

City of Tipton Common Council meeting was held on November 27, 2023, at Tipton City Hall, Council Chambers, Tipton.

Members: Mayor Dolezal, Councilman Hufford, Councilmen Ehman, Chandler, Kring, and Rippy, and Clerk-Treasurer Clark.

Others: Abbie Smith – Community Development Director, Tim Richards, Dick Klein, Brandon Barthel with Krohn & Associates, Roberta Heinzmann, Bob Edinger, Kegan Schmicker, Mike Bollman, Aaron Hill, Elsa Smith, Jim Ankrum, Don McElfresh, and Rich Vautaw.

Mayor Dolezal opened the November 27, 2023, Council meeting.

The Pledge of Allegiance was recited.

Minutes: Councilman Chandler made a motion to approve November 13, 2023, Council minutes without amendment, seconded by Councilman Ehman. Councilmen Ehman, Chandler, Kring, and Rippy in favor. Councilwoman Hufford abstained, she was not present at the last meeting.

Amend Agenda: Nothing to report.

BOW: Councilman Kring reported on the November 27, 2023, BOW meeting.

GAC: Councilman Ehman stated there was no meeting.

Goodwill: Councilman Chandler commented they met on November 14<sup>th</sup>, in attendance were Mayor Dolezal, Mayor-Elect Schmicker, Councilman Ehman, County Councilman Purvis, Abbie Smith – Community Development Director, and himself.

Street, Alley, & Sidewalk Committee: Councilman Ehman stated the Committee met a couple of weeks ago. They discussed the LPA Grant, Phase 2, the Pool parking lot had stripes and arrows placed on the pavement and yard waste containers for grass clippings.

Planning Commission: Councilwoman Hufford commented they reviewed the permits and violations and had a lengthy discussion on accessory dwelling units. It was a good meeting and will meet again on December 14<sup>th</sup>.

Utility Board: Councilman Chandler stated November 20, 2023, Utility Board minutes are enclosed. Councilman Chandler highlighted some of the items discussed at the meeting.

District Solid Waste: Mayor Dolezal commented that the meeting was held on November 20, 2023, they made appointments to the Advisory Committee and discussed totes for yard waste.

Mayor Dolezal opened the Public Hearing on DORA (Designated Outdoor Refreshment Area): Mayor Dolezal stated they had the first reading of Ordinance 2023-15 at the last meeting.

Ms. Abbie Smith – Community Development Director stated this is to establish a DORA but it doesn't make it easier to drink in public, just in a restricted area, this helps with business and economic development, it would be a gathering spot. Mayor Dolezal asked for comments from the public in favor of, support of, or opposition to. Mr. Bob Edinger, Tipton, what changes does it make to the way it is now? Mayor Dolezal stated it changes the part of vendors. The licensed permittee allows you to consume on their property, in a designated area, there is appropriate signage, and you can walk outside from that vendor, and if other vendors allow it you could walk into their establishment. If a vendor does not allow it, you can't go into their establishment. Mr. Edinger stated the law allows you to drink outside. Smith stated the law is silent, and there are limitations at the Park, Golf Course, and recreation areas, which were updated for the concerts in the park. Mr. Richards asked about beer, wine, or mixed drinks. Smith commented they all must be under a certain ounce. Mr. Edinger asked why you need a certain area if you already can drink outside. Mayor Dolezal stated it is opening up to use in other areas, social gathering areas, and walking outside with a drink from an establishment. Councilman Kring commented it would be in a designated container a DORA cup. Smith stated the liability is the license vendor. Councilwoman Hufford made a motion to close the public hearing, seconded by Councilman Rippy, with all in favor. Councilwoman Hufford stated the law is silent, there are minimal amounts of DORA's, and certain regulations, we need to make sure we cross all the t's and dot all the i's. It was stated you can have seven DORA areas. After a brief discussion, Councilwoman Hufford stated there are rules to what we can do. Smith stated we are following those rules. There were no other comments.

New Business: Nothing to report.

Old Business: Nothing to report.

#### Mayor's Report:

Mayor Dolezal stated the accessory dwelling units were still moving forward. Councilwoman Hufford stated there was no recommendation yet, there were red letter changes but not approved yet. Mayor Dolezal commented that he is still getting inquiries about housing, single family, and apartments. He shared with them Mayor-Elect Schmicker's contact information.

#### Resolutions & Ordinances:

Resolution 2023-27 – A Resolution To Transfer Within The General Fund The Following Appropriations – Fire Budget: Clerk-Treasurer Clark stated it is for the deductible for the garage door damaged by the fire truck. The cost is \$8,500 and our deductible is \$10,000. Councilman Kring asked if this was money that Chief Bitner gave back at budget time. Clerk-Treasurer Clark stated no. Councilman Kring made a motion to approve Resolution 2023-27, seconded by Councilman Ehman, with all in favor.

Ordinance 2023-11 – An Ordinance Of The City Of Tipton Providing That The Text Of The Zoning Ordinance Be Amended Section 403.04 – Permitted Uses (allowing Tattoo

Parlors) – 2<sup>nd</sup> & Final Reading: Councilman Kring made a motion to approve Ordinance 2023-11 on second and final reading, seconded by Councilman Chandler. Councilmen Ehman, Chandler, Kring, and Rippy are in favor. Councilwoman Hufford against.

Ordinance 2023-12 – An Ordinance To Adopt Cost Principles For Spending Federal Funds – 2<sup>nd</sup> & Final Reading: Mayor Dolezal stated this is a requirement on Federal Grants. Councilman Kring made a motion to approve Ordinance 2023-12 on the second and final reading, seconded by Councilman Rippy. Councilmen Ehman, Chandler, Kring, and Rippy are in favor. Councilwoman Hufford abstained.

