. **Professional fundraisers not exempt:** A professional fundraiser working on behalf of an otherwise exempt person shall not be exempt from the licensing requirements of this section:

§ 110.19 License Ineligibility

The following shall be grounds for denying a license under this chapter:

- a) The failure of an applicant to obtain and show proof of having obtained any required county license.
- b) The failure of an applicant to provide completely and truthfully disclose any of the information requested by the Town as a part of the application, failure to sign the application, or the failure to pay the required fee at the time of application.
- c) The entry of a plea of guilty by the applicant or the conviction of the applicant within the past five (5) years from the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects on the person's ability to conduct the business for which the license is being sought in a professional, honest, and legal manner. Such violations include, but not be limited to burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threat of physical harm against another person.
- d) The revocation or cancellation within the past five (5) years of any license issued to the applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant from any other local

- government unit, i.e. city, township, or county.
- e) The applicant is found to have a bad business reputation. Evidence of a bad business reputation shall include, but not be limited to; the existence of more than three (3) complaints against the applicant with the Better Business Bureau, related industry business association, the Attorney General's office, civil adjudication in a court of this state of a violation of state or federal consumer protection laws, or other similar business or consumer rights office agency, within the preceding 12 months, or three (3) complaints filed against the applicant within the preceding five (5) years upon which a finding of fault has been determined by that agency or the governmental unit.
 - f) An applicant that has been denied can reapply in the next calendar year. All competent evidence of rehabilitation will be considered upon reapplication.

§ 110.20 Suspension and Revocation

- a) **Generally:** Any license issued under this section may be suspended or revoked at the discretion of the Chief of Police for violation of the following:
 - 1) Subsequent knowledge by the Town of fraud, misrepresentation, or incorrect statements provided by the applicant on the application form.
 - 2) Fraud, misrepresentation, or false statements made during the licensed activity.
 - 3) Subsequent conviction of any offense for which granting of a license could have been denied under this ordinance.
 - 4) Engaging in any prohibited activity as provided under this ordinance.
 - 5) Violations of any of the provisions of this ordinance.
- b) **Notice:** Prior to revocation or suspension of any license issued under this ordinance, the Town of Sellersburg Police Department shall provide the license holder with written notice of the alleged violations and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, or if no residential address is listed, to the business address provided on the license application.
- c) **Hearing:** Upon receiving the notice provided in subsection (b) of this section, the licensee shall have the right to request a review by the Town of Sellersburg Town Manager. If no request for a review is received by the Chief of Police within 10 days following the service of the notice, the Town may proceed with the suspension or revocation. If a review is requested within the stated time frame, a review shall be completed within 20 days from the date of the request for the review. Within 10 regular business-days of the conclusion of the Town Manager's decision, the licensee shall be notified of the final decision.
- d) **Emergency:** If, in the discretion of the Chief of Police or Town Manager imminent harm to the health or safety of the public may occur because of the actions of a peddler licensed under this chapter, the Chief of Police or Town Manager may immediately suspend the person's license and provide notice of the right to hold a subsequent review as prescribed in subsection (c) of this section.
- e) **Appeals:** Any person whose license is suspended or revoked under this section shall have the right to appeal that decision to the Circuit Court within 30 days.

§ 110.21 Transferable

No license issued under this chapter shall be transferred to any person other than the person to whom the

license was issued.

§ 110.22 Badges and Identification

- 1) Peddlers/Solicitors: Any person who shall exercise the vocation of a peddler or solicitor shall keep on their person the Town issued permit, issued in their name, containing a number to correspond to the number of the license, and license expiration date issued by the Town of Sellersburg Police. The license holder shall be worn in a conspicuous place on the person's outer garment or clothing or produce the license immediately upon request. Solicitors and peddlers shall also have on their person a government-issued identification containing a current photograph.
- 2) Transient merchants: Transient merchants shall post conspicuously in his or her place of business the license issued hereunder which license shall be shown at the request of any citizen or police.

§ 110.23 Prohibited Activities

Peddlers, solicitors, transient merchants, non-commercial door-to-door advocate, and other persons engaged in similar activities shall not:

- a) Call attention to their business items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise to be unreasonably audible within an enclosed structure.
- b) Obstruct the free flow of either vehicular or pedestrian traffic on street, alley, sidewalk, or other public right-of-way.
- c) Conduct business in a way to create a threat to the health, safety, and welfare of any individual or the general public.
- d) Conduct business before 8:00 a.m. or after 8:00 p.m. or has received special permission from the Town Council. Said restriction shall not apply to a non-commercial advocate.
- e) Fail to provide proof of license or registration, and identification, when requested.
- f) Use the license or registration of another person.
- g) Allege false or misleading statements about the product or service being sold, including untrue statements of endorsement. No peddler, solicitor, or transient merchant shall claim to have the endorsement of the Town solely based on the Town having issued a license or certificate of registration to that person.
- h) Remain on the property of another when requested to leave.
- i) Conduct business in a manner a reasonable person would find obscene, threatening, intimidating or abusive.
- j) Solicit funds or anything of value on the public streets of the Town. The active fire department contracted with the Tri-Township Fire Board is the only group exempted from this provision.

§ 110.24 Exclusion by Placard

- a) Any resident who wishes to exclude peddlers or solicitors from premises occupied may place upon or near the usual entrance to such premise a printed placard or sign bearing the following notice: *"Peddlers and Solicitors Prohibited."* Any signage to the same, placed within a neighborhood public right of way by an active HOA with permission from the Town, shall cover all dues paying properties within

said HOA.

- b) Unless specifically invited by the property owner or tenant, no peddler or solicitor or other person engaged in other similar activities shall enter onto the property of another for the purpose of conducting business as a peddler or solicitor, or similar activity when the property is marked with a sign or placard.
- c) No person other than the person occupying such premises shall remove, deface, or otherwise tamper with such placard or sign.

§ 110.25 Additional Transient Merchant Requirements

- a) Transient merchants are prohibited from operating in any Town right-of-way, Town owned parking lots, parks, other Town property unless part of a Town-sanctioned event which is utilizing said space or given written permission by the Chief of Police and/or the Town Manager.
- b) No advertising shall be allowed on the street or sidewalk.
- c) The area in which the merchant operates shall be always kept clean and orderly and the transient merchant must provide their own refuse container.
- d) Transient merchants are prohibited on residential zoned properties unless part of a sanctioned special event hosted by an HOA and upon the prior written approval of the Chief of Police and/or the Town Manager. Any approval requests must be made within five (5) business days prior to the special event and placement shall not last longer than 8 hours.
- e) The Town reserves the right to limit the number of transient merchants operating simultaneously on any single property, regardless of property zoning. The Director of Planning & Zoning shall determine the allowable number based on the size of the property; the needs of the public, the general flow of traffic on the site, and any other relevant factors necessary to preserve the intent of the district in which the property is located.
- f) All transient merchants must comply with all applicable Clark County HealthDepartment requirements.

§ 110.26 Trespass

It is hereby declared to be unlawful and shall constitute trespass for any person to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant and engage in soliciting or peddling in defiance of the notice exhibited at the main entrance of the residence or entry of a neighborhood where the HOA has elected to erect signage prohibiting solicitation pursuant to this ordinance.

§ 110.27 Nuisance

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant and engage in soliciting or peddling in unless invited to do so by the owner of the property.

§ 110.28 Penalty

Any individual found in violation of any provision of this article shall be subject to the penalty provisions of the Town of Sellersburg Code of Ordinances Section 110.99. Each act in violation of this article shall constitute a separate punishable violation.

§ 110.29 Severability

If any provision of this article is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.



Ord# 2023-OR-005
CK# 79243

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

Town of Sellersburg
(Governmental Unit)
CLARK County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head - number of lines 254.40
Body - number of lines
Tail - number of lines
Total number of lines in notice 254.40

COMPUTATION OF CHARGES

254.40 lines, 6 columns wide equals 1526.40 equivalent lines at .5414 cents per line \$ 826.39
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 826.39

DATA FOR COMPUTING COST

Width of single column in picas..... Size of type 7 point.
Number of insertions.....

