

**SPECIAL CITY COUNCIL MEETING
CITY ADMINISTRATION OFFICES**

**JANUARY 20, 2005
7:00 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

Minutes of the December 9th meeting had been previously distributed to Council and Mayor Marksberry. After discussion a motion was made by Councilwoman Scott to accept the minutes of the December 9th meeting as written, 2nd by Councilman Brown; motion carried 5-0.

PETITIONS OR COMMENTS FROM CITIZENS

There was no one present with comments or petitions.

REPORTS OF COMMITTEES, BOARDS & DEPARTMENTS

RS POLICE DEPARTMENT

Chief of Police David Hewitt informed Mayor Marksberry and City Council he would like to block the parking spots in front of the Pendleton Building for “Red Hat Day” Saturday morning. It appears there will be 3 spots blocked and 2 will be handicapped. This will only be on Saturday morning. Mayor Marksberry and Council agreed this was appropriate for these festivities.

MAIN STREET

Tammy Elbright, Main Street Director was in attendance to address the Slum and Blight Resolution on Council’s agenda later in the meeting.

RISING SUN MEDICAL CENTER—CHERI HALL

Cheri Hall informed Council and Mayor Marksberry there will be a Women’s Health Fair on February 8th at Grand Victoria. Mayor Marksberry reported the center received 2 grants from the Regional Foundation for new doors and carpeting for the facility.

OLD BUSINESS

CITY POLICY

Mayor Marksberry and Council decided to address this issue at the end of the Agenda to allow others to avoid the bad weather/travel.

RIVER DAZE FESTIVAL—UPDATE

Mayor Marksberry addressed Council regarding the “Boat Show” to be held in Rising Sun in conjunction with the Grand Victoria on August 18-21. At the prior Council meeting Council had agreed to commit \$60,000 towards this community event. After discussion a motion was made by Councilman Siekman to commit \$150,000 (or an additional \$90,000) from Rising Sun Special Event Funding towards this effort, 2nd by Councilman Padgett; motion carried 5-0. Mayor Marksberry had requested Daryl Paddock with Grand Victoria to update Council on the community event. Paddock thanked the Mayor and Council for their participation with this effort. At this time entertainment is scheduled as Patty Lovelace on Friday night and Montgomery Gentry on Saturday night. It appears the entertainment will be held under the Riverfront pavilion—due to contract requirements of a solid stage with roofing. The cost of the stage is approximately \$15-20,000. There is current discussion regarding possible \$10 arm bands for the 4-day event to cover unforeseen costs and use as possible seed money for next year. According to Paddock the whole idea is to bring people downtown!! He invited everyone attend the next meeting scheduled for January 27th at 6:00 at the Grand Victoria Grand Theater.

RESOLUTION 2005-2 “ADDITIONAL APPROPRIATION 2005”

Clerk Gipson presented Mayor and Council with Resolution 2005-2 an Additional Appropriation for 2005 for approval. Clerk Gipson stated the Additional is based on percentage allocations and continuing 2004 and 2005 projects. She stated she had met with Mayor Marksberry and Project Manager Northcutt to review continuing and necessary projects for 2005. A breakdown of infrastructure and Council projects is included with the Additional. She further stated in concept if everything on the Additional is complete December 31, 2005—the City will have no funds remaining. Gipson stated she had not added a line for Library—Councilman Padgett, Councilman Siekman, and Mayor Marksberry attended the Library meeting on January 5th, but there were no County representatives in attendance. After further discussion a motion was made by Councilman Slack to approve Resolution 2005-2, 2nd by Councilwoman Scott; motion carried 5-0.

RESOLUTION 2005-3 “TRANSFER RESOLUTION”

Clerk Gipson presented Resolution 2005-3, “Transfer Resolution” for Council approval. According to Gipson a transfer is necessary for housekeeping in the 1000 categories of different departments. This will allow for payment of part time positions that were contracted services last year. After discussion a motion was made by Councilman Siekman to approve Resolution 2005-3, 2nd by Councilman Slack; motion carried 5-0.

