

## COMMON COUNCIL

Regular Meeting

March 4, 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, March 4, 2013, at 7:06 P.M. Councilman Brown opened with the Pledge of Allegiance, and then he followed with a prayer. All Councilmen were present and Mayor DeBaun presided.

Councilman Nolley moved to approve the minutes of the previous meeting, February 4, 2013, and Councilman Brown seconded. There was no public comment. The motion was carried on a 7-0 voice vote.

Under old business, Councilman Fero moved to approve the City Financial Reports as presented, and Councilman Asher seconded. The motion was carried on a 7-0 voice vote.

On Ordinance No. 13-2711, the Shelbyville Bible Holiness Church requested permission to rezone 2819 E. Michigan Rd. from a BG classification to an IS classification. Councilman Fero moved to approve the request on second and final reading, and Councilman Asher seconded. This was approved earlier by the Plan Commission, and since there weren't any comments from the public, the motion was carried on a 7-0 voice vote.

Under new business, the Uniform Conflict of Interest Disclosure Statements for Robert G. (Gary) Bowen, Joanne Bowen, and James Maulden were turned in to be approved. Mayor DeBaun said these people are either serving on local Boards, or they are an employee of the City. Councilman Nolley moved to approve all of them, and Councilman Fero seconded. The motion was carried on a 7-0 voice vote.

Mayor DeBaun said Resolution No. 2013-4 was being continued, but said the Council was giving the Clerk-Treasurer permission to publish a Notice of Public Hearing on additional appropriations for the next meeting, and many said yes.

On Resolution No. 2013-5, a transfer of funds was requested to be made from EDIT to the Racino fund. Councilman Nolley moved to approve the request, and Councilman Brown seconded. Under discussion, Councilman Hamilton said Racino funds were used late last year to pay for PERF expenditures that weren't anticipated, so this is being done to pay it back, totaling \$332,134.95. There being no further comments from the Council or the public, the motion was carried on a 7-0 voice vote.

On Ordinance No. 13-2712, amending Chapter 35 of the City Code of Ordinances for public employees, Councilman Fero moved to approve the request on first reading, and Councilman Nolley seconded. Under discussion, Mayor DeBaun said this brings the City in compliance with the Federal requirement for full-time employees in Section 35.011, where the hours for full-time are now lowered from 32 to 30 hours a week. Personnel Director Jody Branum said that all full-time City employees work between 35 to 40 hours per week. Councilman Fero said this Ordinance brings everything into compliance with the City's Handbook. Councilman Hamilton said he's going to vote for this, but he doesn't like the Federal Government coercing municipalities. There being no further comments, the motion was carried on a 7-0 voice vote.

Under reports from Committees, Boards, and Commissions, Councilman Phares asked if this was the time to talk about new police cars, a discussion which was held in the prelim meeting. Police Chief Keith England said the Department was on a four-year rotation a few years ago, but a couple years ago, it was extended to a five-year program. Because of a shortage in last year's CCD Fund, only two vehicles were able to be purchased, throwing the rotation plan back further. Chief England said things were good with a four-year program because cars were covered for three years of warranty, and there weren't many breakdowns in the fourth year. Going into the fifth year, more problems were starting, and it's getting worse now that they're going into six years or more on back-up vehicles. Ideally, Chief England said to get the Dept. back on the five-year program, he'd like to get 20 cars if the funding was available. He'd at least like to get several cars so he can get closer to the five-year program again. The Chief said it's better to buy new cars on the State bid, than if they were buying them used. Councilman Asher asked approximately what the cost was annually to make runs and covering the Casino-Horse track

area. Although he didn't have the figures with him tonight, he said, conservatively, the cost was around \$270,000.00 per year. After much discussion on how much and how many cars could be purchased, Councilman Phares moved to allow 13 vehicles, with a limit at \$315,000.00, and Councilman Asher seconded. Two additional vehicles could be purchased out of CCD monies. Councilman Brown said none of these discussions were benefitting him, he's got a good car, and he's abstaining on the vote. The motion was carried on a 6-0-1 voice vote, with Councilman Brown abstaining.

Under comments or requests from citizens, Mayor DeBaun asked the two high school students to stand and be identified, by giving their names and their school.

There being no further business, Councilman Brown moved to adjourn.

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Thomas D. DeBaun  
Mayor

ATTEST:

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Frank M. Zerr  
Clerk-Treasurer