

Dillsboro Town Council

February 27, 2023

The regular monthly meeting of the Dillsboro Town Council was opened by President, Doug Baker, with the pledge to the flag on February 27, 2023 at 6:00 p.m.

Prayer was given by Steve O'Brien from the CARE Team.

Council members present: Doug Baker, Becky Fryman, Tim Benning, Charlie Caldwell and Jamie Craig.
Attorney present: John Watson

CM Baker presented retired council member, Tom Wafford, with a plaque and thanked him for his service to the council. Absent retired council members were Mary Lou Powers and Charlie Baker.

The minutes of the regular meeting on February 13, 2023 was approved by CM Fryman. Seconded by CM Benning. Motion carried. Minutes from executive meetings on February 15 & 22 was approved by CM Benning. Seconded by CM Craig. Motion carried.

Clerk-Treasurer – Rita Stevens

- Sewer Adjustments – Ronald Schnebelt – 11854 Old US 50. Leak under house. Adjustment for \$384.25. Kimberly Duncan – 10151 Front Street. Leak under house. Adjustment for \$370.42. CM Benning made a motion to approve the sewer adjustments. Seconded by CM Fryman. Motion carried.
- Additional Appropriation Ordinance 2023-2-2 (Attached) for Continuing Education Fund for \$500.00 was approved as follows: Doug Baker – Aye; Becky Fryman – Aye; Tim Benning – Aye; Charlie Caldwell – Aye and Jamie Craig – Aye.
- Ordinance 2023-2-1 (attached) - Ordinance Appropriating ARP Coronavirus Local Fiscal Recovery Fund for Indiana Pump Works for \$17,500.00 for clarifier project at the sewer plant. CM Fryman made a motion to approve this request. Seconded by CM Caldwell. Motion carried.
- Presented to council for Payment # 3 to Mike Holman Excavating, Inc. for construction of the Division 1 Water Main Replacement on US 50 and SR 262 Project. CM Craig made a motion to approve this claim. Seconded by CM Fryman. Motion carried.
- Tabled from February 13 meeting. The check from Dearborn County Foundation for Quality of Life for \$3,428.22. Council decided and CM Fryman made a motion to deposit it in the park fund. Seconded by CM Caldwell. Motion carried.
- CM Stevens gave council a fund report and explained how to read the utility and sewer operating fund.
- CT Stevens also gave council the 2022 Cash & Investments Combined Statement (attached). CT Stevens did comment on the Garbage Collection the receipts were \$2.40 more than the disbursements.

Police – Josh Cady

- A residence on North & Holland has a camper in the driveway where someone is living in it and there was sewage on the driveway. Cady spoke with them. Also was a camper on Rullman Drive but was only temporary while building a house. Cady spoke with them and the camper has been removed. This would be a sewer violation through the Dearborn County

Planning & Zoning. Attorney Watson stated need to stay on top of this and if necessary advise Enforcement Office then issue a violation.

- Cady working on junk cars around town.
- Cady stated the police department is losing Police Officer, Kevin Turner. Started the application process with advertising in newspaper and social media.

Utility Superintendent – Matt Bauer

- Division 1 Water Main Replacement US 50 & 262 Project is almost complete. There is a 3 year warranty after complete if any defect in the workmanship.
- Clarifier work at the sewage plant is complete. In April or May get bids for the other one. There is \$40,000.00 in the ARP Fund to fund this.
- Did hand reads for the meters that don't have the updated endpoints. Holman did install 127 endpoints that he had.
- Updating Ziptility for asset management.
- Will be sweeping the streets before the fair.
- Will be painting the curbs when weather if favorable.
- Regarding the council requesting a park superintendent from the February 13 meeting. Utility workers needs more information regarding this. CM Baker stated now there is no need for a park superintendent.
- The old small playground equipment at the school. Utility workers will remove it.

Town Management/Economic Development – Susan Greco

- Greco thanked council for their concern regarding her surgery.
- Steve Williams – owner of old TC's Tavern was present to give council an update. Williams stated it has been a long project and hoping to be open by the fair. Possible a soft opening. Starting out with a small menu. Got the apartments ready to rent before the bar because of the finances. Wanting to put a awning on the end of the building for seating and smoking. There will be no smoking in the building. Also there is not enough room for a family area.