RESOLUTION 2005-4 “RESOLUTION AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH COMMITMENT”

Mayor Marksberry presented Resolution 2005-4 “Resolution Authorizing the Submittal of the Transportation Enhancement Application and Local Match Commitment”. The grant application has been prepared by TPMA in conjunction with the EDC Implementation Grant. The application is for Phase 4 of the Riverfront Project and this

resolution requires the city commit 50% match towards this effort. After further discussion a motion was made by Councilwoman Scott to approve Resolution 2005-4, 2nd by Councilman Siekman; motion carried 5-0.

RESOLUTION 2005-5 “RESOLUTION DECLARING 214 MAIN STREET AS SLUM AND BLIGHT”

Mayor Marksberry presented Resolution 2005-5 to Council for approval. According to Main Street Director Tammy Elbright this resolution is necessary as a part of the grant application for CFF funds for the Presbyterian Church. The prior Resolution dated 1996 was outdated. After discussion a motion was made by Councilman Siekman to approve Resolution 2005-5, 2nd by Councilman Padgett; motion carried 5-0.

CLOTHING ALLOWANCE APPROVAL

Clerk Gipson requested Council’s pleasure regarding the monetary amount of clothing allowance due the Police Department for the 2005 year. Gipson stated she had researched the minutes and there was no dollar amount approved during budget discussions. Gipson stated Hewitt had presented information of the additional cost of uniforms during these budget discussions. Hewitt stated he had allotted for an \$800 clothing allowance per officer for 2005. Gipson stated from 2001-2004 the clothing allowance had been \$450, which is the amount the Street Employees received. After further discussion a motion was made by Councilman Slack to approve the Police Department clothing allowance for 2005 in the amount of \$800, 2nd by Councilman Siekman; motion carried 5-0.

COUNCIL RULES OF PROCEDURE

Mayor Marksberry informed Council this document had been disbursed to Council for review and comment in December. It includes process to follow in the Mayor’s absence laying out who is responsible for what tasks. Marksberry stated it gives more teeth in operations within the city. Marksberry stated he would like to present this for first reading at the February meeting.

CITY POLICY—STEVE DUE-BINGHAM MCHALE

Clerk Gipson informed Council she had spoken with Steve Due from Bingham McHale earlier in the day. Gipson stated Mr. Due felt Council was very close to tying the policy together. He questioned prior discussion that he prepare a summary letter for Council of remaining items to be addressed. According to Due with the discussions had on January 18th he was not sure this was necessary and would probably add \$4-5,000 to our cost. Further stating the remaining items are Council decisions and the City Attorney is quite competent to review the Fleet Vehicle Policy and Drug Testing Policy. He proposed Council address four issues this evening for addition or deletion in the Employee Handbook. The Mayor and Council discussed and agreed on the following items:

- Comp Time taken in December—According to Bingham McHale this does not need to be addressed in the Policy. The Mayor or Board of Works can address this in a meeting if their pleasure by directing the Superintendent that no more than 2 people within the department should be scheduled off at the same time.
- Vacation hours for civilian employees equals 40 hours per week
Vacation hours for Police equals 42 hours per week
- Reflect current “Sick and Personal Days” become “Paid Time Off” and calculate into hours. Civilian employees receive 72 hours per year accumulated at 6 hours per month. Police receive 96 hours per year accumulated at 8 hours per month.
- PTO can be taken in minimum increments of 1 hour approved by the department head.

According to Gipson the issue Bingham McHale stated would still need research is the vacation accrual—yearly, monthly, and anniversary. Attorney Siekman stated the entire policy will be adopted by Ordinance retroactive to January 1.

Clerk Gipson requested action on the pay request from former Officer Keith Clapp. After further discussion a motion was made by Councilman Slack to approve requested payment for Keith Clapp for 84 vacation hours and 66 sick hours, 2nd by Councilwoman Scott; motion carried 5-0.

MISCELLENEOUS

Clerk Gipson presented a Thank You card to the Mayor and City Council for the Christmas compensation and party. Mayor Marksberry presented a Thank You from the Ohio County Community Foundation for the continued financial support.

