

MINUTES OF COUNCIL
AUGUST 27, 2013

The Batesville City Council met in regular session on August 27, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Cemetery Supervisor Johnathan Abbott gave the invocation. Upon roll call, the following council answered present; Tommy Bryant, Margaret Henley, Paige Hubbard, Fred Krug, Douglas Matthews, Chris Poole, and David Shetron. Also present were the City Clerk and the City Attorney. Councilmember Davy Insell was absent.

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

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

CITIZENS COMMENTS

None

UNFINISHED BUSINESS

A) SECOND READING OF AN ORDINANCE TO ESTABLISH DESIGN

STANDARDS FOR COMMERCIAL FACADES

Councilmember Matthews moved to suspend the rules and read the ordinance by title only. Councilmember Bryant seconded and the roll call count was 7 for and 0 against. Mr. Castleberry read the ordinance by title only. Mayor Elumbaugh said the ordinance will be placed on the next meeting's agenda for the third and final reading.

NEW BUSINESS

B) RECOGNIZE COMMUNITY GARDEN BOARD MEMBERS

Mayor Elumbaugh recognized members of the White River Community Garden Board. The Mayor spoke about how important healthy living is and how the community garden goes hand in hand with the City's initiative for a healthy community. Board members present were Chester and Sharon Clark, Bill Luster and City Liaison Johnathan Abbott. Other members are Jim and Roma Prah, Susan Shawver, Cheryl Sibley, and Lynn Makarik. All were given a certificate of appreciation.

C) DISCUSS CONDEMNATION OF THE PROPERTY LOCATED AT 990 COLLEGE STREET

City Attorney Lindsey Castleberry addressed the council regarding the condemnation proceedings on the burned out property located at 990 E. College Street. The property burned on November 11, 2011 and is currently tied up in a lawsuit. Mr. Castleberry said he previously contacted the attorneys on both sides of the lawsuit and expressed the City's concerns with the property. He said he has contacted them again and told them of the City's intent to condemn the property. He said one side was okay with the condemnation and the other side made no comment. He explained to the council that the homeowners will get a letter informing them of the condemnation. After 20 days, a condemnation resolution will be considered which will be set for the September 24th meeting. After the resolution is adopted the homeowners have 30 days to clean up the property. If the homeowners do not clean up the property, the City will do so and place a lien on the property for the expenses occurred in doing so.

D) EXECUTIVE SESSION

Councilmember Bryant moved to go into executive session. Councilmember Henley seconded and all voted for.

Upon returning from executive session, Councilmember Matthews moved to re-appoint Mr. Steve Case and Mr. Danny Storlie to the Batesville Appeals Commission. Councilmember Shetron seconded and all voted for. Their terms will expire on September 9, 2018.

E) ENGINEER'S REPORT

City Engineer Damon Johnson addressed the council with his Engineer's Report. He gave a brief update on projects around town. The contracted jobs were progressing at a good speed and City crews are staying busy with routine work throughout the City.

F) FINANCIALS

The City was given a copy of the July, 2013 financials for review.

MAYOR COMMENTS

Mayor Elumbaugh said he had been contacted by Gary Hicks, the son of Mr. Bill Hicks, regarding the extremely sharp curve at Sidney and E. Boswell Streets. He said Mr. Hicks has offered to sell the City a small portion of land in the corner so the City can cut it down and widen the curve and make it not so sharp. The Mayor said he offered Mr. Hicks \$1,000.00 for the property, contingent upon the council's approval. Mr. Hicks countered offered with \$5,000.00 or rename the portion of Sidney Street in front of his father's house to Bill Hicks Street. The council said they were interested in obtaining the property and asked the Mayor to contact Ms. Pat Dunnegan with the Housing

Authority and inquire about possibly buying a small portion of land across the street as well.

LIAISON REPORTS

Councilmember Henley said she attended a meeting with the Main Street Batesville board. She said there seemed to be lots of interest in keeping the program going and they are currently looking for a new director.

COUNCIL COMMENTS

None

ADJOURNMENT

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

DENISE M. JOHNSTON, CITY CLERK

RICK ELUMBAUGH, MAYOR