CITY COUNCIL MEETING **FEBRUARY 5, 2004**
CITY ADMINISTRATION OFFICES **6:30 PM**

EXECUTIVE SESSION

An Executive Session was held at 6:30 p.m. to address "Discussion of the assessment, design, and implementation of school safety and security measures, plans and systems".

CITY COUNCIL MEETING **FEBRUARY 5, 2004**
CITY ADMINISTRATION OFFICES **7:30 PM**

Mayor Marksberry called the meeting to order with the Pledge of Allegiance. A quorum of Council was determined with all of Council present.

MINUTE APPROVAL

Minutes of the January 5th and January 8th meetings had been previously distributed to the Council and Mayor Marksberry. After discussion a motion was made by Councilwoman Scott to accept the minutes of the January 5th and January 8th meetings as written, 2nd by Councilman Slack; motion carried 5-0.

REPORTS OF COMMITTEES, BOARDS & DEPARTMENTS

MAIN STREET

Main Street Director Tammy Elbright informed the Mayor and Council a preliminary report on design options for the old Presbyterian Church on Main Street had been completed. Elbright reported working with Sharon Wilson on locating grant fund availabilities. She also reported Acapulco's Restaurant is doing well.

Elbright also presented copies of the "Roundabout Madison" circulation which featured articles and advertising about Rising Sun, information about possible grant funds for boat docks--Big P, and fire protection options. After some discussion it was the consensus of Council to permit further research on the boat dock funding with Mayor Marksberry, Elbright, Northcutt, and Councilman Siekman. The Port Authority will also be contacted to participate.

TOURISM UPDATE—SHERRY TIMMS

Sherry Timms Director of the Rising Sun/Ohio County Tourism presented a report to the Mayor and Council. See Attached Exhibit A. She also passed around several examples of advertising for Rising Sun/Ohio County and stated she would be the "Lead" person on implementing a historic walking tour of Rising Sun.

PETITIONS OR COMMENTS FROM CITIZENS

There was no one present with comments or concerns.

COUNCIL APPOINTMENT TO BZA

Mayor Marksberry requested Council's appointment to the BZA. Council had no appointment at this time.

COUNCIL APPOINTMENT TO EDC

Mayor Marksberry requested Council's appointment to the EDC. After discussion a motion was made by Councilman Siekman to reappoint Tammy Elbright; 2nd by Councilman Slack; motion carried 5-0.

ECONOMIC DEVELOPMENT THOMAS P. MILLER & ASSOCIATES

According to Elbright the amount of the contract price with Thomas P. Miller & Associates (TMPA) for the EDC Analysis Grant which was jointly funded by the Regional Foundation, the City of Rising Sun, and Ohio County was incorrectly stated and approved at last months meeting. The correct amount is $53,000 which is a break down of $50,000 plus expenses not to exceed $3,000. Also it was reported there will be an EDC meeting held on February 19th at 7:00 pm. Members of TMPA will be present to address questions, etc.

NEW BUSINESS

RESOLUTION 2004-8 "TRANSFER RESOLUTION—DISPATCHERS"

Clerk Gipson presented Resolution 2004-8, "Transfer Resolution" for Council approval. According to Gipson a transfer is necessary to allow payment for dispatchers from the Riverboat Fund. Gipson stated prior to 2004 this was paid from the Riverboat Police budget, but the process was changed at Budget time last year and a line needs to be created from Council Riverboat in order to make payment. After discussion a motion was made by Councilwoman Scott to approve Resolution 2004-8, 2nd by Councilman Siekman; motion carried 5-0.

RON NICHOLSON—SOUTH DEARBORN SWIM TEAM—SWIM MEET PROPOSAL

Ron Nicholson with the South Dearborn Swim Team presented a proposal to the Mayor and Council to hold a Swim Meet at the City Pool on June 19th. Attached Exhibit B. The meet would be from 7am to 7pm and would close the pool to the public for the day. According to Nicholson all they need from the City is the use of the pool. They would request the City open and operate concessions for the day. He further stated they are fully insured for this type of an event, and would like to continue this event on a yearly basis. After discussion the Mayor and Council agreed to the proposal submitted by the South Dearborn Swim Team in partnering for this one day meet on June 19, 2004.

FIRST READING ORDINANCE 2004-1 "AMENDMENT SALARY ORDINANCE"

The first reading of Ordinance 2004-1 "Salary Ordinance Amendment" was held. This will be addressed for a second reading at the March 4th Council meeting. This

Amendment would allow the City Attorney be paid as an employee vs. on a contractual basis.