Mayor Marksberry informed Council a grant application requesting \$25,000 had been submitted to the RS Regional Foundation for the Restroom Project on Main Street. According to an Engineers estimate from ACE the project is an approximate \$135,000 cost including engineering and design. Marksberry requested approval to proceed with the ACE contract for design and engineering of this project in the amount of \$25,690. If this grant request is awarded in March we could proceed with project in late April and hopefully be complete by the first of August. After further discussion a motion was made by Councilman Siekman to approve the ACE contract for this project in the amount of \$25,690; 2nd by Councilman Padgett; motion carried 5-0.

Attorney Siekman informed the Mayor and Council he had made Council’s requested changes in the discussed Ordinance regulating Boat Dock rules. He had presented the changes to the Port Authority and they were approved by the Board. After further

discussion it was determined these rules will be presented as an Ordinance for first reading at the February Council meeting.

Mayor Marksberry presented information on “America in Bloom”—a community wide competition of clean up and landscaping. The membership cost is \$600 and there are 8 categories to be judged. According to information 2 judges will be sent to Rising Sun in June or July—we will be responsible for their housing costs while they are in town. Council agreed to participate if there were funds within the current budget to cover this cost.

Mayor Marksberry informed Council in the past few years 2 local quotes have been obtained for the hanging baskets on Main and Walnut Streets. It appears the Apline Greenhouse, where we have purchased hanging baskets in the past few years, has lost their ability to give a quote this year due to the extreme weather. After further discussion a motion was made by Councilman Brown to allow Mayor Marksberry to proceed with the hanging baskets through Neaman Floral, 2nd by Councilman Siekman; motion carried 5-0. Tammy Elbright informed the Mayor and Council she had a downtown merchant that was interested in getting involved with the hanging baskets this year as well.

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

Attest:

Rae Baker Gipson,
Clerk Treasurer

William A. Marksberry,
Mayor

2005 INFRASTRUCTURE RIVERBOAT BUDGET	
PROJECT	APPROPRIATION
RESTROOM DEVELOPMENT	100,000.00
DRAINAGE BURGESS/SUNSET	150,000.00
MULBERRY & HIGH ST DRAINAGE & PAVING	600,000.00
LANDSCAPING	20,000.00
STREET SIGNAGE	10,000.00
STREET PAVING	100,000.00
FOURTH STREET PAVING HENRIETTA-ELM	100,000.00
DRAINAGE IMPROVEMENTS	40,000.00
SIDEWALKS & CURBS	25,000.00
EQUIPMENT	50,000.00
RIVERFRONT MAINTENANCE & SUPPLIES	50,000.00
ADDITIONAL LIGHTING	25,000.00
FOURTH STREET FRONT TO WALNUT	150,000.00
FLOWERS/BEAUTIFICATION	5,000.00
SPECIAL PROJECTS	352,500.00
TOTAL INFRASTRUCTURE	1,777,500.00

COUNCIL RIVERBOAT BUDGET 2005

PROJECT	APPROPRIATION
COUNTY REVENUE SHARING	2,000,000.00
REVENUE SHARING FUND	1,500,000.00
MISCELLANEOUS SERVICES	15,000.00
LEGAL	15,000.00
PROMOTIONAL FUND	15,000.00
CONTRACTUAL SERVICES	75,000.00
RIVERBOAT DISPATCHERS	15,000.00
CHRISTMAS DECORATIONS/LIGHTS	15,000.00
CITY OF RISING SUN SPECIAL EVENT FUNDING	200,000.00
GENERAL FUND TRANSFERS	1,318,210.00
HISTORICAL SOCIETY	15,000.00
MEDICAL CENTER	225,000.00
PURCHASE OF PROPERTY	100,000.00
MISCELLANEOUS EQUIPMENT	20,000.00
CITY HALL	20,000.00
CITY WASTE	75,000.00
GRANT MATCH TE 21 FUNDS	500,000.00
HIGHWAY REPAYMENT	195,557.15
RIVERFRONT DEVELOPMENT PHASE 3B	900,000.00
RIVERFRONT DEVELOPMENT PHASE 4A	600,000.00
RIVERFRONT DEVELOPMENT PHASE 4B	500,000.00
RIVERFRONT DOCKS	100,000.00
GRANT MATCH FUNDS	60,000.00
PRESBYTERIAN CHURCH GRANT MATCH	660,000.00
PARK GRANT MATCHING FUNDS--TENNIS CTS	50,000.00
COMMUNITY EXERCISE FACILITY RESEARCH	25,000.00
COMMUNITY DEVELOPMENT	2,000,000.00
WWTP SET ASIDE	1,000,000.00
SPECIAL PROJECTS	1,258,732.85
TOTAL	13,472,500.00

