

CITY OF BATESVILLE, INDIANA

Mayor Mike Bettice

SUBJECT: Board of Works Meeting, Monday, July 13, 2020 at 6:30 p.m.
Council Meeting – Will follow Board of Works Meeting

ADDRESSED TO: Darrick Cox, Bill Flannery, Jim Fritsch, Paul Gates, John Irrgang, Tracy Rohlfig, Brad Dreyer, Doug Wilson, Stan Holt, Todd Schutte, Tim Macyauski, Randy Jobst, Eric Laker, Scott Bauer, Mike Baumer, Sarah Lamping, Steven Harmeyer, The Daily News, WRBI

Board of Works

Call Meeting to order.

Roll Call.

Review of minutes:

Old Business:

1.

New Business:

1. Street Closure Request – Amack's Well
2. Parking Lot Closure Request – Skate Event
3. Community Crossing Summer Paving Bids

**City of Batesville
Board of Works
Memorial Building
June 8, 2020
6:30 PM**

Members Present: Mayor Mike Bettice, Brad Dreyer, John Irrgang
Absent: None

Clerk-Treasurer: Paul Gates

John Irrgang made a motion, seconded by Brad Dreyer to approve the minutes for the last Board of Works meeting on March 9, 2020.

Vote: For: Bettice, Dreyer, Irrgang. Against: None. **Motion carried.**

John Irrgang made a motion, seconded by Mike Bettice to approve a parking lot closure request from the Batesville Farmers Markets for each Wednesday from 3:00pm-7:00pm for a portion of the main parking lot near the 5/3 Bank, from July 1, 2020 through September 30, 2020.

Vote: For: Bettice, Irrgang. Against: Dreyer. **Motion carried.**

John Irrgang made a motion, seconded by Brad Dreyer to approve a closure of the Bike Park area for construction of a greenspace and installation of a roof over the existing pergola by the Batesville Main Street group. This project is subject to receiving an Indiana Humanities Preserving Women's Legacy Grant. The time of the closure will be scheduled with the City upon receipt of the grant funds.

Vote: For: Bettice, Dreyer, Irrgang. Against: None. **Motion carried**

Bids were opened for the 2020-1 Community Crossings Paving Program:

- | | | |
|----------------------------------|------------------|--------------|
| • Dave O'Mara Contractor, Inc. | North Vernon, IN | \$197,035.60 |
| • Globe Asphalt Paving Co., Inc. | Westport, IN | \$202,296.00 |
| • Paul H. Rowe Co., Inc. | Aurora, IN | \$185,737.75 |

These bids will be submitted to the City Attorney and our Engineering contractor for review. The winning bid will be approved by the Board of Works at the next meeting on July 13, 2020.

Brad Dreyer made a motion, seconded by John Irrgang to adjourn the meeting.

Vote: For: Bettice, Dreyer, Irrgang. Against: None. **Motion carried.**

Meeting adjourned at 6:48 PM.

Michael A. Bettice, Mayor

Attest:

Paul J. Gates, Clerk-Treasurer



Board of Works
Application for Road Closure(s) /Parking Lot(s) Usage

Consideration for usage must be presented 60 days prior to the event date. The undersigned herewith requests the use of the following city streets and/or parking areas listed on the lines **below** and acknowledges any use of spray paint or adhesive markings on city streets and/or trails is **prohibited**:

Close George Street at intersection with Main Street
East to about Ison's Pizza.

Event Date & Time: Sat, 08/29/2020

Contact Name Kenn Amberger
812-932-9355 Amack's well
812-363-4901 cell

Home & Cell Number

06/29/2020

Date Request Submitted

Event: Puppuccino Night

Amack's Well Coffee House

Organization (If Applicable)

103 E. George Street
Batesville, IN 47006

Address, State, Zip Code

Please check off that you have done the following:

☐ Submitted route(s) ☒ Notified property owners of affected street(s) closure

Is the event a FESTIVAL? Include the following with this request:

☐ A copy of your Certificate of Liability (Adding City of Batesville)

☐ Site Safety Plan

If approved, complete the Indiana Department of Homeland Security Special Endorsement Permit

<https://publicsafety.dhs.in.gov/>

Please select the following, if needed:

☒ Cones ☒ Barricades (You are responsible for moving barriers into place and removing from roadway after event)

☐ Fencing ☐ Police Traffic Assistance

Return completed form to:

Andrea Wade, Mayor's Office
132 South Main Street
Batesville, IN 47006
or awade@batesvilleindiana.us

Approval of Application (Office use only)

Date Received: 7/1/2020

Date of Board of Works Approval: _____

Reviewed (Initial): Police Chief JS

Fire Chief TS

Mayor MAD

Andrea Wade

From: thomas raver <do-not-reply@batesvilleindiana.us>
Sent: Monday, July 6, 2020 3:03 PM
To: awade@batesvilleindiana.us; tmacyauski@batesvilleindiana.us;
bvillestdept@etczone.com
Cc: mbettice@batesvilleindiana.us
Subject: Street Closure Request

Event Name: Batesville Skate Jam

Date of requested closure: July 18th 5pm-9pm

Requested streets to be closed: 5/3 parking lot

Time of requested closure: 5pm-9pm

Organization: Kiuimilk

Contact:

thomas raver
kiuimilk@Gmail.com
812-212-9605
161 brook drive batesville indiana 47006

Event Coordinator:

thomas raver
812-212-9605

Secondary Event Coordinator:

thomas raver
8122129605

Requested streets to be closed: 5/3 parking lot

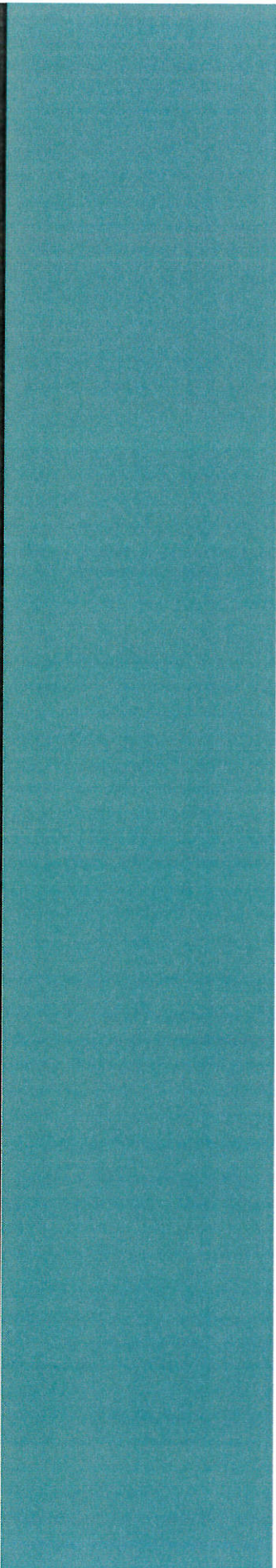
Equipment to be used: parking cones

Additional Requests: Request Cones

Certificate of Liability (if applicable) is attached.

FIRE _____
Police SA
Mayor WMS

--
This e-mail was sent from the Street Closure Request form on the City of Batesville website.



Batesville Skate Jam

Thomas Raver

2020 KIUIMILK's Batesville Skate Day Waiver/Release Form

PARTICIPATION IN SKATEBOARD and SCOOTER ACTIVITIES ENTAILS KNOWN, ANTICIPATED AND UNANTICIPATED RISKS THAT COULD RESULT IN PHYSICAL AND/OR EMOTIONAL INJURY, PARALYSIS, DEATH OR DAMAGE TO YOURSELF AND/OR TO OTHERS. RISKS MAY INCLUDE, BUT ARE NOT LIMITED TO, SLIPPING AND FALLING, LANDING IMPROPERLY, COLLISIONS WITH FIXED OBJECTS, MOVING OBJECTS AND/OR OTHER PEOPLE WHICH MAY RESULT IN LACERATIONS, SPRAINS, FRACTURES, BREAKS, SCRAPES, BRUISES, DISLOCATIONS AND INJURIES TO ARMS, LEGS, TORSO, HEAD, BACK AND NECK.

I/We acknowledge and agree: _____ (Initials).

Assumption of Risk: I/We agree to accept and assume all of the risks which accompany skating activities and represent that my participation in these activities is purely voluntary and I elect to participate in these activities notwithstanding the risks.

Waiver of Liability and Medical Consent: In the event of injury, I/We hereby authorize the program officials and organizer Thomas Raver to arrange such medical services as may be deemed reasonable and necessary to the welfare of the injured. I/We hereby release Thomas Raver, Kiuimilk, the City of Batesville, and Batesville Main Street and their members, managers, officers, employees, volunteers, agents, directors and advertisers with respect to any and all injury, disability, death, loss or damage to person or property, whether arising from negligence of the releases or otherwise. I/We have read this waiver of liability and assumption of risk fully, and understand its terms. I/We further understand that I/We have given up substantial rights by signing it freely and voluntarily without inducement.

Thomas Raver, Kiuimilk, the City of Batesville, and/or Batesville Main Street to capture my/our image, likeness anThomas Raver, Kiuimilk, the City of Batesville, and/or Batesville Main Street will own such Images and I/We grant permission, without compensation. Thomas Raver, Kiuimilk, the City of Batesville, and/or Batesville Main Street may copyright, display, publish, distribute, use, modify and print such Images in any lawful manner, including without limitation, in publications, advertisements, brochures, web sites, social media and other electronic displays and transmissions thereof. The foregoing authorization shall not include using my/our name with any Image, unless I/We agree otherwise in writing.

.....

Individual Consent

Printed Name	Address	City/State	Phone #
Signature	Date		

Family Consent

Name of Dependent or minor	Name of dependent or minor
Name of Dependent or minor	Name of dependent or minor

I, _____, (Full Name), the parent of legal guardian of above dependents and /or minors, have read this form carefully and fully understand, acknowledge, and agree to its terms for myself and the dependents and/or the minors named above.

Signature of responsible party	Address/City/State/Phone #	Date

General Info

July 18th 5-9pm

Free grill out

One tent

Music

Bringing in Ramps



What is it?

A friendly hangout and get together to skate and have a good time with others that share the same interests with a BBQ and music. Will bring traffic to the local business' and put on a positive vibe



Tim Macyauski

From: Dick Weigel <DWeigel@hwcengineering.com>
Sent: Tuesday, July 7, 2020 2:02 PM
To: Tim Macyauski (tmacyauski@batesvilleindiana.us)
Cc: Brian Fleck
Subject: FW: City of Batesville - 2020-1 CCMG Notice of Award to Contractor
Attachments: City of Batesville - 2020-1 Notice of Award DES #2001316 & DES #2001321 - Unsigned.pdf; City of Batesville - 2020-1 Agreement form DES #2001316 & DES #2001321 - Unsigned.pdf

Tim,

Assuming everything is still good with Rohe on your end, the board Monday can move to award the contract to Paul H Rohe Co for the Bid amount of \$185,737.75 and to authorize the Mayor to Sign the contract once the bonds and insurance are returned. Once the attached Notice of Award for Rohe is signed after the meeting, we'll need to send it to Rohe along with the unsigned agreement. The agreement is also attached.