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

March 7, 2023

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Teresa Westerbeke

Bookkeeper

Date 03-07-2023
1818969

ORD#2023-OK-005
CK# 79243

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

Town of Sellersburg
(Governmental Unit)
CLARK County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines 186
Body -- number of lines
Tail -- number of lines
Total number of lines in notice 186

COMPUTATION OF CHARGES

186 lines, 3 columns wide equals 558 equivalent lines at 5414 cents per line \$ 302.10
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 302.10

DATA FOR COMPUTING COST

Width of single column in picas Size of type 7 point.
Number of insertions

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

3/7/2023

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Date 03-07-2023
1818971

[Signature]
Bookkeeper

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2023 – OR – 006
AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
1101301445 S&S Grapple Truck	1101301242 S&S Misc. Supplies	\$5,000
1101301445 S&S Grapple Truck	1101301314 S&S Consulting	\$25,000
1101301445 S&S Grapple Truck	1101301335 S&S MS4 Training	\$2,000
1101301445 S&S Grapple Truck	1101301394 S&S Misc. Services	\$3,000

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of March, 2023.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Absent
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 3/27/2023

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 3/27/2023

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 007

AN ORDINANCE CONSIDERING AN AMENDMENT TO THE ZONING MAPS OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of a town; and,

WHEREAS, on the 20th day of March, 2023 the Plan Commission of the Town of Sellersburg, Indiana (the “Commission”) certified a favorable recommendation to rezone certain property identified as Parcel ID # 10-17-06-700-268.000-031 (the “Property”) Bringham Drive, Sellersburg, IN 47172 from R1 Residential to I2 Heavy Industrial. (*See Attached Exhibit A*); and,

WHEREAS, pursuant to Ind. Code § 36-7-4-608, this Council may adopt or reject the certification from the Commission.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the recommendation by the Commission to rezone the Property from R1 Residential to I2 Heavy Industrial is hereby Adopted Rejected (circle one).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of March, 2023.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Absent
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 3/27/23

MOTION: Czarnecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 3/27/23

MOTION: Czarnecki

SECOND: McVoy

VOTE: 4 AYE 0 NAY 0 ABSTAIN

CERTIFICATION TO THE COUNCIL ON APPLICATION FOR REZONING

APPLICANT NAME: Koetter Construction PETITION NO.: 2023-02-ZA-01

REAL ESTATE DESCRIPTION: DESCRIBED ON EXHIBIT "A" ATTACHED.

The Sellersburg Plan Commission certifies the above application for rezoning by the above-named applicant regarding the real estate described in Exhibit "A" attached was duly heard and decided.

The Sellersburg Plan Commission's recommendation on the petition to rezone the property from a R1 Single Family Residential zone to a I2 Heavy Industrial zone is:

FAVORABLE UNFAVORABLE NO RECOMMENDATION

Recorded Commitment Required YES NO (If YES, requirements attached.)

Sellersburg Plan Commission

<u>Member</u>	<u>Voting FOR</u>	<u>Voting AGAINST</u>	<u>Abstain</u>
<u>Brad Amos</u> BRAD AMOS	✓	_____	_____
<u>Charlie Smith</u> CHARLIE SMITH	✓	_____	_____
<u>Nancy Hughes</u> NANCY HUGHES	✓	_____	_____
SCOTT MCVOY	_____	_____	_____
<u>Thomas Mcewen</u> THOMAS MCEWEN	✓	_____	_____
<u>David McClain</u> DAVID MCCLAIN	✓	_____	_____
<u>John Broady</u> JOHN BROADY	✓	_____	_____
ALTERNATE	_____	_____	_____
ALTERNATE	_____	_____	_____

ATTEST:

Stacia Franklin, Planning Director



SELLERSBURG PLAN COMMISSION

STAFF REPORT

REZONING REQUEST AND ZONING MAP AMENDMENT

DOCKET NUMBER:	2023-02-ZA-01
APPLICANT:	Koetter Construction
OWNER:	Qmat Realty-USA LLC
LAND SURVEYOR:	N/A
LOCATION:	10-17-06-700-268.000-031
LEGAL DESCRIPTION (summary)	
REQUEST:	Amend zoning map
CURRENT ZONING:	R1
CURRENT USE:	Vacant
REQUESTED REZONING:	I2
PROPOSED USE:	Manufacturing/Industrial

Request:

The applicant is requesting an amendment to the Sellersburg Zoning maps to allow for an expansion of an existing manufacturing/industrial facility for Quality Mat. The plan is to combine the parcel into one large parcel.

The Indiana Code (IC) 36-7-4-603 establishes criteria to which both the Plan Commission and Legislative Body (Town Council) must pay reasonable regard when considering a rezoning request. The Commission will need to determine if the applicant has satisfactorily addressed that criteria for a rezoning and zoning map change.

The Plan Commission does not approve a rezoning and zoning map change. The Plan Commission in accordance with IC 36-7-4-605 is to make a favorable recommendation, unfavorable recommendation, or no recommendation to the Legislative Body (Town Council). The Sellersburg Town Council in accordance with IC 36-7-4-607 may accept or reject the Plan Commission's recommendation.



SELLERSBURG PLAN COMMISSION

STAFF REPORT

REZONING REQUEST AND ZONING MAP AMENDMENT

1. Will the rezoning support the Sellersburg Comprehensive Plan and other applicable, adopted planning studies or reports?

The Sellersburg Comprehensive Plan does support the rezoning request as the Future Land Use map indicates this area as Industrial, which refers to manufacturing, processing, distribution, and other related industrial uses.

2. Will the rezoning be compatible with surrounding current conditions and the character of current structures and uses?

The property is surrounded I1, I2, B3, and R1 districts. The majority of the zoning in the area is I1 and includes many commercial and industrial uses, including the Sellersburg Wastewater Treatment plant.

3. Will the rezoning result in the property being used for the highest and best use for which land in each district is adapted?

The property is surrounded by commercial, industrial, and residential zoning districts. The R1 district is a keyhole piece for the area and may create a spot zoning situation. Rezoning the property to an industrial district will not only support the Comprehensive Plan, but also coincides with the uses in the area.

4. Will the rezoning affect property values throughout the Town's planning district?

The rezoning will not adversely affect property values within the planning district as it is compatible with the area's current zoning districts and uses.

5. Will the rezoning result in responsible growth and development?

The rezoning agrees with the 2040 Comprehensive Plan and thus is responsible growth and development.

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 008

AN ORDINANCE AMENDING THE 2023 SALARY ORDINANCE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, this Council is charged with the responsibility of adopting a salary ordinance; and,

WHEREAS, this Council now desires to amend the 2023 Salary Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following salaries and the respective funds from which to pay said salaries for the calendar year 2023 are amended as follows:

1. See Exhibit A attached hereto for a comprehensive list of job titles for the Town of Sellersburg and the specified funds by which to pay each position.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of March, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Absent
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 3/27/23

MOTION: McVoy

SECOND: Czarnecki

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 3/27/23

MOTION: Czarnecki

SECOND: McVoy

VOTE: 4 AYE 0 NAY 0 ABSTAIN

2023-OR-008 EFFECTIVE 4/1/2023

TOWN OF SELLERSBURG 2023 SALARY ORDINANCE:	Full/Part Time	Max # of Employees with Title	Exempt/Non-Exempt	Fund					Salary																		
				General	Wastewater	Water	CEDIT	Parks	Hourly		Daily		Bi-Weekly		Annually												
									Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum											
Department/Position																											
Public Works																											
Town Manager	Full-time	1	Exempt	15%	45%	40%									\$2,500.00	\$3,846.16											
Wastewater Operator/Supervisor	Full-time	1	Exempt		100%										\$1,923.06	\$2,823.46											
Wastewater Team Members	Full-time	7	Non-Exempt		100%					\$17.00	\$24.00																
Building Commissioner	Full-time	1	Exempt	100%											\$1,923.08	\$2,671.46											
Director of P&Z	Full-time	1	Exempt	100%											\$1,923.08	\$2,671.46											
Assistant Building Commissioner/Code Enforcement/MS4/IT	Full-time	1	Exempt	34%	33%	33%									\$1,600.00	\$2,400.00											
Streets & Sanitation Supervisor	Full-time	1	Exempt	80%	10%	33%									\$1,730.76	\$2,671.46											
Streets & Sanitation Team Members	Full-time	4	Non-Exempt	70%	10%	10%		10%		\$17.00	\$24.00																
Town Mechanic and Maintenance Technician	Full-time	1	Non-Exempt	10%	45%	45%				\$17.00	\$24.00																
Water Distribution Operator	Full-time	1	Exempt			100%									\$1,730.76	\$2,671.46											
Drinking Water Operator	Full-time	1	Exempt			100%									\$1,923.08	\$2,671.46											
Water Team Members	Full-time	7	Non-Exempt			100%				\$17.00	\$24.00																
Utility Billing Coordinator	Full-time	1	Non-Exempt		50%	50%				\$17.50	\$24.00																
Billing Office Clerk	Full-time	4	Non-Exempt		50%	50%				\$15.50	\$22.00																
Wastewater/S&S Department Team Member On-Call	Full-time		Non-Exempt									\$21.43	\$21.43														
Water Department Team Member On-Call	Full-time		Non-Exempt									\$21.43	\$21.43														
Water Town Council Liaison	Full-time	1	Exempt			100%																	\$1,200.00				
Wastewater Town Council Liaison	Full-time	1	Exempt		100%																		\$1,200.00				
Streets & Sanitation Town Council Liaison	Full-time	1	Exempt	100%																			\$1,200.00				
Police																											
Chief of Police	Full-time	1	Exempt (appointed)	100%											\$2,361.04	\$3,200.00											
Major	Full-time	1	Exempt	100%											\$2,037.20	\$2,800.00											
Detective	Full-time	2	Non-Exempt	100%											\$1,772.44	\$2,400.00											
Sergeant	Full-time	4	Non-Exempt	100%											\$1,772.44	\$2,200.00											
Patrolman	Full-time	11	Non-Exempt	100%											\$1,730.76	\$2,100.00											
Full Time Records Clerk	Full-time	2	Non-Exempt	100%						\$17.50	\$24.00																
Police Commissioners President	Part-time	1	Exempt (appointed)	100%																			\$1,800.00				
Police Commissioners	Part-time	4	Exempt (appointed)	100%																			\$1,200.00				
Police Commissioners Secretary (non-voting)	Part-time	1	Non-Exempt	100%																			\$1,200.00				
Police Commissioners Town Council Member Liaison (non-voting)	Part-time	1	Exempt (appointed)	100%																			\$1,200.00				
Uniform Allowance per Ordinance				100%																		\$2,000.00	\$2,000.00				
Off Duty Court Pay per Ordinance				100%																		\$150.00	\$150.00				
Administration																											
Town Council President/Board of Public Works	Part-time	1	Exempt (elected)	50%	25%	25%																	\$12,000.00	\$12,000.00			
Town Council Members/Board of Public Works	Part-time	4	Exempt (elected)	50%	25%	25%																	\$11,000.00	\$11,000.00			
Town Council Executive Secretary	Full-time	1	Exempt	80%	10%	10%									\$1,600.00	\$2,307.69											
HR Administrator	Part-time	1	Non-Exempt	50%	25%	25%				\$18.02	\$18.02																
Planning and Zoning Board President	Part-time	1	Exempt (appointed)	100%																			\$1,800.00				
Planning and Zoning Board Members	Part-time	4	Exempt (appointed)	100%																			\$1,200.00				
Planning and Zoning Town Council Members	Part-time	2	Exempt (appointed)	100%																			\$1,200.00				
Planning and Zoning Board Secretary (Appointed by BZ Board) (non-voting)	Part-time	1	Non-Exempt	100%																			\$1,200.00				
BZA Board President	Part-time	1	Exempt (appointed)	100%																			\$2,100.00				
BZA Board Members	Part-time	4	Exempt (appointed)	100%																			\$1,400.00				
BZA Secretary (Appointed by BZA Board) (non-voting)	Part-time	1	Non-Exempt	100%																			\$1,400.00				
Redevelopment Board President	Part-time	1	Exempt (appointed)					100%															\$1,800.00				
Redevelopment Board Members	Part-time	4	Exempt (appointed)					100%															\$1,200.00				
Redevelopment Secretary (Appointed by Redev. Comm.) (not-voting)	Part-time	1	Non-Exempt					100%															\$1,200.00				
Economic Development Board	Part-time	3	Exempt (appointed)					100%															\$1,200.00				



