

**CITY COUNCIL YEAR END MEETING  
CITY ADMINISTRATION OFFICES  
4:00 PM**

**DECEMBER 22, 2005  
EXECUTIVE SESSION**

An Executive Session was held to discuss matters pertaining to "Threatened Litigation" IC 5-14-1.5-6.1 (b)(2)(B). A quorum of Council was determined with all of Council present.

**CITY COUNCIL YEAR END MEETING  
CITY ADMINISTRATION OFFICES**

**DECEMBER 22, 2005  
5:00 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**

The corrected minutes of the November 3<sup>rd</sup> Council Meeting and the December 1<sup>st</sup> Council Meeting minutes had been previously distributed to Council for review. After discussion a motion was made by Councilwoman Scott to approve the corrected November 3<sup>rd</sup> Council minutes and the December 1<sup>st</sup> Council minutes as written, 2<sup>nd</sup> by Councilman Slack; motion carried 5-0.

**REPORTS OF COMMITTEES, BOARDS & DEPARTMENTS**

**RS POLICE DEPARTMENT**

Chief of Police David Hewitt reported that delivery of the new Police car was going to be delayed until after the first of the year. See Attached letter Exhibit A. He requested to carry 2005 funds or set aside funds in the 2006 budget to cover this cost. Council agreed to Hewitt's request and will appropriate these funds in the 2006 Additional Appropriation.

**MAIN STREET**

Tammy Elbright, Main Street Director thanked the Mayor and Council for their support and wished everyone a Merry Christmas. Clerk Gipson informed Council she had some discussion with Elbright and Peg Dickson, Executive Director of the Community Foundation in reference to the endowment for the Presbyterian Church. Councilman Padgett questioned the benefit of adding funds to this endowment? Gipson stated an administrative fee is deducted from the endowment every six months until the endowment reaches the \$20,000 level. Elbright will get the anniversary date for this endowment and report back to Council at the next meeting.

**PROJECT MANAGERS REPORT**

Proposals from the Survey Company for design engineering for Phase 4A & B and Phase 5 of the Riverfront had previously been distributed to the Mayor and Council for review. According to Northcutt Phase 4A & 4B will not be ready to go to bid until late in the 2006 year due to process and procedures for the Transportation Enhancement Grant. With this in mind a proposal for Phase 5 has been received from the Survey Company.

This proposed phase would mirror the tier effect from the prior Phase 3 project to the riverfront area from Main to Fourth Street. Mayor Marksberry informed Council a decision was not expected tonight, but requested Council review and bring comments/input to the next Council meeting.

## **PETITIONS OR COMMENTS FROM CITIZENS**

There was no one present with comments or petitions.

## **UNFINISHED BUSINESS**

### **EMPLOYEE HANDBOOK POLICY**

There was discussion by Council regarding the Employee Handbook Policy. It was stated there was a lot of concern from employees pertaining to the PTO vs. vacation, sick and personal time off. Council was also concerned that areas/items within the proposed policy needed to be adopted or approved as City Policy. After further discussion a motion was made by Councilwoman Scott to partially approve the Employee Handbook Policy with pages 17, 18 & 19 (which refer to PTO) being stricken at this time; in order to review and clarify. This was seconded by Councilman Slack; motion carried 5-0.

### **CARL COURTNEY—PARK BOARD**

Carl Courtney presented a list of items the Park Board had started in 2005 and planned to complete during the 2006 year. This list included fencing and netting for the tennis courts, additional fencing for the community park, roof repairs and additional fuel costs for the Senior Community Building, additional work on the handicap accessible ramp at Arnolds Creek and acquisition of surveying and appraising services for grant application for a community center/park. He requested the Mayor and Council carry any remaining funds from the 2005 budget to the 2006 budget. Courtney also stated a new mower for the park is also needed and costs are being researched. Clerk Gipson stated in past years she has requested this be advertised as a part of the additional appropriation which Council addresses at the January or February Council meeting.