Williams did ask council if the Guion Street could be blocked off from North Street to Lenover Street during the fair from Wednesday thru Saturday. This would be for an outside bar with seating. Music will be inside. Will have a port-a-potty outside. Chief Cady did state Williams would need to hire his own police. Council will give Williams an answer at the next council meeting on March 13th.

- George's Pharmacy meeting with their marketing department. They are very interested in the town but also other communities have contacted them. They will consider a community where the most customers would be.
- Brock Car Wash & Storage – Should be starting to build in a couple of weeks.
- Friendship Gallery Remodeling Update – Phase 1 is done. Dearborn County Foundation granted \$4,750.00 for phase 2 for a bathroom project. Tom Wafford & Ed Dalton volunteered and updated the electric.
- Friendship Gallery Roof Update – Dealing with the Regional Commercial Manager. Sent him photographs. Brown Roofing is not a certified dealer so it is not under warranty. Has to be a

certified dealer for it to be under warranty. It was not properly installed. Town will need a contract with warranty with Mike Stehlin to replace the roof which council approved at the February 13 meeting.

- Regarding the updated road inventory being done from HWC Engineering. CM Baker signed the contract to not to exceed \$7,500.00. This was approved at the January 23 council meeting.
- Beautification – Greco stated CM Caldwell would like to activate the Beautification organization. CM Caldwell stated he has volunteers for the flower pots, hanging baskets & etc. Would apply for grants to the Ross Foundation. Greco stated the 501C is still on file and just needs to update the business identify report and open a bank account. CM Craig made a motion to activate the Beautification. Seconded by CM Fryman. Motion carried. Greco did state Heritage Pointe is still owned by Beautification. No deed has been transferred. Attorney Watson stated the deed has been signed and should have already been transferred. Watson stated he will check on it.
- Fire/EMS Update - Jeff Bellen from AIM will need a fiscal plan. Baker-Tilly would cost around \$35,000.00. Robert Reynolds from LWG (town financial group) can do it up to \$7,500.00. The cost would be shared by the townships.
- Annexation – Meet with Rhonda Cook and Robert Reynolds. Have a fiscal plan for future. But nothing at the immediate time. Did receive how much BP's water bill has been. Hoosier Hills have all the water. Cook will complete the plan.
- Greco did review the 2022 Cash & Investment Statement with the council.

CM Baker did state that Robert Reynolds stated the town needs to keep up with the town's water and sewer operating funds. Possible a small raise every year. The town has a contract with Aurora and we are subject to raise increases when Aurora does. Matt Bauer and Kevin Turner stated they have good contact with Aurora to keep up on things.

Attorney Watson – Ordinance # 2023-2-3 (attached) – The Town Council of the Town of Dillsboro manages the Town Park and other recreational facilities for the benefit of the citizens of the Town and the surrounding areas. Members will pick what term they want from a one term to a four term. CM Benning made a motion to approve the ordinance. Seconded by CM Fryman. Motion carried.

No Old Business

New Business

New Town Manager – CM Benning made a motion to hire Kevin Turner as Town Manager. Seconded by CM Caldwell. Motion carried. Turner will begin March 6. Turner is replacing Greco which will be retiring on March 31, 2023.

Fire House Garage Door Opener Quotes from All About Doors – 1 door opener would be \$1,485.00 for #6 door. 2 door openers would be \$2,570.00 for #5 & #6 doors. CM Fryman made a motion to approve the 2 door openers. Seconded by CM Benning. Motion carried. This would be paid from Public Safety Fund. CM Benning suggested to keep old ones for parts.

Being no further business. CM Craig made a motion to adjourn the meeting at 8:17 p.m. Seconded by CM Fryman. Motion carried.

Rita Stevens

Rita Stevens, Clerk-Treasurer

Arden Abbott

Doug Baker

Tom Bandy

Becky Freeman

Jamie Craig

Additional Appropriation Resolution/Ordinance 2023-2-2

Whereas, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget; now, therefore:

Sec. 1. Be it ordained (resolved) by the Dillsboro Civil Town Council Dearborn County

Of Dillsboro Civil Town, Dearborn County, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the fund named and for the purposes specified, subject to laws governing the same:

Fund Name: <u>Continuing Education</u>	Amount Requested	Amount Approved By Fiscal Body
<i>Major Budget Classification:</i>		
Personal Services	\$ _____	\$ _____
Supplies	\$ <u>500</u>	\$ <u>500</u>
Other Services & Charges	\$ _____	\$ _____
Capital Outlays	\$ _____	\$ _____
Township Assistance	\$ _____	\$ _____
Debt Service	\$ _____	\$ _____
Total for <u>Continuing Education</u> Fund:	\$ <u>500</u>	\$ <u>500</u>

Adopted this 27th day of February, 2023.

