

**CITY COUNCIL MEETING
CITY ADMINISTRATION OFFICES**

**JANUARY 6, 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

Clerk Gipson presented minutes of the December 9th Council meeting to the Mayor and Council. These will be addressed at the January 20th Council meeting to allow everyone adequate time for review.

REPORTS OF COMMITTEES, BOARDS & DEPARTMENTS

RS POLICE DEPARTMENT

Chief of Police David Hewitt presented 2004 Annual Reports to the Mayor and Council. He informed Council and Mayor Marksberry he will be at the annual Police Chief conference and unable to attend the February Council meeting—but he will have an officer present. Hewitt also requested to use the Arnold's Creek boat ramp for EVOC training on January 27th. Council had no problem with using the boat ramp for the training purposes but directed him to check with the Park Board as well.

MAIN STREET

Tammy Elbright, Main Street Director updated the Mayor and Council on monthly activities. She stated 2 grants were received from the RS Regional Foundation in the last grant round. One was received for \$10,200 for National Registry acquisition and one was received for \$50,000 as match for the Presbyterian Church CFF Grant. Elbright also passed around historic plaques for the Empire House and Lois Mora's home—the old Post Office. These are the first 2 historic plaques and according to Elbright they plan to proceed with this project and take additional applications in the Spring.

OHIO COUNTY COMMUNITY FOUNDATION

Peg Dixon Director of the Ohio County Community Foundation informed Council and Mayor Marksberry there will be a meeting at 6:00 January 19th in the conference room at City Hall to continue to work on CAPE funds available through Lily. She welcomed everyone to be a part of this process. Mayor Marksberry has been working with the group in achieving these goals.

MAYOR'S YOUTH COUNCIL--REPORT

Abbey Gipson and Karrie Ferrick reported to Council on the past month activities of the Mayor's Youth Council. The group has been working closely with student Council and the Mayor. They informed Council there will be a meeting at 11:00 January 15th to set up By-Laws and begin planning for projects.

PETITIONS OR COMMENTS FROM CITIZENS

There was no one present with comments or petitions.

NEW BUSINESS

2005 COUNCIL PRESIDENT PRO-TEM

Mayor Marksberry requested Council's pleasure or a nomination for 2005 Council President Pro-Tem. After discussion a motion was made by Councilwoman Scott to nominate Councilman Padgett as 2005 Council President Pro-Tem. The nomination was 2nd by Councilman Siekman; motion carried.

COUNCIL RULES OF PROCEDURE

Mayor Marksberry informed Council this had been prepared for Council to review at their leisure. It included process to follow in the Mayor's absence laying out who was responsible for what tasks. Marksberry stated this is just a discussion item for Council's review.

ECONOMIC DEVELOPMENT COMMISSION

Mayor Marksberry and Tammy Elbright informed Council that the Economic Development Commission was holding a Community Meeting January 14th from 4:30-7:00 to give an update on projects. Council was also given a draft of Business Park Development Guide for RSOC to review. It was stated this guide is in the very beginning stages.

SPECIAL EVENT FUNDING GRANT REPORT –CARRIAGE RIDES

Tammy Elbright reported to the Mayor and Council on the Special Event funding for the Home for the Holidays and Carriage Rides in December. She thanked everyone for all their support during the Christmas season and stated the downtown had good business the last few weeks before the holidays.

RESOLUTION 2005-1 “COMMITMENT PRESBYTERIAN CHURCH/CFE GRANT”

Mayor Marksberry presented Resolution 2005-1 “Funding Commitment to the Presbyterian Church Project—CFE Grant Application” to Council. According to Main Street Director Tammy Elbright the funding commitment is \$660,000 from the City and \$50,000 from the RS Regional Foundation which was approved at their meeting in

December. After discussion a motion was made by Councilwoman Scott to approve Resolution 2005-1, 2nd by Councilman Slack; motion carried 5-0.

CONTRACT/EMPLOYEE/CEMETERY BUDGET/NORMAN STEGEMILLER

According to Clerk Gipson this past year a random audit was performed by the Indiana Department of Workforce Development. Several of the contractual services were determined by the "Department" to be part time employee's not contractual service providers or businesses. Attorney Siekman stated there is a list of things that determine if one is a part time employee vs. a business. One of the major issues is liability. As a contracted service it would be necessary for the contractor to provide a certificate of insurance to the City. Otherwise this becomes a part time or seasonal employee. After further discussion it was determined this would be a seasonal part time position as the Cemetery Groundskeeper and would be paid the annual salary from April through October.

ORDINANCE 2004-19 SECOND READING " INVESTMENT OF COMMUNITY DEVELOPMENT FUNDS"

The second reading of Ordinance 2004-19 "Investment of Community Development Funds" was held. According to Clerk Gipson the funds are available for this effort. After discussion a motion was made by Councilman Slack to approve Ordinance 2004-19, 2nd by Councilman Padgett; motion carried 4-0 with Councilwoman Scott abstaining.