Michelle Miller <sellensburgclerk@gmail.com>

Fwd: Salary Ordinance Changes

Charlie Smith <csmith@sellensburg.org>
To: Michelle Miller <sellensburgclerk@gmail.com>
Cc: Michelle Medcalf <mmedcalf@sellensburg.org>

Sat, Mar 25, 2023 at 1:35 PM

Charlie Smith
Town Manager of Sellersburg
316 East Utica Street
Sellersburg | Indiana | 47172
C | 502.475.8623
O | 812.246.3821

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From: Charlie Smith
Sent: Friday, March 24, 2023 3:21:17 PM
To: Michelle Medcalf <mmedcalf@sellensburg.org>; Jacob Elder <jelder@elderlawoffice.us>
Cc: Chief Whelan <spdchief@sellensburgpd.org>
Subject: FW: Salary Ordinance Changes

See attached request and updated draft salary info for exhibit within the ordinance. To take effect March 27th...

-CS-

From: William R. Whelan <spdchief@sellensburg-in.gov>
Sent: Monday, March 20, 2023 10:44 AM
To: Charlie Smith <csmith@sellensburg.org>
Subject: [External] Salary Ordinance Changes

Charlie here is what we talked about on the salary ordinance.

Chief

March 20, 2023

Charlie,

With the upcoming retirements I need to make a couple changes to the salary ordinance. The full time secretary spot will need to go away and replace with full time billing clerk. The pay for the billing clerk will stay the same as it was for the secretary. \$17.50 to \$24.00 hr.

These will need to take effect in April 2023.



William R Whelan, Chief
Sellersburg Police Department

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 009

AN ORDINANCE REGULATING TRAFFIC CONTROL AT CERTAIN INTERSECTIONS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, Councilman Scott McVoy, Police Chief Russ Whalen, and Town Manager, Charlie Smith, met with a large majority of the Home Owners Associations of Cover Bridge and the surrounding interconnected neighborhoods (“HOAs”), wherein the HOAs requested stop-signs be installed at the intersection certain intersections.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. Stop signs are hereby ordered at the following locations:
 - a. Winged Foot Dr & St. Andrews Pl. (4-way stop)
 - b. Amy Ave & Winged Foot Dr. (3-way stop)
 - c. Hannah Hill Ct & Greenbriar Blvd. (3-way stop)
 - d. Winged Foot Dr & Covered Bridge Rd at the parking lot entrance (4-way stop)
 - e. Magnolia Point & Greenbriar Blvd. (3-way stop)

f. Pinehurst Ct & Greenbriar Blvd. (3-way stop)

(See attached Exhibit A for complete mapping detail).

2. The Town Manager shall cause to have the necessary signage installed notifying the public of said modification. The signage shall be installed within public right of way and per INDOT and town standards where appropriate.
3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 8th day of May, 20 23.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Absent 5/8/2023
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/8/2023

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 5/8/2023

MOTION: Czarniecki

SECOND: Mobley


VOTE: 4 AYE 0 NAY 0 ABSTAIN

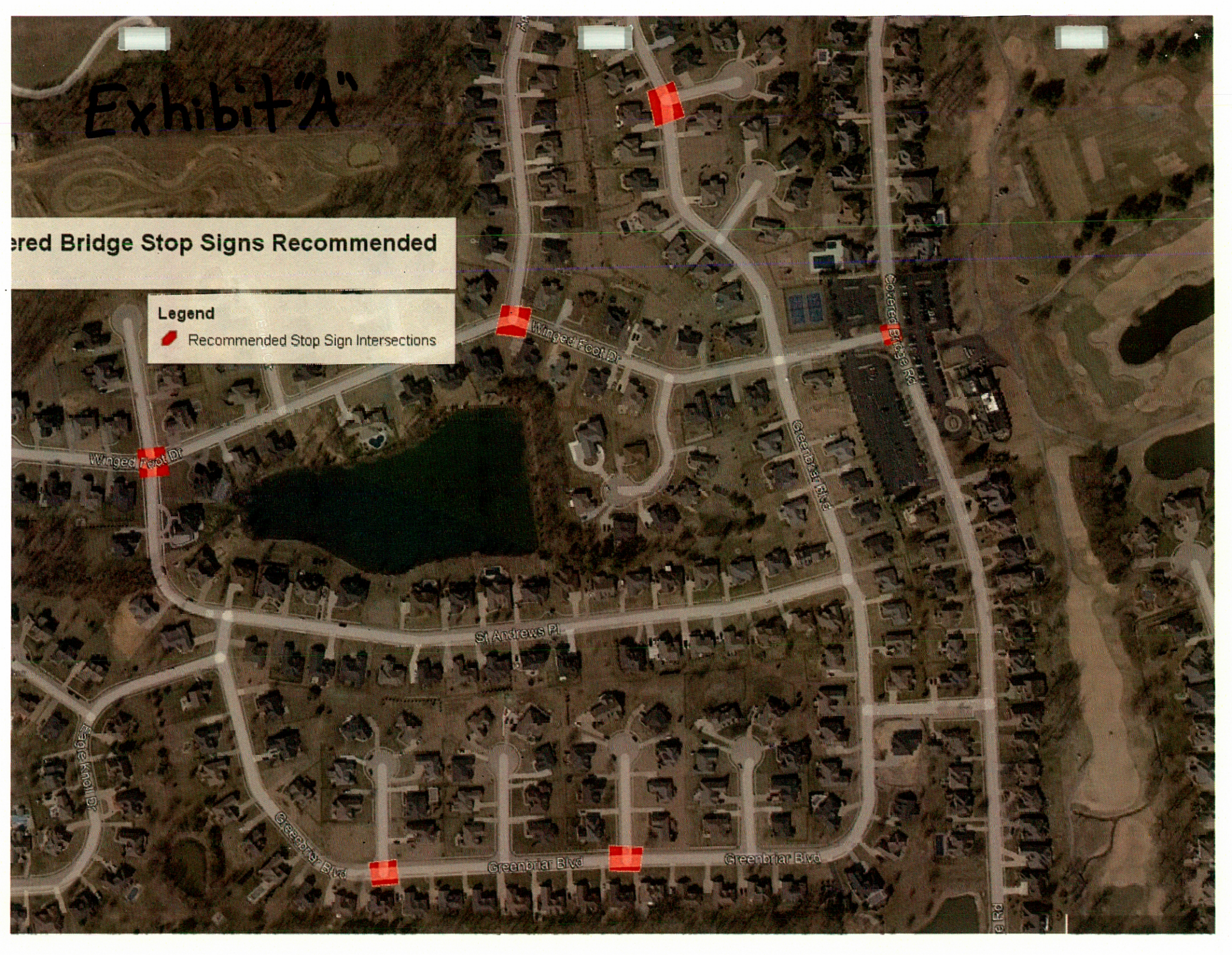
Exhibit A

Exhibit "A"

Covered Bridge Stop Signs Recommended

Legend

 Recommended Stop Sign Intersections



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 010

AN ORDINANCE AMENDING THE 2023 SALARY ORDINANCE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, this Council is charged with the responsibility of adopting a salary ordinance; and,

WHEREAS, this Council now desires to amend the 2023 Salary Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following salaries and the respective funds from which to pay said salaries for the calendar year 2023 are amended as follows:

1. See Exhibit A attached hereto for a comprehensive list of job titles for the Town of Sellersburg and the specified funds by which to pay each position.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 8th day of May, 2023.

