

COMMON COUNCIL

Regular Meeting

July 1, 2013

The regular meeting of the Common Council of the City of Shelbyville, Indiana, was held in the Common Council Chambers of City Hall on Monday, July 1, 2013, at 7:01 P.M. Councilman Hamilton opened with the Pledge of Allegiance, and Councilman Fero followed with a prayer. Councilman Phares was absent, and Mayor DeBaun presided.

Councilman Brown moved to approve the minutes of the previous meeting, June 17, 2013, and Councilman Hamilton seconded. There was no public comment. The motion was carried on a 4-0-2 voice vote, with Councilmen Asher and Nolley abstaining.

Under old business, Councilman Nolley moved to approve the City Financial Reports, and Councilman Asher seconded. There being no discussion, the motion was carried on a 6-0 voice vote.

Terry Sheehan and John Armstrong represented Brazeway, Inc. in their Compliance with Statement of Benefits hearing. Councilman Nolley moved to approve their Compliance forms, and Councilman Brown seconded. Mr. Sheehan said the company pays around \$75,000.00 in property taxes. The motion was carried to approve the Compliance Forms on a 6-0 voice vote.

Paul Keffaber, Plant Controller, represented Freudenberg-NOK General Partnership in their Compliance with Statement of Benefits hearing. Councilman Nolley moved to approve the Compliance form, and Councilman Brown seconded. The motion was carried on a 6-0 voice vote.

Hector Trevino, General Manager, represented Metl-Span LLC in their Compliance with Statement of Benefits hearing. Councilman Brown moved to approve their Compliance forms, and Councilman Asher seconded. Mr. Trevino said he's very happy with the way things are going, and his company has been actively hiring for the last 4 or 5 months. He did say there has been a high turnover with the younger workforce. Councilman Brown said if there's anything the City can do to help develop the workforce, to please let the City know. There being no further discussion, the motion was carried on a 6-0 voice vote.

Raj Venkatesan, Plant Controller, and Annette Prehn, Tax Manager, represented Pilkington North America, Inc. in their Compliance with Statement of Benefits hearing. Councilman Brown noted the number of employees is slightly down, but the salaries are stable. Raj said there are approximately 20 vacancies right now, but it's always changing, so they might add more as the business climate changes. Over the next 18 months, Raj feels the company will be expanding. Councilman Nolley moved to approve the Compliance forms, and Councilman Brown seconded. The motion was carried on a 6-0 voice vote.

Pam Brown, Chief Financial Officer, represented Williams Industries, Inc. in their Compliance with Statement of Benefits hearing. She apologized for missing the last Council meeting. Councilman Brown moved to approve the Compliance forms, and Councilman Fero seconded. She said that currently sales are down from pre-recession, but they have an opportunity that might bring things back to that level. She also said the property taxes paid are in excess of \$130,000.00 per year. There being no further discussion, the motion was carried on a 5-0-1 voice vote, with Councilman Asher abstaining.

On Ordinance No. 13-2718, re-establishing the Cumulative Capital Development Fund back up to .05 cents, Councilman Fero moved to pass this on first reading, and Councilman Asher seconded. Under discussion, Mayor DeBaun said DLGF has set a deadline of August 1 for this to be approved by the Council, and then final decisions could be made up until February of next year on the rate. He said financial consultant Greg Guerrettaz has been working with City officials over the last several weeks, and he was here tonight to answer questions anyone might have. Greg, president of Financial Solutions Group, said he acts as an independent financial adviser for communities throughout the State of Indiana, and has done so in excess of 25 years. Councilman Carmony asked Greg to give the audience a history of his background experience. He said his biggest client in the state is the State of Indiana; and he does audits of the five big electric utilities in the State of Indiana, on behalf of the consumers. He has looked over all the

information the Clerk-Treasurer's office has sent him over the past several years, and he has put together what's called a recovery analysis plan. Councilman Carmony said when he first met Greg; he said he began to unravel this situation that has been in the making for many, many years. It will be a possible three year period or more to find ways to overcome the problems the City is facing, and short and long term goals need to be reviewed. Councilman Carmony said he felt sure the Council did not want a net increase in taxes on our citizens. What they want to have is a better efficiency of the services that are available, and it starts with this Ordinance tonight. Greg said he's here to point out roadways or paths to choose, and he's not here to choose for us. Councilman Nolley said he appreciates what Greg has done, and at times he feels like he's being scolded, but he likes the fact that his being direct, makes us think about changing the way things were done in the past. He also said Greg will point out that sometimes taxpayers won't like something, so he can put it in a way that might be more appealing. When asked about the statement published in the paper today about a tax increase, Greg said that was an invalid statement, because answers won't be known for months down the road where everything will stand on the tax rate. There were no public comments made when asked by the Mayor. The motion was carried on a 5-1 voice vote, with Councilman Hamilton voting no.

On Ordinance No.13-2719, amending Chapter 93 of the City Code of Ordinances, addressing weeds, as mentioned in the prelim meeting, Mayor DeBaun said this is a change of notification process that allows first class mail to be sent, rather than the previous process that required certified mail. Councilman Fero moved to adopt this on second and final reading, and Councilman Asher seconded. The motion was carried on a 6-0 voice vote.

Under new business, on Resolution No. 2013-15, attorney Peter DePrez asked that the tax abatement request for PK U.S.A. Inc. be withdrawn temporarily because the tax abatement statute changed, effective today, July 1. Starting today, Mr. DePrez said it's mandatory that the City Council sets forth the annual allocation in a ten year period. Mr. DePrez asked permission to amend this Resolution setting forth 10% tax abatement per year over a ten year period, and then he would bring it back in two weeks. Mayor DeBaun said this would be continued until the next Council meeting.

On Resolution No. 2013-20, correcting typographical errors in certain resolutions, Councilman Nolley moved to approve, and Councilman Brown seconded. Attorney Peter DePrez said that when the Duran abatement was done a few years ago, he made a change in the resolution referencing a chapter that does not exist whatsoever. After talking with City Attorney Trent Meltzer, it was decided to correct this now, showing all of the resolutions that needed to be changed with the correct chapter. The motion was carried on a 6-0 voice vote.

On Ordinance No. 13-2720, amending the Capital Improvement Plan for 2013 EDIT expenditures, Councilman Brown moved to approve on first reading, and Councilman Nolley seconded. Under discussion, Mayor DeBaun talked about some of the amounts being disbursed this year from EDIT, with two of them only being used once. The motion was carried on a 6-0 voice vote.

Under reports from Committees, Boards, and Commissions, Councilman Hamilton wondered that since the CCD fund passed tonight, could money for police and fire vehicles be taken out of it and the Racino Offsetting Costs to the City. Greg Guerrettaz said it's possible, but having a five year Capital Improvement Plan could help because looking at what the needs are; it can then be determined where it's best to be paid.

Mayor DeBaun wanted to thank MS4 Director Derrick Byers and his Department, the Police Department, and the Street Department for dealing with the heavy downpours and localized flooding yesterday in the City. The places where complaints were received about the heavy flooding will be investigated to find out if there are issues that can be dealt with to minimize them in the future.

There being no further business, Councilman Fero moved to adjourn, and Councilman Asher seconded.

Thomas D. DeBaun

Mayor

ATTEST:

Frank M. Zerr
Clerk-Treasurer