Dick

Dick R. Weigel, PE
HWC Engineering
135 N. Pennsylvania Street, Suite 2800
Indianapolis, IN 46204
317-981-1245 direct
www.hwcengineering.com



HWC
ENGINEERING



Blue Ink

From: Brian Fleck <bfleck@hwcengineering.com>
Sent: Tuesday, July 7, 2020 12:59 PM
To: Dick Weigel <DWeigel@hwcengineering.com>
Subject: City of Batesville - 2020-1 CCMG Notice of Award to Contractor

Attached is the Notice of Award form for date (I dated for the Monday meeting on the 13th) and signature. This is internal only and does not necessarily need to be sent to INDOT.

A copy of the agreement form is also attached that will need to be sent with the Notice of Award to Paul H. Rohe.

Please let me know if you have any questions.

Thanks

Brian J. Fleck, P.E.
Project Manager

HWC Engineering
303 Scribner Drive
Suite 201
New Albany, IN 47150
Mobile: 812-322-4909
www.hwcengineering.com

Town of Batesville
Community Crossings Paving Program
2020-1 Funding - Application #8665
Bid Tabulation
Bid Opening: 06/08/20 at 6:30 pm

				Globe Asphalt Paving Co., Inc..		Paul H. Rohe Co., Inc.		Dave O'Mara Contractor, Inc.	
Sub-project A: Hunterville Rd - Tunnel (430' south of Lynn Haven Dr) to Sycamore Rd -- 1.5" Mill and Overlay									
Pay Item Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	
Construction Engineering	LS	1	\$150.00	\$150.00	\$75.00	\$75.00	\$200.00	\$200.00	
Mobilization and Demobilization	LS	1	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	
Milling, Asphalt, 1.5 in	SYS	4697	\$2.00	\$9,394.00	\$1.40	\$6,575.80	\$1.90	\$8,924.30	
HMA, 9.5mm, Surface, Type B	TON	409	\$75.00	\$30,675.00	\$66.00	\$26,994.00	\$69.75	\$28,527.75	
Asphalt for Tack Coat	TON	1.2	\$625.00	\$750.00	\$600.00	\$720.00	\$580.00	\$696.00	
Casting, Water Valve, Adjust to Grade	EACH	3	\$150.00	\$450.00	\$330.00	\$990.00	\$58.85	\$176.55	
Casting, Manhole, Adjust to Grade	EACH	3	\$900.00	\$2,700.00	\$800.00	\$2,400.00	\$1,500.00	\$4,500.00	
Maintenance of Traffic	LS	1	\$500.00	\$500.00	\$1,030.00	\$1,030.00	\$1,000.00	\$1,000.00	
Sub-project A Total				\$45,119.00		\$39,284.80		\$44,524.60	
Sub-project B: Westbrook Dr - Dead End (930' north of County Line Rd) to County Line Rd -- 1.5" Mill and Overlay									
Pay Item Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	
Construction Engineering	LS	1	\$150.00	\$150.00	\$75.00	\$75.00	\$200.00	\$200.00	
Mobilization and Demobilization	LS	1	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	
Milling, Asphalt, 1.5 in	SYS	2751	\$2.00	\$5,502.00	\$1.55	\$4,264.05	\$1.90	\$5,226.90	
HMA, 9.5mm, Surface, Type B	TON	240	\$75.00	\$18,000.00	\$68.50	\$16,440.00	\$69.75	\$16,740.00	
Asphalt for Tack Coat	TON	0.7	\$625.00	\$437.50	\$600.00	\$420.00	\$580.00	\$406.00	
Casting, Water Valve, Adjust to Grade	EACH	1	\$150.00	\$150.00	\$330.00	\$330.00	\$58.85	\$58.85	
Maintenance of Traffic	LS	1	\$500.00	\$500.00	\$540.00	\$540.00	\$1,000.00	\$1,000.00	
Transverse Marking, Paint, Stop Line, White, 24 in.	LFT	12	\$2.50	\$30.00	\$15.00	\$180.00	\$6.00	\$72.00	
Sub-project B Total				\$25,269.50		\$22,749.05		\$24,203.75	
Sub-project C: White Oak - Dead End (2,400' southeast of Littleleaf Ln) to 300' southeast of Littleleaf Ln -- 1.5" Mill and Overlay									
Pay Item Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	
Construction Engineering	LS	1	\$150.00	\$150.00	\$75.00	\$75.00	\$200.00	\$200.00	
Mobilization and Demobilization	LS	1	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	
Milling, Asphalt, 1.5 in	SYS	4872	\$2.00	\$9,744.00	\$1.50	\$7,308.00	\$1.90	\$9,256.80	
HMA, 9.5mm, Surface, Type B	TON	424	\$75.00	\$31,800.00	\$68.00	\$28,832.00	\$69.75	\$29,574.00	
Asphalt for Tack Coat	TON	1.3	\$625.00	\$812.50	\$600.00	\$780.00	\$580.00	\$754.00	
Casting, Water Valve, Adjust to Grade	EACH	1	\$125.00	\$125.00	\$330.00	\$330.00	\$58.85	\$58.85	
Maintenance of Traffic	LS	1	\$500.00	\$500.00	\$1,230.00	\$1,230.00	\$1,000.00	\$1,000.00	
Sub-project C Total				\$43,631.50		\$39,055.00		\$41,343.65	
Sub-project D: Hawthorn Ct - White Oak to Dead End (450' east of White Oak) -- 1.5" Mill and Overlay									
Pay Item Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	
Construction Engineering	LS	1	\$150.00	\$150.00	\$75.00	\$75.00	\$200.00	\$200.00	
Mobilization and Demobilization	LS	1	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	
Milling, Asphalt, 1.5 in	SYS	1260	\$2.00	\$2,520.00	\$1.55	\$1,953.00	\$1.90	\$2,394.00	
HMA, 9.5mm, Surface, Type B	TON	110	\$75.00	\$8,250.00	\$70.00	\$7,700.00	\$69.75	\$7,672.50	
Asphalt for Tack Coat	TON	0.4	\$625.00	\$250.00	\$600.00	\$240.00	\$580.00	\$232.00	
Maintenance of Traffic	LS	1	\$400.00	\$400.00	\$515.00	\$515.00	\$1,000.00	\$1,000.00	
Transverse Marking, Paint, Stop Line, White, 24 in.	LFT	12	\$2.50	\$30.00	\$15.00	\$180.00	\$6.00	\$72.00	
Sub-project D Total				\$12,100.00		\$11,163.00		\$12,070.50	
Sub-project E: E G S Blvd - 460' west of Brook Dr to Lakeside Dr -- 1.5" Mill and Overlay									
Pay Item Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	
Construction Engineering	LS	1	\$150.00	\$150.00	\$75.00	\$75.00	\$200.00	\$200.00	
Mobilization and Demobilization	LS	1	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	
Milling, Asphalt, 1.5 in	SYS	2604	\$2.00	\$5,208.00	\$1.60	\$4,166.40	\$1.90	\$4,947.60	
HMA, 9.5mm, Surface, Type B	TON	227	\$75.00	\$17,025.00	\$68.00	\$15,436.00	\$69.75	\$15,833.25	
Asphalt for Tack Coat	TON	0.7	\$625.00	\$437.50	\$600.00	\$420.00	\$580.00	\$406.00	
Maintenance of Traffic	LS	1	\$500.00	\$500.00	\$1,290.00	\$1,290.00	\$1,000.00	\$1,000.00	
Transverse Marking, Paint, Stop Line, White, 24 in.	LFT	12	\$2.50	\$30.00	\$15.00	\$180.00	\$6.00	\$72.00	
Sub-project E Total				\$23,850.50		\$22,067.40		\$22,958.85	

Sub-project F: Edgewood Rd - Dead End (590' west of 2nd St) to 2nd St -- 1.5" Mill and Overlay								
Pay Item Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
Construction Engineering	LS	1	\$250.00	\$250.00	\$500.00	\$500.00	\$200.00	\$200.00
Mobilization and Demobilization	LS	1	\$500.00	\$500.00	\$700.00	\$700.00	\$500.00	\$500.00
HMA Patching, Type B	TON	127	\$125.00	\$15,875.00	\$115.00	\$14,605.00	\$110.00	\$13,970.00
Milling, Asphalt, 1.5 in	SYS	1515	\$2.00	\$3,030.00	\$1.65	\$2,499.75	\$1.90	\$2,878.50
HMA, 9.5mm, Surface, Type B	TON	132	\$75.00	\$9,900.00	\$70.00	\$9,240.00	\$69.75	\$9,207.00
Asphalt for Tack Coat	TON	0.4	\$625.00	\$250.00	\$600.00	\$240.00	\$580.00	\$232.00
Maintenance of Traffic	LS	1	\$750.00	\$750.00	\$2,415.00	\$2,415.00	\$1,000.00	\$1,000.00
Transverse Marking, Paint, Stop Line, White, 24 in.	LFT	11	\$2.50	\$27.50	\$15.00	\$165.00	\$6.00	\$66.00
Transverse Marking, Paint, Crosswalk Line, White, 4 in.	LFT	50	\$0.30	\$15.00	\$5.00	\$250.00	\$8.25	\$412.50
Casting, Water Valve, Adjust to Grade	EACH	1	\$125.00	\$125.00	\$330.00	\$330.00	\$58.85	\$58.85
Curb Ramp, Concrete	SYS	14	\$225.00	\$3,150.00	\$295.00	\$4,130.00	\$350.00	\$4,900.00
Detectable Warning Surfaces	SYS	3	\$260.00	\$780.00	\$260.00	\$780.00	\$200.00	\$600.00
Sub-project F Total				\$34,652.50		\$35,854.75		\$34,024.85
Total Project Amount:				\$184,623.00		\$170,174.00		\$179,126.20
Total CCMG Match Amount:				\$138,467.25		\$127,630.50		\$134,344.65
Total LPA Match Amount:				\$46,155.75		\$42,543.50		\$44,781.55
CONTRACTOR CONTACT INFORMATION								
			Globe Asphalt Paving Co., Inc. 6445 E 30th St. Indianapolis, IN 46219 317-568-4344 William A. Shumaker		Paul H. Rohe Co., Inc. 110 Forest Avenue Aurora, IN 47001 812-926-1471 Mark Richardson		Dave O'Mara Contractor, Inc. 1100 East O & M Avenue, P.O. Box 1139 North Vernon, IN 47265 812-346-4135 Paul Eder	
AFFIDAVIT OF SUBCONTRACTORS EMPLOYED			NO		YES		YES	
BID FOR PUBLIC WORK - FORM 96			YES		YES		YES	
BID BOND (5% OF TOTAL BID AMOUNT)			YES		YES		YES	
EMPLOYEE DRUG TESTING PLAN			NO		NO		YES	
ADDENDUM ACKNOWLEDGEMENT			N/A		N/A		N/A	

Certified By: _____

Paul Proxa

Date: June 16, 2020

Town of Batesville
Community Crossings Paving Program
2020-1 Funding - Application #8670
Bid Tabulation
Bid Opening: 06/08/20 at 6:30 pm

