

**CITY COUNCIL MEETING
CITY ADMINISTRATION OFFICES**

**FEBRUARY 3, 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 except Councilman Siekman. Clerk Gipson stated Councilman Siekman called stating he was ill and would not be in attendance.

MINUTE APPROVAL

Clerk Gipson had previously presented minutes of the December 29th, January 6th, and January 20th Council meetings to the Mayor and Council. Gipson stated she had included in council packets a correction to the January 6th Council minutes adding discussion on the last page previously left out regarding the janitorial position for city hall being a part time employee with duties as described. After discussion a motion was made by Councilwoman Scott to approve the minutes of the Council meetings on December 29th, January 6th with corrections and January 20th, 2nd by Councilman Brown; motion carried 4-0.

REPORTS OF COMMITTEES, BOARDS & DEPARTMENTS

MAIN STREET

Tammy Elbright, Main Street Director updated the Mayor and Council on monthly activities. She presented information on the upcoming Sweet Saturday to be held February 12, 2005. Elbright reported on the CFF grant application to the Department of Commerce (DOC) for renovation to the Presbyterian Church. Vicky Kellerman is no longer DOC District Director and has been replaced by Theresa Brading. According to Elbright the Southeastern Indiana Regional Plan Commission (SIRPC) continues to work with the State Historic Preservation Office (SHPO) to alleviate their issues/concerns. Elbright further stated SIRPC feels good about the grant application as submitted with the Memorandum of Agreement or SHPO concerns. A site visit by DOC will be held at 1:30 on March 1st to address this grant application. She welcomed everyone to attend the site visit at the Presbyterian Church.

RS POLICE DEPARTMENT

Wayne Siekman represented Chief of Police David Hewitt who was attending the annual Chief of Police Conference.

OHIO COUNTY COMMUNITY FOUNDATION

Peg Dickson Director of the Ohio County Community Foundation thanked the Mayor and Council for their continued financial support. She also informed all present the next CAPE meeting would be February 15th at 6:00 in the conference room at City Hall. There will be a presentation on broadband internet.

ECONOMIC DEVELOPMENT

Trey Clifton representing EDC addressed the Mayor and Council regarding a proposal from Mike Hayes for consulting services with EDC. The proposal for services includes continued lobbying for the Highway 56 project and infrastructure/land use issues with economic development growth. The proposal is in the amount of \$12,000 to be split between the City and County EDC. Clifton stated he had spoken with Kevin Jasinski with ACE Engineers who stated construction for the next phase of the Highway 56 project has already been pushed back a year. The City, County and Grand Victoria have already contributed \$6.5 million dollars towards this project. The construction costs are to be INDOT's portion. It is the concern of EDC that this project could disappear or be forgotten. According to Clifton, Hayes has been a part of this project for several years and his expertise is needed to protect our interest and to press forward with economic growth. Clifton stated the proposal will be addressed by the County at their next County Council meeting. Clerk Treasurer Gipson informed Council and Mayor Marksberry she has attended many INDOT meetings and the 56 project sometimes seems to be an invisible project and has been labeled by INDOT representatives as one of the "secret" projects. After discussion City Council tabled the proposal until the March meeting.

Ed Sullivan informed the Mayor and Council he felt the consulting proposal from Mike Hayes for Highway 56 and infrastructure/land use issues is extremely important for economic development.

Sullivan also reported to the Council and Mayor Marksberry regarding the TPMA and Economic Development activities throughout the last month.

- **Business Park**—The Rising Sun Ohio County Economic Development Commission (RSOCEDC) closed on the purchase transaction of the first five acres of the business park land on January 13th. There has been a meeting with an initial local business park tenant. TPMA plans to attend the RSOCEDC meeting on February 1st to address preparing a strategic plan for the business park to address issues such as land ownership, sales prices, incentive packages and a schematic drawing of a future business park.
- **Ivy Tech Satellite Facility**—There continues to be meetings with the Lawrenceburg Campus Ivy Tech representatives to explore a satellite facility in Rising Sun beginning in 2005.
- **Ferry Boat Service**—Contacts have been developed with interested parties who could assist in the process of a land lease and rezoning which have been the largest challenges for the ferry service.