RESOLUTION 2005- 3

**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 TO 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:

Economic Development Fund

\$ 50,000	From	EDC 218650391 Contract Svcs	To	EDC 218650411 Purch of Property
\$ 11,047	From	EDC 218650392 Misc Svcs	To	EDC 218650411 Purch of Property
\$ 1,500	From	EDC 218650391 Cont Svcs	To	EDC 218650112 Secretary Minutes
\$ 115	From	EDC 218650391 Cont Svcs	To	EDC 218650121 Fica
\$ 20	From	EDC 218650391 Cont Svcs	To	EDC 218650124 Unemployment
\$62,682.00		Total EDC Transfer		

**General Fund
Mayor**

\$ 10,000	From	Deputy Mayor 101001114	To	101001331 Public Relations
\$10,000.00		Total Mayor Transfer		

Council

\$ 10,000	From	Cleaning Svcs 101003314	To	101003114 Janitorial City Hall
\$10,000.00		Total Council Transfer		

Cemetery

\$ 11,687	From	101544311 Mowing Contract	To	101544111 Cemetery Grndskeeper
\$ 900.00	From	101544431 Building Upgrades	To	101544121 Fica
\$ 150.00	From	101544351 Electric	To	101544122 Unemployment
\$12,737.00		Total Cemetery		


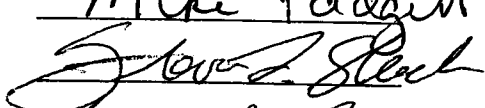
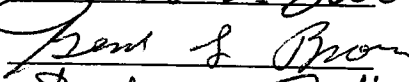
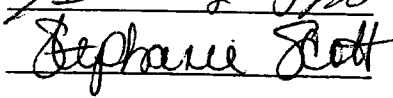
Park Fund

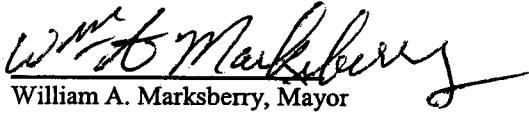
\$ 5,000	From	204500391 Contract Svcs	To	204500112 Janitorial Sr. Bldg
\$ 750	From	204500391 Contract Svcs	To	204500113 Park Secretary Minutes
\$ 440	From	204500391 Contract Svcs	To	204500121 Fica
\$ 85	From	204500391 Contract Svcs	To	204500122 Unemployment
\$6,275.00		Total Park Transfer		

Adopted this 20th day of January 2005.

NAY

AYE


 Mike Padgett

 Steve Stahl

 Ben & Bron

 Stephanie Cott


 William A. Marksberry, Mayor


 Attest: Rae Baker Gipson
 Clerk Treasurer

RESOLUTION 2005-04

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RISING SUN, INDIANA,
AUTHORIZING THE SUBMITTAL OF THE TRANSPORTATION ENHANCEMENT
APPLICATION AND LOCAL MATCH COMMITMENT


WHEREAS, the City of Rising Sun, Indiana is responsible for the development plan for the Riverfront including pedestrian access; and

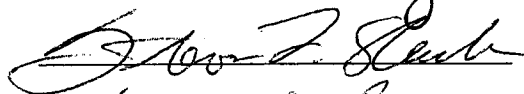
WHEREAS, the City of Rising Sun is commencing the construction of the Riverfront project and walkway; and

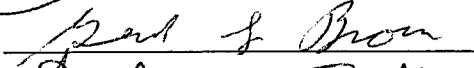
WHEREAS, it is a priority of the City of Rising Sun to complete the Riverfront project.