[Signature page to follow]

"Aye"

"Nay"

Brad J. Amos
Brad Amos
Council President

Brad Amos
Council President

Absent 5/8/2023
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/8/2023

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 5/8/2023

MOTION: Mobley

SECOND: Czarniecki

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 011

AN ORDINANCE TRADING-IN OR DISPOSING OF SURPLUS OR WORTHLESS PERSONAL PROPERTY BELONGING TO THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 5-22-22-3(b), this Council acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

WHEREAS, if the purchasing agent does not engage an auctioneer or if the surplus property is not sold through an Internet auction site under Section 4.5 of Ind. Code § 5-22-22 *et seq.*, the purchasing agent shall sell the property at a public sale or by sealed bids delivered to the office of the purchasing agency before the date of the sale. Advertisement of sale shall be made in accordance with Ind. Code § 5-3-1 and all sales shall be made to the highest and most responsible bidder. (*Ind. Code § 5-22-22-5*); and,

WHEREAS, pursuant to Ind. Code § 5-22-22-8, “if the property is worthless, it may be demolished or junked.” Property may be determined to be worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and,

WHEREAS, pursuant to Ind. Code § 36-1-11-9, “[w]henver a disposing agent purchases new property with a condition that property of a similar nature is to be traded in or exchanged as part of the purchase and in reduction of the purchase price, the exchange or trade-in may be made without compliance with section 7 of this chapter but must comply with section 16 of this chapter”; and,

WHEREAS, this Council, at the recommendation of the Chief of Police, has determined a need to trade-in several police cars.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. The following personal property will be traded-in to John Jones Automotive Group to offset the purchase of new police car(s):
 - 2016 Charger VIN# 2C3CDXAT0GH180805
mileage 83,758 – trade-in value \$5,000
 - 2018 Durango VIN# 1C4SDJFT9JC224579
mileage 82,802 – trade-in value \$7,000
 - 2019 Charger VIN# 2C3CDXKT3KH554914
mileage 96,092 - trade value \$9,000
2. This Council, understanding the aforementioned personal property to be disposed of, grants the Town Manager / Chief of Police with the authority to sell or trade the above referenced personal property pursuant to Ind. Code § 5-22-22 *et seq.*, Ind. Code § 36-1-11 *et seq.*, or if the property is deemed worthless then to have the property scrapped or turned over to the insurance company.
3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 8th day of May, 2023.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Absent 5/8/2023
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czamecki
Matthew Czamecki
Council Member

Matthew Czamecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/8/2023

MOTION: Czamecki
VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND: Langford

SECOND READING

DATE: 5/8/2023

MOTION: Czamecki
VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND: Langford

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 012,

AN ORDINANCE AMENDING SECTIONS 52.15 & 53.022 OF THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, from time to time, this Council may amend its code of ordinances (the “Code”); and,

WHEREAS, this Council now desires to amend the Code to provide further explanation regarding the effective date of billing for new water and wastewater services.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that certain sections of the Code are hereby amended as follows:

1. **§ 52.15 RATES AND EFFECTIVE DATE BASED ON WATER SUPPLIED.**
There shall be and there are established for the use of and the service rendered by the waterworks system of the town the following rates and charges, based on the use of water supplied by the waterworks system. *The rates and charges, established herein, shall become effective for all customers of the town water utility (connected or to be connected), upon installation and usage of the water meter serving said customer and property.*
2. **§ 53.022 EFFECTIVE DATE OF RATES AND CHARGES.**
The rates and charges, as herein set forth, shall become effective for all customers of the town *wastewater utility* (connected or to be connected), *upon installation and usage of the water meter that services the property.*
3. No other sections of the Code are modified by this Amendment, unless referenced herein above.

4. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 22nd day of May, 2023.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Absent 5/22/23
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/22/23

MOTION: McVoy
VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND: Langford

SECOND READING

DATE: 5/22/23

MOTION: Langford
VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND: McVoy

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 013

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 20__ supplement of Code of Ordinances of the Town of Sellersburg, Clark County, Indiana, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and,

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinance which are based on or make reference to sections of the Indiana code; and,

WHEREAS, it is necessary to provide for the usual daily operation of the Town of Sellersburg and for the immediate preservation of the public peace, health, safety, and general welfare of the Town of Sellersburg that this ordinance take effect at an early date.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

Section 1. That the 202a supplement to the Code of Ordinances of the Town of Sellersburg, Clark County, Indiana as submitted by the American Legal Publishing Corporation of Cincinnati,

Ohio, and as attached hereto and identified as 2023 S-20, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Town of Sellersburg, Clark County, Indiana, is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of the Town of Sellersburg, and shall take effect at the earliest date provided by law.

So Ordained this 22nd day of May, 2023.

[Signature page to follow]

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Absent 5/22/23
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/22/23

MOTION: McVoy

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 5/22/23

MOTION: McVoy

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 014

AN ORDINANCE AMENDING SECTION 130 OF THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, from time to time, this Council may amend its code of ordinances (the “Code”); and,

WHEREAS, this Council now desires to amend the Code to provide further explanation regarding the effective date of billing for new water and wastewater services.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following section be added to the Code:

130.061 TEMPORARY POLITICAL AND COMMUNITY EVENT SIGNS

Temporary political campaign signs and signs promoting community or not-for-profit events are permitted, subject to the following conditions, (no permit required):

- (A) No sign, poster or other outdoor advertisement advocating the election of a particular candidate, group or political party shall be permitted except within sixty (60) days prior to the primary and/or general election and removed six (6) days after an election as outlined in IC 36-1-3-11 as amended. Failure to remove the signage within the six (6) day period shall subject the candidate to provisions set forth under section (G) herein below.
- (B) Yard Sale signs shall be permitted within seven (7) days of the event and removed within three (3) days after the sale. Failure to remove the signage within the three (3) day period after the yard/garage sale shall subject the host of the sale to provisions set forth under section (G) herein below.
- (C) Promotional signs supporting community or not-for-profit events shall be permitted within thirty (30) days of the event. In addition, all such signs, posters, and other outdoor

advertisements must be removed no later than three (3) days after the special event as outlined herein. Failure to remove the signage within the three (3) day period shall subject the organization to provisions set forth under subsection (G).

- (D) All other Temporary Signage shall be governed by the most current update of the Town of Sellersburg Unified Development Ordinance.
- (E) No political, promotional, or not-for-profit poster or advertisement shall be permitted on any trees, utility poles or any parkway, alley, public street, easement, road right-of-way, public property, bridge or bridge abutment except as allowed herein.
- (F) Only on election day political signs, posters and/or advertisements shall be permitted on public property, public streets, road rights-of-way and/or public parkways and alleys or other public property. Signage may be placed in said locations 500 feet or closer to any polling place, but no closer than authorized by Indiana law. All such signage shall be removed within 24 hours after the polling place closes. Failure to remove the signage within the 24-hour period shall subject the candidate or organization to provisions set forth under division (G).
- (G) If any violation of the above provision occurs the Town Manager or its designee shall remove the signage found in violation of the provisions of this section, whereupon the town shall keep the signage for three (3) days in order to be claimed by the candidate or organization. Failure of the candidate or organization to claim said signage within the three (3) day period shall authorize the town to dispose of said signage in any manner deemed appropriate.

No other sections of the Code are modified by this Amendment, unless referenced herein above.

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 26TH day of JUNE, 2023.

[Signature page to follow]

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/20/23

MOTION: Czarniecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 6/26/23

MOTION: Czarniecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 015

AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
2218000111.000 PZF Salaries	2218000315.000 PZF Professional Services	\$15,000
2218000111.000 PZF Salaries	2218000323.000 PZF Telephone/Internet	\$3000
2218000111.000 PZF Salaries	2218000341.000 PZF Insurance Other Than	\$3000
2218000111.000 PZF Salaries	2218000361.000 PZF Vehicle Maintenance	\$3000
2218000111.000 PZF Salaries	2218000392.000 PZF Training	\$2000
2218000111.000 PZF Salaries	2218000393.000 Subscriptions/Dues	\$1000
2218000111.000 PZF Salaries	2218000395.000 PZF Judgements	\$2000

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 26TH day of JUNE, 2023.

"Aye"

"Nay"

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/26/23

MOTION: Czarnecki

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 6/26/23

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 016

AN ORDINANCE REGULATING TRAFFIC CONTROL AT CERTAIN INTERSECTIONS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, this Council has determined a need for three-way stops at the intersections located at Alabama Ave./Nevada St. and Alabama Ave./Georgian St.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. Stop signs are hereby ordered at the following locations:
 - a. Alabama Ave. and Nevada St. (3-way stop)
 - b. Georgian Ave. and Nevada St. (3-way stop)

(See attached Exhibit A for complete mapping detail).

2. The Town Manager shall cause to have the necessary signage installed and notify the public of said modification. The signage shall be installed within public right of way and per INDOT and town standards where appropriate.

3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this _____ day of _____, 2023.

