

**CITY COUNCIL MEETING  
JANUARY 5, 2006  
7:00 PM  
CITY ADMINISTRATION OFFICES**

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

**MINUTE APPROVAL**

Minutes of the December 22<sup>nd</sup> Council meeting had been previously distributed to the Council and Mayor Marksberry. After discussion a motion was made by Councilman Slack to approve the December 22<sup>nd</sup> Council minutes, 2<sup>nd</sup> by Councilwoman Scott; motion carried 4-0.

**REPORTS OF COMMITTEES, BOARDS & DEPARTMENTS**

**TOURISM**

Tourism Director, Sherry Timms gave a 2005 Budget report to the Mayor and Council. Timms also informed all of the Wine Trail Event which includes the surrounding counties of Ripley, Dearborn, Jefferson, and Switzerland. Timms stated she is using the focus of having a Wine Shop and Arts in Ohio County as a draw to increase stays and visits to bed & breakfast and ultimately to increase sales. The Wine Trail Event will be a feature in the Midwest Living Magazine. Tourism is changing advertising approach to more of a concierge style for personal service. Billboards will be placed in Lawrenceburg, Aurora, and Northern Kentucky. Tourism would like to partner with City of Rising Sun to bring in four concerts on riverfront during the summer. Sherry will come back next month with a proposal. Mayor Marksberry questioned the Tourism Budget estimates for the 2006 year. Sherry explained the 2006 Tourism Budget would be less than anticipated--from \$465,000 to \$400,000 due to a smaller carryover to 2006 than in past years. The carryover has been up to \$100,000 in past years and is currently at \$35,000.

**RS POLICE DEPARTMENT**

Chief David Hewitt was in attendance but had nothing to report.

**MAIN STREET**

Tammy Elbright, Main Street Director had submitted the completed grant report for Carraige Rides during Home for the Holidays. The grant funds were at an amount of \$1,500.00 and was successful again this year. Tammy approached Council about re-submitting a grant application to the Rising Sun Regional Foundation for a new sound system for Main St. and the riverfront. The City applied to the RSRF previously for this sound system and the application was denied.

Elbright proposed to reapply for funds for this project with a 50/50 Match. The former request was \$88,918. The new request would be for \$95,621 based on a 60 month agreement at a cost of \$175.00 monthly maintenance included in the above \$95,621 amount. Councilman Padgett questioned if there had been any cost comparisons or additional quotes requested? Councilman Slack echoed Padgett's question. After further discussion Council requested Elbright acquire additional quotes for this work before proceeding with the grant request.

Elbright informed all present that the RSOC Chamber and the Historic Downtown Main St. are having a First Annual Joint Meeting on January 12<sup>th</sup> which includes dinner. A letter has been sent to locals regarding getting involved in 2006. On March 9<sup>th</sup> SBA will hold a Regional Workshop on Minority Businesses. This will be held at Grand Victoria. Elbright spoke about a Leadership Lab that will be held in January. She also reported that Bruce Goetzman is working on a proposal for the Presbyterian Church on Main St.

#### **PROJECT MANAGER—MIKE NORTHCUTT**

Northcutt requested retainage be released to Sunesis Construction Company on the Riverfront Phase 3B project. He recommended to council to retain \$6,000.00 from the final draw of \$71,835.20 to address remaining Phase 3B issues including the "tree" pump. After further discussion Councilwoman Scott motioned to release \$65,835.20 to Sunesis Construction Company for work performed on the Riverfront Phase 3B project and retain \$6,000.00 to address work yet to be performed, 2<sup>nd</sup> by Councilman Slack; motion carried 4-0.

#### **ECONOMIC DEVELOPMENT COMMISSION**

Trey Clifton reported that EDC had received a check from the Rising Sun Regional Foundation for \$47,500.00 for Business Park Infrastructure. He told Mayor and Council about web site—risingsunworks.com being able to be linked to all other business and economic development sites here in Rising Sun. He inquired to the Mayor about a web site geared towards City Government. Trey informed council that the wireless internet was being looked at by a number of non-profit organizations asking for the lowest commercial rate they could get. Currently commercial rate is \$50.00 monthly and residential rate is \$35.00. Clifton requested Council consider non-profits qualify for the residential rate of \$35.00 monthly. City Attorney, Lane Siekman advised Council to pass a resolution on rate change for non-profits at a residential rate. Councilman Slack motioned to approve Resolution 2006-1 to give the Mayor and Utility Superintendent to make an internal policy decision regarding a non-profit rate request, 2<sup>nd</sup> by Councilwoman Scott; motion carried 4-0.