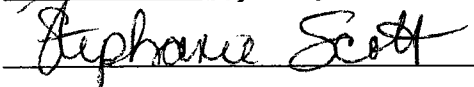
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rising Sun, Indiana that the Council approves and supports the submission of the Transportation Enhancement grant application and commits from the Riverboat Fund Fifty Percent (50%) funding towards the project as match for this grant application contingent upon approval of the application.

AYE




Mike Padgett


Steve Z. Clark


Paul J. Brown


Stephanie Scott

NAY



ADOPTED THIS 20th day of January 2005.

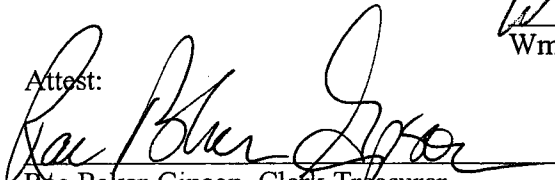
City of Rising Sun, Indiana

By:



Wm A. Marksberry, Mayor

Attest:



Rae Baker-Gipson, Clerk-Treasurer

**A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF RISING SUN, RISING SUN, INDIANA
REGARDING SLUM AND BLIGHT**

WHEREAS the City of Rising Sun Redevelopment Commission desires to eliminate slum and blighted areas within the corporate limits of Rising Sun, Indiana, and specifically the property located at 214 Main St. – downtown Rising Sun, All that certain part of Lot Numbered Sixty (60) in the Town of Rising Sun, Ohio County, Indiana, now and designated on the general plan of said Town by the following description, Commencing on Third Street at the corner of said In Lot formed by the junction of said street with alley and running thence with said Street in the direction to the Ohio River fifty (50) feet; thence at a right angle across said lot sixty-six (66) feet; thence at a right angle to the alley; thence with the alley to the place of beginning being all of the real estate described in that certain deed of conveyance from John T. Austin to P.P. Baldwin, John Larew, A.C. Papes, T. Haines and M. Haines, Trustees of the Presbyterian Society of Rising Sun, Indiana which deed was dated March 27, 1833, and recorded July 26, 1833, in the office of the Recorder of Ohio County, State of Indiana.


A part of the In Lot Numbers Fifty-Nine(59) and Sixty(60) of the original Plat of the Town, now City of Rising Sun, Indiana, bounded as follows: beginning at a point on the North side of Main Street, in the City of Rising Sun, Indiana 51 ½ feet from the East line of the alley between Poplar and Walnut Streets in said City; thence in a Northerly direction parallel with said alley, 66 ½ feet; thence in a Westerly direction parallel with said Main Street, a distance of approximately 6 ½ feet to the East line of the present Presbyterian Church lot; thence in a Southerly direction parallel with said alley, 66 ½ feet to the North side of said Main Street; thence in a Easterly direction along said Main Street to the place of beginning and

WHEREAS, identifying and improving such properties are necessary for the continued preservation and revitalization of downtown Rising Sun, Indiana and aid in the elimination of slum and blighted conditions; and

WHEREAS, the City of Rising Sun, Indiana has seen an influx of investments on historic properties, evidence of disinvestments still remain as evidence in broken or boarded windows, vandalism, growth of vegetation and presence of litter in and around certain properties; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA, that the City of Rising Sun, Indiana regarding the property located at 214 Main Street, in the City of Rising Sun, Indiana, hereby be designated as slum/blighted as described by Indiana Code 36-7-1.

DULY ADOPTED by the Common Council of the City of Rising Sun, Indiana this 20th day of January, 2005.


William Marksberry – Honorable Mayor
City of Rising Sun

(SEAL)

ATTEST:


Clerk Treasurer

Presented by me to the Mayor of the City of Rising Sun, Indiana on this 6th day of January 2005.