- **Rising Sun River Days Boat Festival**—The festival is a joint project between the City of Rising Sun and Grand Victoria. The event is scheduled August 18-21 and includes a boat show put on by all of the major tri-state boat dealers. Boats will be displayed at the Grand Victoria parking lot and docked on the river. There will be 2 headline entertainers: Friday night will feature Patty Loveless and Saturday night will feature Montgomery Gentry. It is expected that 15-20,000 people could attend. Committees continue to be established to help with vendors, sponsors, parking, security etc.
- **Rising Sun Historic Downtown and RSOC Tourism**—Sullivan reported he had drafted a position paper in late December entitled “Analysis and Suggested Ideas for the Future Development of Downtown Rising Sun”. The paper has been widely distributed and will be the basis for a community discussion at the Historic Downtown meeting on February 22nd. The Rising Sun Regional Foundation has awarded a \$60,000 grant to the RSOC Tourism for implementation of the Game Day Communications (a PR firm) planning to market to the Cincinnati metro market.
- **RSOC EDC Open House**—An open house was held at the Senior Community Building on January 14th coordinated by TPMA. There were approximately 75 people in attendance and highlights of RSOCEDC achievements and continuing projects were discussed. A second event is planned for the spring of 2005.

PROJECT MANAGERS REPORT

See attached Exhibit A.

Project Manager Mike Northcutt presented information to the Mayor and Council regarding language for the extension of utilities that was never approved as an Ordinance in the City Code. See attached Exhibit B. Attorney Siekman stated Ordinance 2000-8 was presented to Council but never went past the first reading. The Ordinance stated if the City/Utilities provide utility services to a resident or developer outside the City limits the resident or developer waive the right to remonstrate to annexation. There was discussion that this was the only way to compensate for additional city and utility services and add to the tax base within the City. It was also stated this was a concern with potential impact within the newly acquired business park. After further discussion Council requested Attorney Siekman draft an Ordinance for these policy considerations as a first reading at the March Council meeting.

Northcutt also informed the Mayor and Council the Building Code Ordinance 2004-18 has been approved by signature by the State Building Commissioner and the Division of Code Enforcement. Attorney Siekman requested Clerk Gipson advertise the Ordinance as approved in the local paper.

Northcutt also informed Council he has been working with Muzak and Main Street Director Tammy Elbright on a proposal for a new sound system for Main and Front

Street. The current system could be utilized at the city pool. He will bring more information to Council as it is received. A grant application to the Regional Foundation could be submitted to aid in funding this project.

STEVE PATZ—SCHOOL FUNDING

Superintendent Steve Patz requested City assistance with costs of rubberized playground material in the amount of \$49,000. According to Patz the school recently received an indoor air quality report that made recommendation to improve immediate air quality issues at the school. This was an additional and immediate \$90,000 cost. See attached correspondence dated January 25 2005 from Steve Patz to Ed Sullivan, Executive Director of the Rising Sun Regional Foundation. Attached Exhibit C. Sullivan, who was in attendance stated the Regional Foundation Board had deferred action until they knew more about the issues. Councilwoman Scott questioned when the air quality process would be complete; and if this would be addressed in steps such as indoor and outdoor? It was stated both areas are being addressed now. Councilman Slack stated this is a City/County school and proposed to split the \$49,000 cost 50/50 with the County. After further discussion a motion was made by Councilman Slack to approve payment of one half of the \$49,000 cost of mulch with or without County participation, 2nd by Councilman Padgett; motion carried 4-0.

PETITIONS OR COMMENTS FROM CITIZENS

There was no one present with comments or petitions.

NEW BUSINESS

INFORMATION ON HOUSE BILL 1148

Trey Clifton, EDC President had previously distributed correspondence to Council regarding the proposed House Bill 1148. The proposed bill regulates broadband internet technology. Clifton requested Council and Mayor Marksberry to send a letter or make a call to our state representatives. Mayor Marksberry and Clifton also informed Council EDC is researching options for wireless internet. After further discussion it was determined that Clifton would make contact with the Director of High Speed Communications at the Department of Commerce to present information to Council at the March meeting.