				Globe Asphalt Paving Co., Inc..		Paul H. Rohe Co., Inc.		Dave O'Mara Contractor, Inc.		
Sub-project A: Fisherman Dr - SR 46 to Dead End (230' north of SR 45) -- 4" HMA Overlay										
Pay Item Description			Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total
Construction Engineering			LS	1	\$250.00	\$250.00	\$75.00	\$75.00	\$800.00	\$800.00
Mobilization and Demobilization			LS	1	\$750.00	\$750.00	\$500.00	\$500.00	\$1,200.00	\$1,200.00
Subgrade Treatment, Type III			SYS	591	\$6.00	\$3,546.00	\$3.25	\$1,920.75	\$6.40	\$3,782.40
Compacted Aggregate, No. 73			TON	62	\$39.00	\$2,418.00	\$32.00	\$1,984.00	\$35.00	\$2,170.00
HMA, 9.5mm, Surface, Type B			TON	52	\$75.00	\$3,900.00	\$75.00	\$3,900.00	\$69.75	\$3,627.00
HMA, 25.0mm, Base, Type B			TON	82	\$72.00	\$5,904.00	\$72.00	\$5,904.00	\$67.00	\$5,494.00
Asphalt for Tack Coat			TON	0.2	\$625.00	\$125.00	\$600.00	\$120.00	\$580.00	\$116.00
Maintenance of Traffic			LS	1	\$750.00	\$750.00	\$980.00	\$980.00	\$600.00	\$600.00
Transverse Marking, Paint, Stop Line, White, 24 in.			LFT	12	\$2.50	\$30.00	\$15.00	\$180.00	\$10.00	\$120.00
Sub-project A Total						\$17,673.00		\$15,563.75		\$17,909.40
Total Project Amount:						\$17,673.00		\$15,563.75		\$17,909.40
Total CCMG Match Amount:						\$13,254.75		\$11,672.81		\$13,432.05
Total LPA Match Amount:						\$4,418.25		\$3,890.94		\$4,477.35
CONTRACTOR CONTACT INFORMATION										
			Globe Asphalt Paving Co., Inc.. 6445 E 30th St. Indianapolis, IN 46219 317-568-4344 William A. Shumaker			Paul H. Rohe Co., Inc. 110 Forest Avenue Aurora, IN 47001 812-926-1471 Mark Richardson		Dave O'Mara Contractor, Inc. 1100 East O & M Avenue, P.O. Box 1139 North Vernon, IN 47265 812-346-4135 Paul Eder		
AFFIDAVIT OF SUBCONTRACTORS EMPLOYED			NO			YES		YES		
BID FOR PUBLIC WORK - FORM 96			YES			YES		YES		
BID BOND (5% OF TOTAL BID AMOUNT)			YES			YES		YES		
EMPLOYEE DRUG TESTING PLAN			NO			NO		YES		
ADDENDUM ACKNOWLEDGEMENT			N/A			N/A		N/A		

Certified By: _____

Paul Eder

Date: June 16, 2020

Council Meeting

Call Meeting to order.

Pledge of Allegiance.

Roll Call.

Review of minutes:

Department Head Reports.

Police Dept. – Stan Holt; Fire Dept. – Todd Schutte; Building/Street Dept. – Tim Macyauski;
WWTP Dept. – Randy Jobst; Water/Gas Dept. – Eric Laker/Scott Bauer; Park Dept. – Mike Baumer;
Economic Dev. Director – Sarah Lamping; Community Dev. Director – Steven Harmeyer

Old Business:

1. Second Reading of Ordinance #05-2020 – Certain Property Zoning Change
2. Diversity Discussion

New Business:

1. First Reading of Ordinance #07-2020 – Fire Prevention
2. Resolution #04-2020 – Shell Building Bond Issuance
3. First Reading of Ordinance #08-2020 – Shell Building Fund Pledge

Clerk-Treasurer Report

Motion to approve claims

Mayor Report

Hearing of citizens concerning city matters they wish to address.

Next meeting date: August 10, 2020

Motion to adjourn

**City of Batesville
Common Council
Memorial Building
June 9, 2020
6:55 PM**

Members Present: Darrick Cox, Bill Flannery, Jim Fritsch, John Irrgang, Tracy Rohlffing
Absent: None

Mayor: Mike Bettice

Clerk-Treasurer: Paul Gates

Bill Flannery made a motion, seconded by Darrick Cox to approve the minutes from the last Council meeting on May 11, 2020.

Vote: For: Cox, Flannery, Fritsch, Irrgang, Rohlffing. Against: None. **Motion carried.**

Mayor Bettice asked for any comments regarding the Department Head reports that were made available to the public. No comments were made.

The outgoing Seniors from the Mayor's Youth Council were recognized. It was noted that the MYC has performed 2,085 hours of community service over the last year.

Ordinance #05-2020, which authorizes a change in zoning for a .403-acre tract of land owned by David and Sarah Shane from R-4 to B-2 was presented to Council as a first reading. The second reading and vote on this ordinance will take place at the next meeting.

Jim Fritsch made a motion, seconded by Bill Flannery for a suspension of rules to allow **Ordinance #06-2020** to be voted on at its first reading.

Vote: For: Cox, Flannery, Fritsch, Irrgang, Rohlffing. Against: None. **Motion carried.**

This ordinance amends general sewer use and wastewater pretreatment codes to meet Environmental Protection Agency regulations.

Tracy Rohlffing made a motion, seconded by Jim Fritsch to approve this ordinance

Vote: For: Cox, Flannery, Fritsch, Irrgang, Rohlffing. Against: None. **Motion carried.**

Darrick Cox made a motion, seconded by Jim Fritsch to approve a Belterra Fund request from the Batesville Main Street group for \$15,000.00 for renovation of the Bike Park area. This award is contingent upon the group receiving an Indiana Humanities Preserving Women's Legacy matching funds grant.

Vote: For: Cox, Flannery, Fritsch, Irrgang, Rohlffing. Against: None. **Motion carried.**

Paul Gates gave the Clerk/Treasurer report:

- The May YTD 2020 financial summaries for Non-Utility and the three utilities were included in the monthly packet and online as usual. Any questions regarding these reports are welcome by the Clerk-Treasurer's office.
- Property tax collections for the first half of 2020 were received from the counties last week. The amount received was slightly less than previous years due to an extension of 2

months before any penalties are incurred. The amount received was enough to keep the City from having any cash flow problems before the second half payments are received.

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

Vote: For: Cox, Flannery, Fritsch, Irrgang, Rohlfing. Against: None. **Motion carried.**

Mayor Bettice discussed the following topics:

- The 2020 Census is in process with about 74% of residents responding. Those who have not responded are encouraged to do so. Also, both Ripley and Franklin counties are looking for part-time census workers at this time.
- The Ripley County Health Department COVID-19 test site in Osgood will be open for a while longer for county residents who feel the need to be tested.
- The Mayor addressed the current national situation regarding the death of George Floyd in Minneapolis and how he and Police Chief Holt met with concerned residents regarding peaceful assembly and police training techniques.
- The Long-Term Water Supply project continues to make good progress, although slightly slowed due to recent rains.
- Bids requests for the annual road paving project were received at the Board of Works meeting earlier this evening. The winning bid will be awarded at the Board of Works meeting on July 13th.
- The determination of what to do with the former Feller's service station lot is on hold.
- Upcoming events include the Community Scavenger Hunt, the Chamber's Business Bingo, and the opening of the Memorial Pool on July 5th.

The Mayor asked if there were any citizens who had matters that they wanted to address to Council.

A number of citizens addressed Council regarding the protests regarding the death of George Floyd in Minneapolis, and overall racial and diversity issues as they relate to Batesville. Council members, the Mayor and Police Chief Stan Holt also addressed the gathering to explain the City's positions on these matters. The entire group discussed future communication needs and committed to listening to citizens' ideas on how to make Batesville more inclusive to visitors and current and future residents.

Jim Fritsch made a motion, seconded by John Irrgang to adjourn the meeting.

Vote: For: Cox, Flannery, Fritsch, Irrgang, Rohlfing. Against: None. **Motion carried.**

The meeting adjourned at 8:57 PM.

Michael A. Bettice, Mayor

Attest:

Paul J. Gates, Clerk-Treasurer



BATESVILLE POLICE DEPARTMENT

Law Total Incident Report, by Agency, Nature

Agency: BATESVILLE POLICE DEPT

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hangup Call	13
911 Open Line	2
Traffic Accident with Damage	14
Traffic Accident with Injury	1
Accident Unknown	2
Traffic Accident Leaving Scene	1
Traffic Accident with Damage	3
Traffic Accident with Injury	2
Accident Unknown	1
Agency Assist	29
Alarm-Business	13
Alarm-Residence	8
Alarm Calls	1
Alcohol Offense	1
Animal Abuse/Neglect	1
Animal Problem -Not Livestock	9
Attempt to Locate	2
Battery	2
Animal Bite/Attack	1
BMV Request	13
Check Deception	1
Citizen Assist	7
Civil Dispute	6
Civil Process	1
Community Mental Health Issue	6
Custody Dispute	2
Deliver Message	2
Disorderly Conduct	1
Domestic Disturbance	4
Controlled Substance Problem	4
EMS & MEDIC	3
Escort	1
Fireworks	1
Found Property	2
Funeral Detail	1
Golfcart Inspection	1
Gunshots	2
Harassment	6
III FOR EMPLOYMENT	2
Impaired Driver	6
Information Report	4
Intimidation	1
Investigation	1

<u>Nature of Incident</u>	<u>Total Incidents</u>
Juvenile Problem	2
Litter, Pollutn, Public Health	2
Lockout	13
Lost Property	1
Medical Waste	1
Noise Complaint	1
Parking Complaint	1
Property Damage	3
Reckless Driver	4
Road Hazard	6
Scam/Phone Scam	3
Sex Offense	1
Solicitor	2
Speeding Vehicle	3
Threatened or Attempted	1
Suspicious Activity	7
Suspicious Person	14
Suspicious Vehicle	16
SUSPICIOUS PACKAGE OR ITEM	3
Theft	6
Traffic Hazard	3
Traffic Stop	40
Transport	2
Unwanted Person	1
Abandoned Vehicle	1
Disabled Vehicle	15
VIN Serial Nmbr Inspection	22
Search Warrant	1
Welfare Check	14
Total Incidents for This Agency	373

Total reported: 373

Report Includes:

All dates between `00:00:00 06/01/20` and `00:00:00 06/30/20`, All agencies matching `BPD`, All natures, All locations, All responsible officers, All dispositions, All clearance codes, All observed offenses, All reported offenses, All offense codes, All circumstance codes



BATESVILLE FIRE & RESCUE
115 E. CATHERINE STREET | BATESVILLE, INDIANA 47006
812.934.2230 | FAX 812.934.0271 | www.batesvilleindiana.us



MONTHLY REPORT JUNE - 2020

FIRE

NUMBER OF STILL ALARMS	4
NUMBER OF GENERAL ALARMS	2
NUMBER OF RURAL ALARMS	0
NUMBER OF EXTRICATION ALARMS	6
NUMBER OF MEDICAL ASSISTS	3
NUMBER OF PUBLIC RELATION CALLS	1
TOTAL FIRE CALLS : 16	
NUMBER OF PERSONEL RESPONDING	96
NUMBER OF HOURS WORKED AT INCIDENTS	112
EST. PROPERTY FIRE LOSS-LOCAL	\$ 0.00
NUMBER OF MEETINGS	0
NUMBER OF PERSONEL IN ATTENDANCE	0
NUMBER OF TRAINING HOURS	120

