

**City of Batesville
Common Council
Memorial Building
June 8, 2015
6:45 PM**

Members Present: Gene Lambert, Beth Meyers, Jim Fritsch, Darrick Cox
Absent: Kevin Chaffee

Mayor Richard Fledderman City Clerk-Treasurer: Ron Weigel

Darrick Cox made a motion, seconded by Jim Fritsch, to approve the minutes from the previous meeting.

Mayor Fledderman welcomed and recognized the senior members of the Mayor's Youth Council. They are: Madison McCreary, Audrey Wilson, Jessie Heidlage, Layne Kirchoff, Lexi Eisert, Ivy Glaser, Elizabeth Cuttle, and Erin Longstreth. The group then presented Mayor Fledderman a plaque for display in the Mayor's office.

City council held a discussion on the Leash Law as part of the Animal Control Ordinance. Information was provided to members on other city ordinances such as Indianapolis, Greensburg, and Dearborn County. Gene Lambert favored leaving the ordinance as is, with Jim Fritsch and Darrick Cox preferring the Dearborn County Document.

Gene Lambert made a motion, to leave the ordinance as is. There not being a second, the motion died.

Jim Fritsch made a motion, seconded by Darrick Cox, to table the issue until next month with Jim Fritsch volunteering to work on a proposed leash law incorporating verbiage from Dearborn County's ordinance. All ayes so passed.

Gene Lambert made a motion, seconded by Darrick Cox, to primarily adopt ordinance # 4-2015 for Salaried & Hourly Employees of the City of Batesville approving up to a 1.5% Increase for 2016. All ayes so passed.

Darrick Cox made a motion, seconded by Jim Fritsch, to primarily adopt ordinance # 5-2015 for Elected Officials of the City of Batesville approving a 1.5 % increase for 2016 with the exception of City Council members that will not take the increase. All ayes so passed.

Darrick Cox made a motion, seconded by Jim Fritsch, to primarily adopt Ordinance # 6-2015; amending ordinance # 5-2005 Stormwater Rates. The rates approved are as follows:

Residential	\$3.50
Commercial	\$10.51
Industrial	\$21.01

All ayes so passed.

Darrick Cox made a motion, seconded by Jim Fritsch, to approve Batesville EMS to proceed with billing on the following:

1. No treatment required (lift assistance)
2. Patient refused Care
3. Treated and patient refused further care
4. Treated, transported by private vehicle

All ayes so passed.

Gene Lambert made a motion, seconded by Darrick Cox, to approve Batesville EMS to proceed with hard billing. All ayes so passed.

Beth Meyers made a motion, seconded by Jim Fritsch, to allocate \$16,500.00 from Belterra Funds for the purchase of a John Deere Gator ATV from Nobbe Mower Shop for the Parks & Recreation Department. All ayes so passed.

Gene Lambert made a motion, seconded by Beth Meyers, to allocate \$2500.00 from Belterra Funds to Hillcrest Country Club to offset costs for the 2015 Fireworks for the 4th of July Celebration. All ayes so passed.

The balance in Belterra Funds is \$14,307.93

Councilman, Darrick Cox, reported that the 2015 Color Run was once again a big success. He noted that council allocated \$1000.00 as seed money for this event and that the proceeds will allow the run to occur again next year. He applauded those involved and said this is a good example of how Belterra Funds can and should work.

Jim Fritsch made a motion, seconded by Darrick Cox, to approve payment of claims as presented by the City Clerk Treasurer. All ayes so passed.

Attached is a letter read by mayor Richard Fledderman pertaining to the Earthen Basin Liner at the Batesville Wastewater Utility.

Jim Fritsch made a motion, seconded by Beth Meyers, to adjourn. All ayes so passed.

Meeting adjourned at 7:50 PM.

Richard Fledderman, Mayor

Attest:

Ronald C. Weigel, Clerk-Treasurer

Ron Weigel

From: Rick Fledderman [mayor47006@etczone.com]
Sent: Tuesday, June 09, 2015 9:50 AM
To: Debbie.Blank@batesvilleheraldtribune.com; 'Hannah Carlock'
Cc: 'Gene Lambert'; bflannery52@gmail.com; clerk47006@nalu.net; 'Rick Fledderman'
Subject: Statement

This is the statement I read last night.

It is important at this time to clarify matters regarding the efforts my administration has made in pursuing claims for warranty regarding the repair work at the wastewater treatment plant. As you know, over time, certain damage and deterioration occurred at the holding basin for the wastewater treatment plant. Of course, as stewards of taxpayer money, we felt it important to look at the situation to determine whether necessary repairs could be made without the or with minimal use of public funds. In other words, we looked to determine whether or not a claim or claims could be made to the original construction contractor so that they might be required to make the repairs as warranty work at their cost.

In order to assess whether or not we could pursue these claims it was necessary to engage legal counsel to render an evaluation and opinion. Of course, if our counsel did not believe sufficient legal cause could be argued to pursue the claims, we would not have elected to do so. As part of our attorneys' analysis, they performed legal and factual research, including recommending that the status of the basin be evaluated by qualified engineering professionals to determine the basic scope and nature of the problems and required fix.

After the legal and factual analysis was completed, based on our attorneys recommendation, we elected to reach out to Bowen Engineering, the original contractor, requesting that they address the issues as a warranty claim.

After we contacted Bowen, a course of discussions, negotiations and assessments began which continues today. In our view, this process has been very worthwhile, and is beneficial to the taxpayers of this city, because we believe that, based upon the status of our discussions with Bowen to date, we will be able to reach a settlement of these warranty claims which will result in significant taxpayer savings. In summary, it is important for the public to understand that we have not pursued claims against anyone other than the original contractor and that we did so specifically for the very purpose of attempting to save taxpayer dollars. Any rumors or statements to the contrary - such as that our motives were political - are simply untrue.

Thank you for the opportunity to make this clarification.

Mayor Richard Fledderman