### **ORDINANCE 2005-10 “INVESTMENT TO THE CITY OF RISING SUN QUALITY OF LIFE PERMANENT ENDOWMENT”**

Ordinance 2005-10 “Investment to the City of Rising Sun Quality of Life Permanent Endowment” was proposed for Council review. Clerk Gipson informed all present the City had made approximately \$450,000 in interest in 2004 and 2005. The City committed \$220,000 to the Quality of Life Permanent Endowment in January 2005 for the 2004 year. According to Gipson the idea was to add any interest with possible match as available. Gipson had recommended \$500,000 be invested for the 2005 year. After discussion a motion was made by Councilman Padgett to suspend the rules and hold 2<sup>nd</sup> Reading of Ordinance 2005-10. This was seconded by Councilman Brown; motion carried 4-0 with Councilwoman Scott abstaining due to possible conflict of interest. The second reading of Ordinance 2005-10 was held. After discussion a motion was made by Councilman Slack to approve Ordinance 2005-10; seconded by Councilwoman Siekman; motion carried 4-0 with Councilwoman Scott abstaining due to possible conflict of interest.

## **PRESBYTERIAN CHURCH—TAMMY ELBRIGHT**

Tammy Elbright addressed the Mayor and Council regarding possible funding for renovation to the former Presbyterian Church on Main Street. According to Elbright a meeting had been held with Bruce Goetzman about options for these renovations. Goetzman plans to put together cost options for Mayor Marksberry and Council to review. It was discussed at this time the grant funds from the State are probably a dead issue. Elbright stated Goetzman needs an idea of a budget to put together options and requested if Council was willing to appropriate the amount of \$660,000 which was previously committed by Council as grant match towards this renovation effort. Council stated they would like to see options from Goetzman before making a determination on an amount. Paul Bovard questioned if it was more feasible to build a new building with the \$660,000? Councilman Slack stated the public definitely has that perception—that is why we need to get costs and options. Doug Baker stated there are a lot of areas that require maintenance within the City—there is some maintenance that needs to be addressed with the City Pool that is high dollar. Baker stated the City may want to take care of what we have before they build more to take care of. Councilman Padgett stated it is his understanding that the basic restoration of the building is significantly less than what was proposed in the grant application.

## **COUNCIL AND MAYOR 2006 APPOINTMENTS TO BOARDS**

The following appointments were made by Mayor Marksberry:

Delena Hannan	re-appointed to BZA
Jeff Cosby	appointed to Park Board replacing Matt Mobley
Dick Moore	re-appointed to Port Authority
Charlie Folk	appointed to Tourism
Steve Jiminez	re-appointed to Tourism
Angel Siekman	re-appointed to Board of Works

Gerald Brown or Steve Slack will decide who is to be on the Board of Works for 2006 with Angel Siekman.

Mayor Marksberry will contact Fred Taylor regarding reappointment to the Redevelopment Commission. Councilwoman Scott will contact Sonja McAlister as reappointment for City Council. Mayor Marksberry will contact Gary Green regarding reappointment to SIRPC for 2006.

## **CLOTHING ALLOWANCE—2006**

Clerk Gipson requested Council's pleasure regarding clothing allowance for 2006. It was stated the Police Department received \$800 for 2005 and the Street Department received \$450. After discussion a motion was made by Councilman Slack to approve the clothing allowance in these same amounts as approved in 2005, 2<sup>nd</sup> by Councilman Brown; motion carried 5-0.

## **RESOLUTION 2005-18 “YEAR END TRANSFER”**

Clerk Gipson presented Resolution 2005-18, “Year End Transfer”. Gipson stated that a lot of the transfer items are due to the Christmas Compensation—others just budget adjustments. After discussion a motion was made by Councilwoman Scott to approve Resolution 2005-18, 2<sup>nd</sup> by Councilman Padgett; motion carried 5-0.

## **MISCELLAENOUS BUSINESS**

### **ADDITIONAL APPROPRIATION 2005**

Clerk Gipson informed Council the Additional Appropriation information will be presented at the January Council meeting. It can be determined at that time when this will be acted on by Council as it must be advertised in the local paper. Gipson stated she will be working with the Mayor and Project Manager regarding 2006 projects and cost break downs.