SURPLUS PROPERTY

Attorney Siekman informed Council a public bid had been held at 1:30 on February 2nd regarding the advertised surplus property. There were 2 interested parties with 2 initial bids. The parties were allowed to increase there bids in \$100 increments. The highest bid came in at \$49,000. The average of the 2 appraisals is \$51,500. Attorney Siekman recommended Council accept the high bid for this surplus property. The losing bidder (48,900) will be in contention if financing is not acquired by the highest bidder. After

discussion a motion was made by Councilman Padgett to accept the high bid of \$49,000 from Darrell Shell for the surplus property located on Smart Drive, 2nd by Councilwoman Scott; motion carried 4-0. Attorney Siekman will be in contact with Shell to set up closing on the property.

ORDINANCE 2005-1 “AN ORDINANCE SETTING BOAT DOCK RULES AND REGULATIONS”

Mayor Marksberry presented Ordinance 2005-1 “An Ordinance Setting Boat Dock Rules and Regulations” for first reading. According to Attorney Siekman requested changes have been made to the Ordinance. A second reading will be held at the March meeting.

OUTSTANDING CHECK LIST—CLERK TREASURER GIPSON

Clerk Gipson presented a list of old outstanding checks for cancellation of warrants to Council and Mayor Marksberry. Pursuant to IC 5-11-10.5 all checks outstanding and unpaid for a period of two years as of December 31 of each year can be voided. According to Gipson this has to be presented and accepted by Council before March 1 of each year. See attached Exhibit D. After discussion a motion was made by Councilman Slack to accept the list of old outstanding checks and receipt into the appropriate fund, 2nd by Councilman Padgett; motion carried 4-0.

MISCELLENEOUS

Mayor Marksberry informed Council Tammy Elbright has served on the Economic Development Commission for 4 years. She has made a request to step down from the Commission. She recommends Mike Northcutt as her replacement to fill out her term. After discussion a motion was made by Councilwoman Scott to appoint Mike Northcutt to EDC as Elbright’s replacement, 2nd by Councilman Brown; motion carried 4-0. Mayor Marksberry and Council thanked Elbright for her years of service with Economic Development.

Mayor Marksberry reported Mona Cook had coordinated the first meeting with the garden club regarding the American in Bloom project.

Mayor Marksberry reported the City had submitted a request for FEMA reimbursement for the snow removal cost during the snow emergency in late December. The City could recoup 75% of the costs during this 48 hour period. The costs to the City during this snow emergency were \$10,483.20. Marksberry thanked the Clerk Treasurer’s office for compiling this information and making the submission to FEMA in a timely manner.

Clerk Gipson proposed a Special Event Funding Grant to Council. She stated her and Mayor Marksberry had discussed this and decided to present the request in this manner. Gipson stated IACT has begun requesting sponsorship for the Leadership Conference that was held here last May. Gipson stated last year the event was a huge success for

Legislative purposes. Rising Sun as well as Southeastern Indiana was seen as a true "Hoosier Hospitality Host". Gipson further stated with the Legislative issues we face on a yearly basis it is vital that we are visible in our accomplishments as a riverboat community. This organization represents 525 cities and towns. Gipson stated she feels it is extremely important that we continue to show our leadership by setting standards that are above rapport. Gipson stated she had discussed the conference with lobbyist Jewell Debonis who agreed the event is key in allowing other statewide leaders see the visual accomplishments in Rising Sun and Southeastern Indiana (through Revenue Sharing). Councilwoman Scott stated she did not feel this was a Special Event Funding Grant. It was discussed that the event was more of a promotion of Rising Sun. The requested City sponsorship for the Leadership Conference is \$15,000 for 2005 and \$15,000 for 2006. Grand Victoria has also agreed to participate in sponsorship of \$5,000 in 2005 and \$5,000 in 2006. After further discussion a motion was made by Councilwoman Scott to approve the sponsorship of the IACT Leadership Conference in the amount of \$15,000 each year 2005 & 2006 from promotional funds, 2nd by Councilman Slack; motion carried 4-0.