EMS

ALS - 1	29
ALS - 2	2
BLS	47
OTHER	36
TOTAL CALLS	114
TOTAL HOURS WORKED	3,193.97


FIRE & EMS CHIEF



STREET & MAINTENANCE DEPARTMENT

MONTHLY REPORT

June 2020

Worked on remodeling main pool building

Helped run new electric line to pool concession building

General pool opening maintenance

Poured sidewalk around new playground at the Plex

Mow - weed eat and bush hog

Put up American flags and Veteran banners

Repaired storm sewer manhole on Burr Oak

Clean up debris from storm

Responded to several animal complaints

Patched potholes

Jun-2020									
	4001 - Effluent FlowMGD	4081 - Effluent pHSU	4021 - Effluent CBODmg/L	4041 - Effluent TSSmg/L	4095 - Effluent Dissolved Oxygenmg/L	4061 - Effluent Phosphorusmg /L	4101 - Effluent Ammoniamg/L	1841 - Aeration Tank Avg Settleable Solidsml/L	1821 - Aeration Tank Avg MLSSmg/L
1 Mon	0.9753	7.60	3.40	7.50	7.91	0.49	0.0420	0.00	0
2 Tue	1.0853	7.80	4.90	8.50	6.00	0.39	0.0240	0.00	0
3 Wed	0.8543	7.80	4.16	9.20	7.12	0.37	0.0360	0.00	0
4 Thu	0.7306	7.60	5.80	12.00	6.58	0.47	0.0830	0.00	0
5 Fri	0.9625	7.60	4.90	7.10	7.97	0.44	0.0230	0.00	0
6 Sat	0.7707				6.00			0.00	0
7 Sun	0.6322				6.00			0.00	0
8 Mon	0.5906	7.90	3.40	9.00	6.88	0.50	0.0370	0.00	0
9 Tue	0.8805	7.70	7.50	32.10	6.37	0.64	0.0500	0.00	0
10 Wed	0.8332	7.50	5.70	10.50	7.53	0.63	0.0550	0.00	0
11 Thu	0.7259	7.70	5.90	11.70	7.62	0.65	0.0470	0.00	0
12 Fri	0.6371	7.70	5.50	11.90	7.41	0.67	0.1220	0.00	0
13 Sat	0.5962				7.32			0.00	0
14 Sun	0.4716				8.20			0.00	0
15 Mon	0.5264	7.70	3.00	2.40	7.55	0.64	0.0390	0.00	0
16 Tue	0.6189	7.70	5.00	14.50	8.32	0.64	0.0450	0.00	0
17 Wed	0.5851	7.40	3.40	9.80	7.17	0.61	0.0460	0.00	0
18 Thu	0.5311	7.70	2.70	10.40	7.33	0.61	0.0680	0.00	0
19 Fri	0.5564	7.70	4.35	11.00	7.12	0.58	0.0430	0.00	0
20 Sat	0.5266				7.43			0.00	0
21 Sun	0.4460				6.00			0.00	0
22 Mon	0.7122	7.80	3.00	5.40	6.56	0.54	0.0510	0.00	0
23 Tue	0.8338	7.60	6.80	14.80	7.36	0.44	0.1130	0.00	0
24 Wed	0.6965	7.80	5.90	14.00	7.44	0.57	0.1260	0.00	0
25 Thu	0.6603	7.70	5.6	14.30	7.01	0.41	0.0380	0.00	0
26 Fri	0.5307	7.80	2.6	0.90	6.82	0.46	0.0340	0.00	0
27 Sat	0.5217				7.19			0.00	0
28 Sun	0.7841				8.00			0.00	0
29 Mon	0.7771	7.60	2.7	6.40	7.48	0.52	0.0240	0.00	0
30 Tue	0.6726	7.40	4.4	7.6	8.00	0.47	0.099	0.00	0
31 Wed								0.00	
MIN	0.4	7.4	2.6	0.9	6.0	0.4	0.0	0.0	0.0
MAX	1.1	7.9	7.5	32.1	8.3	0.7	0.1	0.0	0.0
AVG	0.7	7.7	4.6	10.5	7.2	0.5	0.1	0.0	0.0
SUM	20.7	168.8	100.6	231.0	215.7	11.7	1.2	0.0	0.0

**Batesville Water & Gas Utility
Operations Report
May-2020**

WATER UTILITY

Plant Operations:

Chemicals Used	March	April	May	May 2019	Previous 3 Month Average
Chlorine	625	717	655	767	666
Poly Aluminum Chloride	7,892	8,230	6,906	8,491	7,676
Fluoride	578	674	689	901	647
Poly Phosphate (Dry)	461	529	520	437	503
Caustic Soda, NaOH	1,312	2,095	2,679	1,543	2,029
Activated Carbon	2,555	2,859	2,851	3,212	2,755
Polymer	354	505	400	432	420
Carusol-Sodium Permanganate	1,187	1,341	1,325	1,543	1,284
Ora-Cle	998	2,235	2,299	2,521	1,844

Pumping Report:

Park Influent	24,064,000	27,156,000	26,669,000	27,581,000	25,963,000
Plant Effluent	23,910,000	24,231,000	25,806,000	26,452,000	24,649,000
Metered Sales & Plant Use	21,901,667	22,337,551	23,627,377	24,840,930	22,622,198
KWH Used	49,320	47,200	48,240	51,628	48,253
Electricity \$/ 1,000 Gal	0.1935	0.1861	0.2046	0.2199	0.1947
Chemical Cost \$/ 1,000 Gal	0.3912	0.4729	0.4201	0.4344	0.4281
Total \$/ 1,000 Gal	0.5847	0.6590	0.6247	0.6543	0.6228
Percent Unaccounted Water	8.4%	7.8%	8.4%	6.1%	8.2%
Cost of Lost Water (\$)	\$1,174.27	\$1,247.78	\$1,360.99	\$1,054.12	\$1,262.29

Plant Work:

Updating information on GIS mapping system.

Working on Long-term Water Supply.

Installed 2" conduit from Industrial tank building for new Softening Plant.

Distribution Operations:

Main break on Walnut St in front of the Library.

Meters:

	March	April	May	May 2019
New Meters Installed	4	5	2	2
Meters Changed Out	1	0	0	0
Neptune Radio Read Meters	4	5	2	2
Total Customers	3,034	3,039	3,041	3,011

Man Hours Spent Locating

	March	April	May	May 2019
	57	86	83	89

**Batesville Water & Gas Utility
Operations Report
May-2020**

GAS UTILITY

Sales:

	March	April	May	May 2019	Preceding 12 Months Avg. Month	Total
Degree Days	572	448	221	112	423	5,076
Total Gas Moved, MCF *	59,494	43,762	33,125	23,652	46,600	559,200
Gas Utility Purchased, MCF *	34,266	22,803	16,715	10,616	20,546	246,555
Delivered Gas Cost, \$/MCF	3.17	0.65	3.01	3.73	5.48	
Operating Expense / Total MCF	3.21	2.73	3.79	5.79	3.86	
Total Metered Sales, MCF **	64,321	44,792	37,809	26,761	46,923	563,074
Receipts / MCF Bought	7.99	7.96	7.66	11.29	12.03	
Fuel Adjustment Tracker	-0.2114	-0.0841	-1.0273	1.3406	1.1955	

* Gas reported the first of the month to end of reporting month.

** Gas reported the middle of previous month to middle of reporting month (meter reading cycle).

Actual Billed Quantities and Receipts:

Firm Customer Sales, MCF **	33,842	20,864	15,398	10,022	20,896	250,756
Interruptible Sales, MCF **	2,939	1,107	740	1,136	5,965	71,582
Transportation Sales, MCF **	27,174	22,631	21,623	15,579	19,666	235,993
% Interrupt. & Trans. Sales, MCF	46.8%	53.0%	59.1%	62.5%	54.6%	54.6%
Firm Customer Receipts \$/MCF	5.99	6.29	5.49	8.15	7.73	
Interruptible Receipts \$/MCF	5.00	5.36	4.55	6.87	6.39	
Transportation Receipts \$/MCF	1.50	1.50	1.50	1.50	1.50	

Distribution Operations

Relocated 100 ft. of 2" steel gas main for new garage.

Line heaters at Texas Eastern & Lammers Pike stations shut down for the season.

Installed 1 new 4" gas valve at Hwy 129 & Winding Way.

Removed 3" leaking gas valve from system. (Gillman's True Value)

Services:

2 services was installed which used 58 ft. of 3/4" pe pipe.

Excess flow valves installed - 1

Gas Leaks Investigated:

	March	April	May	
"1" Immediate Hazard	0	0	1	Homeowner augered through service line.
"2" Probable Hazard	0	0	0	
"3" Non-Hazardous	1	2	1	
Responded to 4 gas leak reports				
Responded to 0 carbon monoxide reports				

Meters:

	March	April	May	May 2019
New Meters Installed	3	4	3	2
Meters Changed Out	1	1	1	5
Neptune Meter Reading	0	1	1	3
Total Customers	3,123	3,125	3,127	3,085

Equipment, or Work, Being Quoted:

New 1-ton truck with utility bed. (Replacing 2008 model)

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Batesville Water Utility
Comparative Profit & Loss/Budget Report-Unaudited
May 31, 2020

