

MEETING OF THE CITY OF RUSHVILLE, INDIANA

COMMON COUNCIL

JULY 16, 2013

6:00 P.M.

CALL TO ORDER: The City of Rushville Common Council met on the above date and time at 270 West 15th Street, Rushville, Indiana. Mayor Pavey called the meeting to order at 6:00 p.m.

PLEDGE TO FLAG: The Pledge to the Flag was recited by those present.

PRAYER: Councilman Berkemeier led those present in prayer.

ROLL CALL: Bob Bridges, Brian Conner, Craig Smith, Brad Berkemeier, and Brian Sheehan answered roll call. Also present were City Attorney, Tracy Newhouse, and Melissa Conrad, *Rushville Republican*.

MINUTES: Minutes of July 2, 2013 meeting were presented for approval. Conner made a motion to approve the minutes as presented. Bridges seconded the motion. Motion carried.

MAYOR'S REPORT: Mayor Pavey reported:

1. He met with Reedy Financial on the budget. Reedy suggested options available to fund the EMS portion of the budget. He said after he receives that list from Reedy he will discuss it with Council. He and the Clerk-Treasurer will meet again with the DLGF to finalize the budget advertisement on August 8th.
2. The Board of Works approved a letter of understanding with Indot in reference to the 52 project. Target for the letting date is November 16, 2013. If it is not let then it will not be until next year. The construction will be from 18-24 months; therefore it will cover two construction seasons. They will hold public meetings and will make all efforts not to inconvenience people. They will also have weekly progress meetings.
3. 16th Street bid and was awarded to Milestone for \$1,897,200.00. This was less than the engineers expected.
4. Attended the Hospital comedy night.
5. Baseball tournament for Region 6 was a neat event.
6. Partners for Progress sponsored a "Dream Walk". This consisted of people walking the downtown area and posting cards on buildings as to what they wanted to see in vacant lots downtown.
7. Met with Dennis Carr, Mayor from Lawrenceburg, for some general understanding discussion. It is a different world down there when you talk numbers.
8. C & C Recycling is presently closed.
9. Fishers came out with press release for a warning system. It was the implementation of Code Red.
10. Asked the Street Department to go around during the beginning of the week and take rake and tear down signs on telephone poles.

11. The City experienced 3 fires in 4 days. One of those is still under investigation with fireworks being a part of the investigation.
12. Events this weekend include the KISS concert Friday evening, Saturday community challenge race. We will firm up the schedule on Thursday. The tentative schedule is a drivers meeting at 9:00; 10:00-12:00 will be practice; from 1:00-2:00 Mayor's race; 2:00-4:00 community heat races. Currently there are approximately 20 registered for the community race. Saturday evening there will be midget races with hot laps at 6:00 and racing at 7:00. Sunday will be the competitive race with 6 classes.

CLERK-TREASURER'S REPORT: None.

COUNCIL PRESIDENT'S REPORT: Bridges said Saturday from 1:00 – 3:00 is "Children's Day" at the Rush County museum.

COMMITTEE REPORTS:

1. **Amphitheater** – There is a concert this weekend, along with a raffle, the summer camp kids will also be recognized.
2. **Comprehensive Plan** – We should be addressing this again in September.
3. **Trash Sub Committee** – Waiting on the rate study.
4. **Employee Benefit City Policy** – The Mayor and Clerk-Treasurer continue to work on this.
5. **APC/BZA Building Code** – Berkemeier said they have conducted interviews and should be ready to hire the executive director after next Monday's executive session. Meetings with JTZ Engineering are continuing.
6. **Utility Board/BW/CC Working Committee** – Received numbers back and they are still high. They are looking at doing the project in 2 phases for affordability.

DEPARTMENT HEAD REPORTS: Police – Chief Tucker said the new hires are in the process of having their evaluation testing completed. It should be approximately 30-45 days before they will be ready to begin employment.

There will be increased patrol this weekend since there are so many activities. The bike patrol will be out.

Pavey compliment Chief Tucker in being proactive in addressing the letter to the editor.