## **OHIO COUNTY COMMUNITY FOUNDATION**

Peg Dixon Director of the Ohio County Community Foundation present with nothing to report.

## **RIVER DAYS COMMITTEE**

Clerk Gipson had included the 2005 Rising Sun River Days report in the Council and Mayor meeting folders. Monte Denbo represented the River Days Committee and expressed the positive momentum and interest that came out of River Days 2005. He informed the Mayor and Council the River Days Committee will be attending the February meeting to request funding for 2006. He commented that the Food Court was being considered as a draw to Main St. for River Days 2006. He has been working with Mike Northcutt and knows that there's a shortage of water and electric on Main Street. This year SOMTA will be having boats along city streets and the riverfront. There are plans for a boat poker run and upper level entertainment.

## **PETITIONS OR COMMENTS FROM CITIZENS**

There was no one present with comments or petitions.

## **UNFINISHED BUSINESS**

Northcutt presented a contract with the Survey Company for the design and engineering of Riverfront Phase 4 A & B in the amount of \$90,100 including a \$15,000 contingency. This information had been previously distributed to Council for review. Work included in the contract is as follows: Topographic and Control Surveying Work, Phase 4-A Retaining Wall Revisions, Phase 4-B Site Engineering Work, Phase 4-B Structural Engineering Work, Construction Cost Estimate, Specifications, and Bid Document Preparation, Landscape Design Construction Drawing Drafting, NEPA Process Document Preparation, Construction Permit Revisions, and Contingency for Design Revisions. It was discussed that construction for the section of the riverfront (4A & B) will be delayed by the TE Grant process. It was also discussed that proceeding with Phase 5 of the Riverfront would be the right thing to do.

Northcutt also presented a contract with the Survey Company for the design and engineering of Riverfront Phase 5 in the amount of \$29,000. This information had also been previously distributed to Council for review. Work included in the contract is as follows: Title Sheet, Existing Topographic Plan, Site Grading Plan, Retaining Wall Layout Plan & Elevations, Storm Water Pollution Prevention Plan and Details, Retaining Wall Structural Details and Notes, Lighting Plan and Details, Site Details and Notes, Retaining Wall and Slope Stability Design Calculations, Erosion and Sediment Control Design Calculations, Construction Cost Estimate, Construction Specifications, Bid Document, COE Individual

Permit Applications and Attachments, IDNR Permit Application and Attachments. After further discussion, Councilman Slack motioned to accept proposal on Phase 4 A & B for \$90,100 with a \$15,000 contingency and Gerald Brown seconded; motion carried 4-0. Councilwoman Scott motioned to accept proposal Phase 5 for \$29,000 and Councilman Padgett seconded; motion carried.

#### **EMPLOYEE HANDBOOK POLICY PAGES 17-19 (BECOMES 16-20)**

Attorney Siekman stated at the prior Council meeting it was apparent Council did not want many substantial changes made to the current policy. Siekman stated these proposed pages of this section of the policy have only defined certain policy areas more clearly. The proposed Policy Pages 17-19 which include employee sick, personal and vacation time are attached as Exhibit A. Siekman stated Council can review these sections, address any issues and possibly approve these pages at the Special Council Meeting at the end of this month. After discussion Council concurred and this item will be placed on the Special Council Meeting Agenda.

#### **APPOINTMENTS**

Mayor Bill Marksberry appointed Gerald Brown to the Board of Works for 2006.

#### **NEW BUSINESS**

Councilman Slack nominated Councilwoman Angel Siekman to the Appointment of President Pro Tem, 2<sup>nd</sup> by Councilwoman Scott; motion carried 4-0.

#### **GRANT REPORT—NIGHT MARE ON WALNUT STREET**

Bill Dichtl, Director of Historical Society thanked the Mayor and Council for their support in 2005. They had a goal of raising \$500 and hoped that at least 250 people would come and participate. The Event was a great success: they raised \$2,200 and had 761 people in attendance. There were approximately 75 volunteers for the 2005 event and planning is underway for the 2006 “Nightmare on Walnut Street”.