	<u>Budget for</u>	<u>Prior Year</u>	<u>Current Month</u>	<u>Current</u>	<u>Variance to</u>	<u>Prior Year</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Variance to</u>
	<u>Year</u>	<u>Actual</u>	<u>Actual</u>	<u>Month</u>	<u>Budget</u>	<u>To-Date</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>
INCOME:									
Metered Sales	2,276,080	144,930.27	161,218.59	178,270	(17,051.41)	704,913.78	840,075.10	882,680	(42,604.90)
Fire Protection/Municipal	341,496	22,161.00	29,271.31	28,458	813.31	110,838.44	136,081.14	142,290	(6,208.86)
Water Mains	-	-	-	-	-	-	-	-	-
Less Customer Refunds	-	-	-	-	-	(913.60)	-	-	-
Penalties	5,635	439.88	-	425	(425.00)	3,163.30	1,313.62	2,675	(1,361.38)
Miscellaneous	39,500	1,418.82	4,932.03	2,000	2,932.03	22,371.85	24,555.35	16,500	8,055.35
Total Operating Income	2,662,711	168,949.97	195,421.93	209,153	(13,731.07)	840,373.77	1,002,025.21	1,044,145	(42,119.79)
DIRECT COSTS:									
Chemicals	161,900	11,436.35	10,840.86	11,500	(659.14)	49,278.35	51,927.40	51,000	927.40
Purchased Power	78,750	6,101.53	5,633.55	6,500	(866.45)	35,256.06	26,642.30	31,050	(4,407.70)
Direct Costs-Sludge	18,940	1,389.61	1,437.88	1,400	37.88	6,524.50	6,768.68	6,570	198.68
Total Direct Costs	259,590	18,927.49	17,912.29	19,400	(1,487.71)	91,058.91	85,338.38	88,620	(3,281.62)
Gross Profit	2,403,121	150,022.48	177,509.64	189,753	(12,243.36)	749,314.86	916,686.83	955,525	(38,838.17)
EXPENSES:									
Actual Salary	281,613	31,388.40	21,156.98	21,011	146.36	112,534.53	114,410.25	115,558	(1,148.16)
Less Capitalized Salary	-	-	-	-	-	-	-	-	-
Net Salaries	281,613	31,388.40	21,156.98	21,011	146.36	112,534.53	114,410.25	115,558	(1,148.16)
Payroll Tax Expense	21,543	2,312.28	1,535.48	1,607	(71.83)	8,233.59	8,314.55	8,840	(525.67)
Distribution Supply & Maint.	30,000	1,491.59	-	2,500	(2,500.00)	4,810.11	1,074.50	12,500	(11,425.50)
Plant/Property Supply & Maint.	120,000	498.13	68.29	10,000	(9,931.71)	4,273.04	31,484.10	50,000	(18,515.90)
Equipment Repair & Maint.	10,000	60.84	121.51	833	(711.49)	1,312.94	1,408.88	4,167	(2,758.12)
Tools & Equipment	10,000	-	-	833	(833.00)	-	-	4,167	(4,167.00)
Meters & Parts	12,000	-	-	1,000	(1,000.00)	-	134.29	5,000	(4,865.71)
Miscellaneous Supplies	22,950	752.64	2,211.36	1,000	1,211.36	7,690.94	7,291.81	9,500	(2,208.19)
Employee Benefits-NonInsurance	2,550	-	-	325	(325.00)	1,040.69	1,202.31	1,350	(147.69)
General & Administrative	25,954	1,168.81	643.75	1,367	(723.25)	10,988.99	9,483.87	11,935	(2,451.13)
Outside Services	56,150	4,859.30	4,573.25	4,783	(209.75)	16,090.48	12,821.75	32,919	(20,097.25)
Vehicle Fuel	6,150	609.23	226.18	600	(373.82)	1,935.80	2,003.24	2,300	(296.76)
Vehicle Maint & Repairs	1,700	35.00	43.95	125	(81.05)	739.40	300.14	825	(524.86)
Insurance	102,224	8,243.88	8,761.02	8,519	242.36	36,340.96	44,134.68	42,593	1,541.38
Pension	31,015	3,485.50	2,349.30	2,321	28.79	12,493.87	12,702.35	12,763	(60.44)
Bad Debt.	1,680	210.00	-	140	(140.00)	306.00	45.00	700	(655.00)
Depreciation	290,160	24,590.00	24,180.00	24,180	-	122,950.00	120,900.00	120,900	-
Total Operating Expenses	1,025,689	79,705.60	65,871.07	81,143	(15,272.03)	341,741.34	367,711.72	436,018	(68,305.99)
Net Operating Income	1,377,432	70,316.88	111,638.57	108,610	3,028.67	407,573.52	548,975.11	519,507	29,467.82
OTHER INCOME:									
Interest	1,080.00	530.52	2,756.36	90	2,666.36	2,385.55	81,710.16	450	81,260.16
Gain(Loss)-Property Sale	-	-	-	-	-	8,600.00	-	-	-
Total Other Income	1,080.00	530.52	2,756.36	90	2,666.36	10,985.55	81,710.16	450	81,260.16
OTHER EXPENSE:									
Interest	573,678	-	64,077.00	47,906	16,171.00	-	320,385.00	239,530	80,855.00
Total Other Expense	573,678	-	64,077.00	47,906	16,171.00	-	320,385.00	239,530	80,855.00
Net Income before URT Tax	804,833.65	70,847.40	50,317.93	60,794	(10,475.97)	418,559.07	310,300.27	280,427	29,872.98
Utility Receipts Tax Expense	34,918	2,218.38	2,585.31	2,722	(136.69)	10,434.74	13,134.83	13,707	(572.17)
Net Income	769,916	68,629.02	47,732.62	58,072	(10,339.28)	408,124.33	297,165.44	266,720	30,445.15

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Batesville Water Utility
Balance Sheet-Unaudited

May 31, 2020

<u>Assets</u>	Current Month Prior Year	Two Months Prior	One Month Prior	Current Month Current Year	1-Year Change
Cash-Maintenance & Operations	1,421,174.18	2,362,347.52	2,400,532.86	2,444,606.31	1,023,432.13
Cash-Depreciation/Replacement	1,144,961.97	612,100.19	612,342.87	612,342.87	(532,619.10)
Cash-Money Market	-	-	-	-	-
Petty Cash	200.00	200.00	200.00	200.00	-
Cash-Meter Deposits	27,300.00	28,323.56	27,970.00	28,300.00	1,000.00
Cash-Cash Reserve	-	-	-	-	-
Cash-Construction-BNY	-	14,883,235.43	12,835,950.20	11,366,780.42	11,366,780.42
Cash-Bond & Interest-BNY	-	192,354.94	256,520.83	320,635.36	320,635.36
Cash-Debt Service Reserve-BNY	-	77,434.19	92,938.10	108,414.71	108,414.71
Accounts Receivable	6,995.18	10,946.46	11,161.05	17,492.16	10,496.98
Allowance for Doubtful Accounts	(2,458.29)	(2,659.68)	(2,659.68)	(2,659.68)	(201.39)
Due from Gas Utility	-	-	-	-	-
Miscellaneous Receivables	-	-	-	-	-
Misc Receivable-Due from Clearing Acct	55,885.83	10,345.20	20,606.38	14,892.02	(40,993.81)
Meter Deposits Receivable	1,300.00	1,130.00	1,330.00	1,100.00	(200.00)
Inventory	-	-	-	-	-
Investments-Deprec	-	-	-	-	-
Investments-Meter Deposits	-	-	-	-	-
Prepaid Expenses	22,453.56	9,074.40	7,431.72	5,789.04	(16,664.52)
Utility Plant Inventory in Stock	262,829.41	240,472.93	231,248.08	243,707.86	(19,121.55)
Construction Work-In-Progress	-	3,968,167.00	6,026,050.00	7,497,924.00	7,497,924.00
Plant & Property	15,908,610.21	16,371,026.90	16,372,392.28	16,372,891.62	464,281.41
Accumulated Depreciation	(5,243,017.11)	(5,487,588.45)	(5,511,768.45)	(5,535,948.45)	(292,931.34)
Net Plant & Property	10,928,422.51	15,092,078.38	17,117,921.91	18,578,575.03	7,650,152.52
Total Assets	13,606,234.94	33,276,910.59	33,382,246.24	33,496,468.24	19,890,233.30
<u>Liabilities</u>					
Accounts Payable	-	-	-	-	-
Miscellaneous Payables	-	192,231.00	256,308.00	320,385.00	320,385.00
Retainage Payable	-	-	-	-	-
Sales Tax Payable	156.86	118.65	222.00	49.07	(107.79)
Payroll Taxes Payable	-	-	-	-	-
Utility Receipts Tax Payable	4,323.26	7,970.85	2,578.67	5,163.98	840.72
Meter Deposits Payable	29,000.00	29,500.00	29,600.00	29,600.00	600.00
Bonds Payable-2019 Bonds	-	18,770,000.00	18,770,000.00	18,770,000.00	18,770,000.00
Loans Payable	111,000.00	-	-	-	(111,000.00)
Total Liabilities	144,480.12	18,999,820.50	19,058,708.67	19,125,198.05	18,980,717.93
<u>Capital</u>					
Retained Earnings	11,497,337.63	12,517,811.89	12,517,811.89	12,517,811.89	1,020,474.26
Donated Surplus	1,556,292.86	1,556,292.86	1,556,292.86	1,556,292.86	-
YTD Profit (Loss)	408,124.33	202,985.34	249,432.82	297,165.44	(110,958.89)
Total Capital	13,461,754.82	14,277,090.09	14,323,537.57	14,371,270.19	909,515.37
Total Liabilities & Capital	13,606,234.94	33,276,910.59	33,382,246.24	33,496,468.24	19,890,233.30

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Batesville Gas Utility
Comparative Profit & Loss/Budget Report-Unaudited
May 31, 2020

	Budget for	Prior Year	Current Month	Current	Variance to	Prior Year	Year-to-Date	Year-to-	Variance to
	Year	Actual	Actual	Month	Budget	To-Date	Actual	Date	Budget
INCOME:									
Firm Sales	1,953,864	159,198.62	131,197.83	152,758	(21,560.17)	1,725,915.13	1,298,869.92	1,423,272	(124,402.08)
Interruptible Sales	155,818	12,659.15	5,935.60	12,033	(6,097.40)	141,025.26	106,166.00	112,100	(5,934.00)
Total Metered Sales	2,109,682	171,857.77	137,133.43	164,791	(27,657.57)	1,866,940.39	1,405,035.92	1,535,372	(130,336.08)
Transportation Sales	360,510	34,634.90	33,950.00	31,005	2,945.00	232,077.70	202,117.80	231,855	(29,737.20)
Less Customer Refunds	-	-	-	-	-	(467.26)	(599.94)	-	(599.94)
Penalties	7,280	566.18	-	550	(550.00)	7,326.02	2,789.62	5,550	(2,760.38)
Miscellaneous	25,650	3,421.64	3,535.53	2,500	1,035.53	10,720.82	22,541.55	9,900	12,641.55
Total Operating Revenue	2,503,122	210,480.49	174,618.96	198,846	(24,227.04)	2,116,597.67	1,631,884.95	1,782,677	(150,792.05)
DIRECT COSTS:									
Supply	845,153	78,813.61	(8,666.75)	46,572	(55,238.75)	898,699.82	391,443.10	629,527	(238,083.90)
Demand Charge	348,000	24,153.65	23,411.60	29,000	(5,588.40)	120,395.93	136,459.56	145,000	(8,540.44)
Direct Costs-Misc	-	-	-	-	-	-	-	-	-
Total Direct Costs	1,193,153	102,967.26	14,744.85	75,572	(60,827.15)	1,019,095.75	527,902.66	774,527	(246,624.34)
Gross Profit	1,309,969	107,513.23	159,874.11	123,274	36,600.11	1,097,501.92	1,103,982.29	1,008,150	95,832.29
OPERATING EXPENSES:									
Actual Salary	387,524	43,004.07	28,374.79	28,916	(541.66)	155,960.00	157,981.95	157,208	774.23
Less Capitalized Salaries	-	(352.00)	(256.00)	-	(256.00)	(832.00)	(3,392.00)	-	(3,392.00)
Net Salaries	387,524	42,652.07	28,118.79	28,916	(797.66)	155,128.00	154,589.95	157,208	(2,617.77)
P/R Tax Expense	29,646	3,092.67	2,011.87	2,212	(200.24)	11,126.37	11,242.74	12,026	(783.65)
Distribution Supply & Maint.	20,000	4,183.56	100.93	1,667	(1,566.07)	5,972.05	3,130.56	8,333	(5,202.44)
Plant/Property Supply & Maint.	30,000	-	-	2,500	(2,500.00)	-	237.00	12,500	(12,263.00)
Equipment Repair & Maint.	20,000	18.47	-	1,667	(1,667.00)	632.85	1,674.45	8,333	(6,658.55)
Tools & Equipment	12,000	-	-	1,000	(1,000.00)	-	4,811.04	5,000	(188.96)
Meters, Regulators & Parts	12,000	-	287.45	1,000	(712.55)	-	2,235.57	5,000	(2,764.43)
Miscellaneous Supplies	17,950	765.39	1,542.85	1,000	542.85	4,424.44	8,791.37	5,550	3,241.37
Employee Benefits-NonInsurance	1,800	-	165.99	200	(34.01)	1,243.28	918.61	1,300	(381.39)
General & Administrative	41,300	3,414.80	3,142.77	3,467	(324.23)	17,375.89	19,493.74	17,133	2,360.74
Outside Services	36,200	1,398.05	(636.60)	1,800	(2,436.60)	11,354.24	7,645.34	12,950	(5,304.66)
Vehicle Fuel	13,450	1,000.18	405.77	1,000	(594.23)	4,527.42	4,913.96	4,700	213.96
Vehicle Maint & Repairs	3,900	60.00	-	200	(200.00)	358.81	2,088.58	1,300	788.58
Insurance	145,080	11,614.43	12,894.06	12,090	804.05	52,323.41	64,690.87	60,450	4,240.82
Pension	42,375	4,697.34	3,167.98	3,160	7.64	17,289.44	17,633.82	17,382	251.93
Bad Debt	2,760	520.00	-	230	(230.00)	855.00	320.00	1,150	(830.00)
Depreciation	288,600	24,000.00	24,050.00	24,050	-	120,000.00	120,250.00	120,250	-
Total Operating Expenses	1,104,585	97,416.96	75,251.86	86,160	(10,908.05)	402,611.20	424,667.60	450,565	(25,897.45)
Net Operating Income	205,384	10,096.27	84,622.25	37,114	47,508.16	694,890.72	679,314.69	557,585	121,729.74
OTHER INCOME:									
Rental Income	-	-	-	-	-	-	-	-	-
Interest	1,080	530.52	-	90	(90.00)	2,385.55	1,544.80	450	1,094.80
Gain(Loss)-Property Sale	-	-	-	-	-	-	-	-	-
Total Other Income	1,080	530.52	-	90	(90.00)	2,385.55	1,544.80	450	1,094.80
OTHER EXPENSE:									
Interest	-	-	-	-	-	-	-	-	-
Total Other Expense	-	-	-	-	-	-	-	-	-
Net Income before URT Tax	206,464	10,626.79	84,622.25	37,204	47,418.16	697,276.27	680,859.49	558,035	122,824.54
Utility Receipts Tax Expense	34,582	2,936.62	2,426.93	2,741	(314.07)	29,199.40	22,737.57	24,741	(2,003.43)
Net Income	171,882	7,690.17	82,195.32	34,463	47,732.23	668,076.87	658,121.92	533,294	124,827.97