[Signature page to follow]

"Aye"

"Nay"

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/14/23

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 8/14/23

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Exhibit A



STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR - 17

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, REPEALING AND REPLACING THE FEE STRUCTURE FOR THE TOWN OF SELLERSBURG, INDIANA BUILDING DEPARTMENT FOR VARIOUS PERMITS, AND INSPECTIONS.

WHEREAS, the Town Council of the Town of Sellersburg has determined that it is necessary pursuant to IC 36-1-3 to repeal and replace, Sections 150.095 through 150.105 of the Town of Sellersburg Code of Ordinances, the fee structure for the Town of Sellersburg Building Department for various permits, inspections, and plan review.

WHEREAS, Sections 150.095 through 150.105 is repealed and replaced as follows:

SECTION 1 – TITLE

This ordinance shall be commonly known as the Town of Sellersburg Permit and Inspection Fee Ordinance.

SECTION 2. – EXPIRATION OF PERMITS

All permits issued in accordance with this ordinance shall expire as follows:

If work is not started within six (6) months-180 days

If work has not been completed within one (1) year of the date of issuance.

SECTION 3. – RE-INSTANTMENT OF EXPIRED PERMIT

If there has been no change to the construction, no change in the various codes adopted by the Fire Prevention and Building Safety Commission, for good cause shown the Building Commission may grant the re-instatement of an expired permit. Re-instated permit shall expire one (1) year from date of re-instatement.

SECTION 4. – EXTENSION OF PERMITS

For good cause shown, the Building Commissioner may grant a one (1) time extension of an unexpired permit not to exceed one (1) year.

SECTION 5 – Fees

A. The following fees shall be paid to obtain said permit and inspections performed:

B. Calculation of square footage shall be based on floor area of every floor, including basement (finished and unfinished), garages, decks, porches, etc. based on exterior dimensions.

SECTION 6. – Disposition of Fees

All fees collected or received by the Sellersburg Building Department pursuant to this ordinance shall be deposited with the Clerk-Treasurer of the Town of Sellersburg to be deposited in the general fund of the Town.

ORDINANCE NO. 2023 – OR - 17

SECTION 7 – Severability of Provisions

If any provision of this ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the ordinance and application of its provisions to other persons not similarly situated or to the circumstances shall not be affected thereby.

Commercial Permits (Class 1 structure) Permit fee based on Indiana Building Code Occupancy Type:	
New Construction – Remodel - Addition – First Tenant Finish	
Assembly (A-1, A-2, A-3)	\$0.15 per square foot
Assembly (A-4, A-5)	\$0.10 per square foot
Business (B)	\$0.13 per square foot
Education	\$0.14 per square foot
Factory (F1, F-2)	\$0.12 per square foot
High Hazard (H-1, H-2, H-3, H-4, H-5)	\$0.12 per square foot
Institutional (I-1, I-2, I-3, I-4)	\$0.14 per square foot
Mercantile (M)	\$0.13 per square foot
Storage (S-1, S-2)	\$0.11 per square foot
Hotel/Motel/Multi-Family (R-1, R-2, R-3, R-4)	\$0.13 per square foot
Utility/Miscellaneous (Private garage, Carport & Sheds associated with Class 1 Structure)	\$0.10 per square foot
Utility/Miscellaneous - Towers (cell/radio, etc.)	\$1000.00 new/\$300 co-locate
Agriculture that are Class 1 Structures	\$0.10 per square foot
Remodel/Renovation	\$150.00 plus \$0.05 per square foot
Class 1 Indiana Industrialized Building System (Modular) [includes site improvement]	\$75.00 per labeled unit
Class 1 Indiana Mobile Structure (Temporary Installation) [includes site improvements]	

Awning/Canopy	\$100.00 per awning/canopy
Class 1 Structure – Foundation Only (including accessory structures)	\$200 .00
Commercial Electrical Class 1	
Class 1 New Construction	\$1.00 per amp
Class 1 Structure – Addition/Remodel/Renovation	\$50.00 plus \$0.05 per sq. ft.
Multi-Family (3 family and over), new construction	\$125.00 per unit
Multi-Family (3 family and over), Addition/Remodel/Alteration	\$75.00 per unit
Change of Service/Upgrade	\$1.00 per amp
Reconnect Inspection	\$75.00
Temporary Electrical Pole (Service)	\$75.00
Cell Tower	\$75.00 + \$1.00 per amp
Pool Bonding	\$100.00
Sign	\$75.00 pole or monument \$25.00 per wall sign
Commercial Plumbing class 1	
Class 1 – New Construction	\$100.00 plus \$5.00 per plumbing fixture*
Class 1 Structure – Addition/Remodel/Renovation	\$75.00 plus \$2.50 per plumbing fixture*
Fixtures include, Water closet/urinal/sink/lavatory/service sink/drinking fountain/dental cuspidor/floor drain/dishwasher, etc.	
Multi-Family, (3-family and over), new construction	\$75.00 per dwelling unit
Multi-Family, (3-familly and over) – Addition/Remodel/Renovation	\$25.00 per dwelling unit
Water Heater – New or Replacement	\$50.00 per water heater

Commercial Heating/Ventilation/Air Conditioning class 1	
Class 1 Structure – New Construction – Combination Heating and Air Conditioning	\$100.00 – 1st unit \$50.00 – for Each additional
Furnace & Air Combination (Replacement) Furnace or AC only (Replacement) Addition/Remodel/Renovation	\$100.00 per unit \$75.00 per unit \$.05/sq.ft or \$100.00 minimum
Roof Top Units (RTU)	\$100.00 Per Unit
Multi-Family, (3-family and over), new construction	\$50.00 per dwelling unit
Multi-Family, (3-family and over) – Addition/Remodel/Renovation	\$25.00 per dwelling unit
PTAC/Split System Spray Booth Ventilation, Exhaust Fans Fireplace/Manufactured/Masonry	\$100.00 per unit \$150.00 per unit \$100.00 Per unit
Commercial Kitchen Hoods	
Type I or (including fire suppression system)	\$150.00
Type II (No Fire suppression)	\$75.00
Commercial Fire Protection Sprinkler System Class 1	
New NFPA 13 or NFPA 13R	\$100.00 + \$0.25 each sprinkler head
Alteration NFPA 13 or NFPA 13R	\$75.00 + \$0.25 each sprinkler head
Commercial Fire Alarm System Class 1	
Fire Alarm System (automatic or manual)	Up to 20,000 square feet - \$150.00 20,001 square feet - 150.00 Plus \$20.00 for each additional 10,000 square feet
Flammable and Combustible Liquid Storage Tank	
Underground	\$100.00 per tank
Aboveground	\$50.00 per tank
Commercial Miscellaneous Permits/Fees	
Swimming pool	\$250.00
Hot Tub/ Spa	\$75.00
Sauna	\$50.00

ORDINANCE NO. 2023 – OR - 17

Fence	\$50.00 for the first 100 lineal feet, then \$10.00 for each additional 50 feet
Demolition/wrecking Class 1 structure Including accessory structures	\$150.00 per building
Roofing	\$150.00
Inspections	\$50.00 per inspection
Temporary Work Trailer (per 12 months)	\$75.00
Dumpster Enclosure	\$100.00
Inspection fees and Fines Class 1	
Reinspection's: Multifamily	1 st -\$100.00 1 st -\$50.00 per unit
Reinspection's	2 nd - \$350.00 2 nd Multifamily \$100.00 per unit
Reinspection's:	3 rd and < - \$500.00 3 rd Multifamily \$200.00 per unit
Work Without a License	\$150.00
Work Without a Permit:	1 st - \$300.00
	2 nd - \$500
	3 rd - \$1,000.00 and License Suspension - 1 year
	4 th - License Revocation
Plan Review – Class 1 Structure	
New Construction	150.00 plus \$0.04 per sq. ft.
Additions/Remodel/Renovation	\$100.00 plus \$0.04 per sq. ft.
Amendment to plans, including Plan Revisions, Fire Alarm, Sprinkler Systems, Type 1 Kitchen Hood, etc.	\$50.00 per submittal
Residential (Class 2 structure) permit fees [1 or 2 Family Dwellings]	
New Construction	\$100.00 plus \$0.10 per sqft.
New Construction Additions	\$50.00 plus \$0.10 per sqft.

