

MINUTES OF COUNCIL
APRIL 3, 2012

The Batesville City Council met in regular session on April 3, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Mr. Nick Baxter 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 two meetings. Councilmember Bryant seconded and all voted for.

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

CITIZENS COMMENTS

None

OLD BUSINESS

A) SECOND READING OF AN ORDINANCE TO AMEND THE EMPLOYEE HANDBOOK

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

NEW BUSINESS

**A) HEAR FROM THE SHERIFF'S DEPARTMENT REGARDING BULLET PROOF VESTS
FOR DEPUTIES**

Independence County Deputy Brent Everett addressed the council with a request to replace bullet proof vests for the metro officers. Mr. Everett said the bullet proof vests need to be replaced every 5 years for the warranties to be good. He said there are 14 officers whose vests will expire in 2012. Mr. Everett got an estimate from Payne's Supply for level 3 vests for \$595.00 plus tax and shipping per vest. He said there is grant monies that can be applied for to possibly get reimbursed for 50% of the cost of the vests. Councilmember Shetron said he would like to have 3 quotes rather than just the one. Councilmember Shetron then moved to purchase 14 vests after receiving 3 quotes. Councilmember Bryant seconded and all voted for.

B) CONSIDER A REQUEST FROM MR. MICHAEL GILLIHAN REQUESTING A WATER METER OUTSIDE THE CITY LIMITS

Utility Office Manager Nick Baxter addressed the council on behalf of Mr. Michael Gillihan who is requesting a water meter outside the city limits. Mr. Baxter said the requested location is a motorcycle repair shop and also a mobile home. He said there is already one meter there that has served both locations. Mr. Gillihan is wanting to rent out the mobile home, therefore needs a separate meter for that location. Mr. Gillihan has signed all the required forms for the request. Councilmember Bryant moved to grant the meter and Councilmember Shetron seconded. All voted for.

C) CONSIDER A PETITION TO APPEAL THE DECISION OF THE BATESVILLE PLANNING COMMISSION REGARDING THE HELLFIGHTER'S MISSION ON WEST PINE STREET

City Attorney Lindsey Castleberry addressed the council to explain their roll in the appeal process. He said their only action was to decide whether the zoning decision

made by the Planning Commission was correct or not. Mayor Elumbaugh then opened up the floor for 3 minute comments regarding the appeal. Several citizens addressed the council with their concerns of having a homeless shelter in their neighborhood. Councilmember Krug spoke and said he did not agree with the Planning Commission's decision and also gave several statistics regarding homeless shelters. Councilmember's Hubbard and Henley told the audience they were only considering the Planning Commission's decision and not necessarily supporting the prospect of a homeless shelter in West Batesville. Councilmember Bryant moved to uphold the decision of the Planning Commission. Councilmember Shetron seconded. The roll call count was 6 for and 1 (Krug) against. The motion carried.

D) CONSIDER A RESOLUTION OF INTENT REGARDING PARK AND RECREATION IMPROVEMENTS

Councilmember Bryant introduced a resolution of intent regarding Park and Recreation improvements. The resolution will allow the City to start making improvements to the Park and Recreation Department with City General funds and then be reimbursed from the Bonds proceeds. Mr. Castleberry read the resolution in full. Councilmember Bryant moved to adopt the resolution and Councilmember Henley seconded. The roll call count was 7 for and 0 against. The resolution was given #2012-4-1-R.

E) CONSIDER A RESOLUTION TO APPLY FOR A FAA GRANT

Councilmember Matthews introduced a resolution authorizing the Mayor to apply for a grant from the Federal Aviation Administration for \$2,500,000.00 to re-grade the Runway Safety Area and to construct security fencing. Mr. Castleberry read the resolution in full. Councilmember Shetron moved to adopt the resolution and

Councilmember Bryant seconded. The roll call count was 7 for and 0 against. The resolution was given #2012-4-2-R.

F) CONSIDER THE PURCHASE OF THE HAYES PROPERTY ON EAST MAIN STREET

The Mayor said he would like the approval to go ahead and purchase the Hayes property on East Main Street in order to start the construction of the new soccer fields. Councilmember Shetron moved to give the Mayor authority the purchase the property on behalf of the City. Councilmember Poole seconded and all voted for.

G) CONSIDER AN ORDINANCE TO AMEND THE ZONING CODE ON REGULATIONS OF MOBILE HOME PARKS

Councilmember Bryant introduced an ordinance to amend the zoning code on regulations of mobile home parks. Code Enforcement Officer Chad McClure addressed the council to explain the changes. He said the changes were primarily “clean-up”. The major change was reducing the lot size requirements for mobile home parks from 5 acres to 2 acres. Mr. Castleberry read the ordinance in full. Mayor Elumbaugh said the ordinance would be placed on the next meeting’s agenda for the second reading.

H) CONSIDER A RESOLUTION TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH TCF EQUIPMENT FINANCE, INC. FOR A NEW COMMERCIAL SANITATION TRUCK

Councilmember Shetron introduced a resolution to enter into a lease-purchase agreement with TCF Equipment Finance, Inc. for the purchase of a new commercial sanitation truck. Mr. Castleberry read the resolution in full. Councilmember Bryant

moved to adopt the resolution and Councilmember Matthews seconded. The roll call count was 7 for and 0 against. The resolution was given #2012-4-3-R.

I) REVIEW FEBRUARY AND MARCH PAID BILLS REPORT

The council was given a copy of the February and March Paid Bills Report for review.

J) REVIEW OF THE FEBRUARY, 2012 FINANCIALS

The council was given a copy of the February, 2012 financials for review.

MAYOR COMMENTS

The council considered the following cemetery resolutions; Janet Poole, #12-86-1, for \$800.00; Dr. Fred Davis and Ms. Kitty Cowling, #12-93-1, for \$2,400.00; Ms. Lou Gillihan, #12-93-2, for \$1,600.00; and the O.J. and J.M. Reynolds family, #12-93-3 & 12-93-4, totaling \$4,800.00. Councilmember Shetron moved to accept the resolutions and Councilmember Henley seconded. All voted for.

Ms. Johnston requested for the Street Department the purchase of an underground utility locator. She said the request was originally in the 2012 budget but was cut due to lack of funds, however, the City saved over \$4,900.00 on the purchase of the hydraulic thumb for the backhoe. The bid for the locator is \$4,014.50 and Street Supervisor Johnny Coles would like to use the savings to purchase the locator. Councilmember Matthews moved to approve the purchase and Councilmember Bryant seconded. All voted for.

Mayor Elumbaugh asked for out-of-state travel for Mr. Johnny Coles and Mr. Marty Thompson to attend stoplight training in Decatur, AL. Councilmember Shetron moved to approve the travel and Councilmember Bryant seconded. All voted for.

The council was informed of the following Fixed Asset disposals; 1999 Ford Crown Vic, Unit # 533, sold on GovDeals for \$728.00, 1991 GMC, Unit #70, sold on GovDeals for \$785.00, and the trade of 2010 Mack commercial sanitation truck, Unit #281.

The Mayor asked for out-of-state travel for himself and Parks Director Jeff Owens to go to Missouri to look at about 10 Community Centers. The Mayor said there are several they could visit in one day and he wants to build the best Community Center he can for our citizens. Councilmember Shetron moved to approve the out-of-state travel and Councilmember Bryant seconded. All voted for.

LIAISON REPORTS

None

COUNCIL COMMENTS

None

ADJOURNMENT

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

DENISE M. JOHNSTON, CITY CLERK

RICK ELUMBAUGH, MAYOR