NAY

AYE

Charlie Caldwell
Bob Ferguson
Bob Balthus
Jamie Craig
Joe B...

Rico Stevens

 (Secretary of Governing Body)

ORDINANCE 2023-2-1

**ORDINANCE APPROPRIATING
ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS FOR**

WHEREAS, the Federal government adopted the American Rescue Plan Act of 2021 (ARP) which provides assistance to local communities as they continue to combat the COVID-19 pandemic; and

WHEREAS, the Dillsboro Town Council established an ARP Coronavirus Local Fiscal Recovery Fund in which Federal assistance from the ARP was deposited in accordance with State Examiner Directive 2021-1; and

WHEREAS, any monies deposited into the Fund may only be used as permitted by Section 603(c) of the Social Security Act as added by Section 9901 of the ARP; and must be specifically appropriated and approved by the Town Council,

BE IT, THEREFORE, ORDAINED by the Dillsboro Town Council
as follows:

1. The Dillsboro Town Council hereby appropriates the sum of \$17,500.00 from the ARP Coronavirus Local Fiscal Recovery Fund and further authorizes said funds to be used to pay Indiana Pump Works, Inc. for clarifier project at the sewer plant same amount.
2. The Dillsboro Town Council finds that the funds as appropriated and authorized for payment constitute authorized expenditure of ARP Recovery Funds for the purpose of assisting in the provision of government services affected by the reduction of revenue due to the Coronavirus pandemic.

SO ORDAINED this the 27th day of February, 2022.

TOWN COUNCIL FOR TOWN OF DILLSBORO

Charlie Caldwell
Becky Lynn
Andy Baker

Jamie Craig
Tris Bunn

Attest:

