

**MINUTES OF COUNCIL
APRIL 28, 2009**

The Batesville City Council met in regular session on April 28, 2009 at 5:30 P.M. at the Municipal Building. Mayor Elumbaugh called the meeting to order. Councilmember Insell gave the invocation. Upon roll call the following answered present: Tommy Bryant, Margaret Henley, Davy Insell, Fred Krug, Doug Matthews, Matt McDonald, Richard O'Neal and David Shetron. Also present were the City Clerk and the City Attorney.

Councilmember Insell moved to approve the minutes from the previous meeting.

Councilmember O'Neal seconded and all voted for.

Councilmember McDonald moved to approve the prepared agenda as amended.

Councilmember Insell seconded. All voted for.

CITIZENS COMMENTS

Mayor Elumbaugh opened the floor for Citizens Comments. Several citizens and business owners spoke regarding the proposed historic district ordinance. Six spoke against the ordinance, Rick Reed, James Wheeler, Michael Ring, Richard Earnheart, Terry Chandler and Nancy Cossey. Five were in favor of the ordinance, Ron Karg, Bill Olson, Larry Sandage, Terrell Tebbetts and Chris Black.

UNFINISHED BUSINESS

None

NEW BUSINESS

A) RECOGNIZE MR. BUD SHREVE, MR. MARK SHREVE, MR. GREG BYLER AND MR. JOHNNY ABBOTT

Mayor Elumbaugh recognized Mr. Bud Shreve, Mark Shreve, Greg Byler and Johnny Abbott for their work on the renovation of the Welcome to Batesville sign on Ramsey Mountain. Bud and Mark Shreve raised \$8,510.00 for the project and Greg Byler donated landscaping materials. The Mayor also recognized Johnny Abbott and his crew with the Landscaping Department for their work on the project as well as several businesses in Batesville.

B) THIRD AND FINAL READING OF AN ORDINANCE TO ESTABLISH PROCEDURES FOR THE PROTECTION AND PRESERVATION OF THE CHARACTER OF PROPERTIES WITHIN THE HISTORIC DISTRICT

Councilmember Bryant moved to read the ordinance by title only and Councilmember Insell seconded. The roll call count was 8 for and 0 against. Mr. Stalker read the ordinance by title only for the third and final reading. Councilmember Bryant moved to adopt the ordinance. Councilmember Shetron seconded and the roll call count was 5 for (O'Neal, Shetron, Bryant, Insell and Krug) and 3 against (Henley, Matthews and McDonald). The motion carried and the ordinance was given #2009-04-02. Mr. Stalker read the emergency clause. There being no motion to adopt, the emergency clause was not adopted and the ordinance will go into effect in 30 days.

C) CONSIDER A RESOLUTION ACCEPTING THE DESIGNATION OF THE CITY OF BATESVILLE AS THE DESIGNATED MANAGEMENT AGENCY IN THE CITY'S WASTEWATER SERVICE AREA FOR PURPOSES OF THE STATEWIDE WATER QUALITY MANAGEMENT PLAN

Councilmember Shetron introduced a resolution accepting the City of Batesville as the Designated Management Agency for wastewater collection and treatment in the service area of the City of Batesville. Mr. Stalker read the resolution in full. Councilmember Bryant moved to adopt and Councilmember O'Neal seconded. All voted for and the resolution was given #200-04-02-R.

D) CONSIDER A RESOLUTION OF INTENT REGARDING THE SEWER SYSTEM IMPROVEMENT PROJECT

Councilmember Matthews introduced a resolution of intent regarding the sewer system improvement project. Mr. Stalker read the resolution in full. Councilmember Shetron moved to adopt the resolution and Councilmember Bryant seconded. All voted for and the resolution was given #2009-04-03-R.

E) CONSIDER A RESOLUTION TO UTILIZE FEDERAL-AID RECREATIONAL FUNDS

Councilmember O'Neal introduced a resolution expressing the willingness of the City of Batesville to utilize federal-aid recreational funds. Mr. Stalker read the resolution in full and Councilmember Shetron moved to adopt. Councilmember Bryant seconded and all voted for. The resolution was given #2009-04-04-R.

F) CEMETERY RESOLUTION

The Council considered a cemetery resolution for Mr. René Julian for \$1,600.00, #2009-118-1. Councilmember Matthews moved to accept and Councilmember McDonald seconded. All voted for.

G) REVIEW MARCH 2009 FINANCIALS

The council reviewed the March 31, 2009 financials.

MAYOR COMMENTS

Mayor Elumbaugh said he received a call from Mr. Danny Mitchell asking the City to replace two vases that were removed by the cemetery crew during a cleanup. The Mayor explained that the vases set down in a stone and when the flowers were removed, the vases were accidently removed. The cost of the vases is \$33.00 total. After a discussion, Councilmember O'Neal moved to give Mr. Mitchell \$33.00 to replace the vases and Councilmember Henley seconded. The roll call count was 4 for (O'Neal, Henley, Insell and Matthews) and 4 against (Shetron, Bryant, Krug and McDonald). Mayor Elumbaugh voted yes to break the tie.

LIAISON REPORTS

Mr. McDonald said there is an open seat in the City position on the Parks and Recreation Commission. Mr. McDonald urged interested persons to send a résumé to the Mayor for consideration.

Councilmember Bryant said the Airport Commission opened bids for the runway project and accepted the low bid which was considerably under budget. The commission extended to the bidder the opportunity to seal the taxiway at the same bid price and the total cost will still be under the projected budget.

COUNCIL COMMENTS

Councilmember Bryant said he attended a grant writing workshop and said the City, and possibly the County, needs to consider employing a full time grant writer. He said Batesville and Independence County are missing out on grant funds that could be extremely beneficial to our community.

Mr. Bryant also said there is a meeting scheduled on May 5th on the proposed widening of Hwy 167 from the Hawgs Barbeque intersection to the Hwy 233.

ADJOURNMENT

There being no further business, Councilmember Matthews moved that the meeting be adjourned and Councilmember Insell seconded. All voted for.

DENISE M. JOHNSTON, CITY CLERK

RICK ELUMBAUGH, MAYOR