ORDINANCE NO. 2023 – OR - 17

Manufactured Home or Indiana Residential Industrialized Building System (modular) Electric, HVAC and Plumbing shall be separate permits.	\$100.00
Foundation Only (including associated attached accessory structure)	\$100.00
Remodel/Renovation	\$100.00
Plan Review fee for New Single- or Two-Family Homes	\$75.00
Accessory Structures to a Class 2 Structure – garages, Detached carports, portable storage sheds (greater than 150 sq. ft. floor area), deck porch, etc.	\$0.05 per square foot Minimum fee: \$50.00
Fence	\$50.00
Residential Electrical (class 2)	
New Construction	\$.50 per amp
Addition/Remodel/Renovation	\$75.00
Change of Service/Upgrade	\$100.00
Reconnection Inspection –	\$50.00 per unit
Temporary Electrical Service	\$75.00
Residential Solar	\$100.00
Pool Bonding	\$50.00
Backup Generator	\$100.00
Residential Plumbing (class 2)	
New Construction	\$75.00 plus \$2.50 each plumbing fixture: Shall include Water closet/sink/lavatory/clothes washer standpipe/combo bathtub-shower/individual bathtub/individual shower/bidet, etc.
Addition/Remodel/Renovation	\$75.00
Water Heaters (New and Replacement)	\$50.00

Residential Heating/Ventilation/Air Conditioning Class 2 per unit	
Combination Furnace and AC (new)	\$100.00 per combination
Combination Furnace and AC (replacement)	\$75.00 per combination
Furnace or AC (Replacement)	\$50.00 per unit
Mini Split/PTAC	\$75.00 per unit
Addition/Remodel/Renovation/Replacement	\$75.00
Residential Miscellaneous Permits	
Demolition/Wrecking	\$150.00 per building
Swimming pool Inground or Aboveground	\$100.00
Dumpsters Located in R.O.W. (right of way)	\$100.00
Chicken Flock (AG Zone not required)	\$35.00
Inspection fees and fines Class 2	
1 st Reinspection fee	\$50.00 per unit
2 nd Reinspection fee	\$150 per unit
3 rd Reinspection fee	\$350 per unit
Class 1 Structure and Class 2 Structure Permit Renewal	One-half (1/2) original permit fee – if approved
Working with No Permit (per project, multiple projects may be subject to multiple offenses)	1 st – Offense \$300.00 plus cost of permit. 2 nd – Offense \$500.00 plus cost of permit 3 rd < - License Suspension
Working without a License	\$100.00 plus the cost of the license

Signs	
Billboard	\$1,200.00
EVMS Billboard	\$1,500.00
Temporary: DT, TC, GO Districts	Portable - \$100.00/\$50 per face Portable EVMS - \$300.00/\$150.00 per face
B1, B2, B3, DT, TC, I1, I2, GO	Site, Swing, and Yard Signs: \$100.00/\$50.00 per face
Permanent: AG, R1, R2, M1, M2, DTN, MHP	Monument - \$300.00/\$150.00 per face
B1, B2, B3, GO	Awning - \$150.00 Monument - \$300.00 Projecting - \$200.00 Wall - \$150.00 Window - \$100.00
I1 and I2	Awning - \$300.00 Monument - \$500.00 Projecting - \$300.00 Wall - \$300.00 Window - \$150.00
DT and TC	Awning/Canopy - \$150.00 Monument - \$300.00 Projecting - \$200.00 Wall - \$150.00 Window - \$100.00

Short Term Rental	
*SPECIAL EXCEPTION REQUIRED FROM BZA	
Initial Registration Permit (IRP)	\$150.00
Annual Renewal Permit	\$0.00
Annual Inspection (Every year including 1st)	\$50.00

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA that this Ordinance shall be in full force and affect from and after its passage and affirmative signatures by the Town Council of the Town of Sellersburg, Indiana and proper publication as provided by law, and upon any further requirements under Indiana law.

DULY ORDER BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA this 14th day of August, 2023.

TOWN COUNCIL, TOWN OF SELLERSBURG

“ Aye”

“Nay”

Brad J. Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Randall Mobley
Council Member

Randall Mobley
Council Member

Terry Langford
Council Member

Terry Langford
Council Member

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Michelle D. Miller
Attested by Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/10/23

MOTION: Czarniecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 8/10/23

MOTION: Czarniecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2023 – OR – 018
AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
1101020541 Loan Payments	1101020363 Police Auto Maintenance	\$15,000.00
1101020541 Loan Payments	1101020364 Building Repairs	\$8,000

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 11th day of September, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad J. Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/11/23

MOTION: Czarnecki

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 9/11/23

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2023 – OR – 019
AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative and fiscal bodies, and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of certain functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
2218000111.000 PZF Salaries	2218000315.000 PZF Professional Services	\$25,000
2204000226 PR Chemicals	2204000362 PR Park Maintenance	\$3,000

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 25th day of September, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarncki

Matthew Czarncki
Council Member

Matthew Czarncki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/25/23

MOTION: Czarncki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 9/25/23

MOTION: Mobley

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 020

AN ORDINANCE REPEALING AND REPLACING § 51.01 OF THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative and fiscal bodies for Sellersburg, Indiana (the “Town”) and the President of this Council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the Town; and,

WHEREAS, this Council has determined a need to repeal and replace the Location of Dumpsters section of the Code of Ordinances for the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. Section 51.01 of the Code of Ordinances is hereby repealed and replaced with the following:

§ 51.01 LOCATION OF DUMPSTERS; PLACEMENT AND STORAGE OF CONTAINERS.

(A) No refuse or garbage collection service will be provided for private or commercial dumpsters, other than town dumpsters that may be located at the wastewater treatment plant for Town use.

(B) Refuse containers for weekly trash collection shall be placed for collection at ground level accessible from the street or alley from which collection is made and placed at a minimum of three (3) feet from any obstruction with the front of the receptacle facing the direction of collection. No variation from this section shall be permitted unless for good cause approved by the Street Commissioner.

(C) Receptacles for trash and yard waste shall not be kept on sidewalks or within the public right of way except within 12 hours before and after the day of usual pick up by the trash collectors.

(D) Regular storage of trash and yard waste receptacles shall not be within the front yard of the residence to be collected unless permitted for good cause approved by the Street Commissioner.

(E) Any person or landlord violating any provision of this chapter shall be subject to the following escalating penalties, which shall run on a yearly basis renewing each year:

1st Offense: The Town will issue a written warning.

2nd Offense: \$25.00 fine.

3rd Offense: \$50.00 fine.

4th Or More: \$100.00 fine per offense.

2. This ordinance shall be in full force and effect thirty (30) days after its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council and its publishing in the News and Tribune or another acceptable publication.
3. The Executive Secretary is hereby charged with the responsibility of causing said ordinance to be published per Indiana law.

So Ordained this 25th day of September, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/25/23

MOTION: Mobley

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 9/25/23

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

Town of Sellersburg
(Governmental Unit)

CLARK County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines 174
Body -- number of lines
Tail -- number of lines
Total number of lines in notice 174

COMPUTATION OF CHARGES

174 lines, 3 columns wide equals 522 equivalent lines at 5414 cents per line \$ 282.61
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 282.61

DATA FOR COMPUTING COST

Width of single column in picas Size of type 7 point.
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being as follows:

10/3/2023

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Kerisa Whithumb

Bookkeeper

Date 10-03-2023

185-2198

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 021

AN ORDINANCE ESTABLISHING THE 2024 SALARY ORDINANCE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the town; and,

WHEREAS, this Council is charged with the responsibility of adopting a salary ordinance; and,

WHEREAS, this Council now desires to adopt the 2024 Salary Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following salaries and the respective funds from which to pay said salaries for the calendar year 2024:

1. See Exhibit A attached hereto for a comprehensive list of job titles for the Town of Sellersburg and the specified funds by which to pay each position.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 13 day of November, 2023

[Signature page to follow]

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council Member

Terry Langford
Terry Langford
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/13/2023

MOTION: McVoy

SECOND: Langford

VOTE: 3 AYE 2 NAY 0 ABSTAIN

Approval
SECOND READING

DATE: 11/13/2023

MOTION: Czarnecki

SECOND: Langford

VOTE: 3 AYE 2 NAY 0 ABSTAIN

Exhibit "A"

Labor, Trades, and Crafts (LTC) Payscale Classifications

Classification	Skill Level (Hourly)			
	1	2	3	4
LTC A	\$15.99 - \$16.87	\$16.88 - \$17.76	\$17.77 - \$18.47	\$18.48
LTC B	\$23.73 - \$25.03	\$25.04 - \$26.36	\$26.37 - \$27.41	\$27.42
LTC C	\$26.76 - \$28.24	\$28.25 - \$29.73	\$29.74 - \$30.92	\$30.93

Skill Level Defined:

1	Hire-In; Meets job requirements
2	Meets job requirements and has at least 2 years of job-related experience
3	Meets job requirements and has at least 5 years of job-related experience
4	Exceeds job requirements and has at least 8 years of job-related experience

LTC Additional Compensation

Possession of Wastewater Certification
\$1.00/hr for WWT Class 3
Possession of Distribution Water License
\$1.00/hr for DSL (Large)
Possession of Potable Water Treatment
\$1.00/hr WT3

Computer, Office, Accounting (COA)

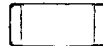
Classification	HR Minimum	HR Maximum	Bi-Weekly Min.	Bi-Weekly Max.
COA A (Hourly)	\$15.22	\$17.59		
COA B (Hourly)	\$19.55	\$22.29		
COA C (Hourly)	\$21.09	\$24.38		
COA D (Hourly)	\$24.90	\$28.77		
COA E (Salary)			\$2,239.14	\$2,704.90

Executive (EXE) Payscale Classifications (Bi-Weekly)

EXE (Executives)	Minimum	Maximum
EXE A	\$2,239.14	\$2,985.53
EXE B	\$2,617.85	\$3,490.47
EXE C	\$3,615.38	\$3,615.38
EXE D	\$3,428.38	\$4,571.17

Protective Occupations Law Enforcement (POLE)

