

TOWN ATTORNEY'S ENGAGEMENT LETTER  
2010 SCHEDULE OF TOWN COUNCIL MEETINGS  
FIRE, PARK, BZA BOARD APPOINTMENTS  
RESOLUTION 2009-13 DENIED REZONING  
SALARY ORDINANCE #21 ADOPTED FOR 2010  
FIRE TERRITORY DISCUSSION  
GOLF CART DISCUSSION  
RENEW REDEVELOPMENT BONDS

PITTSBORO TOWN COUNCIL MEETING  
TUESDAY DECEMBER 15TH 2009 @ 7:00 PM

QUORUM:

William Hueber, President

John Hart, Vice President

Robert Barnette

Shelby Smith

Ken Kindler

James Buddenbaum, Attorney

Judith Compton, Clerk Treasurer

James Mardis, Town Manager

Christi Patterson, Chief

Lt. Scott King

OTHERS: J. Bagwell, R. Timmermann, J. Stumm, T. Griffith, D. Davis, B. Riddle, A. Baldauf, G. Land

PLEDGE OF ALLEGIANCE:

Mr. Hueber opened the meeting announcing a quorum was present. He asked everyone to stand for the Pledge of Allegiance and to follow with a moment of silence.

#### APPROVAL OF THE MINUTES:

K. Kindler made a motion to approve the November minutes. R. Barnette seconded the motion. All ayes motion carried. The minutes were passed for signatures.

#### TOWN REPORTS:

##### TOWN MANAGER:

Mr. Mardis submitted a memo stating the line item in the 2009 and 2010 budget of Hydrant Rentals that was adopted by the Council will be addressed when the IWC rate change is finalized.

The new elementary school water was turned on before approval was passed by IDEM. Also manholes have failed inspection so the construction company may have fines to pay.

Brixton had another force sewer main break which maintenance repaired. This is the fourth or fifth break due to pipe being laid too deep. Mr. Mardis will show the Council the GPS system findings of the pipe popping out at the joints. This will need to be replaced section at a time to correct the problems that Brixton does have. All clean up of this recent site will be next spring.

The memo regarding the hydrant rentals is attached.

##### TOWN MARSHAL:

Chief Patterson announced a new citizen's program for Baron. Special diet dog food can be purchased at Crossroads Food Barn and the Police Dept. will pick it up for the K-9.

The Chief reported Santa in the Park went well and the Pittsboro Fire Dept was on hand to control overcrowding in the buildings.

She will be attending the Governing Board for Communication Center on December 16th 2009. She asked support from the Council to present a memo to the Governing Board tomorrow at the meeting describing various uncorrected issues such as invoices and overall leadership of the Center. The Council did support verbally her intentions of finding these answers too many questionable operations. She will report next month. The Clerk will pay the corrected invoice with what is left of the appropriation minus equipment purchased during 2009.

The Police report with November statistics and the memo to the Communication Center are attached to the minutes.

##### TOWN ATTORNEY:

Mr. Buddenbaum did report the IWC case continues with the Industrial Groups legals of Indianapolis questioning every entry.

PLAN COMMISSION:

Mr. Mardis stated the commission continues to study land use. The Commission recommended denying Casey's for rezoning of the Burnell property which will be presented to the Council tonight.

PARKS & RECREATION: No report

UTILTIY BOARD: No report

FIRE BOARD: Mr. Riddle reported the next meeting to be January 11th 2010.

CONTRACTED BUSINESS: None

NEW BUSINESS:

Mr. James Buddenbaum presented an engagement letter from his firm to continue as the Town of Pittsboro's attorney along with his fees of \$150 per hour plus out of pocket expenses instead of the current \$125 flat fee for attendance. Discussion from the Council in which the attorney was asked to leave the room decided Mr. Buddenbaum has performed his duties as asked and has not received an increased compensation for eight or nine years. With this in mind Mr. Hueber asked for a motion from the Council on their decision for Mr. Buddenbaum to continue as their attorney.