ORDINANCE 2005-2 "AN ORDINANCE ADDRESSING GENERAL COUNCIL RULES"

Mayor Marksberry presented Ordinance 2005-2 "An Ordinance Addressing General Council Rules" for first reading. Attorney Siekman stated there are committees within the proposed Ordinance that Council will need to create or delete at second reading. A second reading will be held at the March meeting.

RS MEDICAL CENTER FUNDING

Clerk Gipson informed Council the Additional Appropriation approved in January included an appropriation for the Rising Sun Medical Center in the amount of \$225,000. This is an increase from the prior year appropriation of \$150,000. Gipson requested Council's pleasure on the disbursement of these funds. In past years Gipson stated she had disbursed the funds on a monthly basis in the amount of \$12,500. Is Council's pleasure to distribute in the same manner and have RSMC request the additional funds in another manner or distribute the \$225,000 split on a monthly basis? After discussion a motion was made by Councilman Slack to distribute the \$225,000 split on a monthly basis (\$18,750), 2nd by Councilman Padgett; motion carried 4-0.

After the reviewing and signing of claims, and with no further business; a motion to adjourn was made by Councilman Brown, 2nd by Councilman Padgett; meeting adjourned at 8:30.

Attest:

Rae Baker Gipson,
Clerk Treasurer

William A. Marksberry,
Mayor

Project Manager's Report

February 3, 2005

- 1) **River Front Phase III B – Sunesis Construction Company is moving forward with the construction in spite of the weather. David Keller will be leaving KZF in three week. Their will be a lunch meeting January 10, 2005 at 11:30 to 1:30 for anyone who want to attend to discuss this transition and someone else to take his place from KZF.**
- 2) **The Drainage improvement along High Street, Maiden Lane and Plum Street is complete. Dave O'mara Contractor, Inc. will share a cost shavings do to the under ground boring, and will give us a deduct of \$1546.08.**
- 3) **Zoning Code Ordinance – Finished see attached copies.**
- 4) **Building/Zoning Permit – Received \$3,292.40 for year 2004**
- 5) **Building Code Ordinance – Approved by State Building Commission.**
- 6) **Working on New Sound System Proposal for Main Street and Front Street with Muzak. Thirty seven speakers down Main Street, six speakers on the Palvion, and fifty speakers along river front. All speakers would be Bose and hard wired system. If we do this Bose would like to put us on their web site. This is at preliminary stages to see what the cost would be. This could be something we could go for a grant. See attached copies**

EXHIBIT 13

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

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City of Rising Sun

February 2, 2005

City Council Members

Dear Sir or Madam:

It is my understanding that a large development complex is in the planning below town on State Route 56 for a 72 unit Condominium Complex and Gas Station/Mini Mart and is asking for city utilities to be extended.

In June of 2000 City Council had first reading of Ordinance 2000-8. This ordinance added language to application for utility service regarding wavier of remonstrance against annexation for areas to be served outside the city limits.


This above mentioned ordinance only had one reading, so is not in effect. This could be something to consider for this development and or others.

Sincerely,

Mike Northcutt
Project Manager/Building Inspector

Cc. Mayor Bill Marksberry

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

(AN ORDINANCE ADDING LANGUAGE TO APPLICATIONS FOR UTILITY SERVICE REGARDING WAIVER OF REMONSTRANCE AGAINST ANNEXATION FOR AREAS TO BE SERVED OUTSIDE THE CITY OF RISING SUN.)

WHEREAS, the City of Rising Sun, Indiana, is undertaking an extension of sewer service along State Road 56, outside of the jurisdictional area of the City of Rising Sun at a cost of approximately \$900,000.00; and

WHEREAS, the sewer service shall serve areas outside of the city limits and jurisdictional area of the City of Rising Sun which shall benefit those members of the surrounding community outside of the city limits without an increased tax burden on said areas; and

WHEREAS, the City Council of the City of Rising Sun, Indiana, may deem it necessary to annex certain areas laying outside of the City of Rising Sun in the future; and