Deputy Clerk Charlotte Abel had requested approval from Council to carry or be paid for 2 vacation days she had remaining for 2005. According to Gipson the current policy does not allow for payment or carry over of vacation days. Gipson stated Abel had scheduled these 2 days for vacation but was not able to work so the days were not used. After further discussion a motion was made by Councilwoman Scott to allow pay out of the 2 vacation days due to the circumstances of Abel being unable to work and the vacation days being previously scheduled. This was seconded by Councilman Brown; motion carried 5-0.

Mayor Marksberry informed Council that the City Attorney will prepare a letter to go to Suscom regarding payment for the rental on utility poles.

Clerk Gipson distributed a preliminary job description for Tammy Johns to the Mayor and Council. She requested they review and make comments as they felt necessary.

After the reviewing and signing of claims, and with no further business; a motion to adjourn was made by Councilman Brown, 2<sup>nd</sup> by Councilwoman Scott; meeting adjourned.

Attest:

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Rae Baker Gipson,  
Clerk Treasurer

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William A. Marksberry,  
Mayor

Exhibit A



**Police Department**  
300 South Poplar Street  
Rising Sun, Indiana 47040

Ph. 812-438-3737 Fax 812-438-2023

September 21, 2005

The following are price estimates for replacing Sgt. McIntosh's 1998 Dodge Intrepid. We looked at a 2005 Ford Crown Victoria and the 2006 Dodge Charger.

Bloomington Ford: 2005 Ford Crown Victoria Base price \$24,995.00 (no options, State bid)  
With options \$25,387-\$31,225.00

Robke-Ginn Dodge: 2006 Dodge Charger Approximate \$29,000.00

Kidd Dodge: 2006 Dodge Charger Unable to get a price. Salesman estimated \$28,000.00

Thomas Dodge: 2006 Dodge Charger \$22,997.00 base price  
\$25,537.00 with options/out the door

Based on the prices we have been quoted, the department would like to purchase a 2006 Dodge Charger from Thomas Dodge for the price of \$25,537.00.

Sincerely,

A handwritten signature in cursive script that reads "David Hewitt".

David Hewitt  
Chief of Police

**ORDINANCE OF CITY COUNCIL OF CITY OF RISING SUN, INDIANA**

**(To Exercise Home Rule Power and Pay \$500,000 to Ohio County Community Foundation)**

**WHEREAS**, by authority of Indiana Code 36-1-3, the City of Rising Sun has all powers necessary or desirable in the conduct of its affairs; and

**WHEREAS**, the City of Rising Sun declares it necessary and desirable in the conduct of its affairs to continue an endowment that benefits the government and citizens of the City of Rising Sun for future years and directs into this fund the contribution of Five Hundred Thousand (500,000) dollars; and

**WHEREAS**, said endowment fund shall provide by Designated Endowment Fund Agreement with Ohio County Community Foundation:

1. Contributions to the fund shall become permanent endowment funds.
2. Income earned on the funds during each calendar year shall be available for distribution (after deduction for administrative expenses) to the City of Rising Sun upon request of the fiscal officer as directed by the governing body. Any income not distributed by December 31 of each calendar year shall thereupon become part of the permanent principal endowment.
3. Distributions of income to the City of Rising Sun may be used for any government purpose.

**NOW, THEREFORE, BE IT ORDAINED** that the City of Rising Sun continue the endowment fund established in Common Council Ordinance #1999-12 and pay the sum of Five Hundred Thousand Dollars (\$500,000) to the Ohio County Community Foundation pursuant to the Designated Endowment Fund Agreement containing in substantially similar form the provisions cited above; and

**BE IT FURTHER ORDAINED**, that said payment of funds is necessary and desirable in the conduct of the affairs of the City of Rising Sun.

**ADOPTED** by vote of a majority of the Common Council on this

12/22/05 (Date) with all Council Members  
casting as affirmative vote affixing their signatures hereon.

