

**RESOLUTION 2010-03 TRANSFER OF FUNDS TO PURCHASE POLICE CARS  
ORDINANCE 2010-8 AMENDING VACATION PAY IN LIEU OF LEAVE  
SALARY ORDINANCE NO.21 (revised effective January 1<sup>st</sup> 2011  
ORDINANCE 2010-9 AMENDING RATES AND CHARGES FOR HYDRANT  
RENTAL FOR FIRE PROTECTION**

**PITTSBORO TOWN COUNCIL MEETING  
TUESDAY SEPTEMBER 21<sup>ST</sup> 2010 @ 7:00PM**

**QUORUM:**

John Hart, President  
Wm. Hueber, Vice President  
Robert Barnette  
Shelby Smith  
Ken Kindler

James Buddenbaum, Attorney  
Judith Compton, ClerkTreasurer  
James Mardis, Town Manager  
Christi Patterson, Marshal  
Scott King, Deputy Marshal

**OTHERS:** Walt Reeder, Jeremy Dyson, Marcia Combs, Matt Cooper, Karlee Latuszek, Susan Tuel, D  
Killey

**PLEDGE OF ALLEGIANCE:**

Mr. Hart established a quorum was present and asked the Council and the audience to stand for the Pledge of Allegiance and follow with a moment of silence.

**APPROVAL OF AUGUST 17TH 2010 MINUTES AND SPECIAL MEETING OF  
SEPTEMBER 9<sup>TH</sup> 2010:**

**Mr. Hart asked for a motion to approve the minutes as stated. R. Barnette made a motion to approve the August 17<sup>th</sup> 2010 minutes and the September 9<sup>th</sup> 2010 special meeting minutes. Wm. Hueber seconded the motion. All ayes motion carried. The minutes were passed to the Council for signatures.**

**TOWN STAFF REPORTS:**

Mr. Mardis reported the 2<sup>nd</sup> bidding process for Osborne Ave. has been completed. The Globe Co. (\$29,713) has received the bid for asphalt and Karns Inc. (\$38,196) for curb and sidewalk construction. There were no bids for package 3 of the removal of sidewalks and the final grading on Osborne Ave. which the Town was in the process of finishing when work was halted.

Mr. Mardis reported meeting with lawyers from IACT and he has appeared before the State Legislature. He presented the Town's defense of being penalized in doing road projects with MVH revenues we have budgeted. If we must always bid all our projects to outside companies for our road repairs which most the time wages and outside companies

costs will be tripled, we will not have the funds to maintain our Town's streets and offer improvement for growth.

He is waiting to hear from a final decision if we do continue with our phase or this should be contracted out as well. He asked the Council to get involved with the Legislature on decisions made for Town and Cities. The public voices of discontent make them listen more than organizations and lawyers. Mr. Kindler said he would be glad to make our case heard before the Legislature.

Mr. Mardis provided a chart of the state transportation funding divided for the Council to review. He also stated to be prepared because attorney fees will increase until these matters are resolved.

This chart is attached to the minutes.

### **TOWN MARSHAL:**

Marshal Patterson reported a DEA RX drop off September 25<sup>th</sup> 2010 at the Pittsboro Methodist Church between 10AM and 2PM. The Art contest for the elementary will be underway and the Council will be asked to select winners from each grade either the October or November meetings.

The Marshal ask the approval of two 2010 Dodge Chargers at \$20,957 each plus computer stands, decals, brackets, 1 K-9 cage and lighting to be purchased for the department. A total of \$45,500 taking \$37,000 from the Deputy Marshal salary fund which is not needed for a fifth officer and \$8,500 from DEA funds generated from seized interdiction monies. The two 2003 Ford Crown Victoria's will be sold an auction in October and she would try to find a grant for the K-9 cage to help cover expenses.

There was discussion pertaining to the number of vehicles the Town provides for the department and where they are allowed to be driven. Mr. Hart asked that these differences be discussed at another meeting and he would like a motion on the purchasing of the two vehicles and equipment that the Marshal had presented as needed.

Wm. Hueber made a motion to purchase the two vehicles and equipment needed for the department and that the cost would not exceed \$45,500 from the appropriate funds.

Ken Kindler seconded the motion.

The three ayes were John Hart, Wm. Hueber, and Ken Kindler. The two nays were Shelby Smith and Robert Barnette. The motion carried with the final vote 3 ayes to 2 nays.

The Marshal had contacted Wes Bennett for the request of the 2011 budget for the Communication Center and projected costs for 2012 and 2013 but has not received any information as yet. She did verify our fees for 2013 will be \$31,743.

The Police Department report, statistics sheet and Communications fees are attached to the minutes.