Reba Stevens
Clerk Treasurer

**Dillsboro Civil Town, Dearborn County, Indiana
Cash & Investments Combined Statement - 2022**

	Local Fund Number	Local Fund Name	Beg Cash & Inv Bal Jan. 1, 2022	Receipts	Disbursements	End Cash & Inv Bal Dec. 31, 2022	
Governmental Activities	1101	GENERAL	\$201,143.93	\$329,701.44	\$390,912.10	\$139,933.27	
	2201	MOTOR VEHICLE HIGHWAY	\$48,334.38	\$28,505.84	\$52,386.23	\$24,453.99	
	2202	LOCAL ROAD STREET	\$63,866.88	\$25,437.66	\$21,320.13	\$67,984.41	
	2203	MVH RESTRICTED	\$11,533.03	\$28,505.88	\$0.00	\$40,038.91	
	2204	PARK & RECREATION	\$10,346.08	\$24,645.87	\$13,206.82	\$21,785.13	
	2208	LEVY EXCESS FUND	\$5.65	\$0.00	\$0.00	\$5.65	
	2218	BZA	\$275.00	\$1,200.00	\$100.00	\$1,375.00	
	2222	POLICE K-9	\$1,610.01	\$105.00	\$558.45	\$1,156.56	
	2228	LAW ENFORCE CONT EDUC	\$1,425.54	\$1,856.00	\$1,290.98	\$1,990.56	
	2235	RIVERBOAT REVENUE	\$1,180,903.55	\$486,693.91	\$509,333.47	\$1,158,263.99	
	2240	LOIT - PUBLIC SAFETY	\$121,284.35	\$53,058.00	\$48,181.96	\$126,160.39	
	2248	LOIT SPECIAL DIST	\$0.61	\$0.00	\$0.00	\$0.61	
	2256	Opioid Settlement Unrestricted	\$0.00	\$966.54	\$0.00	\$966.54	
	2257	Opioid Settlement Restricted	\$0.00	\$2,255.28	\$0.00	\$2,255.28	
	2401	GRANTS - LOCAL	\$7,715.55	\$19,998.00	\$22,051.03	\$5,662.52	
	2402	ARP	\$159,169.64	\$160,374.60	\$208,709.23	\$110,835.01	
	2404	CDBG (OCRA)	\$0.00	\$237,800.00	\$237,800.00	\$0.00	
	4401	CUM CAP IMPROVEMENT C-P	\$1,020.49	\$2,468.37	\$1,389.99	\$2,098.87	
		4426	CUM FIRE SPECIAL	\$16,147.93	\$3,426.67	\$0.00	\$19,574.60
		4445	REDEVELOPMENT TIF	\$11,740.90	\$205,548.15	\$125.00	\$217,164.05
		6607	TOWN OWNED PROPERTIES	\$13,176.21	\$80,068.12	\$18,685.44	\$74,558.89
		8901	PAYROLL	\$0.00	\$866,723.62	\$866,723.62	\$0.00
	WASTEWATER	6201	SEWER UTILITY OPERATING	\$97,481.26	\$435,923.16	\$507,546.95	\$25,857.47
		6202	SEWAGE UTILITY BOND-INT	\$4.09	\$0.00	\$0.00	\$4.09
6203		SEWER CUSTOMER DEPOSIT	\$30,116.28	\$3,752.05	\$2,967.99	\$30,900.34	
	6608	SEWER ANNEX B & I	\$867.31	\$240,758.23	\$240,503.22	\$1,122.32	
WATER	6101	WATER UTILITY OPERATING	-\$20,396.25	\$620,834.63	\$592,615.60	\$7,822.78	
	6102	WATER UTILITY BOND & INTEREST	\$0.00	\$40,892.77	\$972.40	\$39,920.37	
	6103	WATER CUSTOMER DEPOSIT	\$42,038.43	\$7,067.51	\$4,084.54	\$45,021.40	
	6106	WATER UTILITY DEBT RESERVE	\$0.00	\$9,573.30	\$0.00	\$9,573.30	
Garbage	6604	GARBAGE COLLECTION	\$10,449.01	\$81,045.23	\$81,042.83	\$10,451.41	
Total All Funds			\$2,010,259.86	\$3,999,185.83	\$3,822,507.98	\$2,186,937.71	

ORDINANCE NO. 2023- 2 - 3

WHEREAS, the Town Council of the Town of Dillsboro manages the Town Park and other recreational facilities for the benefit of the citizens of the Town and the surrounding area;

WHEREAS, the Town Council deems that the proper management and expansion of park activity is of direct benefit to the citizens of the Town and to surrounding areas; and

WHEREAS, the Town Council finds that expanded park activity and facilities will help attract more visitors and residents to the Town of Dillsboro and the surrounding area, increasing business opportunities in Town and potentially expanding Dillsboro's tax base; and

WHEREAS, the Town Council believes that the establishment of a Town Parks Department and Parks Board will be beneficial to the administration of the park and park activities and is necessary at this time for expansion of park activities;

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. ESTABLISHMENT OF DEPARTMENT AND BOARD

(A) Department of Parks and Recreation. Under the provisions of I.C. 36-10-3 there is hereby established the Dillsboro Department of Parks and Recreation.

(B) Park and Recreation Board

(1) A Park and Recreation Board shall be established and composed of:

(a) Four members appointed by the Dillsboro Town Council on the basis of their interest in and knowledge of parks and recreation. No more than two members shall be of the same political party.

(b) Two ex officio members may be appointed as follows:

i. By the South Dearborn Community School Board

ii. By the governing body of the Aurora Library District

(2) The School Board and the Library Board shall fill any vacancies of their ex officio members. Ex officio board members have all the rights of regular members, including the right to vote.

(C) Terms of Office

(1) Upon establishment of the Board, the terms of the members initially appointed shall be:

(a) One member for a term of one year;

(b) One member for a term of two years;

(c) One member for a term of three years; and

(d) One member for a term of four years.

(2) As a term expires, each new appointment shall be made by the Town Council for a term of four years. All terms expire on the first Monday in January, but a member shall continue in office until his or her successor is appointed. If an appointment for a new term is not made by the Town Council by the first Monday in April, the incumbent shall serve another term. If a

vacancy occurs, the Town Council shall appoint a new member for the remainder of the unexpired term.