POLE	Bi-Weekly
POLE A	\$2,146.15
POLE B	\$2,384.61
POLE C	\$2,484.61
POLE D	\$2,684.61
POLE E	\$3,084.41



TOWN OF SELLERSBURG 2024 SALARY ORDINANCE: Effective Payroll January 1, 2024	Full/Part Time	Max # of Employees with Title	Exempt/Non-Exempt	Fund									Salary							
				TC	Wastewater	Water	CEDIT	Police	CT	S&S	PFZ	Parks	Hourly		Daily		Bi-Weekly		Annually	
													Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum

Executive (EXE) Payscale Classifications

Title	Full-time	Max # of Employees with Title	Exempt/Non-Exempt	TC	Wastewater	Water	CEDIT	Police	CT	S&S	PFZ	Parks	Hourly Minimum	Hourly Maximum	Daily Minimum	Daily Maximum	Bi-Weekly Minimum	Bi-Weekly Maximum	Annually Minimum	Annually Maximum
Assistant Building Commissioner/Code Enforcement/MS4/IT	Full-time	1	Exempt		33%	33%					34%									
Building Commissioner	Full-time	1	Exempt								100%									
Operations and Human Resources Administrator/Executive Secretary	Full-time	1	Exempt	20%	20%	20%				20%	20%									
Park Superintendent	Full-time	1	Exempt (appointed)									100%								
Planning and Zoning Director	Full-time	1	Exempt								100%									
Streets & Sanitation Superintendent	Full-time	1	Exempt		10%	10%				80%										
Wastewater Superintendent	Full-time	1	Exempt		100%															
Water Distribution Operator	Full-time	1	Exempt			100%														
Water Plant Operator	Full-time	1	Exempt			100%														
Chief of Police	Full-time	1	Exempt (appointed)					100%												
Town Manager	Full-time	1	Exempt	20%	20%	20%				20%	20%									

Labor, Trades, and Crafts (LTC) Payscale Classifications

Title	Full-time	Max # of Employees with Title	Exempt/Non-Exempt	TC	Wastewater	Water	CEDIT	Police	CT	S&S	PFZ	Parks	LTC Class	Daily Minimum	Daily Maximum
Lifeguard (seasonal)	Part-time	15	Non-Exempt									100%	LTC A		
Streets & Sanitation Operator - S&S	Full-time	4	Non-Exempt		10%	10%				70%	10%		LTC B		
Town Mechanic and Maintenance Technician	Full-time	1	Non-Exempt		45%	45%				10%			LTC B		
Wastewater Technician	Full-time	5	Non-Exempt		100%								LTC B		
Wastewater Technician/Locator	Full-time	1	Non-Exempt		100%								LTC B		
Wastewater Lab Manager/Plant Foreman	Full-time	1	Non-Exempt		100%								LTC C		
Water Team Technician/Locator	Full-time	1	Non-Exempt			100%							LTC B		
Water Team Technician	Full-time	4	Non-Exempt			100%							LTC B		
Water Technician/Assistant Plant Operator	Full-time	1	Non-Exempt			100%							LTC C		
Water Technician/Assistant Distribution Foreman	Full-time	1	Non-Exempt			100%							LTC C		
Team Member On-Call	Full-time		Non-Exempt											\$25.00	\$25.00

Protective Occupations Law Enforcement (POLE)

Title	Full-time	Max # of Employees with Title	Exempt/Non-Exempt	TC	Wastewater	Water	CEDIT	Police	CT	S&S	PFZ	Parks	Bi-Weekly Minimum	Bi-Weekly Maximum	Annually Minimum	Annually Maximum
*Probationary Patrolman (First Year Patrolman)	Full-time	12	Non-Exempt					100%								
Patrolman	Full-time		Non-Exempt					100%								
Sergeant	Full-time	4	Non-Exempt					100%								
Detective	Full-time	2	Non-Exempt					100%								
Major	Full-time	1	Exempt					100%								
Uniform Allowance per Ordinance								100%							\$2,000.00	\$2,000.00
Off Duty Court Pay per Ordinance								100%							\$150.00	\$150.00

TOWN OF SELLERSBURG 2024 SALARY ORDINANCE: Effective Payroll January 1, 2024				Fund									Salary					
				TC	Wastewater	Water	CEDIT	Police	CT	S&S	PZF	Parks	Hourly	Daily		Bi-Weekly		Annually
Full/Part Time	Max # of Employees with Title	Exempt/Non-Exempt									Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Computer, Office, Accounting (COA)				Fund									Salary					
Title				TC	Wastewater	Water	CEDIT	Police	CT	S&S	PZF	Parks	COA Class		COA Class			
Concession Worker (seasonal) - Parks	Part-time	4	Non-Exempt										100%	COA A				
Assistant Pool Manager (seasonal) - Parks	Part-time	2	Non-Exempt										100%	COA A				
Pool and Events Manager - Parks	Part-time	1	Non-Exempt										100%	COA B				
Deputy Clerk-Treasurer	Full-time	1	Non-Exempt (appointed)		33%	33%			34%					COA C				
Building Permit Administrative Assistant - PZF	Full-time	1	Non-Exempt								100%			COA C				
Billing Office Clerk	Full-time	4	Non-Exempt		50%	50%								COA C				
Utility Billing Coordinator	Full-time	1	Non-Exempt		50%	50%								COA D				
Full Time Records Clerk - Police	Full-time	2	Non-Exempt					100%						COA D				
Chief Deputy Clerk-Treasurer	Full-time	1	Exempt (appointed)		33%	33%			34%						COA E			
Elected Officials				Fund									Salary					
Title				TC	Wastewater	Water	CEDIT	Police	CT	S&S	PZF	Parks			Bi-Weekly		Annually	
Town Council Members/Board of Public Works	Part-time	5	Exempt (elected)	50%	25%	25%			34%									\$15,000.00
Clerk-Treasurer + Longevity per Ordinance 2022-OR-xxx	Full-time	1	Exempt		33%	33%			34%							\$2,788.46		
Boards and Commissions				Fund									Salary					
Title				TC	Wastewater	Water	CEDIT	Police	CT	S&S	PZF	Parks					Annually	
Planning and Zoning Board President	Part-time	1	Exempt (appointed)									100%						\$1,800.00
Planning and Zoning Board Members	Part-time	4	Exempt (appointed)									100%						\$1,200.00
Planning and Zoning Town Council Members	Part-time	2	Exempt (appointed)									100%						\$1,200.00
Planning and Zoning Board Secretary (Appointed by BZ Board) (non-voting)	Part-time	1	Non-Exempt									100%						\$1,200.00
BZA Board President	Part-time	1	Exempt (appointed)									100%						\$2,100.00
BZA Board Members	Part-time	4	Exempt (appointed)									100%						\$1,400.00
BZA Secretary (Appointed by BZA Board) (non-voting)	Part-time	1	Non-Exempt									100%						\$1,400.00
Redevelopment Board President	Part-time	1	Exempt (appointed)				100%											\$1,800.00
Redevelopment Board Members	Part-time	4	Exempt (appointed)				100%											\$1,200.00
Redevelopment Secretary (Appointed by Redev. Comm.) (not-voting)	Part-time	1	Non-Exempt				100%											\$1,200.00
Economic Development Board	Part-time	3	Exempt (appointed)				100%											\$1,200.00
Un-Safe Building Commission (Resident Member)	Part-time	1	Non-Exempt				100%											\$1,200.00
Police Commissioners President	Part-time	1	Exempt (appointed)					100%										\$1,800.00
Police Commissioners	Part-time	4	Exempt (appointed)					100%										\$1,200.00
Police Commissioners Secretary (non-voting)	Part-time	1	Non-Exempt					100%										\$1,200.00
Police Commissioners Town Council Member Liaison (non-voting)	Part-time	1	Exempt (appointed)					100%										\$1,200.00
Parks and Recreation Board President	Part-time	1	Exempt (appointed)									100%						\$1,800.00
Parks and Recreation Board Members	Part-time	4	Exempt (appointed)									100%						\$1,200.00
Parks and Recreation Town Council Liaison (non-voting)	Part-time	1	Exempt (appointed)									100%						\$1,200.00
Parks and Recreation Board Secretary (non-voting)	Part-time	1	Non-Exempt									100%						\$1,200.00
Police Council Liaison	Full-time	1	Exempt (appointed)					100%										\$1,200.00
Parks Council Liaison	Full-time	1	Exempt (appointed)									100%						\$1,200.00
Water Council Liaison	Full-time	1	Exempt (appointed)			100%												\$1,200.00
Wastewater Council Liaison	Full-time	1	Exempt (appointed)		100%													\$1,200.00
S&S Council Liaison	Full-time	1	Exempt (appointed)						100%									\$1,200.00

For Payscale Classifications, please refer to Exhibit "A"

Includes rate of overtime to be time and one half, health, dental, and longevity benefits.