FIRST READING ORDINANCE 2004-2 "RAINY DAY FUND"

The first reading of Ordinance 2004-2 "Creation of a Rainy Day Fund" was held. After discussion a motion was made by Councilman Brown to suspend the rules and approve the creation of this fund by second reading, 2nd by Councilwoman Scott; motion carried 5-0. After further discussion a motion was made by Councilman Brown to approve and adopt Ordinance 2004-2 "Creation of a Rainy Day Fund" 2nd by Councilman Siekman; motion carried 5-0.

GRANT PROPOSALS—DEFIBRILLATORS

Utility Superintendent, Trey Clifton informed Council the Utilities were planning to submit a grant application to the Rising Sun Regional Foundation to purchase 3 defibrillators –one for each department within the Utilities. He stated he would include a request for three for the City if they would have any interest. After discussion a motion was made by Councilwoman Scott to approve the Utility Superintendent to include three defibrillators for the City of Rising Sun in the grant application and the City would split any additional costs or match with the Utilities, 2nd by Councilman Siekman; motion carried 5-0.

SAFE PASSAGE, INC.—DARYL CALDWELL

Daryl Caldwell with Safe Passage, Inc. presented information to the Mayor and Council regarding Domestic Violence Intervention Services they provide. See Attached Exhibit C. He reported the RS Medical Center is going to allow them space to operate from within Ohio County. Rising Sun Regional Foundation provided match funds for the project. Grand Victoria has been very helpful—and Ynez Taylor is a member of the Board. Mr. Cardwell plans to speak with the County in the next couple of weeks as well.

MIKE NORTHCUTT—HIGH & MAIDEN LANE DRAINAGE PROJECT

Mike Northcutt presented a proposal from ACE Engineering for Supplemental Services to add to the scope of work for the High Street & Maiden Lane Drainage Project. See Attached Correspondence Exhibit D. After discussion a motion was made by Councilman Slack to approve this expansion, 2nd by Councilman Brown; motion carried 5-0.

Northcutt also submitted a report of project status to the Mayor and Council. He informed the Council; Mayor Marksberry requested the report be submitted on a monthly basis. See Attached Exhibit E.

MISCELLANEOUS BUSINESS

Mayor Marksberry informed Council February 11, 2004 is "Indiana 211 Day". A proclamation is attached as Exhibit F. This program is endorsed by Lifetime Resources.

FIRST READING ORDINANCE 2004-3 "CITY CREDIT CARD"

The first reading of Ordinance 2004-3 "Credit Card Ordinance" was held. This will be addressed for a second reading at the March 4th Council meeting.

RESOLUTION 2004-9 "RESOLUTION AUTHORIZING THE CLERK-TREASURER TO EXECUTE AN ENGAGEMENT AGREEMENT WITH REEDY & PETERS, LLC, CPA'S"

Mayor Marksberry presented Resolution 2004-9 "Resolution Authorizing the Clerk Treasurer to execute an Engagement Agreement with Reedy & Peters, LLC, CPA's". After discussion a motion was made by Councilman Slack to approve Resolution 2004-9, 2nd by Councilwoman Scott; motion carried 5-0.

Mayor Marksberry informed the Council he had received a cost for the landscaping services of Martini Landscaping for the following areas: the City Administration Building, Rising Sun Medical Center, Riverfront Pavilion, and the Club and Events Sign. The submitted cost for this service is $2,900 per year.

Mayor Marksberry presented 2 quotes for the hanging baskets on Main Street: Alpine Greenhouse 28.50 per basket; Neaman Floral 30.00 per basket.

After discussion a motion was made by Councilwoman Scott to accept the quote from Alpine Greenhouse, 2nd by Councilman Padgett; motion carried 5-0. After further discussion a motion was made by Councilwoman Scott to approve the flower bed project costs be billed at Neaman Floral at $25 small beds and $50 large beds, 2nd by Councilman Padgett; motion carried 5-0.

Mayor Marksberry informed Council he had included information about HB 1188 in their packets. Marksberry plans to meet with the County Commissioners about the Dog Pound issues at their next meeting. He also informed Council he was working on a grant application to the Regional Foundation for a slide at the Community Pool.

After the reviewing and passage of claims, and with no other business at this time, Councilman Brown made the motion to adjourn, Slack seconded, motion passed 5-0.