2005 MEETING DATES AND TIME

Mayor Marksberry requested Council's pleasure for the 2005 meeting dates and times. After discussion it was the consensus of Council regular council meetings would remain the 1st Thursday of the month but the time would be changed to 7:00 pm.

EMPLOYEE SICK AND VACATION PAY

Clerk Gipson informed the Council with Officer Clapp's recent resignation a request has been made for sick and vacation pay. A determination needs to be made regarding the hours vs. days issue within the current policy in reference to the Police Department. According to Gipson the request was for 84 hours vacation and 66 hours sick time. Gipson stated the request was submitted with the payroll and she informed Chief Hewitt that a decision had never been made on this and it would have to go before Council for approval. There was discussion about the police department working a 12 hour day—if they should receive 12 hours as a sick day or 8 hours as other civilian employees. It was also discussed that the Police Department and Civilian Employee Policies were different. Clerk Gipson stated the information or draft policies from Bingham McHale distributed to Council in October or November separated the civilian policy and Police SOP's. After further discussion it was determined to contact Bingham McHale and request a meeting with Department Heads and available Council members. This can be reviewed at the January 20th meeting.

ALCHOLIC BEVERAGE COMMISSION—APPOINTMENT

Mayor Marksberry informed Council he had spoken with Gary Brett and he was willing to continue on this commission. After discussion a motion was made by Councilman Slack to reappoint Gary Brett to this commission, 2nd by Councilman Brown; motion carried 5-0.

MISCELLENEOUS

Mayor Marksberry requested Council's approval to proceed with a grant application 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. After discussion a motion was made by Councilwoman Scott to approve proceeding with this grant application, 2nd by Councilman Siekman; motion carried 5-0.

Project Manager Northcutt informed Council the damage to the roof at city hall from the ice and snow had been turned into the insurance company. A call had been received informing that the repair would be covered with the exception of a \$250 deductible. Northcutt and Mayor Marksberry plan to proceed with quotes for ice guards to keep damage from occurring again.

Councilman Slack questioned Council's opinion regarding the boat ramp---and rules and regulations for parking and storing boats longer than 24 hours? Attorney Siekman stated the Port Authority drafted an Ordinance to address these issues. He will pull these and get to the Council for their review.

Clerk Gipson presented Council with the Additional Appropriation Resolution to be addressed at the January 20th Council meeting. 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. According to Gipson this breakdown is only a guideline and Council can change, add or delete items or projects.

Clerk Gipson also presented a schedule of cleaning duties for the Rising Sun City Building. With this becoming a part time position within the City these parameters have been established as "Cleaning Duties". Attached Exhibit A. In the past this service was contracted out with services established within the contract.

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

Attest:

Rae Baker Gipson,
Clerk Treasurer

William A. Marksberry,
Mayor

Cleaning Duties for the Rising Sun City Building

Upstairs conference room – Vacuum once a week and then as needed after each meeting. Dust tables and chairs as needed. Clean sink and counter tops.

Front Lobby – Completely clean. Vacuum, mop, and clean table once a week. Then as needed for the rest of the week. Usually 2-3 times, according to the weather. Clean door, clean windows.

All offices – Vacuum completely each week and then spot vacuum as needed. Empty trash and recyclable once a week and then as needed. Dust as needed. Clean tops of desks in utility and city offices. Clean window frames once a month or as needed. Wipe down file cabinets as needed

Work room – Vacuum, empty recyclable, wipe down counters.

Hallways – Vacuum and clean edges once a week and vacuum high traffic areas as needed.

Bathrooms – Completely clean. Check three times a week. Refill toilet paper and paper towels. Clean any messes.

Kitchen – Completely clean. Check three times a week. Clean any messes. Check trash, empty as needed.

Downstairs – Completely clean. Vacuum, empty trash, and recyclable, and dust.

Stairs – Sweep, vacuum, and mop once a week, and then as needed the rest of the week. Clean door windows.

Payment is based on 15 hours per week, services divided between the Law Enforcement Building and the City Administration Building @ 11.20 per hour as approved in Salary Ordinance 2004-6: Janitorial City Hall.