CITY COUNCIL OF RISING SUN, INDIANA

Stephanie Scott, City Council

Rae Baker Gipson  
Clerk Treasurer, Rae Baker Gipson

Michael Padgett  
Michael Padgett, City Council

Gerald Brown  
Gerald Brown, City Council

Steve Slack  
Steve Slack, City Council

Angel Siekman  
Angel Siekman, City Council

Presented to the City Executive, Mayor William A. Marksberry, on the  
12/22/05 (Date) at 5:30 pm (Time).

Dated: 12/22/05

Rae Baker Gipson  
Clerk Treasurer, Rae Baker Gipson

**ACTION BY CITY EXECUTIVE**

Action: Passed

Date: 12-22-05

Signature: W.A. Marksberry  
William A. Marksberry, Mayor

RESOLUTION 2005- 18

AN EMERGENCY RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR SEVERAL DEPARTMENTS OF THE CITY OF RISING SUN, INDIANA, FOR THE YEAR 2005, AS REQUIRED BY THE DEPARTMENT HEADS AND FORWARDED TO THE COMMON COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT IC 6-1.1-18-6

WHEREAS, Certain extraordinary conditions have developed since the adoption of the existing annual budget for the year 2005 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:

**General Fund**

**Mayor**

\$5,000	From	101001114	To	101001331
<b>\$5,000.00</b>		<b>Total Mayor Transfer</b>		

**Clerk**

\$1,000.00	From	101002114	To	101002115
\$600.00	From	101002391	To	101002325
\$1,300.00	From	101002112	To	101002134
<b>\$2,900.00</b>		<b>Total Clerk Transfer</b>		

**LRS**

<b>\$2,500.00</b>	<b>From</b>	<b>202001432 CURBS</b>	<b>To</b>	<b>202001431 STREETS</b>
<b>\$2,500.00</b>		<b>Total LRS</b>		



**CCIF**

\$2,700.00	From	401950411 Sidewalks	To	401950431 Special Projects
\$2,700.00		Total CCIF		

**Economic Development Fund**

\$1,000.00	From	218650311	To	218650391
\$1,000.00		Total EDC Transfer		

**General Fund**

**City Pool**

\$3,000.00	From	101500111	To	101500115
\$1,000.00	From	101500111	To	101500351
\$500.00	From	101500111	To	101500353
\$4,500.00		Total City Pool		

**Council**

\$1,110.00	From	101003112	To	101003111
\$400.00	From	101003221	To	101003222
\$700.00	From	101003342	To	101003316
\$600.00	From	101003323	To	101003322
\$4,300.00	From	101003342	To	101003399
\$1,500.00	From	101003371	To	101003352
\$1,500.00	From	101003431	To	101003353
\$10,110.00		Total Council Transfers		

**Project Manager**

\$5,000.00	From	101024116	To	101024111
\$100.00	From	101024393	To	101024231
\$50.00	From	101024393	To	101024241
\$5,150.00		Total Project Manager		

**Plan Commission**

\$375.00	From	101010112	To	101010113
\$550.00	From	101010115	To	101010114
\$925.00		Total Plan Commission Transfer		

**Police**

\$5,000.00	From	101200122	To	101200112
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\$6,500.00	From	101200122	To	101200113
\$1,700.00	From	101200122	To	101200116
\$100.00	From	101200122	To	101200117
\$200.00	From	101200122	To	101200215
\$1,100.00	From	101200122	To	101200315
\$100.00	From	101200122	To	101200316
\$300.00	From	101200122	To	101200320
\$6,000.00	From	101200128	To	101200115
\$4,000.00	From	101200128	To	101200126
\$9,500.00	From	101200129	To	101200114
\$1,000.00	From	101200129	To	101200121
<b>\$35,500.00</b>		<b>Total Police Transfers</b>		

**Downtown Main Street**

\$1,400.00	From	101630353	To	101630331
\$200.00	From	101630361	To	101630231
<b>\$1,600.00</b>		<b>Main Street Transfers</b>		

**Fire Department**

\$2,400.00	From	101210210	To	101210341
\$3,600.00	From	101210342	To	101210341
<b>\$6,000.00</b>		<b>Fire Dept. Transfers</b>		

