

# **MEETING OF THE CITY OF RUSHVILLE, INDIANA**

## **COMMON COUNCIL**

**AUGUST 6, 2013**

**6:00 P.M.**

**CALL TO ORDER:** The Common Council of the City of Rushville, Indiana met on the above date and time at 270 West 15<sup>th</sup> 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 Bridges led those present in prayer.

**ROLL CALL:** Bob Bridges, Brian Conner, Craig Smith, Brad Berkemeier, and Brian Sheehan answered roll call. Also present was City Attorney, Julie Newhouse.

**MINUTES:** Minutes of the July 16, 2013 meeting were presented for approval. Conner made a motion to approve the minutes as presented. Sheehan seconded the motion. Motion carried.

**MAYOR'S REPORT:** Mayor Pavey reported the following:

1. The Unsafe Hearing Board meeting was cancelled due to the owner not receiving notification. The notice will be posted on the property and advertised in the newspaper.
2. The Park Summer Camp Program was attended by approximately 80 children and was well received. Intat has said they want to sponsor the program again next year.
3. Pavey said he would like to thank several people for the help with the Concert and Grand Prix: The School Corporation, The Fair Board, The Heart of Rushville, Riverside Park Committee, The Chamber, Raleigh Fire Department, Rushville Fire Department, Rushville Police Department, EMA, CERT, the Street Department, Park Department, and the Lions football team. It was extremely well received. There were 49 drivers Saturday and 50 something on Sunday. Intat has indicated that they are on board for next year.
4. There was a ribbon cutting for 16<sup>th</sup> Street this afternoon. Contractors should start moving dirt by the end of August or the first part of September.
5. North Industrial Park – There has been movement. There are 2 phases to the approval and release of funds, The first portion is the ownership of confirmation and a no release of funds until the 2 gas wells have been capped properly by DNR. The second piece is the construction portion. The ownership portion has been approved. We will sign off on the paperwork on Friday for the DNR portion and the capping of the gas wells. At that point it will be moving through to the construction review. That may take a week to 10 days.

**CLERK-TREASURER'S REPORT:** None.

**COUNCIL PRESIDENT’S REPORT:** Council President Bridges said he had emailed Council a report from the Redevelopment Commission on the TIF district for their review. He said we will file a report with the DLGF in October.

**COMMITTEE REPORTS:**

1. **Amphitheater** – Mayor Pavey said there was a large crowd at KIST concert. Levi Riggs will be performing this weekend.
2. **Comprehensive Plan** –
3. **Trash Sub Committee** –
4. **Employee Benefit/City Policy** –
5. **APC/BZA – Building Code** – Berkemeier said they continue to meet with JTL Engineering on building code issues. They will be preparing a presentation for Council.

Kevin Tolloty from Franklin has been hired as the new APC Director. David Rogier is acting as the interim director during the transition process.

A public hearing is set for August 14 on M2 zoning issue. The Council will then need to have a public hearing and vote on the matter.

Pavey said there is a situation that they are dealing with in regard to a transfer of property. The APC office gave direction to a property owner that if they were ready to make their transfer it was okay. We found out yesterday that they could not close because protocol was not followed. There will be a special meeting on August 27th to approve this joining of property.

6. **Utility Board/BW/CC- Working Committee** –

**DEPARTMENT HEAD REPORTS:**

**Police** – Chief Tucker informed Council of a new program, “Coffee with a Cop”. The first session will be at the Park Restaurant on August 21<sup>st</sup> from 7:00 a.m. – 10:00 a.m.

Pavey said in regard to the letter to the editor claiming that a woman with children was left on side of road; he said he checked out situation and defends the Police Department. The report clearly indicates that everything was done in their power to make sure everything was okay. The Mayor will respond to the claims that were made.

**Street** – Street Commissioner Miller said the sidewalk program will end August 9<sup>th</sup>.

Pavey said they have made the connection of the waking trail at Comfort Inn & Emerson. They are getting ready to make the connection north of the baseball field to the nature center beside the elementary school.

**Park** – Park Director Matthews said they are getting ready for the annual horseshoe tournament. The Gospel Sing is set for September 7<sup>th</sup>. Pavey thanked the Park Department for their help with the girls softball tourney this past weekend. He said the Summer Camp Program was a success with approximately 80 kids attending.