S. Smith made a motion to retain Mr. Buddenbaum services as attorney with the fee increase included. R. Barnette seconded the motion. All ayes motion carried.

A copy of the Town Attorney Engagement letter is attached.

Mr. Hueber presented the 2010 schedule dates of meetings for the Town Council for adoption.

S. Smith made a motion to adopt the 2010 scheduled dates of meetings. K. Kindler seconded the motion. All ayes motion carried.

The Clerk will notify The Republican and Flyer for publications of the scheduled dates.

Mr. Hueber announced these board appointments for the upcoming 2010. The Fire Board is Larry Compton (1/1/10 thru 12/31/12. The Park Board is Don Burke (1/1/10 thru 12/31/13. The BZA Board is Larry Herring (1/1/10 thru 12/31/13. The Clerk will mail each member a copy and ask that they call to be sworn in at the first of the year.

The Advisory Plan Commission Resolution No. 2009-11-24 recommendation of the denied re-zoning of property for the Casey's General was brought to the Council for the determining vote.

Ordinance 2009-13 will certify the approval of rezoning of said property for Casey's or will certify the denial of the re-zoning of said property for Casey's by the Advisory Plan Commission recommendation.

R. Barnette made the motion that Ordinance 2009-13 will certify the denial of the re-zoning of property named for the establishment of Casey's General as recommended by the Advisory Plan Commission.

S. Smith made a second to the motion. All ayes motion carried. The Ordinance 2009-13 was passed for signatures.

Ordinance No. 21 Salary Ordinance revised for January 1st 2010) which will rescind the Resolution on 4/21/09.

J. Hart made the motion to accept the revised 2010 Salary Ordinance #21 and rescind the Resolution on 4/21/09. R. Barnette seconded the motion. All ayes motion carried. The document was passed for signatures.

Mr. Hueber brought the open discussion of the Fire Territory forth with the acknowledgement of the combined recent meeting. Several Fire Dept. and Fire Board members were in attendance tonight. Mr. Hueber would like to get a Paige Gregory from Umbaugh to speak at the next Town meeting to bring the Council the pro and cons of the possibility of a merge of the Town and Township in this matter of a Territory. Mr. Hueber said we are facing a time-line and would like Mr. Buddenbaum to proceed with all documents that would bring us to a legal and a full understanding of the Fire Territory and the roles both entities would establish. Mr. Shelby Smith volunteered to be the Town Council member that would serve on the Fire Territory Board. Special meetings may need to be arranged and a study if feasible and affordable. Mr. Buddenbaum will contact the Fire Dept. lawyer and start the rough documents to be introduced at the January meeting.

#### UNFINISHED BUSINESS:

Mr. Hueber asked the Council for a motion to bring further discussion of the Golf Cart Ordinance to the January meeting. Correspondence of any questions on issues of Golf Carts should be directed to Mr. Buddenbaum at this time.

S. Smith made a motion to further discuss the Golf Cart Ordinance at the January 2010 meeting. R. Barnette seconded the motion. All ayes motion carried.

WISHES TO SPEAK: None

#### PUBLIC COMMENT:

Mr. Buddenbaum thanked the Council for a continuation of work and loyalty they had offered him tonight.

COUNCIL COMMENT:

The Clerk asked the Council and attorney for discussion to re-new four members bonds on the Redevelopment Board. They both agreed to re-new even though the Board does not meet on a regular schedule but must be kept current.

ACKNOWLEDGE OF CORRESPONDENCE: None

REVIEW & APPROVE DRAFTS AND CLAIMS:

S. Smith made a motion to approve the November drafts and claims. R. Barnette seconded the motion. All ayes motion carried. The drafts and claims were passed for signatures.

ADJOURNMENT:

S. Smith made a motion to adjourn the meeting. R. Barnette seconded the motion. All ayes motion carried. Meeting was adjourned.