

**MINUTES OF COUNCIL**  
**DECEMBER 14, 2010**

The Batesville City Council met in regular session on December 14, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Councilmember Henley gave the invocation. Upon roll call, the following council answered present; Tommy Bryant, Margaret Henley, Davy Insell, Fred Krug, Douglas Matthews, Matt McDonald, and David Shetron. Also present were the City Clerk and the City Attorney. The City Clerk had to leave the meeting during Item C, Executive Session, and was replaced with Deputy Clerk Brenda Riley.

Councilmember Shetron moved to approve the minutes from the previous meeting. Councilmember Insell seconded and all voted for.

Councilmember Bryant moved to approve the prepared agenda. Councilmember Henley seconded and all voted for.

**CITIZENS COMMENTS**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**A) RECOGNIZE OUT-GOING CITY ATTORNEY AND COUNCILMEMBER**

Mayor Elumbaugh recognized out-going City Attorney Scott Stalker and Councilmember Matt McDonald. Mr. Stalker has served the council as city attorney since 1999 and Mr. McDonald came on the council in 2007. The Mayor thanked them for their years of service and presented each with a plaque.

**B) DISCUSS LEASE WITH FLOWERS BAKING COMPANY**

Mayor Elumbaugh informed the council that Flowers Baking is planning a multi-million dollar project to their facility. This project will eliminate the need for most, if not all, the large tanker type trailers to park in the north lane of Lawrence Street while unloading the raw

materials necessary for making bread. The company plans to construct an unloading facility on their existing property on the south side of Lawrence Street behind Kentucky Fried Chicken and pipe the raw material 25 feet in the air over Lawrence Street. The City owns Lawrence Street and the airspace above it. The proposed lease before the council would give Flowers Baking Co. the "right" to construct the new facilities in the air over Lawrence Street.

Councilmember Bryant moved to authorize the Mayor and City Clerk to execute the proposed lease agreement with Flowers Baking Co. Councilmember McDonald seconded and all voted for.

### **C) EXECUTIVE SESSION**

Councilmember Bryant moved to go into executive session. Councilmember Shetron seconded and all voted for. (City Clerk Denise Johnston had to leave the meeting at this point and Deputy City Clerk Brenda Riley set in for the rest of the meeting).

Upon returning from executive session, Mayor Elumbaugh said he had received 4 applicants for the vacant council position, Ward 3 Position 2, formally held by Richard O'Neal. Councilmember McDonald moved to appoint Paige Hubbard to the position and Councilmember Insell seconded. All voted for. Ms. Hubbard's term will expire December 31, 2012.

Councilmember Matthews moved to reappoint Mr. Ken Smith to the Planning Commission. Councilmember McDonald seconded and all voted for. Mr. Smith's term will expire June 10, 2015.

Mayor Elumbaugh said the committee to appoint a new fire chief had made their decision. He said they originally had 18 applicants and narrowed them to 10. The 10 applicants were interviewed on the telephone and were then narrowed down to 5. The final five were interviewed in person and one of the five withdrew his application. The Mayor talked of the importance of the Chief's job in keeping our fire rating low and our citizens safe. He said the

committee unanimously recommended acting Fire Chief Brent Gleghorn to be appointed to the Fire Chief position.

**D) CONSIDER A RESOLUTION SETTING CEMETERY ANNUAL DUES**

Councilmember Insell introduced a resolution increasing the per space annual dues for Oaklawn Cemetery. Mr. Stalker read the resolution in full. Councilmember Matthews moved to adopt the resolution. Councilmember Insell seconded and all voted for. The resolution was given #2010-12-01-R

**E) CONSIDER A RESOLUTION TO ADOPT THE 2011 BUDGET**

Councilmember Matthews introduced a resolution to adopt the 2011 budget. Mr. Stalker read the resolution in full. Councilmember Insell moved to adopt the resolution and Councilmember Bryant seconded. All voted for. The resolution was given #2010-12-02-R.

**F) ENGINEER'S REPORT**

City Engineer Damon Johnson gave a brief update on all city and utility departments.

**G) REVIEW NOVEMBER 2010 PAID BILLS REPORT**

The council was given a copy of the November 2010 paid bills report for review.

**MAYOR COMMENTS**

Mayor Elumbaugh told the council that the City, in the past week, collected over \$5,100.00 in code enforcement liens and received \$40,900.00 in grant monies for the Greenway project.

The bids were opened for the new commercial sanitation truck. The low bid was from Downing Sales at \$203,321.08. Councilmember Shetron moved to accept the low bid and Councilmember Insell seconded. All voted for.

The Mayor said traditionally, the city cancels the second council meeting in December because of the Christmas holidays. Councilmember McDonald moved to cancel the December 28<sup>th</sup> meeting and Councilmember Bryant seconded. All voted for.

**LIAISON REPORT**

Councilmember Matthews reported that the new T-Hangers at the airport are completed and all occupied. He also said the new ramp extensions was completed.

**COUNCIL COMMENTS**

Several councilmembers thanked the city employees for the hard work and dedications to the city during the past year and wished everyone a Merry Christmas.

**ADJOURNMENT**

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

**RICK ELUMBAUGH, MAYOR**

**DENISE M. JOHNSTON, CITY CLERK**

**BRENDA RILEY, DEPUTY CITY CLERK**