

MINUTES OF COUNCIL
JUNE 23, 2009

The Batesville City Council met in regular session on June 23, at 5:30 PM at the Municipal Building. Mayor Rick Elumbaugh presided over the meeting. Councilmember Matthews gave the invocation. Upon roll call the following councilmembers answered present: Tommy Bryant, Margaret Henley, Davy Insell, Fred Krug, Doug Matthews, Matt McDonald, and Richard O'Neal. Also present were the City Clerk and the City Attorney. Councilmember David Shetron was absent.

Councilmember O'Neal moved to approve the minutes from the previous meeting and Councilmember Insell seconded. All voted for.

Councilmember Matthews moved to approve the prepared agenda as amended. Councilmember Bryant seconded and all voted for.

COMMENTS FROM CITIZENS

Mr. Bob Fitzgerald from 115 Big Pine Road addressed the council with concerns regarding the proposed Harrison Street rezone from R-1 and C-1 to C-2. Mr. Fitzgerald gave several reasons for being opposed to the rezoning including C-2 zoning did not fit with the Comprehensive Plan adopted by the City, spot zoning, lot size and safety. Mr. Dick Peiserich also addressed the council in opposition to the proposed rezone. Mr. Peiserich expressed the same concerns as Mr. Fitzgerald.

OLD BUSINESS

None

NEW BUSINESS

A) REPORT FROM MR. STEVE FLETCHER, MANAGER OF THE INDEPENDENCE COUNTY HYDRO PROJECT

Mr. Steve Fletcher Chairman and CEO of Alpena Power Company and new manager of the Independence County Hydro plant addressed the council. Mr. Fletcher said his company will be completely transparent and will give periodic updates to the council. He said they are in the process of implementing a new accounting system and are looking for any safety violations to be corrected. He said his goal is to make more kilowatts to make more money to be able to pay the bonds and get out of default.

B) SECOND READING OF AN ORDINANCE OT REZONE CERTAIN PROPERTY LOCATED IN THE HOLMES SUBDIVISION ON HARRISON STREET FROM R-1 AND C-1 TO C02 COMMERCIAL

Councilmember Matthews moved to read the proposed ordinance by title only. Councilmember Bryant seconded. The roll call count was 7 for and 0 against. Mr. Stalker read the ordinance by title only for the second reading. Mayor Elumbaugh said the ordinance will be placed on the next council meeting for the third and final reading.

C) CONSIDER AN ORDINANCE TO AMEND ORDINANCE NO.2009-6-4

Councilmember McDonald introduced an ordinance that will amend Ordinance No. 2009-6-4. City Engineer Damon Johnson addressed the council regarding the ordinance. He said the change will allow him through a contract to wave the monthly meter fee for wholesale customers of the Utilities. He said this will help the wholesale customers keep their rates down for their customers and it

will eliminate unreasonable minimum usage charges to the wholesaler.

Councilmember Insell moved to read the ordinance by title only. Councilmember Bryant seconded and the roll call count was 7 for and 0 against. Mr. Stalker read the ordinance by title only. Councilmember Bryant moved to suspend the rules and wave the second and third readings. Councilmember O'Neal seconded and the roll call count was 7 for and 0 against. Councilmember Bryant moved to adopt the ordinance and Councilmember Insell seconded. The roll call count was 7 for and 0 against. The ordinance was given # 2009-6-8. Mr. Stalker read the emergency clause and Councilmember Bryant moved to adopt. Councilmember O'Neal seconded and the roll call count was 7 for and 0 against.

D) ENGINEER'S REPORT

City Engineer Damon Johnson said the work on Pioneer Drive was making good progress and even though several weeks from completion is ahead of schedule. Hot and dry weather is good for the Wastewater Treatment Plant and we should be in permit this month. He said they plan on resuming the smoke testing on city sewer lines in July.

E) EXECUTIVE SESSION

Councilmember O'Neal moved to go into executive session. Councilmember Henley seconded and all voted for.

Upon return from executive session, Councilmember Krug moved to appoint Mr. Andy Walmsley to the Parks and Recreation Commission. Councilmember Matthews seconded and all voted for. Mr. Walmsley's term will expire May 10, 2014.

F) REVIEW MAY 31, 2009 FINANCIALS

The council reviewed the May 31, 2009 financials.

MAYOR COMMENTS

Mayor Elumbaugh said there was a conflict with the first council meeting in July scheduled for 14th. He asked the council to change the meeting the July 21st, which will be the third Tuesday, and also cancel the July 28th meeting. Councilmember Krug so moved and Councilmember O'Neal seconded. All voted for.

LIAISON REPORTS

None

COUNCIL COMMENTS

Councilmember Matthews informed the council that the airport just completed the resurfacing and remarking of the North / South runway and when approved for funding will also do the East / West runway. He also said that UACCB was adding more classrooms for the A & D school program.

ADJOURNMENT

There being no further business, Councilmember Krug moved that the meeting be adjourned. Councilmember Bryant seconded and all voted for.

DENISE M. JOHNSTON, CITY CLERK

RICK ELUMBAUGH, MAYOR