**MVH Fund**

\$1,400.00	From	201300118	To	201300113
\$3,000.00	From	201300118	To	201300117
\$4,000.00	From	201300118	To	201300221
\$600.00	From	201300118	To	201300231
\$3,500.00	From	201300118	To	201300361
\$1,300.00	From	201300124	To	201300111
\$1,300.00	From	201300124	To	201300112
\$1,300.00	From	201300124	To	201300115
\$600.00	From	201300124	To	201300232
\$500.00	From	201300124	To	201300315
<b>\$17,500.00</b>		<b>Total MVH Transfer</b>		

**Riverboat Fund**

**Riverboat Street**

\$1,000.00	From	270005451	To	270005391
\$500.00	From	270005451	To	270005411

\$2,000.00	From	270005451	To	270005431
\$155,000.00	From	270005451	To	270005435
\$40,000.00	From	270005451	To	270005436
\$25,000.00	From	270005451	To	270005456
<b>\$223,500.00</b>		<b>Total Street Transfers</b>		

**Riverboat Council**

\$5,000.00	From	270002391	To	270011313
\$1,000.00	From	270002391	To	270011322
\$35,000.00	From	270002391	To	270011341
\$20,000.00	From	270002391	To	270011390
\$130,000.00	From	270002391	To	270011411
\$1,000.00	From	270002391	To	270011453
\$15,000.00	From	270002391	To	270011454
\$7,000.00	From	270002391	To	270011458
<b>\$214,000.00</b>		<b>Total Riverboat Council Transfer</b>		

**Riverboat Police**

\$6,500.00	From	270002391	To	270016111
\$3,500.00	From	270002391	To	270016112
\$1,000.00	From	270002391	To	270016130
\$100.00	From	270002391	To	270016134
\$400.00	From	270002391	To	270016331
<b>\$11,500.00</b>		<b>Total RB Police Trans</b>		

**Riverboat Fire Department**

\$20,000.00	From	270002391	To	270015391
<b>\$20,000.00</b>		<b>Total RB Fire Dept. Trans</b>		

**Riverboat Life Squad**

\$20,000.00	From	270002391	To	270014391
<b>\$20,000.00</b>		<b>Total RB Life Squad Trans</b>		

**Riverboat Redevelopment**

\$10,000.00	From	270002391	To	270009391
<b>\$10,000.00</b>		<b>Total RB Redevelopment Trans</b>		

**Riverboat Schools**

\$100,000.00	From	270002391	To	270006391
\$100,000.00		<b>Total RB School Trans</b>		

**Riverboat Library**

\$10,000.00	From	270002391	To	270007391
\$10,000.00		<b>Total RB Library Trans</b>		

**Riverboat Port Authority**

\$5,000.00	From	270002391	To	270008391
\$5,000.00		<b>Total RB Port Authority Trans</b>		

**Riverboat Utilities**

\$15,000.00	From	270003454	To	270003444
\$15,000.00		<b>Total Riverboat Utilities Transfer</b>		

**Park Fund**

\$1,400.00	From	204500451	To	204500111
\$2,500.00	From	204500451	To	204500112
\$200.00	From	204500451	To	204500113
\$300.00	From	204500451	To	204500121
\$1,500.00	From	204500451	To	204500221
\$1,500.00	From	204500451	To	204500241
\$2,000.00	From	204500451	To	204500341
\$3,000.00	From	204500451	To	204500351
\$200.00	From	204500451	To	204500361
\$1,300.00	From	204500451	To	204500500
\$13,900.00		<b>Total Park Transfer</b>		

Adopted this 22nd day of December 2005.

NAY

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AYE

*Angel Seikman*  
*Mike Padgett*  
*[Signature]*

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\_\_\_\_\_  
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John J. Clark  
Carl E. Brown  
Stephanie Scott

Rae Baker Gipson

Attest: Rae Baker Gipson  
Clerk Treasurer

William A. Marksberry  
William A. Marksberry, Mayor