#### **ODDS & ENDS**

Mayor Markberry requested a Special Council Meeting be held on January 26, 2006 to address the 2006 Additional Appropriation. This has to be advertised in the paper 10 days prior to the special meeting. After discussion it was decided the Special Council Meeting would be held at 5:00 pm on January 26, 2006 after the Board of Works meeting.

Clerk Gipson discussed possible grant applications to the Rising Sun Regional Foundation. According to Gipson the IACT Leadership Conference will be held in Rising Sun at the Grand Victoria in late May.

Gipson plans to request funding for promotional items from the RSRF in this grant round. Gipson also discussed the OCCF Challenge Grants for Endowment Funds with a possible joint venture between the City of Rising Sun and the Rising Sun Regional Foundation. Jim Clements, RSRF Board of Director, was present and requested the Ohio County Community Foundation prepare a proposal showing how much new money would be generated if this were to become a reality.

Mayor Bill Marksberry discussed the 2006 "America in Bloom". He felt that 2005 was very successful in beautifying our community. The 2005 Budget was \$5,000 and he would like to see council consider \$10,000 for the 2006 budget. Paul Bovard and Jeff Kinnett were present to discuss maintenance issues and questioned if this project keeps growing from year to year, who is going to take care of it? David Hewitt inquired about hiring a maintenance person for the city to do odd jobs whether it be painting, fixing a furnace, electrical, plumbing, etc. Councilwoman Scott told group that her husband, Randy, used to do that for the Park Board. Council recommended to Mayor to bring back a quote and a committed person or group to do 2006 "America in Bloom".

Clerk Gipson passed out colored brochures as a sample from the City of Lawrenceburg for their report to their community.

Marksberry informed Council he is researching costs for Employee Badges for City Employees with an assigned number and picture ID for everyone.

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

Attest:

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Rae Baker Gipson,  
Clerk Treasurer

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William A. Marksberry,  
Mayor

Vacation leave will be granted at a time which is mutually acceptable to the employee and the Department Head. The person with the most longevity will be given preference. Please schedule your vacation as far in advance as possible. (Minimum of 5 days preferred)

Vacation time must be used during the calendar year and shall not be accrued unless approved as an "Exception to the Policy" by making a request in writing to his/her Department Head, who will present it to the Mayor and/or City Council for consideration.

Vacation pay is calculated at your regular hourly rate of pay at the time you take the vacation, multiplied by the number of hours of vacation you take. Vacation time must be taken in increments of at least one half day (4 hour period).

Upon termination of employment, the City of Rising Sun will pay an employee for all accrued but unused vacation time at his or her then-regular rate of pay. In the event of an employee's death, the City of Rising Sun may make such payment to an employee's widow, widower, or estate, as dictated by Indiana law. However any such payment of benefits for the current employment year will be prorated by the month of the employee's date of termination. For example a 5 year employee who terminates his or her employment in the second month will receive 2 months worth of vacation time at the rate of ten (10) hours per month or twenty (20) hours for that current year.

An employee's vacation leave should be considered as hours worked.

**SICK LEAVE**

Policy and Scope. The Rising Sun City Council recognizes the policy of the granting paid sick leave to its employees. This policy applies to all full-time employees.

**Administration of Sick Leave**

Sick leave is a privilege granted to an employee as a protection in the event the employee becomes ill and is unable to work.

Eligible civilian employees begin earning paid sick leave at the rate of four hours per month, beginning with the first completed calendar month following your date of employment. You may earn a maximum of 48 hours of sick leave in each 12-month period of employment.

**III. Benefits  
POLICY FOR COMPENSATED ABSENCES**

The Employer has established a variety of time off benefits to allow employees time off for relaxation, to perform civic duties, or perhaps to care for their own health needs or to care for a family member. In addition, the Employer offers eligible employees the opportunity for educational growth and advancement. The Employer may also sponsor health and life insurance benefits and retirement plans for employees.

**Exceptions to Policy** - in extenuating circumstances, employees have the right to make a request in writing to their Department Head, who will present it to the Mayor and/or City Council for consideration.

**Your Employer reserves the right to amend or terminate any of these benefits, or to require employee contributions toward any benefits, at the Employer's discretion.**

**VACATION LEAVE**

In the first month of employment or re-employment, an employee's start date will determine the amount of vacation, sick, and personal time accrued based on the following increments:

- Start date if 1<sup>st</sup> through 7<sup>th</sup> day of the month—full month credit
- Start date of 8<sup>th</sup> through 23<sup>rd</sup> day of the month—half-month credit
- Start date of 24<sup>th</sup> through end of the month—no credit

An employee will continue to accrue time off while on any paid leave of absence, but will not continue to accrue time off while on an unpaid leave of absence.