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 022

AN ORDINANCE REGULATING TRAFFIC CONTROL FROM THE INTERSECTION OF ADAMS CREEK DRIVE AND DORA DRIVE TO THE BACK OF THE CUL-DE-SAC AT THE END OF ADAMS CREEK.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative and fiscal bodies for Sellersburg, Indiana (the “Town”) and the President of this Council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the Town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, this Council has identified a public safety issue specifically related to the intersection of Adams Creek Drive and Dora Drive to the back of the cul-de-sac at the end of Adams Creek Drive; and,

WHEREAS, on September 25, 2023, during a normal town board meeting, where the public was invited to attend and participate, it was discovered that school buses could not safely drive down said stretch of road in order to pick up and drop off kids due to the extensive on street parking.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. The intersection of Adams Creek Drive and Dora Drive to the back of the cul-de-sac at the end of Adams Creek Drive shall no longer allow for on-street parking. *(See Exhibit A attached hereto).*
2. The Town Manager shall cause to have the necessary signage installed notifying the public of said modification. The signage shall be installed within public right of way and per INDOT and town standards where appropriate.
3. Any vehicle found to be in violation of this ordinance shall be towed by the Sellersburg Police Department and at the expense of the owner.
4. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 16 day of October, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Absent

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czamecki

Matthew Czamecki
Council Member

Matthew Czamecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 10/16/23

MOTION: Czamecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 10/16/23

MOTION: Czamecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

Exhibit A

[Faint handwritten signature]

[Faint handwritten signature]

[Faint handwritten signature]

[Faint handwritten signature]

[Faint handwritten signature]


[Faint handwritten signature]

[Faint handwritten signature]

[Faint handwritten signature]


[Faint handwritten signature]

[Faint handwritten signature]

An aerial photograph of a residential neighborhood. A winding road, Adams Creek Dr, is highlighted with a thick red line. The road starts at the top center, curves left, then right, then left again, and finally curves right towards the bottom center. The surrounding area contains several houses with dark roofs, some with swimming pools, and bare trees. Other roads visible include Dora Dr and Adams Creek Dr. A legend box is located in the upper left quadrant, and a title box is above it.

Adams Creek

Legend

-  No Street Parking per Council Discussion

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/25/2023 11:37:46 AM

Ordinance / Resolution Number: 2023-OR-023

Be it ordained/resolved by the **SELLERSBURG TOWN COUNCIL** that for the expenses of **SELLERSBURG CIVIL TOWN** for the year ending December 31, **2024** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **SELLERSBURG CIVIL TOWN**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **SELLERSBURG TOWN COUNCIL**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
SELLERSBURG TOWN COUNCIL	Town Council	09/25/2023

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY	\$200,000	\$0	0.0000
0101	GENERAL	\$5,269,000	\$2,685,473	0.6105
0342	POLICE PENSION	\$50,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$425,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$625,000	\$0	0.0000
1303	PARK	\$238,100	\$75,000	0.0170
2240	PLANNING	\$440,000	\$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$125,000	\$0	0.0000
2411	ECONOMIC DEV INCOME TAX CEDIT	\$500,000	\$0	0.0000
		\$7,872,100	\$2,760,473	0.6275

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9500	LIT/PUBLIC SAFETY	\$288,368
9501	LECE	\$50,000
9504	SPD CHRISTMAS FOR KIDS	\$30,000
9505	RETIREE'S INSURANCE FUND	\$40,000
9506	OPIOID RESTRICTED	\$5,101
9507	OPIOID UNRESTRICTED	\$2,187
9509	TIF FUND	\$811,127
9535	American Rescue Plan Act	\$1,061,842
		\$2,288,625

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/25/2023 11:37:46 AM

Name		Signature
BRAD AMOS	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Brad J. Amos</i>
MATT CZARNECKI	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Matt Czarnicki</i>
RANDALL MOBLEY	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Randall Mobley</i>
TERRY LANGFORD	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Terry Langford</i>
SCOTT MCVOY	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Scott McVoy</i>

ATTEST		
Name	Title	Signature
MICHELLE D. MILLER	CLERK TREASURER	<i>Michelle D. Miller</i>

MAYOR ACTION (For City use only)			
Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1 Yes No

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before December 31 Yes No

STATE OF INDIANA.

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 024

AN ORDINANCE CONSIDERING AN AMENDMENT TO THE ZONING MAP OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of a town; and,

WHEREAS, on the 18th day of September, 2023 the Plan Commission of the Town of Sellersburg, Indiana (the “Commission”) certified a favorable recommendation to rezone certain 703 W. Utica Street (the “Property”) from R1 Single Family Residential to B2 General Business. *(See Attached Exhibit A)*; and,

WHEREAS, pursuant to Ind. Code § 36-7-4-608, this Council may adopt or reject the certification from the Commission.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the recommendation by the Commission to rezone the Property from R1 Residential to B2 General Business is hereby Adopted / ~~Rejected~~ (circle one).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of November, 2023.

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/27/23

MOTION: M^o Vogy

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 11/27/23

MOTION: Czarnecki

SECOND: M^o Vogy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 025

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the Town of Sellersburg, Indiana (the “Town”); and,

WHEREAS, it has been determined that it is now necessary to appropriate additional monies than was appropriated in the annual budget; and,

WHEREAS, this matter was considered at an open meeting to which the public were invited to participate; and,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana and for the expenses of the Town of Sellersburg, the following additional sums are hereby appropriated to the funds referenced below and for the purposes specified therein, subject to the laws governing same:

<u>Fund Name:</u>	<u>Amount:</u>
Retiree’s Insurance Fund	\$20,000.00

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 11th day of December, 2023

“Aye”

“Nay”

Brad J. Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council Member

Terry Langford
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/11/23

MOTION: McVoy

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

APPROVAL READING

DATE: 12/11/23

MOTION: Langford

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Town of Sellersburg
(Governmental Unit)

CLARK County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head - number of lines 16
Body - number of lines
Tail - number of lines
Total number of lines in notice 16

COMPUTATION OF CHARGES

16 lines, 2 columns wide equals 32 equivalent lines at 54/4 cents per line \$ 17.32
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 17.32

DATA FOR COMPUTING COST

Width of single column in picas Size of type 7 point
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper / times. The dates of publication being as follows:

11/25/2023

Additionally, the statement checked below is true and correct

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Sharon Weathercock

Bookkeeper

Date 11-27-2023

NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of the Town of Sellersburg, Clark County Indiana that the proper legal officers of the Town of Sellersburg will consider the following additional appropriations in excess of the budget for the current year at their Regular meeting place at 316 E. Ullica Street at 6:00 p.m. On the 11th day of December 2023.

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriation made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Retiree's Insurance Fund \$20,000

hspaxtp

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Room N-1058, IGCN - 100 North Senate
Indianapolis, Indiana 46204

Order 1174085

County : Clark
Unit : SELLERSBURG CIVIL TOWN
Date : 12/11/2023

The Department of Local Government Finance acknowledges receipt of the fiscal body's action on the following additional appropriation and/or reduction:

Fund	Fund Name	Requested Additional	Requested Reduction
9505	RETIREE'S INSURANCE FUND	20,000	0

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 026

AN ORDINANCE AMENDING ORDINANCE 2016-028 FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the Town of Sellersburg, Indiana (the “Town”); and,

WHEREAS, on the 22nd day of December, 2016, this Council adopted *Ordinance No. 2016 – 028, An Ordinance Amending Ordinance No. 2014 – 008*, which amended the monetary contribution provided to the deductibles (the “Contribution”) of the participants of the Health Reimbursement Arrangement (HRA); and,

WHEREAS, from time to time, this Council desires to amend its ordinances; and,

WHEREAS, due to a change in the number of health insurance providers for municipalities and the plans offered, this Council desires to try and keep the Contribution in line with the Town’s former plans; and,

NOW, THEREFORE, BE IT ORDAINED by the Town Council, the following amendments to *Ordinance No. 2016 – 028, An Ordinance Amending Ordinance No. 2014 – 008*:

1. Section 1, which previously amended Section 2 of Ordinance No. 2014-018, is hereby repealed and replaced with the following language:

- a. The Town of Sellersburg will make a certain Contribution to the HRA, which shall be applied first towards the deductible payments of the participants in the Town’s Health Insurance Program depending on the type of plan below:

Employee	\$3,750.00
Employee + Spouse	\$7,500.00
Employee + Children	\$7,500.00
Employee + Family	\$7,500.00

- b. Upon exhausting said Contributions, the participant shall be responsible for making the remaining payments of the deductible as required by the health insurance company.
2. All other Sections of *Ordinance No. 2016 – 028, An Ordinance Amending Ordinance No. 2014 – 008* shall remain in full force and effect and unchanged by this ordinance.
3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of November, 2023

[Signature page to follow]

"Aye"

"Nay"

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council Member

Terry Langford
Council Member

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/27/2023

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

APPROVAL

DATE: 11/27/2023

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
 BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2023 – OR – 027

AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative and fiscal bodies, and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of certain functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
2218000111.000 PZF Salaries	2218000315.000 PZF Professional Services	11,500.00
1101301365.000 S&S Vehicle Maint.	1101301112.000 S&S Salaries	10,000.00
1101301311.000 S&S Education Training	1101301112.000 S&S Salaries	3,000.00
1101301444.000 S&S Garbage Containers	1101301112.000 S&S Salaries	9,000.00
1101301445.000 S&S Grapple Truck	1101301112.000 S&S Salaries	8,600.00
1101301421.000 S&S Facilities	1101301381.000 S&S Garbage Disposal	5,400.00
1101301311.000 S&S Education/Training	1101301500.000 S&S Packer Lease	1,000.00
1101301311.000 S&S Education/Training	1101301242.000 S&S Misc. Supplies	200.00

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 11th day of December, 2023.

[Signature page to follow]

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/11/23

MOTION: Langford

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

APPROVAL

DATE: 12/11/23

MOTION: Langford

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN