

MEETING OF THE CITY OF RUSHVILLE, INDIANA

COMMON COUNCIL

JUNE 4, 2013

6:00 P.M.

CALL TO ORDER:  The Common Council of the City of Rushville met on the above date and time at 270 West 15th Street, Rushville, Indiana. Mayor Pavey called the meeting to order at 6:03 p.m.

PLEDGE TO FLAG: The Pledge of Allegiance was recited by those in attendance.

PRAYER: Councilman Berkemeier led those present in prayer.

ROLL CALL:  Bob Bridges, Brian Conner, Craig Smith, and Brad Berkemeier answered roll call. Councilman Sheehan was not present. Also present were City Attorney, Julie Newhouse, and Melissa Conrad, *Rushville Republican*.

MINUTES:  Minutes of the May 21, 2013 meeting were presented for approval. Conner made a motion to approve the minutes as presented. Bridges seconded the motion. Motion carried, with Councilman Berkemeier abstaining from the vote.

MAYOR'S REPORT: Mayor Pavey reported the following:

1.  Today was cultural exchange day. Hyungyung Kelly Lee was the foreign exchange student. She will be returning to Korea on Friday.
2. Thanked Council for going to Janelle Bedel's residence last night to present a proclamation. Thursday will be "Janelle Bedel (aka) Wonder Woman Day" She asked that we recognize September 27 as National Mesothelioma Day.
3. Thanked the Departments that participated in the Memorial Day procession.
4. The BZA & APC are going through reorganization. A letter has been sent to them stating that we would like to investigate what our options are and to make sure we are working in the same direction.
5. Handed out a legislative report with changes for cities.
6. Signed paperwork on the Park Restaurant settlement agreement. Now we will need to decide how to move forward.
7. Congratulated Chief Jenkins on the tear down of the last from his list of the top 10 projects needing to be torn down.
8. Will be sending Council a list of Council appointments that are coming up in the near future. Council agreed they would like to advertise for the positions to see if there was any new interest.

9. The Department Heads have been given their budget form 1's for next year's budget. Councilman Smith said he would like to see them after they have been turned in and before the Mayor and Clerk-Treasurer have made any adjustments.
10. The Ocras meeting has been re-scheduled for June 11th at 6:00 p.m. at Riverpoint Suites.
11. Handed out a flyer for a program called "Face of the Community" to be held June 19th from 11:30 – 1:30 at the Comfort Inn.
12. Received a letter just before the meeting from the Hospital Board. Action will be happening on this topic in the next few weeks...

CLERK-TREASURER'S REPORT: Copley informed Council that she has asked the Department Heads to have their budget forms turned in by June 21.

She also informed Council that she will be attending the Clerk-Treasurer's Conference next Tuesday and Wednesday in Fort Wayne.

COUNCIL PRESIDENT'S REPORT: None.

COMMITTEE REPORTS:

1. **Amphitheater** –  Due to inclement weather the June 1st concert was cancelled and rescheduled for September 21.
2. **Comprehensive Plan** –
3. **Trash Sub Committee** –
4. **Employee Benefit/City Policy** –  The Mayor said he and the Clerk-Treasurer met today to review the handbook policy. We are going to get a clean copy and mark up areas that need changing. We will then bring it to Council with recommendation for changes to fine tune some of the policies.
5. **APC/BZA Building Code**  Pavey said that with the reorganization going on at the APC/BZA he did write a letter since this would be a good time to consider making changes.

Pavey said he also wanted to clarify discussion from our last meeting in regard to the recycling center issue. He said he and Councilman Berkemeier were In favor of **investigating** the recycling center zoning, not that he was in favor of the recycling center.

Berkemeier said he has been in conversation with the Mayor, Rush County APC Director, Kate Meyer, and JTL Engineering about building code and property maintenance code.

As a follow up to JTL's presentation to Council in February, Berkemeier passed out a one page summary to review and propose a path forward. He said they have come up with a ranking of four priority categories to deal with as far as building code and property maintenance code. He said the State currently recognizes that the City of Rushville passed a building code in 1988; however, we have not been enforcing the code. He said we may be able to take that code and tweak it to make it relevant to today.