Attest:

_____

Rae Baker Gipson,
Clerk Treasurer

_____

William A. Marksberry, Mayor

Exhibit A

Rising Sun/Ohio County Tourism 2004

- Hired Advertising Agency to give Rising Sun its own brand. This agency will be used for creative and production avenues. Billboard, newspaper wraps, direct mail, print, radio and TV ads
- Developed a whole new website concept, including e postcards, slide shows, ipix photography. New website will be up and running by March 1.
- Working with Historic downtown to plan events.
- Hoping to work with redevelopment to implement an historic walking tour of Rising Sun. Working with museum and school to develop a children's walking tour.
- Working with community to do a cross cultural training to unite business people, elected officials, and citizens to promote Rising Sun as a great place to live, work, and visit.
- Serving on regional boards such as Ohio River Scenic By-Way to promote Rising Sun and Ohio County.
- Cooping with Dearborn, Switzerland, Ripley, and Jefferson counties to promote Southeastern Indiana as a destination through coop advertising and travel shows.
- Working with Casino to host World Arm Wrestling Championship in August. Working with group sales to promote downtown businesses
- Cut administrative and operational expenses and increased the marketing budget by $100,000.

Exhibit B

South Dearborn Swim Team (SDST) Meet Proposal for Rising Sun

Prepared for Mayor Bill Marksberry

As one of the premiere swim teams in Southeastern Indiana, South Dearborn Swim Team (SDST) is a well- respected, mid-sized team with a number of talented and successful swimmers, dedicated and hardworking parents, and widespread community support. Each year in November we host the "Fall Splash" meet at the South Dearborn High School pool which brings hundreds of swimmers and their families into the Aurora area. They stay in local hotels, eat at local restaurants, and shop in local retail spots.

This summer we would like to partner with the city of Rising Sun and offer a one-day outdoor meet at the beautiful, new Rising Sun pool.

The meet would be held on Saturday, June 19, 2004 from approximately 7 a.m. to 7 p.m. The parents of SDST would be responsible for the set up, take down, security, and running of the meet. We have approximately a dozen nationally certified swim officials affiliated with our club, and the event will be sanctioned by the United States Swimming Association.

If desired, the city of Rising Sun can open and operate the concession stand that day and realize potentially considerable profit.

As well, in promoting the meet we would also promote Rising Sun. Information packets sent in advance to the participating teams can include local activities, information on local restaurants and inns, perhaps discounts at shops and galleries, even a tie-in with the Grand Victoria Casino and hotel. Many of the swim families will eat in Rising Sun restaurants, shop in the quaint downtown area, play golf, and fill-up their mini-vans at local stations. Rising Sun can also profit via self-promotion. Perhaps adults at the meet will like what they see and plan a future trip here, maybe a romantic getaway, golf weekend, or get-together with friends. The team will certainly do what it can to promote your city.

We believe that this easy-to-stage event will be a win-win situation for our team and the city of Rising Sun.

For more information call: Ron Nicholson at 926-3772 or 537-4435

Exhibit C

Safe Passage, Inc.

Domestic Violence Intervention Services for:
Franklin, Ohio, Ripley, Dearborn and Switzerland Counties

Rising Sun City Council
Status Report
Safe Passage Services
1/28/04

Background Information:
Safe Passage Inc. has been the domestic violence intervention service provider for Ohio County for the past five years. These services have come out of local and state encouragement. For the past 15 years the state assessment survey has listed southeastern Indiana as the **most underserved area in the state** in regards to domestic violence services. A big step in filling this gap is to open a residential shelter. For the past five years, the organization has been working towards the opening of the first domestic violence shelter in the area's history. That day is here, as we will open the doors to the shelter in early spring of '04. The shelter will provide the area with services never before made available.

General services:

- Support groups are held every Wednesday at 1pm
- Hotline services for clients in need of information, intervention and support
- Assessments, goals and safety plans are developed for clients
- Anger management, self esteem and life skill workshops are provided for the victim and their children
- Referral sources are given to each client in need and supportive service dollars are provided if no other source is available
- Safe Passage will provide transition items (if available) to clients such as, furniture, clothing, appliances, toys, lights etc…

Local Domestic Violence Statistics for 2003: (source: Ohio County Sheriff's Office)

- *Rising Sun* 911 calls-**26**
- *Ohio County* 911 calls-**93**
- *Total 911 domestic violence calls*: **119**

Goals:

- To provide two community and professional trainings a quarter
- To assist Ohio County victims of domestic violence with intervention and transition information
- To collaborate with local community agencies to provide efficient service
- To attain city and county investments in our project to support the project

It is our hope that we can work with you to break the cycle of violence that has plagued our area for far too long.