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Batesville Gas Utility
Balance Sheet-Unaudited

May 31, 2020

<u>Assets</u>	<u>Current Month</u>	<u>Two Months</u>	<u>One Month</u>	<u>Current Month</u>	<u>1-Year</u>
	<u>Prior Year</u>	<u>Prior</u>	<u>Prior</u>	<u>Year</u>	<u>Change</u>
Cash-Maintenance & Operations	2,417,721.09	3,051,608.14	3,089,309.63	3,197,486.41	779,765.32
Cash-Depreciation/Replacement	1,477,891.63	1,428,755.56	1,428,598.24	1,428,338.24	(49,553.39)
Cash-Clearing Account	-	-	-	-	-
Petty Cash	200.00	200.00	200.00	200.00	-
Cash-Meter Deposits	24,200.00	24,956.85	24,767.88	25,300.00	1,100.00
Cash-Main Extensions	2,439.00	2,439.00	1,316.50	1,316.50	(1,122.50)
Cash-Cash Reserve	901,000.00	1,012,000.00	1,012,000.00	1,012,000.00	111,000.00
Accounts Receivable	24,875.65	(2,461.76)	1,872.64	(4,688.13)	(29,563.78)
Allowance for Doubtful Accounts	(3,967.06)	(4,479.25)	(4,479.25)	(4,479.25)	(512.19)
Miscellaneous Receivables	-	-	-	3,715.41	3,715.41
Rent Receivable	-	-	-	-	-
Misc Receivable-Due from Clearing Acct	84,302.12	16,355.26	19,979.19	18,791.95	(65,510.17)
Loans Receivable	111,000.00	-	-	-	(111,000.00)
Meter Deposits Receivable	900.00	843.15	1,232.12	700.00	(200.00)
Inventory	-	-	-	-	-
Investments	-	-	-	-	-
Investments-Valuation to Market Adj	-	-	-	-	-
Prepaid Expenses	21,325.01	7,043.01	5,779.71	4,516.41	(16,808.60)
Utility Plant Inventory in Stock	131,351.57	119,729.89	129,604.17	132,711.46	1,359.89
Plant & Property	8,973,406.60	9,077,291.63	9,081,578.98	9,084,428.42	111,021.82
Accumulated Depreciation	(4,544,171.33)	(4,784,321.33)	(4,808,371.33)	(4,832,421.33)	(288,250.00)
Net Plant & Property	4,560,586.84	4,412,700.19	4,402,811.82	4,384,718.55	(175,868.29)
Total Assets	9,622,474.28	9,949,960.15	9,983,388.48	10,067,916.09	445,441.81
<u>Liabilities</u>					
Accounts Payable	-	-	-	-	-
Miscellaneous Payables	-	-	-	-	-
Due CAI	-	-	-	-	-
Due to Water Utility	-	-	-	-	-
Due to Other City Departments	-	-	-	-	-
Unapplied Receipts	-	-	-	-	-
Sales Tax Payable	(43.73)	22.35	23.84	29.20	72.93
Payroll Taxes Payable	-	-	-	-	-
Utility Receipts Tax Payable	8,958.86	16,628.48	3,682.16	6,109.09	(2,849.77)
Meter Deposits Payable	25,300.00	26,000.00	26,300.00	26,200.00	900.00
Main Extensions Payable	2,439.00	2,439.00	1,316.50	1,316.50	(1,122.50)
Rental Deposit Payable	-	-	-	-	-
Total Liabilities	36,654.13	45,089.83	31,322.50	33,654.79	(2,999.34)
<u>Capital</u>					
Retained Earnings	8,670,418.39	9,128,814.49	9,128,814.49	9,128,814.49	458,396.10
Donated Surplus	247,324.89	247,324.89	247,324.89	247,324.89	-
YTD Profit (Loss)	668,076.87	528,730.94	575,926.60	658,121.92	(9,954.95)
Total Capital	9,585,820.15	9,904,870.32	9,952,065.98	10,034,261.30	448,441.15
Total Liabilities & Capital	9,622,474.28	9,949,960.15	9,983,388.48	10,067,916.09	445,441.81

Gas Sales and Supply Purchase Analysis-05-May 2020

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Batesville Gas Utility Comparative Sales & Cost- Actual vs Budget May 31, 2020

	Budget for Year	Prior Year		Current Month		Variance to		Prior Year Year-		Year-to-Date		Variance to	
		Month Actual		Actual	Budget	Actual	Budget	To-Date		Actual	Budget	Actual	Budget
Firm Sales (MCF)	263,450.0	22,814.0		20,864.1	22,800.0	(1,935.9)		210,023.9		193,304.2	204,600.0	(11,295.8)	
Interruptible Sales (MCF)	24,470.0	2,108.2		1,107.0	2,100.0	(993.0)		19,397.9		18,130.3	18,770.0	(639.7)	
Metered Sales (MCF)	287,920.0	24,922.2		21,971.1	24,900.0	(2,928.9)		229,421.8		211,434.5	223,370.0	(11,935.5)	
Transport Sales (MCF)	240,340.0	23,088.5		22,631.3	20,670.0	1,961.3		154,711.0		153,040.0	154,570.0	(1,530.0)	
Tracker-Firm		0.6007		(0.0841)	0.3497								
Tracker Savings-Interruptible		(0.2556)		(0.3594)	(0.4055)								
Tracker-Interruptible		0.3451		(0.4435)	(0.0558)								
Purchases (MCF)	284,250.0	17,865.0		22,803.0	17,400.0	5,403.0		216,361.0		197,712.0	207,500.0	(9,788.0)	
Purchases (DTH)	292,410.0	18,992.0		23,182.0	17,700.0	5,482.0		227,828.0		202,847.0	213,700.0	(10,853.0)	
Firm Sales (\$)	1,953,864	159,199		131,198	152,758	(21,560)		1,725,915		1,298,870	1,423,272	(124,402)	
Interruptible Sales (\$)	155,818	12,659		5,936	12,033	(6,097)		141,025		106,166	112,100	(5,934)	
Total Metered Sales (\$)	2,109,682	171,858		137,133	164,791	(27,658)		1,866,940		1,405,036	1,535,372	(130,336)	
Transportation Sales (\$)	360,510	34,635		33,950	31,005	2,945		232,078		202,118	231,855	(29,737)	
Supply Costs (\$)	845,153	78,814		(8,667)	46,572	(55,239)		898,689		391,443	629,527	(238,084)	
Demand Charge (\$)	348,000	24,154		23,412	29,000	(5,588)		120,396		136,460	145,000	(8,540)	
Total Direct Costs (\$)	1,193,153	102,967		14,745	75,572	(60,827)		1,019,085		527,903	774,527	(246,624)	
Margin	1,277,039	103,525		156,339	120,224	36,115		1,079,933		1,079,251	992,700	86,551	

BATESVILLE WATER UTILITY
Capital Improvement Report
May 2020

<u>Water Utility</u>				
<u>Water Supply:</u>				
Engineering Cost of Well Field Construction (Curry)				\$50,000
Engineering Cost of Transmission Main Construction. (Curry)				\$100,000
Engineering Cost of Softening Plant Construction. (Curry)				\$75,000
Construction Resident Representative Well Field Construction (Curry)		\$15,000		\$50,000
Construction Resident Representative Transmission Main Construction (Curry)				\$150,000
Construction Resident Representative Softening Plant Construction (Curry)		\$9,650		\$100,000
Surveying of Transmission Main, Well Field and Softening Plant. (Seig Surveying)		\$4,560		\$15,000
Post Inspections of Homeowner Wells and Pond Dams (Eagon & Associates)(Banning Engineering)				\$15,000
Crop damages along Water Transmission Main				\$100,000
Construction Phase Archeology Study (NS Services)				\$25,000
Wellhead Protection Plan (Eagon & Associates)		\$4,785		\$20,000
ARA Contract (Labor Standards Compliance Monitoring)				\$15,000
Asset Management Plan				\$25,000
SCADA connection from Well Field to Water Softening Plant				\$100,000
Aquifer Well Installation 3 - 700 GPM Wells, Building for controls and backup power.		\$320,679		\$2,228,613
Water Main from Aquifer to Industrial Park Water Tank (15.5 Miles of 20" pipe)		\$570,985		\$7,000,000
New Ground Water Softening Plant at Industrial Park by Water Tower 2 MGD Capacity		\$551,000		\$5,340,000
Sub Total		\$1,476,659	\$6,040,533	\$15,408,613
<u>Clarifier and Filter Plant:</u>				
Filter Plant Chemical Feed Pumps, Chlorine/ PH Analyzers & Turbidity Analyzers				\$10,000
Filter Plant & Clarifier SCADA System				\$10,000
Sub Total		\$0	\$0	\$20,000
<u>Equipment / Office:</u>				
Trailer for Backhoe				\$15,000
Sub Total		\$0	\$0	\$15,000
<u>Distribution System:</u>				
Meters				\$12,000
Neptune Radio Reading System		\$269	\$3,094	\$6,000
Water Main Replacements & Fire Hydrants (Walnut St. Water Main)		\$231	\$808	\$300,000
Sub Total		\$500	\$3,902	\$318,000
Water Utility Total Expenditures	This Month	\$1,477,159	YTD Amount	Budget
			\$6,044,435	\$15,761,613