### **MISCELLANEOUS REPORTS:**

TOWN ATTORNEY: Not at this time

PLAN COMMISSION: Zoning discussions will continue. Mr. Hueber said the commission members were not accepting any meeting fees of \$40 at this time to help with the decline in revenues.

PARKS AND RECREATION: The Clerk said the board did meet but she did not have the minutes for September. She will contact the Secretary for the minutes.

UTILITY BOARD: Mr. Mardis said the board did not meet

FIRE BOARD: Shelby Smith, our Council member on the Fire territory Board reported the meeting was held the second Tuesday of the month. The Fire Territory addendum that Mr. Buddenbaum has introduced needs to be agreed upon by both entities. Mr. Buddenbaum will contact Tim Griffith again and go over the changed wording in the agreement so that this is considered for both entities. Shelby Smith said Mr. Griffith needs to speak with the Council pertaining to the Hydrant Rental fee as an item of budget for the Fire Department. Shelby Smith spoke with Jason Stumm to investigate an address mix-up in Quail Creek and the problem would be addressed.

**CONTRACTED BUSINESS:** None

**UNFINISHED BUSINESS:**

Ordinance 2010-9 which amends and suspends rates and charges for the water utility due to hydrant rental for fire protection was considered for acceptance due to budget restraints.

S. Smith made a motion to suspend the month waiting period of adopting the Ordinance 2010-9 amending and suspending the hydrant rental rates

Ken Kindler seconded the motion. All ayes motion carried.

S. Smith made a motion to adopt the Ordinance 2010-9 as written. Wm. Hueber seconded the motion. All ayes motion was carried. The Ordinance 2010-9 document was passed for signatures.

Salary Ordinance NO. 21(revised and will take effect January 1<sup>st</sup> 2011 was announced for motion.

Wm. Hueber made a motion to adopt Salary Ordinance No 21. Ken Kindler seconded the motion. All ayes motion carried. The Ordinance was passed for signatures.

Ordinance 2010-8 amending employees receiving vacation pay in lieu of taking time off at the end of the year as written in the handbook, salary ordinance no.21, and code of ordinances of the Town. This will take effect for the 2011 budget.

S. Smith made a motion to adopt Ordinance 2010-8 as written for the budget year 2011.

Wm. Hueber seconded the motion. There were 4 ayes, J. Hart, Wm. Hueber, Ken Kindler, and S. Smith. R. Barnette was a nay. The vote stood at 4 ayes to 1 nay and the motion carried.

Mr. Buddenbaum will contact Tim Griffith to have the Fire Territory Addendum ready for action at the October 19<sup>th</sup> 2010 meeting.

**NEW BUSINESS:**

Mr. Hart brought the discussion of a LOIT tax to the Council. He would like the Council to research and discuss at future meetings the possibility of increasing revenues to address shortfalls by way of a Local Option Income Tax.

Resolution 2010-03 the transfer of General funds for purchase of two 2010 Dodge Chargers and car equipment for the Pittsboro Police Dept.

Wm. Hueber made a motion to adopt Resolution 2010-03 transfer of general funds as written. Ken Kindler seconded the motion. Four ayes J. Hart, Wm. Hueber, Ken Kindler, and R. Barnette were tallied. One no vote was S. Smith. The motion carried and the vote stood with 4 ayes and 1 nay. The resolution was passed for signatures.

**WISHES TO SPEAK:**

A group of citizens from Brixton voiced complaints and safety concerns pertaining to parking issues in various locations in their sub-division.

The discussion of boats being left on the streets for days and cars parked the wrong way in the cul-de-sacs areas lead to the consensus of all involved. Their Home Owners Association rules and the Town's ordinances that are written need to support the law that will apply to everyone that is in violation in a sub-division and or on any street we maintain.

Mr. Hart asked the citizens to return with a petition of signatures that support and uphold your rules and the Council will discuss our ordinances that apply to parking violations.

Mr. Hart thanked the citizens for taking time and interest to strive in making our Town a better community.

**PUBLIC COMMENT:** NONE

**COUNCIL COMMENT:**

Mr. Hart announced the Town had received a plaque from the Census Bureau. Indiana was part of the Chicago Region which was number 1 in the nation for participation. Mr. Hart asked the Clerk to send a thank you note to the Phi Beta Psi Sorority for their help in gathering information for the Census in our Town.

**ACKNOWLEDGMENT OF CORRESPONDENCE:** None

**REVIEW OF DRAFTS AND CLAIMS:**

S. Smith made a motion to approve the August 2010 drafts and claims. Wm. Hueber 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. Ken Kindler seconded the motion. All ayes motion carried.