WHEREAS, the City Council of the City of Rising Sun, Indiana, has listened to recommendations by the City of Rising Sun Advisory Plan Commission and Board of Zoning Appeals and hereby deems it in the best interest of the City to add certain language to utility service applications for those areas outside of the jurisdiction of the City of Rising Sun that results in a waiver of remonstrance against annexation for those persons who choose to request and receive utility services including water and sewer to said areas outside of the jurisdiction of the City of Rising Sun;

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

Section 1. That any applications currently in use for the connection and service for any utilities offered by the City of Rising Sun, including but not limited to sewer and water should now contain the following language:

"That since I am requesting a service of the City of Rising Sun, Indiana, and since this service address is not currently within the city limits, I will not oppose annexation of this area should the City of Rising Sun decide annexation is necessary."

Section 2. That in the event such applications are not used, a waiver of remonstrance similar to that attached as Exhibit "A" shall be submitted to and executed by those persons outside the city limits of the City of Rising Sun, who request utility services, prior to providing said service/s.

Section 3. All ordinances, or any parts thereof previously enacted which are in conflict with the provisions of this ordinance are hereby specifically repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage and after its execution by the Mayor.

ADOPTED by vote of a majority of the Common Council on this _____ day of _____, 2000, with all Council Members casting an affirmative vote affixing their signatures hereon.

CITY COUNCIL OF RISING SUN, INDIANA

ATTEST:

Clerk/Treasurer: Rae Baker Gipson

Presented to the City Executive, Mayor John Roeder, on _____, 2000 at _____ o'clock
____.M. EDST.

Dated: _____

Clerk/Treasurer: Rae Baker Gipson

ACTION BY CITY EXECUTIVE

ACTION _____

DATE _____

SIGNATURE _____
MAYOR JOHN ROEDER

City of Rising Sun, Indiana/Rising Sun Utility Service Board
Release and Waiver of Remonstrance
for Utility Service Connection Outside the Rising Sun city limits

I, _____, the undersigned owner of the following described premises located at _____, have applied for connection and service of one of the following utilities:

(Please place an "x" by the type of utility service requested)

_____ water
_____ sewer

to serve said premises. I hereby acknowledge and understand that this service address is not currently within the city limits of the City of Rising, and that I am requesting utility services from the City of Rising Sun.

IN CONSIDERATION of receiving utility service, I agree to comply with all terms set forth by the Utility Service Board regarding billing, accounts receivable, service and any other rules or regulations of the Utility Service Board as set forth.

THAT IN ADDITION THERETO, I agree that since I am requesting service of the City of Rising Sun and since this service address is not currently within the city limits of Rising Sun, Indiana, I will not oppose annexation of this area should the City of Rising Sun decide annexation is necessary.

*APPLICANT'S SIGNATURE

PRINTED: _____

ADDRESS

TELEPHONE NUMBER

DATE

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

MINUTE APPROVAL

Minutes of the May meeting had been previously distributed to the Council and Mayor Roeder. After discussion a motion to approve the minutes of the May meeting was made by Councilman Brown, 2nd by Councilman Brett; motion carried 5-0.

PUBLIC HEARING NEIGHBORHOOD REVITALIZATION GRANT

Sharon Wilson with S.K. Wilson Associates presented information to the Mayor, Council and public present regarding a CFF grant application to the Department of Commerce. She stated the Community Focus Funds are federal funds from the US Dept of Housing and Urban Development. They are intended to meet one of three national goals: benefit low to moderate-income persons, elimination of slum and blight, and elimination of an emergency. The IDOC receives in excess of \$36 million dollars for eligible projects. Approximately \$25 million is tentatively distributed to the CFF. There is both a proposal and a full application stage. Pre-apps are due by July 7, 2000. Second round or full apps are due by August 16, 2000. IDOC representatives will meet with local officials and suggest ways to make the application more competitive after the pre-application and before the full application is due. This communication and contact is vital to the process. The amount of CFF funds awarded per application cannot exceed \$500,000, but only the amount needed should be applied for. There is a 10% local match requirement. This can be cash or debt and only 5% can be in-kind (which must be approved by IDOC in advance). Several types of projects are eligible including; property acquisition, relocation, sewer, water, storm drainage, community buildings, and firehouses to name a few. The applications are very competitive. There are always more applications submitted per round than there is money to fund the grants. Citizen participation is important and public hearings are held prior to both applications. The project must be ready to proceed if funded. Engineering must be complete. Sites, permits and financing must be secured. Grants are scored by IDOC staff on a series of criteria including:

1.	Benefit to low and moderate-income persons	200 points
2.	Project Design factors	450 points
3.	Local Match	100 points
4.	Community Distress	250 points

Some of the possible areas to be included in this revitalization grant application are Breezy Drive, Willow Street, Wilson Street, Fourth Street, South SR 56, and Sunset Avenue. Mrs. Roger Sebree, 1205 McConnell Lane, Rising Sun questioned if McConnell Lane could be added to this list? Sharon stated it was fine with her, but that would actually be up to the Mayor. Sharon questioned if the request would be street improvements? Mr. Sebree stated it was a gravel lane at this time. Mr. Sebree stated it was in the City limits and is a gravel lane and also has no sewer. It was determined the area in question was past Hyatt's golf course. Sharon determined the streets in this area needed to be constructed and sanitary sewer provided.

Joe Upp questioned how many applications could be applied for during a year. Sharon stated only one per round.

Mary Jane Foster Fifth Street Rising Sun, had questions pertaining to the creek that adjoins her property. She questioned if this would have any affect on this area? Pam Foster stated there was some construction in this area and the creek water is actually running through the bridge and has effected the foundation. She stated there are weeds overtaking the bridge and snakes coming out of the creek area under the bridge. This was noted by Ms. Wilson, but the actual relief for this area was unknown. Councilman Mondary stated this area needs some attention. He stated there was a pretty bad erosion problem under the bridge and in this creek area. Clerk Gipson stated the Steve Walton drainage problem was one target spot of this project and this flows into the creek, could this alleviate any of these problems. Councilman Mondary stated he didn't feel it would. He feels this is something that needs to be physically addressed and kids should not be near it.

Sharon stated the physical work of this grant application if funded would not be started until possibly next year this time. She also noted that some grant applications have to be submitted 2-3 times before they are funded.

PUBLIC HEARING CLOSED

PETITIONS OR COMMENTS OF CITIZENS

Water Ponding on Willow Street

Joe Upp stated he had requested to be on the Council Agenda regarding water ponding on Willow Street. Last July he purchased the 516 Willow Street property. His daughter and grandchildren currently live in the home. He presented pictures to the Mayor and Council of the streets and side yard covered by water. He requested a surface water drain be placed between 514 and 516 Willow Street. He felt something was needed to be done to correct this problem, and was very supportive of the grant application to aid in this process. He submitted the pictures he had taken to Council to use in acquiring grant funds for this project.

Street Closing for Car Show

Ron Eads requested street closing for the Car Show to be held on July 9th. The function is sponsored by the Shiner Pride Band. A letter had been sent to Mayor Roeder prior to the Council meeting requesting the closings. See attached Exhibit A. After discussion a motion was made by Councilman Kelly to approve of these street closings as presented, 2nd by Councilman Mondary; motion carried 5-0.

Landscaping Issue

Ron Baker, 315 Downey, Rising Sun, was present regarding landscaping issues addressed by the former city administration. He felt the issues had not been completed adequately or as promised. He stated there was grass 2 foot tall on the brush dump side of his property. He had been promised trees along his property line that adjoins the new park, by Park Board President Barbara Anderson that still are not there. He further stated there are trees that need to be trimmed along the cemetery side and water still sits in the cemetery. After discussion Mayor Roeder stated he would get with Mr. Baker and take a look at the situation.

McConnell Lane

Roger Seebree address commented to Mayor and Council that he bought his home approximately a year ago. He is paying city taxes and not receiving city services. He stated he has no city sewer, no garbage pick-up and the road is not maintained. There was discussion of where the garbage truck would turn around. There was some conflict to where there was enough room for the truck to turn around. Mr. Seebree stated the Casino surrounded his property on 2 sides, and he considered that to be a nuisance. After further discussion it was determined City Attorney, Tony Sabo and City Councilman, Tim Kelly would review this issue with Hyatt Officials. Mayor Roeder and Attorney Sabo will review the Rumpke trash contract and this issue will be addressed at the July Council meeting.