BATESVILLE GAS UTILITY
Capital Improvements Report
May-20

GAS UTILITY

Equipment / Operations:

	Amount Spent		Budget	Estimated Delivery Date
	This Month	YTD		
Service Truck - replace 2008	\$0	\$0	60,000	March
Dump bed for small dump truck (will install on 2008 truck)	\$0	\$0	12,000	April
Misc. equipment (line locators, gas detectors, etc.)	\$0	\$3,781	10,000	All Year
SCADA Radio & Controls	\$0	\$0	10,000	All Year
Neptune Radio Reading System	\$0	\$1,566	6,000	All Year
Sub Total	\$0	\$5,347	\$98,000	

Distribution System:

New Gas Main Extensions - (Farmington Creek side sub.) (Werner - Garret sub.) (Hwy 129 S. sub.)	\$0	\$0	150,000	As Needed
Main and Valve Replacements	\$1,748	\$1,968	50,000	As Needed
Meters (new and changed out)	\$487	\$5,608	30,000	All Year
Services	\$350	\$8,877	20,000	As Needed
Sub Total	\$2,585	\$16,453	\$250,000	
Gas Utility Total Expenditures	\$2,585	\$21,800	\$348,000	

Batesville Parks Department

June 2020

Dailey and as needed:

- Pick up debris/trash and fallen limbs in parks and Brum Woods.
- Clean and inspect restrooms in Liberty Park.
- Empty trash barrels in Liberty Park, Brum Woods, and new park.
- Mow Liberty Park, Brum Woods, area at Plex, new park, and Veteran's Park.
- Fill and maintain soda machine in Liberty park.

June:

- Cut and remove sod and dirt in new swing set area at new park. Lay sod in areas needed.
- Install 300' of tile under new swing set and wet area along trail at new park.
- Pick up and set 3' concrete catch basin along trail at new park. Haul rip rap and lay along catch basin.
- Replace broken belt and pulley on ExMark.
- Trench and install underground electric line from ice cream shop to light pole.
- Clean and turn on Village Green Fountain.
- Weed eat all islands in town.
- Put protection around each sapling tree and weed eat all small trees at Plex.
- Trim all bushes and trees in Village Green, clean up.
- Open all playgrounds.
- Fix numerous hanging baskets that broke.
- Use 3' spade to auger 2 holes for metal archway at new park.
- Form and pour concrete for metal archway at new park.
- Weed spray new park and many areas in Liberty Park.
- Lay weed blocker and spread semi load of mulch surfacing in new swing set area.
- Install swings on new swing set at new park.
- Repair light pole fixture in Liberty Park.
- Held 1st Brum Woods volunteer workday, Saturday, June 20th.
- Haul dirt, spread, seed and straw around concrete poured for metal archway.
- Assemble 3 donated recycled park benches for ice cream shop.
- Set one of the metal posts for archway. Assist in installing 2nd post and large metal archway at new park. Cover archway with tarp.
- Pour small concrete pad for "donated by" tombstone at new park. Pick up and set new tombstone at new park.
- Form and pour concrete around posts at bench in Liberty Park.
- Level dirt from drainage tile.
- Dig out washed stone area along road at new park. Pick up and spread load of rip rap in area to keep from washing.



Batesville Economic Development Report

June 19, 2020

Prepared by Sarah Lamping

Working as a member of the Ripley County/Batesville Economic Recovery Task Force to obtain funding from OCRA, Long-Term Recovery program, to support small businesses

- Intend to pursue creating a grant versus loan program
- Ripley County & Batesville will apply for \$250,000 to activate program
- Includes surveying small business funding needs

Working with Ripley County Community Foundation as a member of the Recovery and Resiliency in Ripley County

- Entails the establishment of a more robust approach to entrepreneurialism: "Believing and Achieving Dream"
- Purpose is to enhance the local economy with new business start ups

Promoting the "Rapid Recovery for a Better Future," with local employers/job seekers

- Program initiative is to provide enhanced, consolidated and simplified **resources for employers** with the partnership of the Indiana Chamber of Commerce.
- Federal funding through the CARES Act injects \$50 million into the efforts, to scale up short-term education and training opportunities through the Workforce Ready Grant and the Employer Training Grant, as well as expanded career coaching and navigation for those who need help figuring out their next steps.
 - Increasing the funding cap from \$5,500 to \$10,000 for eligible programs
 - Allows Hoosiers with two- and four-year degrees who have been impacted by COVID-19 to qualify for the grant, and adding new programs, such as the Certified Nursing Assistant (CNA) and Commercial Driver's License (CDL)

Shell Marketing / Building Update –

- Participated in monthly call with Colliers International
- 4 active all state leads / 8 pending leads
- Working with RDC on refinancing the funding of the project

Continue to participate in weekly COVID calls hosted by the Mayor. Call includes:

Participate weekly on the One Batesville Grant Allocation Committee administered by BARC

- Approximately \$15,000 has been awarded.
- Available to individuals and small businesses

Moving forward with The Partnership and Batesville Marketing Coalition on landing page and video

Virtually participated in the IEDA Summer Conference

Intend to begin scheduling meetings with local corporations for BRE purposes and potential opportunities for the Shell Building to be used for warehousing

Met with EDC committee to discuss City based relief program options for local businesses

Visits with local small businesses to better understand the impact COVID

- Current survey out to measure consumer confidence

Steven Harmeyer

Community Development Director

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Community Development Report

July 2020

- Assisting with the launch of a group dedicated to diversity and inclusion in the Batesville area.
- Involved in "One Batesville" group which is dedicated to assisting residents and businesses financially to recover from pandemic and also filling gaps of service in the community.
- Working with two students in regard to potential future skate park
- Helped coordinate and implement two murals to honor COVID-19 front line workers.
- Coordinated Batesville Patriotic Display to encourage businesses to decorate in patriotic theme.
- Launching a City/Chamber of Commerce Podcast
- Working with Genesis in regard to future event regarding students building bikes
- Oversee Community Partners and the potential launch of an outdoor and family engagement social media initiative.
- Extensively marketing Batesville and its attractions
- Maintaining contact with small business and non-profits.
- Assisting with Census 2020.
- Assisting with Marketing Project with The Partnership.
- Assisting with communication and outreach for City and non-profits.
- Other odds and ends as it relates to the pandemic and how we best recover from it.

**CITY OF BATESVILLE
ORDINANCE #05-2020**

AN ORDINANCE CHANGING THE ZONING OF A CERTAIN PROPERTY

WHEREAS, following a public hearing and certification by the Planning Commission recommending a change in zoning, the Common Council of the City of Batesville met in a regular meeting to consider the change of zoning for .403 acre of property owned by David S. Shane and Sarah L. Shane in the city of Batesville to permit their property to be used for the construction of a laundromat, and

WHEREAS, said Council after paying reasonable regard to the following:

1. The comprehensive plan of the city
2. The current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth

decided to adopt the recommendation of the plan commission and to change the zoning on said parcel by amending the zone map and by specifically setting forth the change in Table VII of the Table of Special Ordinances which are part of the Batesville Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF BATESVILLE:**

Section 1. That the “Zone Map, Batesville, Indiana, 2017” and Table VII of the Table of Special Ordinances of the City Code of Ordinances be amended as follows:

That the zoning classification for the .403 acre owned by David S. Shane and Sarah L. Shane identified as Franklin County parcel number 24-13-17-400-013.000-015 be changed from R-4 to B-2 for the sole purpose of permitting the construction and operation of a laundromat.

Section 2. That the amendment be effective upon passage.

Passed and adopted on its second reading this 13th day of July 2020 by the Common Council of the City of Batesville.

Ayes:

Nays:

WHEREUPON, the Mayor declared said ordinance finally and legally adopted.

Michael A. Bettice, Mayor

Attest:

Paul J. Gates, Clerk-Treasurer

**CITY OF BATESVILLE
ORDINANCE #07-2020**

FIRE PREVENTION ORDINANCE

ARTICLE I. GENERAL REQUIREMENTS

SECTION 1: TITLE. This ordinance and all material included herein by reference shall be known as the “Fire Prevention Ordinance of Batesville, Indiana” (“Ordinance”).

SECTION 2: PURPOSE. The purpose of this Ordinance is to protect the life, public safety, health, and general welfare of the citizens of Batesville, Indiana, and shall be construed in such a manner as to effectuate this purpose.

SECTION 3: AUTHORITY. The Fire Chief, or his designee, is hereby authorized and directed to administer and enforce the following:

1. All provisions of this Ordinance.
2. Variances granted in accordance with IC 22-13-2-11.
3. Orders issued under IC 22-12-7.

SECTION 4: APPLICABILITY. The provisions of this Ordinance are supplemental to the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, and Indiana Fuel Gas Code as adopted by the Indiana Fire Prevention and Building Safety Commission. The provisions of this Ordinance apply to maintenance of Fire Prevention and Life Safety Features as herein described. The provisions of this Ordinance apply to existing conditions as well as to the conditions arising after the adoption thereof.

SECTION 5: CONFLICTING PROVISIONS. If any provision of this Ordinance is found to be in conflict with any Building, Zoning, Safety, Health, or other applicable law or ordinance of the City of Batesville, Indiana, whether existing on the effective date of this Ordinance or later adopted, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public applies.

SECTION 6: SEVERABILITY. If any provision of this Ordinance is declared invalid by a court of competent jurisdiction, for any reason, the remaining provisions shall not be affected, if such remaining provisions can, without the invalid provision or provisions, be given their original intended effect in adopting this Ordinance. To this end, the provisions of this Ordinance are severable.

SECTION 7: MINIMUM STANDARDS. All rules of the Indiana Fire Prevention and Building Safety Commission as set out in Articles 12, 13, 18, 22 and, 25 of Title 675 of the Indiana Administrative Code are incorporated in this Ordinance and shall include all later amendments to

that article as published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed herein. Any special processes or procedures not addressed in the Indiana Fire Code (675 IAC 22) or this Ordinance shall be subject to applications found in Fire Safety Standards recognized by Indiana Fire Code (675 IAC 22), Referenced Standards and as approved by the Fire Chief, or his designee. Any special processes or procedures not addressed in this Ordinance shall be subject to applications found in the current editions of the National Fire Protection Association (NFPA) Standards or other recognized Fire Safety Standards – subject to the rules of the Indiana Fire Prevention and Building Safety Commission.