Property maintenance code is separate from building code. The building code would deal with mainly new construction, and property maintenance code would deal with existing properties. Fire Chief Jenkins has been working diligently with State officials to figure out why the property maintenance code adopted by the City many years ago has not been approved by the State.

Berkemeier said he sees the immediate priorities as follows:

1. We need to see what kind of ordinances we currently have; and either adopt or amend ordinances as needed; and make sure we get State approval on them.
2. Should we look at licensing landlords or units? HB1313 appears to severely limit these capabilities.
3. If we have a building code, are we going to license or register contractors? HB1313 appears to severely limit these capabilities as well.
4. What kind of work do we want building permits to cover? International Building Code already dictates this, but we could make adaptations.

Berkemeier said he would like to have Council's ideas, and establish a deadline for resolving these issues. Berkemeier said he believes these immediate priorities could be addressed and resolved by the end of the year.

6. **Utility Board/BW/CC – Working Committee** –  Pavey said he received an email from John Skomp today. He said the expected timing to have a draft report for the working committee with the project broken down is the week of June 24. This will allow comments, revisions, changes, etc. to be made in time for the July Utility Board meeting. This would allow rate & bond ordinances to be ready for Council's approval in August or September.

DEPARTMENT HEAD REPORTS: 

Park – Pavey said the pump at the pool went down on Friday closing the pool Friday through Monday. They were able to have the pool back in service today. Pavey said he was proud of this accomplishment and thanked the park department and Davis Towing for their help in the matter.

CITIZEN CONCERNS:  Sandy Coons said she was very disturbed to learn of a vote taken 2 weeks ago on the route of parades. She said she should have been notified that this was going to be discussed and was not notified. She said she has been considered an expert on parades. And she should have been consulted. She asked if the vote was an ordinance, or what? She was informed that it was a motion by Council to have all parade routes on Main Street. A motion was made and passed unanimously. She said she is responsible for the 4th of July parade and she should have a say on the route. Coons said this is very personal. She proposed the parade be on Harrison Street this year and then next year she would not say anything and the parade could be wherever you want it. Coons asked why the Mayor's 5K walk was not on Main Street. Pavey said the walk was not a spectator event.

Coons said the 4th of July parade was not a Chamber parade. Bridges said the problem seems to be between Sandy Fussner and Coons. He said the merchants have indicated that moving the parade off of Main Street pulls business away from them.

Coons said if Fussner wants the parade then she can have it and they will focus on other things.

Bridges said they offered help on the parade at the last meeting to help relieve stress over the parade.

Coons asked, "Do you intend to organize the parade this year?"

Conner said, "If we need to, yes we will."

Briges said, "Sure."

Coons left the meeting.

UNFINISHED BUSINESS:

1. **Alley Reconfiguration** –  Pavey said he will let Council know when he has more information.

NEW BUSINESS:

1. **Kevin Mandrell – Insurance** –  Pavey said Mandrell was unable to attend the meeting due to illness. He said Mandrell is suggesting we continue through the end of this year as we are with insurance. He said he wants us to take a hard look at a self-insured program. He said this would be the most cost efficient for the City. We should have a presentation from Mandrell at the next meeting.
2. **City of Rushville Flood Evacuation Plan** –  Pavey said the flood evacuation plan is part of our agreement with the Army Corp of Engineers. There were 4 items that we needed to address for the levee maintenance. One of those items is a flood management plan.

Chuck Kemker contacted the Army Corp for a sample plan. They sent a template to follow. Kemker created the plan before Council.

Kemker said we need to educate the public on where to register to receive warnings. He said this will take time.

3. **City of Rushville Flood Evacuation Ordinance 2013-6** –  Conner made a motion to approve. Ordinance 2013-6. Bridges seconded the motion. Motion carried.

CLAIMS APPROVAL:  Conner made a motion to approve the claims as presented. Berkemeier seconded the motion. Motion carried.

ITEMS NOT KNOWN IN ADVANCE: None.

ADJOURN: There was no further business to come before Council; Berkemeier made a motion to adjourn. Bridges seconded the motion. The meeting adjourned at 7:08 p.m.