YEARS OF SERVICE	YOU WILL RECEIVE
AT LEAST 6 MONTHS BUT LESS THAN ONE YEAR	40 hours
AT LEAST 1 YEAR BUT LESS THAN 5 YEARS	80 hours
AT LEAST 5 YEARS BUT LESS THAN 11 YEARS	120 hours
AT LEAST 11 YEARS BUT LESS THAN 16 YEARS	160 hours
AT LEAST 16 YEARS BUT LESS THAN 20 YEARS	200 hours
OVER 20 YEARS	200 hours +8 hrs. for each additional year Over 20 years

## PAID HOLIDAYS

**Policy and scope.** The Rising Sun Board of Works and Rising Sun City Council designates certain days to be observed as paid holidays. This policy shall apply to all full-time employees. The following holidays are generally recognized by the City of Rising Sun as paid holidays:

New Year's Day	Martin Luther King, Jr. Day
President's Day	Good Friday
Monday after Easter	Memorial Day
Independence Day	Labor Day
Veterans' Day	Thanksgiving Day
Day after Thanksgiving	Christmas Eve
Christmas Day	New Year's Eve

If any holiday falls on a Sunday, the following Monday shall be the observed holiday. If any holiday falls on a Saturday, the preceding Friday shall be the observed holiday. In the event a holiday falls on a Sunday and Monday is also a holiday the following Tuesday shall be the observed holiday. This practice may be altered if designated differently by the Rising Sun Board of Works, Rising Sun City Council, or the Mayor prior to the holiday.

If a holiday occurs during your scheduled vacation, you will not be charged with using a vacation day on the holiday.

Holiday pay is calculated based on an employee's regular rate of pay and the number of hours he or she typically works on a regular workday, or at the discretion of the City Council. Holiday pay shall be at straight-time pay. If work is performed during a designated holiday the employee shall be paid at the double-time rate of pay for hours worked in addition to the holiday pay.

**Example:** An employee normally works 8 hours a day. The employee works 8 hours that holiday. The employee is paid 8 hours holiday pay and 8 hours double time.

## PERSONAL TIME OFF

Full-time Civilian employees are allowed sixteen hours off a year, from the start of employment. You must take personal time in minimum units of one-half day (4 hours).

Sick days may be taken according to the following limitations:

- Sick leave can only be used for personal illness or family illness, which absolutely necessitates the employee's absence from his or her duties. The employee, or someone on his or her behalf, shall notify the Department Head of the absence of the employee as soon as possible prior to the scheduled hours of work.
- The presentation of a physician's certification of illness will be required when three consecutive days or more sick leave are claimed.
- You may use your sick leave as you earn it. Sick leave must be taken in a minimum of Four (4) Hour increments.
- Sick leave may be accumulated up to 288 Hours. Only 240 Hours may be carried over to a new year. Sick days accumulated over 240 hours shall be paid to the employee at the employee's base rate before December 31<sup>st</sup> of the current year.
- Call ins must use a sick day. No comp time or vacation time can be used. Lost time will occur if no sick days are available.
- Sick leave pay for employees will be at the regular hourly rate. An employee's sick leave should be considered as hours worked.

Permanent records of accumulated, or absences of, sick benefits will be at the Clerk Treasurer's Office.

Employees who are sick during a normal work day will not be considered available for overtime hours during that same day. If the employee is off work on vacation, personal or comp time; overtime will be permitted. Example: Employee sick on Thursday; Thursday night it snows. This employee was too sick to be at work during normal working hours, and therefore should not be working overtime. Example: Employee takes a vacation day on Thursday; Thursday night it snows. This employee could be called in and paid overtime.

In the event the Employer has reason to believe that an active employee should be placed on medical leave or that an employee who requests or who is on unpaid medical leave of absence is not disabled, the Employer may request medical verification of the employee's ability to continue work or actual disability which prevents an employee from returning to work.

Personal time shall be scheduled through your Department Head. Unused personal time cannot be carried over from one fiscal year to the next. Unused Personal time may be converted to Sick time, but may not be used to help accumulate over 240 hours of Sick time. Employees, in good standing, terminating employment with the Employer are entitled to prorated pay for any unused personal time earned on a prorated basis.