Sincerely,

Daryl L. Caldwell
Executive Director
Safe Passage, Inc.

Exhibit V

Mike Northcutt
P.O. Box 172
Rising Sun, In. 47040
Ph 812/438-3324
Fax 812/438-3561

City of Rising Sun

February 3, 2004

City Council Members

Attached is a proposal to add to the scope of work to the High Street and Maiden Lane Drainage Project, Water Line Consolidation and Fire Protection on High Street. Currently this project includes the last two blocks of High Street, Maiden Lane from High Street to the Ohio River and half block of Plum Street from High Street to Alley. I would like to extend this project to Mulberry Street to pick up standing water at the intersection of Mulberry Street and Plum Street and some future drainage at the Grade School.

Also attached is a page from our contract with American Consulting, Inc. We will only have two easements to be engineered. Instead of 16 easements this give us a credit of $6,300.00. I would like to use it to pay for the $4,542.11 for the additional work.

Sincerely,

Mike Northcutt

Mike Northcutt
Project Manager

cc. Mayor Bill Marksberry

Exhibit 1

Project Manager's Report

February 3, 2004

Project Status

1) **River Front Phase III under construction. On hold due to weather. Project to be completed this spring. No monthly progress meeting to be held.**

2) **South High Street Drainage Improvements under design and review to be completed soon. Bid out early this spring.**

3) **Former Fryman Property Clean-up under review. Ask for comfort letter from IDEM.**

4) **River Front Phase III B apply for grant to Regional Foundation.**

5) **Drainage North High Street sidewalk from Sixth Street to Dairy Queen. Grand Vic gives permission to install drainage pipe thru mounding to tie into their drainage system.**

6) **River Front Phase IV TE Grant Application due 1/31/04.**

7) **Extension of time for Tools for tots requested for violations found by State Fire Marshal Office.**

8) **Meet with VS engineering for proposal to help with permit for docks at First Street. Make proposal to Port Authority February 16, 2004.**

Exhibit F

INDIANA 211 DAY

A Proclamation of February 11, 2004 "Indiana 211 Day" as human service information and referral service is available in twenty-one (21) counties through a three-digit telephone call to 2-1-1.

WHEREAS, tens of thousands of Indiana citizens have a need to access a variety of human and social service needs each day, ranging from appropriate childcare to affordable housing, support for a homebound parent to food or crisis counseling for teen parents; and

WHEREAS, thousands of different local, regional and statewide organizations in Indiana, both public and private, provide services that respond to these needs; and

WHEREAS, it often is extremely difficult, and time consuming for citizens to identify and access available services; and

WHEREAS, the process of connecting those living and working in our state with needed services can be simplified by the establishment of a 2-1-1 telephone dialing option; and

WHEREAS, the local, regional and statewide providers of human and social services would benefit from the more accurate and timely information about needs and resources around the state that is collected by 2-1-1 services; and

WHEREAS, sixty-five million Americans (23% of the U.S. population) have access to 2-1-1 service through 83 active 2-1-1 centers in 27 states nationwide; and

WHEREAS, LifeTime Resources, Inc. has been serving Rising Sun residents for 30 years; and

WHEREAS, LifeTime Resources, Inc. serves over 2,343 callers each year; and

WHEREAS, LifeTime Resources, Inc. and Indiana 211 Partnership seeks to collaborate in and create an Indiana 2-1-1 system utilizing existing information and referral providers; and

WHEREAS, 2-1-1 is being piloted and is available in 21 counties, giving access to 40% of Indiana's population through six 2-1-1 Centers, including Rising Sun;

I, William A. Marksberry, Mayor of Rising Sun, do hereby proclaim February 11, 2004, "Rising Sun 2-1-1 Day".

Wm. A. Marksberry

Wm. A. Marksberry, Mayor

RESOLUTION 2004- 8

AN EMERGENCY RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR SEVERAL DEPARTMENTS OF THE CITY OF RISING SUN, INDIANA, FOR THE YEAR 2004, AS REQUIRED BY THE DEPARTMENT HEADS AND FORWARDED TO THE COMMON COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6

WHEREAS, Certain extraordinary conditions have developed since the adoption of the existing annual budget for the year 2004 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA THAT:

SECTION 1. For that expenses of the City Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such funds herein transferred unless otherwise stipulated by law.

SECTION 2. Where it has been shown that certain existing appropriations have obligated balances, which will be available for transferring as follows:

Riverboat
Council

$15,000.00	**From**	**Council Special Projects**	**To**	**Dispatchers**
$15,000.00		**Total Council**		

Adopted this 5th day of February 2004.

