

RUSHVILLE CITY COMMON COUNCIL
TUESDAY, JULY 1, 2008
6:00 P.M.

The Rushville City Common Council met on the above date and time at 270 W 15th Street, Rushville, Indiana. Mayor Bostic called the meeting to order at 6:10 p.m., with Allen Shelton, Darrin McGowan, Mike Buckley, Bill Goins and Cindy Humphrey answering roll call. Also present were City Attorney, Ron Wilson, and Mike Selke, WIFE Radio.

MINUTES * * * *

Minutes of the June 17, 2008 meeting were presented for approval. Shelton made a motion to approve the minutes as presented. Goins seconded the motion. Motion carried.

MAYOR'S REPORT * * * *

Mayor Bostic reported the following:

- He had a meeting with Cleo Duncan. They discussed the 16th Street project, the truck route, the gas situation, and a possibility of getting some of the lottery money from Lawrenceburg.
- There will be an 11 and 12 year old baseball tournament this weekend at the Little League Diamond.
- SR 44 project – They are working on the storm sewer on South Harrison Street.
- 4th of July Parade – The route has been changed from Main Street to Morgan Street.

CLERK-TREASURER'S REPORT * * * *

Copley reported:

- Asked Council to consider Resolution 2008-10 for a temporary loan. Buckley made a motion to approve Resolution 2008-10. Shelton seconded the motion. Motion carried.
- Ceridian Consent Resolution – Presented a resolution to continue the cafeteria plan within the meaning of Section 125. Humphrey made a motion to approve the continuation of the cafeteria plan. Goins seconded the motion. Motion carried.
- State Board of Accounts is now auditing for the year 2007.
- Budgets – Budgets are due in by Monday. Copley reminded the Departments that they need to make cuts from last year's budgets. She

said she will be meeting with the DLGF on July 29th. At the next meeting Council should have a date when they would like to have a budget workshop.

COUNCIL PRESIDENT’S REPORT * * * *

Goins said there are groups wanting to get their name in the City’s budget for next year. He passed out a letter that he received today, and will keep Council informed of anymore that he receives.

Goins also relayed a message from the K of C saying thank you for the work the Street Department has done in that area of town.

DEPARTMENT HEAD REPORTS * * * *

Police – Cameron reported that the Board of Works hired 2 patrolmen contingent upon approval by PERF. The patrolmen will be Curtis Schuman from Greensburg, and Chris Lane from Henry County. Lane has already attended the police academy.

Park – Mathews said he is planning to have another sock hop around the middle of July.

CITIZEN CONCERNS * * * *

None.

UNFINISHED BUSINESS * * * *

Revision to Handbook Policy Emergency Call In Pay – At the prior meeting Copley asked for the following revision:

If an employee is called to work by an authorized individual during an emergency, he/she will be paid a minimum of 1 hour at one and one half time their salary per hour. If the employee actually works past one hour they will receive time and one half per hour worked.

Goins made a motion that the employee be paid a minimum of 2 hours at time and a half. Shelton seconded the motion. Motion carried with a vote of 4 – 1, with Councilwoman Humphrey voting in opposition to the motion.

Revision to Drug Testing Policy – The Board of Works voted to change the drug testing policy post accident to follow the federal guidelines as follows:

Post-Accident Test – Controlled substance and/or alcohol test administered following an accident. An employee must contact his/her supervisor as soon as possible following the accident. An employee must submit to a Federal DOT controlled substance and alcohol test any time he or she is involved in an accident where:

- **A loss of human life is involved; or,**
- **An employee receives a citation for moving violation arising from the accident that involved:**
 - a. **injury requiring medical treatment away from the scene; or**
 - b. **one or more vehicles having to be towed from the scene.**

Reasonable Suspicion Test – Reasonable suspicion for requiring an employee to submit to controlled substance and/or alcohol testing shall be deemed to exist when an employee manifests physical, behavioral, speech or performance symptoms or reactions commonly attributed to the use of controlled substances or alcohol.

Goins made a motion to change the policy in agreement with the Board of Works to the federal guidelines. Buckley seconded the motion. Motion carried with a vote of 4 – 1, Councilman McGowan voted in opposition to the motion.

NEW BUSINESS * * * *

Utility Board Appointment – Goins made a motion to re-appoint Paul David Smith to the Utility Board. Buckley seconded the motion. Motion carried.

Ordinance 2005-8 Amending Zoning Ordinance Historic District – Bostic presented an amendment to the zoning ordinance regarding the Historic District Board. The amendment would be amended to say that the board member does

not have to live in the historic district, but would need to be a resident and home owner of the City of Rushville.

McGowan said he did not want to see it changed. He said there was a reason that the board member had to reside in the historic district which was that it made them more accountable in their decisions. This ordinance as presented was like making a neighborhood association, with no one from the neighborhood being involved.

Bostic said the board members serve at the pleasure of the Mayor and all residents have the right to serve on the board.

Jim Houston said he did not think the majority should have to live in the district, but it would be good if they owned property in the district. He said he thought some of the members should live in the district because they would also have to abide by the rules set forth. He said he did not want to see them become too dictatorial.

Joe Davis commented that it would be valuable to have some outside the district and thought compromise was okay, but at least one member should live in the district.

Bostic said his first objective would to have members who live in the district, but all residents should have a fair shot.

Joe Rathz said it did not seem fair for someone to live outside the district and be able to make the regulations. The members should live in the district so they would also have to abide by the regulations.

Buckley made a motion to approve the amendment to the ordinance on first reading. Shelton seconded the motion. Motion carried with a vote of 3-2. McGowan and Humphrey voted nay.

Goins made a motion to approve Ordinance 2008-5 on second reading. Shelton seconded the motion. Motion carried with a vote of 3-2. McGowan and Humphrey voted nay.

Claims – Shelton made a motion to approve the claims as presented. Goins seconded the motion. Motion carried. Buckley abstained from voting on the claims regarding his salary.

There was no further business to come before Council, Shelton made a motion to adjourn. Buckley seconded the motion. The meeting adjourned at 6:40 p.m.

MERVYN R. BOSTIC, MAYOR

ALLEN W. SHELTON, MEMBER

DARRIN L. MCGOWAN, MEMBER

MICHAEL BUCKLEY, MEMBER

WILLIAM R. GOINS, MEMBER

CINDRA K. HUMPHREY, MEMBER

ATTEST:

ANN L. COPLEY, CLERK-TREASURER