**Animal** – Pavey said we have been battling drainage problems all year at the shelter. He thanked the City Utilities for their help to video the line to find the problem. There was a piece of lead obstructing the flow.

**CITIZEN CONCERNS:** Councilman Sheehan said he received a compliment from Brian Campbell for the improvements to the Riverside Park. He said his family has enjoyed the area and the trail. He said it was nice to see property that was once of no use and now has been put to good use. Mayor Pavey said he received the same comment from Charlie Farthing.

Councilman Berkemeier said he received a phone call from Joni Gordon who lives on South Baker Street. She said Mr. Mohler was complaining that she was speeding on Baker Street. He was claiming that the speed limit had been changed when it had not.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

1. **Revisions to City Animal Shelter Policy – Dog Bite 3<sup>rd</sup> – Incarceration vs. Time to Hold** – Bridges said he and Moran have done some research. He said we are at a critical stage with an overflow of both dogs and cats. Most things are recommended to be handled through civil court. He said he thought there may be some way to verify that these animals are safe to be placed in a home. Bridges said we are running out of space. Some have promised to provide adoption shelters for overflow, but that has not happened. We need to do something very soon. We are trying to keep the kill rate down. Bridges said he will discuss options with Newhouse.
2. **Amendment to Zoning Ordinance – Cash Bond, Surety or Line of Credit** – Julie Newhouse attended a meeting on the recycling center bond issue. Dave Rogier said it should be a cash bond. The Ordinance is open ended. Newhouse asked if we want to limit it and say it has to be a cash bond. It says it has to be kept current. Bridges asked who holds the cash bond. Newhouse said we would hold it. Newhouse said if we do a cash bond there won't be any recycling in Rushville. There is a special hearing on the 14<sup>th</sup>. If we want to change and limit the bond issue we need to do it tonight. The bond amount is 2million. Berkemeier said a cash bond is too prohibitive and we need to leave it as is. Berkemeier made a motion to leave the petition as worded and submitted.

Smith seconded the motion. Motion carried 4-1 with Councilman Sheehan voting nay.

3. **Clarification on Options for EMS Budgeting/Funding** – Mayor Pavey said he has spoken with Reedy Financial and they have given 4 options to consider for the budgeting for the EMS service for 2014. Council reviewed Reedy's options. Bridges made a motion to go with option 3 as presented by Reedy Financial. Smith seconded the motion. Motion carried. Option 3 was the same as presented by Chief Jenkins. The City would borrow money from the electric liquidation fund necessary to start the program. This money would be paid back at a 3% interest rate through an EMS non reverting fund.
4. **Utility Rate Increase** – Mayor Pavey said this is the most undesirable thing we have done so far. He said the Utility Board has voted unanimously to accept this increase. He said the first reading on a rate increase will be on the August 20. Then we will hold a public hearing, there will then be a remonstrations period. We are looking at an October time frame. Pavey said this was a one phase deal, but we have broken it into 2 phases. The purpose of the increase is to comply with a mandate by IDEM for our CSO's. This portion will include 52 improvements, 16<sup>th</sup> Street water & sewer, and the major portion is to bring our 40 year old facility up to where it can handle our CSO's.

John Skomp, from Crowe Harworth, said we are showing a good effort to IDEM that we are moving forward as they have instructed. This will give us some leeway on the completion time frame. Pavey said he hopes we are buying some time to look for aid on the final portion of the project to offset the cost. Completion time is 2022. This is about a 5.9 million dollar project. With an increase of 14% on the water side and 59% increase on the wastewater side.

IDEM wants us to be ready to close by December. We are committed to getting the lowest financing possible. The best financing would be with SRF.

Skomp said he believes this is what we should do to move forward.

Pavey said this is just upgrading our equipment as it sits. We will probably start looking at a storm water utility.

Conner asked how many increases are we expecting? Skomp said 2 increases, but the next increase will not be the same as we are looking at now.

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

**ITEMS NOT KNOWN IN ADVANCE:** None

**ADJOURN:** Berkemeier made a motion to adjourn. Bridges seconded the motion. The meeting adjourned at 8:05 p.m.