Other Comments

Bill Bovard, 126 Main Street, Rising Sun, questioned Mayor and Council if the Port Authority received compensation for time served on this board. It was determined that the Port Authority Board did receive compensation. He questioned what they did to receive compensation? Councilman Brett stated State Law allows them to be compensated. Mr. Bovard was told the Port Authority controls the ports to Ohio County. Bill stated there was a B & B Riverboat with 100 people that docked on the river on Monday, and no one was there to greet them. They had to dock at the edge of Front and Plum Streets and walk up the old metal stairs. Jerry Abner, Tourism Director stated he was there handing out information to these people. He stated there were approximately 75 people aboard and the reason he was told they docked at the far end of Front Street was because of the wind. Jerry further stated they were notified on Thursday that the boat would be in Rising Sun on Monday, which was somewhat of a short notice. Tourism did their best they could with the notice they received. B & B boats have set the dates of July 3rd and October 8th for Rising Sun tours, according to Jerry Abner. Mayor Roeder told Mr. Bovard that the Tourism Director has notice of the upcoming B & B excursions and will have that under control. He also is told Bill that he is working on the complexity of role and responsibilities within the City and County and will try to have better answers.

TOURISM

Jerry Abner, Tourism Director presented new brochures and Blue Jeans Posters to the Mayor and Council. He stated Tourism was working on the Music on the River series set for July 8th set to kick off the July 9th Shiner Pride Car Show. He presented the Mayor and Council with a street closing request for this festivity. See attached Exhibit B. After discussion a motion was made to approve this street closing request by Councilwoman Scott, 2nd by Councilman Brett; motion carried 5-0.

DOWNTOWN MAIN STREET

Tammy Elbright, Main Street Director reported to the Mayor and Council things were moving well on Main Street. The Ree's were to be moving to Rising Sun in June. She receives numerous calls from people regarding Rising Sun. She is currently talking with a couple from Indianapolis regarding the old Church on Main Street (Schneider's). There is a lot going on with the art shows "Hoosier Salon" hosted by Vera Curnow and the Rosemary Butterbaugh's Silver Flare will host America's Everlasting Love for Blue Jeans.

ECONOMIC DEVELOPMENT

Report was given that Economic Development is finalizing the Ordinance and By-Laws that will run parallel and identical to the County's.

SISWD REPRESENTATIVES

Bill Marksberry and Tammy Elbright County representatives to the SISWD Board presented the City with a check in the amount of \$2,982. These funds are awarded to the entities that participate in recycling.

ORDINANCE 2000-6 "AMENDING THE MILEAGE REIMBURSEMENT ORDINANCE 1967-120"

Mayor Roeder held the second reading of Ordinance 2000-6, Amending the Mileage Reimbursement Ordinance. After discussion a motion was made by Councilwoman Scott to accept Ordinance 2000-6, 2nd by Councilman Brown; motion carried 5-0.

ORDINANCE 2000-5 "ECONOMIC DEVELOPMENT BYLAWS"

Mayor Roeder held the second reading of the Economic Development Bylaws, Ordinance 2000-5. After discussion a motion was made by Councilman Brett to accept Ordinance 2000-5, 2nd by Councilman Brown; motion carried 5-0.

ORDINANCE 2000-8 "AN ORDINANCE ADDING LANGUAGE TO APPLICATIONS FOR UTILITY SERVICE REGARDING WAIVER OF REMONSTRANCE AGAINST ANNEXATION FOR AREAS TO BE SERVED OUTSIDE THE CITY OF RISING SUN"

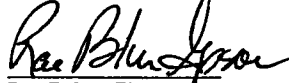
Mayor Roeder held the first reading of the Ordinance Adding Language to Applications For Utility Service Regarding Waiver of Remonstrance Against Annexation For Areas to Be Served Outside the City of Rising Sun. This will be brought back to the next Council meeting for final discussion and approval.