(D) Election of Officers. At its first regular meeting in each year, the Board shall elect a President and Vice-President. The Vice-President shall have authority to act as the President of the Board during the absence or disability of the President. The Board may select a secretary either from within or without its own membership.

II. FUNCTION OF BOARD.

(A) The Board of Parks and Recreation shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct such programs as are generally understood to be park and recreation functions. In addition, the Board shall have all the powers and duties listed in I.C. 36-10-3.

(B) The Board is authorized to hire or appoint such assistants as may be necessary, at such salaries as they deem reasonable, subject to the limitations of the budget.

III. FINANCES; RECREATION FUND.

(A) The Parks and Recreation Board shall prepare and submit an annual budget in the same manner as other departments of town government as prescribed by the State Board of Accounts. The Board may accept gifts, donations, and subsidies for park and recreation purposes.

(B) The budget shall be subject to review and to change by the Town Council in the same manner as other departmental budgets of the Town are now reviewed.

(C) Thereafter, the Town Council shall, in their regular budget ordinance, set out the fund known as "Recreation Fund" in an amount necessary to raise such money as Council deems necessary for the ensuing year. The Board shall be authorized to expend during the next budget year any funds in the various items of the Recreation Fund as has been previously approved by the Town Council.

(D) All money expended from the Recreation Fund shall first be approved by the Board of Parks and Recreation, who in turn shall certify the claim vouchers to the Clerk-Treasurer. The Clerk-Treasurer shall be authorized to write checks and pay, out of the Recreation Fund, to the various claimants whose vouchers have been approved in the above manner.

(E) The Recreation Fund shall be a continuing fund, and any balance remaining therein at the end of any calendar year shall not revert to the General Fund of the town, but shall continue to be subject to expenditure in like manner as hereinabove set out.

IV. NONREVERTING FUNDS

(A) There is established a special nonreverting fund for the Department of Parks and Recreation to be known as the "Park and Recreation Department Gift Nonreverting Fund."

(B) There is also hereby established, pursuant to I.C. 36-10-3-22, a special nonreverting operating fund to be known as the Park and Recreation Department Nonreverting Fund, from which expenditures may be made only by appropriation by the Board of Parks and Recreation.

The Clerk-Treasurer is hereby directed to deposit into this fund all fees received from present and future operations of park facilities. In addition, monies received from any other source, except as otherwise set forth herein, including from the sale of surplus property shall be deposited by the Clerk-Treasurer in the nonreverting operating fund as may be directed from time to time by the Board of Parks and Recreation.

(C) There is also hereby established, pursuant to I.c. 36-10-3-22, a special nonreverting capital fund to be known as the Park and Recreation Department Nonreverting Capital Fund, from which expenditures may be made only by appropriation by the Town Council for the purpose of acquiring land or making specific capital improvements.

V. PARK SUPERINTENDENT.

(A) Pursuant to I.C. 36-10-3-13 and as amended, the Parks and Recreation Board may appoint a Park Superintendent without considering political affiliation. Under the direction of the Board, the Superintendent shall propose annually a plan for the operation of the Department; administer the plan as approved by the Board; supervise the general administration of the Department; and have the authority to maintain order and discipline within the Department and to enforce compliance with the terms of the sections pertaining to the Park Department. In addition, the Superintendent shall perform such duties as set forth in the Indiana Code and as established by the Board.

(B) The Superintendent must be qualified by training or experience in the field of parks and recreation; or have a certification or an advanced degree in the field of parks and recreation.

(C) The Town Council may suspend or remove the Superintendent by notifying him or her to that effect and sending a written statement of intent to do the same.

VI. PARK AUTHORITY.

The Parks and Recreation Board shall be deemed the Park Authority for the purposes of I.C. 36-10-5. As the Park Authority, the Board shall manage all public parks, including approaches, that belong to the town. The Board shall have all other powers pertaining to the management, acquisition and disposal of park property as set forth in the Indiana Code pertaining to the Park Authority.

SO ORDAINED this 27th day of February 2023

Dee Baker
President

Becky Taylor
Board Member

Charlie Caldwell

Board Member

Jamie Craig

Board Member

Tim Bandy

Board Member

Attest:

Rita Stevens

Clerk Treasurer