Fire – Chief Jenkins said the Board of Works approved the Mutual Aid Agreement with Raleigh.

Informed Council that he has a report from the engineer regarding 227-231 North Main if they would like to take a look at it.

Park – Park Director Mathews said the youth camp is going well this week. Aaron is doing a good job. They have a good group of volunteers.

CITIZEN CONCERNS: Sheehan said he had emailed the Mayor with a complaint from Edie Evans where a big piece of machinery was throwing pieces of debris and was requesting that they be made aware of when this might be happening. Mayor Pavey said he thought this was part of the 16th St project contract where a contractor was to come in and clean up the track, trim the trees, and clean up the weeds. He said he was not made aware of when this was happening.

Conner asked the status of the old park restaurant building. Newhouse said the court proceeding was finalized after we signed the agreement. The exchange of money has not yet taken place. Conner said we promised the citizens we would have a meeting to decide what to do with the building. Pavey said we can go ahead and do that. Council decided to meet for discussion August 18th after the scheduled Council meeting.

Sheehan said the old Speedway had been cleaned and wanted to thank whoever was responsible. The Mayor said the Park Department cleaned up the property. Sheehan said he appreciated their efforts and it made a huge difference.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

1. **Resolution 2013-6 Authorizing Submittal of Disaster Application for Levee** - Bridges made a motion to approve Resolution 2013-6 Authorizing the Submittal of a Disaster Application for the Levee. Berkemeier seconded the motion. Motion carried.
2. **Revisions to City Animal Shelter Policy**
Dog Bite- 3rd - Animal Warden Moran asked Council to consider amending the policy on dog bites. She said she thought the 3rd bite policy goes too far. She said she would like to see something in place so if it happens a second time there are grounds to stand on. Council agreed and asked Moran to prepare a suggestion for the next meeting. This should include confiscation of the animal.

Incarceration vs. Time to Hold – Moran said there was an incident where they picked up an animal and the policy is to hold for 5 days. After the 5 days, rescue came in and took the dog. The next day the owner came in for his dog. Council agreed that a 5 day hold time policy was sufficient.

3. **ACT – Certified Work Ready Community (CWRC)** – Mayor Pavey said he sent Council a packet regarding this program. It is an initiative the ECDC is pushing. This is a readiness course where potential employees would take a series of tests and become certified in a particular area. Some employers have said they would consider coming to the community if they thought they could get the workers they need. Bridges made a motion to support the program. Berkemeier seconded the motion. Motion carried.
4. **Ordinance 2013-7 Amendment to Chapter 53.17 Sewer Connection Permits** – Berkemeier made a motion to approve Ordinance 2013-7 Amending Chapter 53.17 Sewer Connection Permits. Sheehan seconded the motion. Motion carried.

ITEMS NOT KNOWN IN ADVANCE: There was an incident on Saturday involving a resident working on demolition cars in his drive way. The complainant said this is a nuisance to the entire neighborhood. They were revving up the engines, yelling, cussing, and throwing trash. They were told that the carburetor was sticking and they were trying to fix it. The complainant asked them to be more considerate of their neighbors. The complainant was told under Tony Fudge that an officer **did not** have to witness a violation to write a ticket. Under Ron Cameron they were told that the officer **did** have to witness the violation. They want to know what the proper procedure is. The second question is what constitutes unreasonable or excessive noise. Chief Tucker said on an ordinance violation the officer does not have to witness the incident, but would request that the complainant sign as a witness on the citation. Newhouse said they should also be told that they may be called as witness. Newhouse said without the witness it would be difficult to prove.

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

ADJOURN: There was no further business to come before Council; Smith made a motion to adjourn. Berkemeier seconded the motion. The meeting adjourned at 6:55 p.m.

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BRIAN G. CONNER, MEMBER

CRAIG A. SMITH, MEMBER

BRADLEY A. BERKEMEIER, MEMBER

BRIAN J. SHEEHAN, MEMBER

ATTEST:

ANN L. COPLEY, CLERK-TREASURER