

City of Tipton Common Council meeting held on November 12, 2018, at Tipton City Hall, Council Chambers, Tipton.

Members: Mayor Havens, Councilmen Curnutt, Morgan, Chandler, and Rippey and Clerk-Treasurer Clark. Councilman Ogden was not present.

Others: Dick Klein and Vicky Boyd with Tipton Tribune.

Mayor Havens opened the November 12, 2018 Council meeting.

Pledge of Allegiance was recited.

Minutes: Councilman Morgan made a motion to approve the October 22, 2018, Council minutes without amendment, seconded by Councilman Rippey, with all in favor.

Amend Agenda: Nothing to report.

BOW: Councilman Curnutt reported from the November 12, 2018 BOW minutes.

Cemetery: Councilman Rippey reported there were 5 full burials, 1 cremation burial and 9 lot sales.

Park: Councilman Rippey reported the Board met Tuesday, November 5<sup>th</sup>, there was no quorum, so it was a short meeting. Park Foreman Tomlinson is getting ready for Christmas. He also noted they discussed the construction of the pool.

Planning Commission: Councilman Curnutt reported the Planning Board will meet on Thursday, November 15<sup>th</sup> at 6 p.m. He also stated last month they reviewed the Committee reports. Mayor Havens asked if Peerless Pump is on the agenda. Councilman Curnutt stated he hasn't been sent the agenda yet.

Utility Board: Councilman Chandler reported the November 5, 2018 Utility Board minutes are enclosed. He also reported there was a presentation from Kegan Schmicker regarding the increasing need for higher speed broadband connections in smaller communities and how economic development and growth of a smaller community is extremely dependent on the availability and speed of their local internet services. Councilman Chandler reported Utility Manager Boyer presented an engagement letter from Reedy Financial Group for review and preparation of updated water rates for the East Plant service area. He also reported that the IMPA Solar Farm had begun construction and the North Water Tank interior sandblasting and painting was complete. Mayor asked if the Board approved the engagement letter. Chandler reported the motion carried regarding Reedy Financial Group. Councilman Curnutt asked when the construction on the solar farm would be done. Councilman Rippey commented he believed the middle of 2019.

New Business: Nothing to report.

Old Business: Nothing to report.

Mayor's Report:

1782 Notice: Mayor Havens reported we are seeking a motion acknowledging the receipt of the report and to respond accordingly and timely. Councilman Rippy made the motion and Councilman Curnutt seconded the motion. Clerk-Treasurer Clark reported sometimes we don't have the chance to bring it to the Council because of the 10-day window to respond. Mayor Havens stated the AV was higher than what we adopted which lowered the tax rate. The adopted AV was \$162,000,000 and the AV came in at \$164,109,657. The General Fund tax rate is 2.1966, CCD tax rate is .0209 with the total tax rate at 2.2175. The motion was passed with all in favor. Clerk-Treasurer Clark noted she was responding to the 1782 Notice because of the error on MVH.

Boys & Girls Club: Mayor Havens reported there was a letter in your packet and is self-explanatory. He also reported the Encore relationship with the Senior Apt. Housing shall be finalized in the next 2-3 months. They will be vacating the Community Center in the first part of 2020 and there has been a formal discussion with the Boys & Girls Club being interested in that space. Councilman Morgan asked when will the Senior Housing be done. It was reported groundbreaking should be in the first quarter of 2019. Mayor Havens stated the demolition of the building the City will be partnering as an incentive and the Council also granted a 10-year tax abatement.

Janson lawsuit: Mayor Havens reported the John Janson suit has been dismissed, it included Michael Cline as individual, Don Havens as individual, Wyatt Johnson as individual, Jeffrey Sheridan as individual and Joe VanBibber as individual along with City of Tipton Common Council, City of Tipton Municipal Utilities, Tipton County Commissioners and Tipton County Redevelopment Commission. He also reported there is a time period for the Plaintiff to appeal the action by the Court, it is a 30-day period from last Friday, November 9<sup>th</sup>. Councilman Curnutt asked if they dismissed it based on non-creditable. Mayor Havens stated lack of service.

Resolutions & Ordinances:

Resolution 2018-23 – A Resolution To Transfer Within The MVH Fund The Following Appropriations: Councilman Curnutt made a motion to approve Resolution 2018-23 decrease line 451 Other Equipment in the amount of \$5,500 and increase line 312 Engineering Service in the amount of \$5,500, seconded by Councilman Chandler, with all in favor.

Resolution 2018-24 – A Resolution By The City Of Tipton Common Council To Accept Tax Sale Certificates For Certain Real Property Located 837 N. Main Street, Tipton, IN, 122 Third Street, Tipton, IN and 126 Third Street, Tipton, IN From The County Of Tipton Board Of Commissioners: Councilman Curnutt made a motion to approve Resolution 2018-24, seconded by Councilman Rippy, with all in favor. Mayor Havens reported 122

Third Street and 126 Third Street won't be redeemed. He also noted 837 N. Main Street an Agent has a sign out in front of property but the owner has to be the one to redeem it.

Ordinance 2018-10 – An Ordinance Abolishing The City Court of Tipton: Councilman Curnutt made a motion to approve Ordinance 2018-10 on first reading, seconded by Councilman Rippy. Mayor Havens reported it will only be first reading tonight and the second reading will be in two weeks to allow the public, judge or any interest have time to voice their opinions. Clerk-Treasurer Clark stated this would take effect on December 31, 2019. Mayor Havens reported the ordinance had to be addressed this calendar year for the potential candidates with the Court being abolished. He also commented Judge Richter has been notified, he doesn't embrace the idea but he is hard press to put toward a solid argument. The Court records would go to Tipton Circuit Court and they will set up a traffic division (not sure that is the correct terminology) with all the functions of the City Court currently. Boyd with Tipton Tribune asked if the Judge will handle the cases or will he appoint a magistrate. Mayor Havens commented it would be up to that Judge. He also stated the Sharpsville Town Court is doing the same thing. Mayor Havens reported the State Legislatures passed a law where ~~the Courts~~ municipalities are allowed to abolish the court, but they can only do it every four years. Any judge that is already in office could run and get elected would be allowed to be the judge, but any other judge candidate has to be a licensed attorney. Boyd asked if Judge Lett would need more space or workload for funding. Mayor Havens commented it is a funding mechanism. Councilman Curnutt reported the funding is not from the City. Boyd asked if it is City side or County side. Mayor Havens reported State, Sheriff, Police or Town Marshall and all Police Agency can take them to Court and would be Circuit Court. He also reported Judge Lett could give you more information. Ordinance 2018-10 was passed on first reading, with all in favor.

Claims: Councilman Morgan made a motion to approve the claims in the amount of \$4,388,884.48 to include claim numbers 161272-161438, seconded by Councilman Curnutt, with all in favor.

Petitions, Complaints, Comments and Memorials:

Councilman Chandler stated congratulations and asked the Council to look out the windows, the flags hanging is because of an Eagle Scout Project performed by Nick Williams going for his Eagle Scout. He replaced all the flags, he worked hard and had fundraisers. His goal was to be ready and done by Veteran's Day. There was a group of us that helped him to hang all the flags this past weekend. Congratulations on a job Well Done. An Eagle Merit Award and advance as an Eagle Scout. Mayor Havens reported \$500 the City contributed to the flag project. Chandler reported as Asst. Scout Master he wants to thank the City for that contribution as well.

Councilman Morgan reported in the BOW meeting the recycling tonnage in 2015 was 9.38 tons and in 2018 it is 18.68 tons. He thanked the City and Citizens for recycling.

Adjournment: With no further business, 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