MISCELLEANOUS BUSINESS

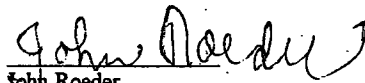
Mayor Roeder read a letter of resignation from Councilman Mondary, see attached Exhibit C. He stated although the tenure was short, Dee worked diligently and was very active and energetic in his interest of City Council.

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

Respectfully submitted,



Rae Baker Gipson,
Clerk Treasurer



John Roeder,
Mayor

January 25, 2005

Mr. Edward Sullivan
 Executive Director
 Rising Sun Regional Foundation
 P.O. Box 199
 Rising Sun, IN 47040

Dear Mr. Sullivan:

The purpose of this letter is to respond to your letter of December 17, 2005 and to bring you up-to-date with the Rising Sun – Ohio County Community Schools' situation in regard to playground material.

In your letter, you stated that the RSRF needed "adequate information to fully evaluate the magnitude of the overall mold problem (both inside and outside the Ohio County Elementary-Middle School) and the total projected costs of remediation." Below, I have listed our expenses to date:

Personnel Costs for Clean Up	\$ 6,584
Removal/Remediation	\$31,435
Astesco Laboratories	\$10,915
Indoor Environmental Services	\$16,796
Lewellyn Mechanical	<u>\$25,925</u>
Total Costs	\$91,835

We are only asking for the cost of the playground material which is an additional \$49,000.

I have included in this response a copy of the most recent indoor air quality report. Mr. Crandall noted in his discussion to parents on Wednesday, January 12, 2005 that there is not a big mold problem in the school based on the data. However, he did make several recommendations to improve indoor air quality. He did not see any of them needing to be completed immediately, but progress as a whole needs to be made as time and the budget allows. As a result, we are in the process of budgeting for the remainder of 2005 and will begin to budget for 2006. The difficulty has been the immediate expenses that have been incurred. We unexpectedly needed to spend \$91,835 to help solve the immediate issues. In addition, the \$49,000 for playground material will need to be paid. We are asking for the Rising Sun Regional Foundation's help in meeting this expense. We do not anticipate asking for further funds from the RSRF for this purpose.

With the most recent report, we have time to budget and resolve issues in a prudent fashion.

These funds will impact approximately 700 students at the elementary-middle school. They will also impact the community as a whole since there are few playgrounds in Rising Sun.

I hope that this information answers your questions. If you need further information, please contact me at your earliest convenience.

Respectfully,

Stephen Patz
Superintendent

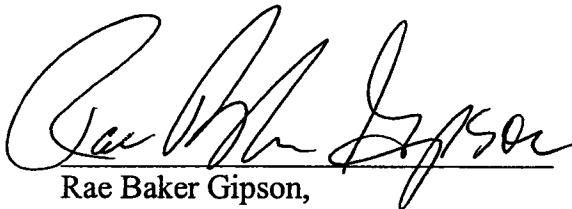
CANCELLATION OF WARRANTS—OLD OUTSTANDING CHECKS

Pursuant to IC 5-11-10.5, all checks outstanding and unpaid for a period of two years as of December 31 of each year are void.

Not later than March 1 of each year, the Clerk-Treasurer shall prepare, or cause to be prepared, a list in duplicate of all checks outstanding for two or more years as of December 31 last preceding. The original copy shall be filed with the city or town council and the duplicate copy maintained by the Clerk-Treasurer of the city or town. The Clerk-Treasurer shall enter the amounts so listed as a receipt to the fund or funds upon which they were originally drawn and remove the checks from the list of outstanding checks. If the fund from which the check was originally drawn is not in existence or cannot be ascertained, the amount of the outstanding check shall be receipted into the general fund of the city and town.

The following checks have been outstanding for two or more years as of December 31, 2004.

Check #	Date	Amount	Paid to	Fund drawn
7313	5/10/99	400.00	Bobcat Enterprises, Inc.	Riverboat
7598	6/7/99	50.00	Paul W. Bovard	Riverboat
8931	12/3/99	3.27	Michael L. Prudenti	Riverboat
15635	11/7/02	10.00	Paul W. Bovard	MVH



Rae Baker Gipson,
Clerk Treasurer

2/1/05
Date