Ordinance 2023-15 – An Ordinance Establishing A Designated Outdoor Refreshment Area (DORA) – 2<sup>nd</sup> and Final Reading: Mayor Dolezal stated we had the public hearing earlier in the meeting and the ordinance was passed on first reading at the last meeting, with the potential of approval on 2<sup>nd</sup> and final reading tonight. Councilman Ehman made a motion to approve Ordinance 2023-15 on the second and final reading, seconded by Councilman Chandler. Councilmen Ehman, Chandler, Kring, and Rippy are in favor. Councilwoman Hufford against.

Ordinance 2023-16 – An Ordinance To Adopt A New Schedule Of Electrical Rates And Charges For Electrical Services Rendered By The City Of Tipton's Municipal Electric Utility – 1<sup>st</sup> Reading: TMU General Manager Ankrum stated he was here along with Don McElfresh – Chairman, Board member Emeritus Klein, and Brandon Barthel with Krohn & Associates for any questions. Ankrum also stated we have worked on this for several weeks. TMU voted to recommend to the Council to increase the electrical rates for five different classes after 20 years. He explained the reason for the rate increase and the rates for each class. Councilwoman Hufford asked a couple of questions regarding deregulation, the amount of money using IURC, and how much it costs to use Krohn & Associates. Ankrum stated the deregulation removed from IURC is to do what we are doing today, it would have cost 200-300 K, with Krohn to help us today 25 K for this study if the ordinance is moved forward. He also stated that part of the base rate hasn't been changed in 20 years. Councilwoman Hufford stated commercial and industrial take a big hit. There was a brief discussion regarding IURC. Ankrum commented that the average rate user will see an increase of \$10 on their bill, and operating costs went up over 20 years. We have to plan this or sell it to Duke. Park 100 would pay three times the amount. The vast majority are residential. Councilwoman Hufford said thank you. Councilman Ehman stated at the last meeting he shared the utility bill would be right at \$10. Thanks for all the work and analysis, thanks to Brandon and Don. Councilman Chandler made a motion to approve Ordinance 2023-16 on the second and final reading, seconded by Councilman Ehman. Councilmen Ehman, Chandler, Kring, and Rippy are in favor. Councilwoman Hufford against. Councilman Kring stated no one wants to raise rates, if we keep going down the road like this we would have to sell to an opponent like Duke. Mayor Dolezal stated a point well taken. With the three histories of earning surplus and two years in the red. Based on recommendations the analysis and fine-tuning with consumers and businesses as well. General Manager Ankrum and Brandon with Krohn

are working with businesses to a phase-in period, we are not here to make a profit, we want independent service, and we don't want to lose the independence. Clerk-Treasurer Clark stated the Public Hearing will be on December 11<sup>th</sup>.

Claims: Councilman Rippy made a motion to approve claims 175018-175209 for \$562,399.10, seconded by Councilman Ehman. Councilwoman Hufford was going to ask a question before the second, Mayor Dolezal stated there is a motion on the floor after the second you can ask the question. Councilwoman Hufford stated no question cause of the second. The claims were passed with Councilmen Ehman, Chandler, Kring, and Rippy in favor. Councilwoman Hufford against.

Petitions, Comments and Memorials:

Mr. Bob Edinger asked about the 60 acres at the Industrial Park if it will be farmed. Mayor Dolezal stated the vast majority is farmland, but IMPA has a purchase agreement for seven acres for a solar farm. There is another parcel with an interest of seven acres. Bids will be taken on farming but that is the next administration question.

Mr. Bob Edinger asked about the new digging at the ballfield. Mayor Dolezal stated a drainage line is being installed, it needs to be installed at some point. Mr. Edinger stated it's the wrong order for drainage.

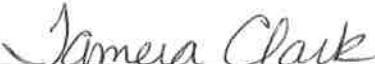
Mr. Bob Edinger offered his condolences to Sophie on the loss of her father. Councilwoman Hufford stated she won't be here at the December 11<sup>th</sup> meeting, which is the memorial. Councilman Chandler and Clerk-Treasurer Clark offered their condolences.

Ms. Roberta Heinzmann asked about the additional seven acres, and what's the purpose. Mayor Dolezal commented that it was confidential. She also asked if Ordinance 2023-12 compliance with the State and Federal policy, is the Foundation Grant under that policy as well. Clerk-Treasurer Clark stated that is federal grant money. Ms. Heinzmann asked about the bidding for the ballpark concessions. Clerk-Treasurer Clark stated there was a pre-bid meeting today, the actual bid is not until December 11<sup>th</sup>. There was a brief discussion about funding for this and money in the ARPA Fund. Mayor Dolezal stated this question would be the next administration expenditure.

Ms. Elsa Smith asked about the solar farm on 28, does Tipton County get any or is it shipped away? Mayor Dolezal stated the electrons go to the substation. It is owned and operated by IMPA. They gather electrons and send them out, they produce and rate the 60 members' pay so it is cheaper. All the members of IMPA pay and specifically Tipton. Ms. Smith asked about the solar park at the Industrial Park. TMU General Manager Ankrum stated it is the same format.

Adjournment: Councilman Chandler called for adjournment, seconded by Councilman Rippy, with all in favor.

Submitted by Tamera Clark, Clerk-Treasurer.

  
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Tamera Clark, Clerk-Treasurer

  
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Council President