NAY

AYE

Mike Padgett

Stephanie Scott

Attest: Rae Baker Gipson
Clerk Treasurer

William A. Marksberry, Mayor

Ordinance 2004-2

AN ORDINANCE ESTABLISHING
A "RAINY DAY FUND" PURSUANT TO INDIANA CODE 36-1-8-5.1

WHEREAS, Indiana Code 36-1-8-5.1 authorizes political subdivisions to establish a rainy day fund to receive transfers of unused and unencumbered monies whenever the purposes of such a tax levy have been fulfilled and an unused and unencumbered balance remains; and

Whereas, the Common Council of the City of Rising Sun now determines it to be in the best interest of the City and its taxpayers that a rainy day fund be established for the purpose of accumulating funds for the operation of the municipality and its various departments when the City does not have sufficient levies or funds to pay such costs, including, but not limited, salaries and wages, costs of services, supplies, equipment, capital improvements, repairs and similar expenditures.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA, THAT:

Section 1. Creation of Rainy Day Fund. There is hereby established a "Rainy Day Fund" to receive transfers of unused and unencumbered funds raised by a general or special tax levy on taxable property within the City whenever the purpose of such tax levy has been fulfilled and an unused and unencumbered balance remains.

Section 2. Purposes of the Fund. The funds on deposit in the Rainy Day Fund may be used for the operation of the City and its various departments, when the City does not have sufficient levies or funds to pay such costs, including, but not limited to, salaries and wages, costs of services, supplies, equipment, capital improvements, repairs and similar expenditures.

Section 3. Transfer to Fund. On or before December 31st of each year, the Common Council shall determine the amount, if any, of any unused and unencumbered funds available to be

transferred to the Rainy Day Fund, which transfer may not exceed more than ten percent (10%) of the City's total budget for that fiscal year.

Section 4. Appropriations. The Common Council of the City of Rising Sun may authorize the expenditure of funds from the Rainy Day Fund by appropriations made in the same manner as other funds are appropriated that receive tax monies, upon making a finding that the proposed use of the funds is consistent with the intent of the fund.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage.

ADOPTED AND PASSED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA THIS 5 DAY OF February 2004.

NAY	AYE
	Michael Padgett
Michael Padgett	Michael Padgett
	Gerald L. Brown
Gerald L. Brown	Gerald L. Brown
Gene Siekman	Gene Siekman
	Stephanie Scott
Stephanie Scott	Stephanie Scott
Steven Slack	Steven Slack

Presented by me to the Mayor of the City of Rising Sun, Indiana, for his approval and signature this 5th day of February, 2004 At 8:18 P.m.

Rae Baker Gipson, Clerk Treasurer

This Ordinance approved and signed by me on this 5 day of February, 2004.

William A. Marksberry, Mayor

ATTEST:

Rae Baker Gipson, Clerk Treasurer

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RESOLUTION 2004 - 9

A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO EXECUTE A ENGAGEMENT AGREEMENT WITH REEDY & PETERS, LLC, CPA's

WHEREAS, The City Clerk-Treasurer is responsible to manage the finances and accounts of the city and to make investments of city money and in doing this she or he may employ staff or consultants to assist her or him in carrying out of these duties subject to the appropriation of funds for these purposes by the Common Council; and

WHEREAS, Reedy & Peters, LLC, Certified Public Accountants and Consultants have proposed an engagement agreement with the City of Rising Sun for 2004 as evidenced by the attached Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA THAT:

The Clerk-Treasurer is hereby authorized to sign said engagement agreement on behalf of the City of Rising Sun with Reedy & Peters, LLC, Certified Public Accountants and Consultants and to pay for services provided under said agreement out of the funds provided in the Common Council Budget.

ADOPTED AND PASSED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA THIS 5th DAY OF February, 2004.

NAY	AYE
	Michael Padgett
Michael Padgett	Michael Padgett
	Gerald L. Brown
Gerald L. Brown	Gerald L. Brown
Gene Siekman	Gene Siekman
	Stephanie Scott
Stephanie Scott	Stephanie Scott
Steven Slack	Steven Slack

Presented by me to the Mayor of the City of Rising Sun, Indiana, for his approval and signature this 5th day of February, 2004.

Rae Baker Gipson, Clerk Treasurer

This Ordinance approved and signed by me on this 5th day of February 2004.

William A. Marksberry, Mayor

ATTEST:

Rae Baker Gipson, Clerk Treasurer

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