

**UTILITY BOARD/COMMON COUNCIL**

**Thursday, November 8, 2012**

**7:00 P.M.**

The Common Council and Utility Board of the City of Huntingburg met in joint session at its regularly scheduled meeting time on Thursday, November 8, 2012 at the hour of 7:00 P.M. in the Council Chambers of the Huntingburg City Hall at 508 E. Fourth Street, Huntingburg, Indiana. Members Lehr, Kissling, McPherron, Blackgrove and Summers were present. Also present were Mayor Spinner and City Attorney Schneider.

Mayor Spinner called the meeting to order.

A motion was made by McPherron seconded by Kissling and carried to approve the minutes of the October 25, 2012 meeting as presented.

A motion was made by Blackgrove, seconded by Lehr and carried to approve the claims as presented.

Attorney Schneider updated the Council on the proposal by Metro Fibernet, LLC, of Evansville, Indiana to run a fiber network in Huntingburg, Jasper and Dubois County. He noted that negotiations are ongoing to allow Metro Fibernet to use established infrastructure to attach their fiber network. To fund the project the Cities of Huntingburg and Jasper and Dubois County have been asked to create a Tax Increment Finance (TIF) District. The TIF District would only capture the tax revenues as a result of the increase in the assessed value resulting from the investment by Metro Fibernet for the project. Huntingburg, Jasper and Dubois County would each have to declare an area to be an economic development area and the administration of the TIF area could be assigned to one of the other governments involved. He noted that a proposed resolution was presented that would assign the administration of the Huntingburg TIF area to the City of Jasper for this project.

Ed Core of Metro Fibernet was present to update the Council on the project.

A motion was made by Lehr, seconded by Summers and carried to adopt Resolution No. 2012-33 entitled:

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF HUNTINGBURG, INDIANA, ASSIGNING AN AREA WITHIN THE CITY TO THE REDEVELOPMENT COMMISSION OF THE CITY OF JASPER, INDIANA FOR THE PURPOSE OF THE ALLOCATION OF PROPERTY TAX PROCEEDS, AND ADDRESSING MATTERS RELATED THERETO**

Richard Burch, President, Midwestern Engineers, Inc. was present to discuss the need for the City to develop procedures and preliminary plans pertaining to the American's with Disabilities Act (ADA). It was noted that the City needs help to meet deadlines for the plans. A proposed resolution was presented to establish grievance procedures under ADA.

A motion was made by Kissling, seconded by McPherron and carried to adopt Resolution No. 2012-34 entitled:

**A RESOLUTION ESTABLISHING A NONDISCRIMINATION POLICY AND GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT AND MATTERS RELATED THERTO**

It was noted that the City is facing a deadline of December 31, 2012 to designate an employee as ADA Coordinator, develop a notice to the public regarding rights under ADA law, develop a grievance/complaint procedure, develop accessibility standards, inventory all facilities, develop a plan for removing access barriers and implement its accessibility plan.

A proposed agreement between the City and Midwestern Engineers, Inc. was presented which would assist in compliance with the ADA requirements and in meeting the deadlines the City faces. The agreement would be for an amount not to exceed \$10,000.

The Mayor noted that he would like the funding for the ADA compliance plan to come from the Riverboat Fund. He noted there is a cash balance in the Riverboat fund of \$252,619. In order to use these funds an additional appropriation would need to be done.

A proposed additional appropriation ordinance in the amount of \$15,000 was presented to cover the cost of the proposed ADA compliance plan proposal with Midwestern Engineers and other costs including City Engineer Small's time spent on the project.

A motion was made by Blackgrove, seconded by Summers and carried to approve the agreement between the City and Midwestern Engineers as presented in an amount not to exceed \$10,000, subject to the adoption of the ordinance for an additional appropriation in the matter.

A motion was made by Kissling, seconded by McPherron and carried to introduce and number Ordinance No. 2012-35 and to set a public hearing for the additional appropriation for November 29, 2012 at 7:00 P.M., at City Hall, Council Chambers, at 508 E. 4<sup>th</sup> Street, Huntingburg, Indiana. Ordinance No. 2012-35 is entitled:

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS FOR  
THE 2012 BUDGET YEAR**

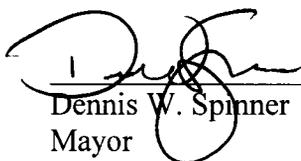
Attorney Schneider presented a proposed ordinance that would set the legislative body districts for City election purposes. He noted the proposed districts are aligned the same as those used by the County for precinct boundaries within the City of Huntingburg. He indicated that populations in Districts 1, 2, 3 and 4 would be 1,523; 1,501; 1,514; and 1,519 respectively. He indicated there were some small geographical changes made to the boundaries since the last time the districts were set.

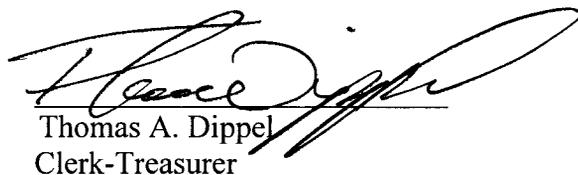
A motion was made by Kissling, seconded by Blackgrove and carried to introduce and number Ordinance No. 2012-36 entitled:

**AN ORDINANCE AMENDING CHAPTER 30 OF THE HUNTINGBURG  
MUNICIPAL CODE CHANGING THE COUNCIL DISTRICTS FOR CITY  
ELECTION PURPOSES**

There was discussion on amending the established equipment rental and labor rates used to reimburse the City for use of equipment and labor. The issue will be discussed at the next meeting after revised language is inserted for firefighters and average labor rates and overtime rates.

There being no further business before the Council, a motion was made by Blackgrove, seconded by Kissling and carried to adjourn the meeting at 7:44 o'clock P.M.

  
Dennis W. Spinner  
Mayor

  
Thomas A. Dippel  
Clerk-Treasurer