COMMON COUNCIL

Regular Meeting November 19, 2012

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, November 19, 2012, at 7:07 P.M. Councilman Hamilton opened with the Pledge of Allegiance and Councilman Brown followed with a prayer. All Councilmen were present and Mayor DeBaun presided.

Councilman Hamilton moved to approve the minutes of the previous meeting, November 5, 2012, and Councilman Nolley seconded. There was no public comment. The motion was carried on a 5-0-2 voice vote, with Councilmen Fero and Asher abstaining.

Under old business, Dr. Dan Duran appeared to answer any questions about his Compliance with Statement of Benefits form. Councilman Brown noted that there was one additional employee from where he was previously, and he asked Dr. Duran how business has been. Dr. Duran said business has been very good, and since this Compliance form was filed, he said a new business will be coming in on the end space. It will be a new bakery and deli that will open after the first of the year. The business name will be "I Need a Sandwich". After laughter, Councilman Nolley moved to approve the Compliance form, and Councilman Brown seconded. The motion was carried on a 7-0 voice vote.

On Ordinance No. 12-2705, permitting the Indiana-American Water Co., Inc. to include certain charges in the basic rates of its customers, Councilman Phares moved to approve this on second and final reading, and Councilman Nolley seconded. Under discussion, a few residents came to the microphone to voice their opinions and objections about the Water Co. billing them instead of it being on the City's tax rate. The residents included Emily Alvis, Claudine Ellington, Jack Banker, and Todd Day. Travis Edington, Operations Superintendent for Ind. American Water, tried answering questions the residents had about how close fire hydrants had to be to receive a better home insurance rate, and what happens if the Council passes this ordinance tonight. Councilman Carmony said he visited with Water Co. officials last Friday to learn about their process, and what investments they have made to prepare the City for potential future growth. He said the City is not flush with cash, and there is no guarantee on Racino monies in the future. He went on to say this is a complicated issue, that he wants this to be revenue neutral, and he doesn't want to see taxes rise. When Mayor DeBaun asked for a voice vote, it was hard to determine what the count was, so he asked for a roll call vote. The motion to approve the Ordinance was passed 4-3 on second and final reading, with Councilmen Fero, Nolley, Asher, and Phares voting aye, and Councilmen Carmony, Hamilton, and Brown voting nay.

Under new business, Councilman Fero read part of Resolution No. 2012-30, whereby Faeza Alloyers, U.S.A. requested ten years of tax abatement on both their real estate improvements and personal property of equipment. Councilman Nolley moved to approve the request, and Councilman Brown seconded. Attorney Lee McNeely represented Faeza Alloyers, U.S.A., and talked about the multi-million dollar project that will work closely with Ryobi. He said the company would have 47 new jobs with good paying salaries, and it's hoped it will help bring even more business to Ryobi than what growth they've already been experiencing. Mr. McNeely said it was also hoped that more jobs would be created at Ryobi. The motion was approved on a 7-0 voice vote to grant ten years of tax abatement to Faeza Alloyers, U.S.A.

There was no reading of Resolution No. 2012-32.

On Ordinance No. 12-2706, amending Chapter 93 of the City's code of Ordinances involving towing contracts and charges, Councilman Nolley moved to approve the request on first reading, and Councilman Carmony seconded. Police Chief Keith England said a survey was done to see where nearby communities stood on charging towing fees, and he took the middle of the pack, not wanting to set the pace and charge too much, but still charging enough to help the towing companies not have a financial burden. Councilman Brown noted that at the scene of the accident, the towing company not only had to tow the vehicle, but it also had to clean up the crash site. To be as fair as possible, Chief England said the two towing companies are rotated weekly, trying to be as fair as they can, with the towing company getting all of the money collected, and the Police Dept. doesn't receive any part of it. The motion was carried on a 7-0 voice vote.

Mayor DeBaun wanted to thank everyone for their participation in the Christmas Parade last Friday night. He thought it went very well, and thought it was the longest parade they'd ever had. On another note, Mayor DeBaun said there was a ribbon cutting ceremony at Fazoli's this afternoon, saying it was a two-year project that will officially open tomorrow.

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

Thomas D. DeBaun
Mayor

ATTEST:

Frank M. Zerr
Clerk-Treasurer