**RESOLUTION AUTHORIZING APPLICATION SUBMISSION
AND LOCAL MATCH COMMITMENT**

**RESOLUTION OF THE RISING SUN CITY COUNCIL OF RISING SUN, INDIANA,
AUTHORIZING THE LOCAL MATCH
OF THE CDBG COMMUNITY FOCUS FUND GRANT APPLICATION TO THE INDIANA
DEPARTMENT OF COMMERCE AND ADDRESSING
RELATED MATTERS**

WHEREAS, the City of Rising Sun recognizes the need to stimulate growth and to maintain a sound economy within its jurisdiction; and


WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Department of Commerce to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and

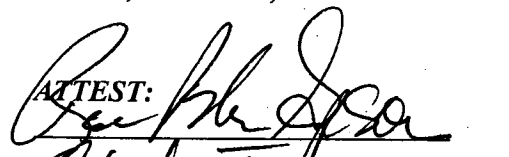
WHEREAS, the City of Rising Sun and the Ohio County Commissioners conducted a public hearing prior to the submission of an application to the Indiana Department of Commerce, said public hearing to assess the housing, public facilities and economic needs of its low and moderate income residents;

NOW THEREFORE, BE IT RESOLVED by The Rising Sun City Council of Rising Sun, Indiana that:

1. The Mayor of Rising Sun is authorized to commit the local match and assist with the submission of an application for grant funding to address the rehabilitation and renovation of the historic First Presbyterian Church into a community facility to serve residents in and around Ohio County and Rising Sun, Indiana pursuant to regulations of the Indiana Department of Commerce and the United States Department of Housing and Urban Development.
2. The Rising Sun City Council of Rising Sun, Indiana hereby commits the requisite local funds in an amount not to exceed seven hundred ten thousand dollars - \$710,000.00 in the form of funds provided by the City of Rising Sun to be used as matching funds for said program, such commitment to be contingent upon receipt of funding from the Indiana Department of Commerce.

**ADOPTED BY THE RISING SUN CITY COUNCIL OF RISING SUN, INDIANA, THIS 6TH DAY
OF JANUARY, 2005 AT 7:00 p.m. Eastern Standard Time.**


William Marksberry, Mayor
City of Rising Sun

ATTEST:

Clerk/Treasurer

ORDINANCE OF CITY COUNCIL OF CITY OF RISING SUN, INDIANA

(To Exercise Home Rule Power and Pay \$220,000 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 Two Hundred Twenty Thousand (\$220,000.00) 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 Two Hundred Twenty Thousand (\$220,000.00) 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

6th Jan 2005 (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

Gene Siekman
Gene Siekman, City Council

Presented to the City Executive, Mayor William A. Marksberry, on the

Jan 6 2005 (Date) at 8:50 pm (Time)

Dated: 1/6/05

Rae Baker Gipson
Clerk Treasurer, Rae Baker Gipson

ACTION BY CITY EXECUTIVE

Action: Passed

Date: 1-6-05

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

ADDITIONAL APPROPRIATION RESOLUTION 2005- 2

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:


Section 1. Be it resolved by the Common Council of the City of Rising Sun, Ohio County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the fund named and for the purposes specified, subject to the laws governing the same:

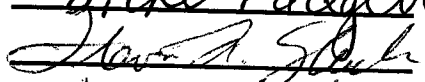
Revenue Sharing Fund	\$1,500,000.00
Riverboat Fund	
Redevelopment	\$11,250.00
Police	\$157,500.00
School	\$450,000.00
Park	\$157,500.00
Port Authority	\$11,250.00
Fire Department	\$90,000.00
Life Squad	\$90,000.00
Communications	\$67,500.00
Library	\$45,000.00
Medical Center	\$225,000.00
Infrastructure	\$1,777,500.00
Utilities	\$670,000.00
County Revenue Sharing	\$2,000,000.00
Special Needs	\$5,747,500.00
Community Development Fund	\$2,000,000.00
Riverfront Development	\$2,000,000.00
Total Riverboat	\$17,000,000.00
Park Fund	
1000 Personal Services	\$43,652.00
2000 Supplies	\$15,000.00
3000 Other Services and Charges	\$67,500.00
4000 Capital Outlays	\$86,000.00
Total Park	\$215,152.00
Economic Development	
1000 Personal Services	\$0.00
2000 Supplies	\$250.00
3000 Other Services and Charges	\$121,750.00
4000 Capital Outlays	\$58,000.00
Total Economic Development	\$180,000.00
Total Additional Appropriation	\$17,395,152.00


Adopted this 6th day of January, 2005

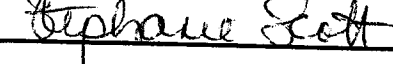
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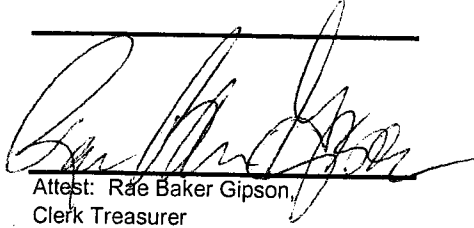


 Mike Padgett


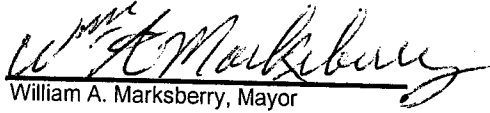
 Steve A. Goble


 Gene S. Brown


 Stephanie Scott



 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