SECTION 8: EFFECT OF ADOPTION ON PRIOR ORDINANCE. The expressed or implied repeal or amendment by this Ordinance, of any other ordinance or part of any other ordinance, does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this Ordinance. Such rights, liabilities, and other proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this Ordinance had not been adopted.

SECTION 9: DEFINITIONS.

“Building Code” means the Indiana Building Code found within 675 IAC 13.

“Class 1 structure” has the meaning ascribed thereto in IC 22-12-1-4.

“Class 2 structure” has the meaning ascribed thereto in IC 22-12-1-5.

“Commission” refers to the Indiana Fire Prevention and Building Safety Commission as established by IC-22-12-2-1.

“Crowd Manager” has the meaning ascribed thereto in 675 IAC 22-2.5.

“Cut Sheet” means specification sheet that provides and describes the technical specifications of a particular product.

“Division of Fire and Building Safety” refers to the Division of Fire and Building Safety of the Indiana Department of Homeland Security established pursuant to IC 10-19-7-1.

“Fire Chief” means the chief officer of the fire department or fire territory serving the jurisdiction.

“Fire Code” refers to the Indiana Fire Code found within 675 IAC 22.

“Fire Department” has the meaning ascribed thereto in IC 36-8-17-12.

“Fuel Gas Code” refers to the Indiana Fuel Gas Code found within 675 IAC 25.

“General Administrative Rules” means the General Administrative Rules of the Indiana Fire Prevention and Building Safety Commission located at 675 IAC 12.

“IAC” means the Indiana Administrative Code.

“IC” means the Indiana Code of the Indiana General Assembly.

“Key Box” has the meaning ascribed thereto in 675 IAC 22.

“Mechanical Code” means Indiana Mechanical Code founding within 675 IAC 18.

“Notice of Violation” means a written notice issued by the Fire Department usually in the form of an inspection report listing violations.

“Clean wood” Natural wood which has not been painted, varnished, or coated with a similar material, has not been pressure treated with preservatives, and does not contain resins or glues as in plywood or other composite wood products.

“Hard Wood” Wood from broad-leaved deciduous trees such as oak, beech, maple, ash, sweet gum, or poplar.

“Heating Season” From October 1 through May 1.

“Outdoor Burning” Burning in an outdoor furnace.

“Outdoor Furnace” A furnace, stove, boiler or similar device, or any part thereof, designed for burning wood, coal, corn, or any other combustible material, to produce heat or energy used as a component of a heating system providing heat for interior space or water source, and that is not located within a building intended for habitation or occupation by humans.

“Refuse” Any waste material except clean wood.

“Ridge Line” The horizontal line formed by the junction of 2 sloping planes, especially the line formed by the surface at the top of a roof.

“Owner” has the meaning ascribed thereto in 675 IAC 22.

“Person” has the meaning ascribed thereto in IC 22-12-1-18.

“Qualified Person” means a person who either holds current National Institute for Certification in Engineering Technologies (NICET) certification in the fire protection system being installed, serviced, or repaired, or has successfully completed a course of instruction specific to the equipment being installed, serviced, or repaired. Such instruction shall have been approved by the manufacturer of the equipment or their authorized representative.

TERMS NOT DEFINED: *Where terms are not defined in this Fire Prevention Code and are defined in the General Administrative Rules, the Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, or Indiana Fuel Gas Code, such terms shall have the meanings*

ascribed to them as in those codes. Where terms are not defined through the methods authorized, such terms shall have ordinarily accepted meanings such as the context implies.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

SECTION 1: FIRE SCENE AUTHORITY. The Fire Chief, or his designee, at any fire, explosion, rescue, emergency medical or hazardous materials incident, or any other emergency which poses imminent threat to life, environment, or property, shall have the authority to direct operations as necessary to control, mitigate, or eliminate the emergency. It shall be unlawful for any person to impede the emergency operations of the Batesville Fire Department (or Fire Territory).

SECTION 2: EMERGENCY LINES AND LIMITS. The Fire Chief, or his designee, may establish emergency lines and limits; and, barricade or guard from the general public such emergency lines and limits. The Fire Chief, or his designee, may create an area in which only firefighters, law enforcement personnel, other emergency responders, other people, or agencies having a direct interest in any property threatened by a fire, explosion, hazardous material incident, other emergency, other people, or agencies at the discretion of the Fire Chief, or his designee, shall be admitted. It shall be unlawful for any unauthorized person to cross such emergency lines or limits.

SECTION 3: FIRE INVESTIGATIONS. The Fire Chief, or his designee, shall perform fire investigations pursuant to IC 36-8-717-7. The Fire Chief, or his designee, is authorized to conduct an origin and cause investigation of all fires and explosions within the service district of the Batesville Fire Department (or Fire Territory). It shall be unlawful for any person to impede the Fire Chief, or his designee, from conducting an origin and cause investigation.

SECTION 4: RIGHT TO ENTER. As authorized by I.C. 36-8-17, the Fire Chief of the Batesville Fire Department, or any duly authorized member of such Fire Department may, at all reasonable hours, enter the interior of any Class I structure for the purpose of making an inspection. The Fire Chief, or his or her designee, shall have the authority to inspect or cause to be inspected as often as necessary for ascertaining and causing to be corrected any violation of the Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, Indiana Electric Code, this Fire Prevention chapter, or any other Fire Safety Code of the jurisdiction.

SECTION 5: FIRE AND LIFE SAFETY INSPECTIONS. The Fire Chief, or his designee, shall conduct fire and life safety inspections in Class 1 structures pursuant to IC 36-8-17-8. The Fire Chief, or his designee, shall inspect Class 1 structures as often as necessary for the purpose of ascertaining and causing to be corrected any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, or any other rule of the Commission.

SECTION 6: ENFORCEMENT AUTHORITY. The Fire Chief, or his designee, shall possess the authority to enforce the provisions of this Ordinance. The Fire Chief, or his designee, shall have the authority to enforce provisions of the Indiana General Administrative Rules, Indiana Fire

Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, or any other rule of the Commission. Such enforcement shall include, but is not limited to:

1. The prevention of fires.
2. The handling, storage, sale, and use of flammable liquids, explosives, combustible, and hazardous materials.
3. The adequacy of means of egress from all places in which numbers of people live, work, or congregate from time to time for any purpose.
4. The location, installation, and maintenance of smoke alarms, fire alarm systems, and fire suppression systems.
5. The existence of recognized hazardous conditions that present a clear and immediate hazard to life and property.

The Fire Chief, or his designee, shall have the authority to institute legal actions in cases of non-compliance. The Fire Chief, or his designee, shall have the authority to initiate legal action in accordance with locally prescribed avenues covering the violations of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, or any other rule of the Commission. Violators of this local ordinance may be cited into the court having jurisdiction.

SECTION 7: DETERMINATION OF VIOLATION. Whenever the Fire Chief, or his designee, determines by inspection that an apparent or actual violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, any other rule of the Commission or a hazardous condition exists upon any Class 1 structure within the City of Batesville, Indiana, the person making such determination shall issue such Notice of Violation or order as may be necessary for the enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, or any other rule of the Commission.

SECTION 8: TIME LIMIT. Orders shall set forth a time limit for compliance dependent upon the hazard created by the violation(s).

SECTION 9: NOTICE OF VIOLATION. Under IC 36-8-17-9, an order of enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, any other rule of the Commission, which is within the jurisdiction of the Fire Chief, or his designee, may seek the correction of any violation or the elimination of any hazardous condition by the methods specified in this code or by any other appropriate remedy or procedure provided by law. The failure of the Fire Department to inspect or to issue a Notice of Violation or order in accordance with this Ordinance shall not constitute approval of any violation or non-compliance. Any Notice of Violation or order issued pursuant to this section shall be conveyed upon the owner, operator, occupant, or other person responsible for the building or property. Conveyance of such order shall be by one of the following methods: Personal service (by affixing a copy thereof in a conspicuous place at the entrance of said building or premises), by mailing a copy thereof to such responsible person by first-class mail to his or her last known address, by fax, or electronic mail pursuant to IC 4-21.5-3.

SECTION 10: IMMINENT DANGER. The Fire Chief, or his designee, may stop an operation or require the evacuation of any Class 1 structure or portion thereof under the provisions of IC 36-8-17-9 when it is determined that conduct or conditions of the property:

1. Present a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser.
2. Is prohibited without a permit, registration, certification, authorization, variance, exemption, or other license required under IC 22-14, another Indiana statute or rule of the Commission; or
3. Will conceal a violation of law.

SECTION 11: DUTY TO CORRECT VIOLATIONS. The owner or person in control of any premises or building upon which a violation or hazard exists shall:

1. Cease and correct the violation.
2. Protect persons and property from the hazards of the violation.

SECTION 12: APPEAL FROM ORDERS. An owner or occupant who remains aggrieved by an order or decision issued pursuant to this Ordinance and the matter involves a rule of the Indiana Fire Prevention and Building Safety Commission, may appeal to the Indiana Fire Prevention and Building Safety Commission as set forth by IC 36-8-17.

SECTION 13: LOCAL ORDINANCE APPEAL PROCESS. Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a license or permit applied for, or when it is claimed that the provisions of the Fire Prevention Code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the Board of Public Works and Safety within 30 days from the date of the decision appealed from.

SECTION 14: FALSE REPORTING. It is unlawful for an alarm user to sound a false alarm or permit a false alarm to be sounded upon their property, whether by negligence or otherwise.

1. Upon each false alarm the Fire Chief or his or her designee, shall:
 - (a) Notify the property owner and/or tenant in writing that a false alarm was sounded.
 - (b) Identify the property by address; and
 - (c) The date and time of the false alarm.
2. Each notification shall include false alarms in excess of six calls per calendar year may result in the imposition of fines. Additional educational information is to be included to assist in minimizing future false alarms and the possibility of subsequent fines.
3. Upon the seventh and any subsequent false alarm for identified properties, the Fire Chief, or his or her designee shall forward notification of the false alarm to the property owner and/or tenant and said notice shall specify the amount of the fine

assessed and information that additional false alarms shall result in additional fines and may also result in the necessary legal action to collect the false alarm reporting.

4. Penalty/fines for false fire alarms. The owner and/or tenant shall pay penalty/fines in accordance with the following schedule based on a calendar year:

Up to and including 6th false alarm	No penalty/fine
7th false alarm up to and including 10th false alarm	\$50 each
11th false alarm up to and including 14th false alarm	\$100
15th false alarm up to and including 19th false alarm	\$200
20th false alarm up to and including 24th false alarm	\$300
25th false alarm and above	\$500

ARTICLE III. GENERAL SAFETY PROVISIONS

SECTION 1: OPEN BURNING REGULATIONS. Any fire built on the ground. This does not include any burning in a metal, wire, or masonry container. No person shall open-burn any materials within corporate limits of the city, other than in a noncombustible container with enclosed sides and bottom and sufficiently vented to induce proper combustion, and with a mesh covering with openings no larger than ¼ inch square.

1. No burning of waste oil, tire, or garbage shall be permitted at any time. Only clean wood products such as leaves, limbs or other pruning's and natural growth.
2. Burning of any type shall be during daylight hours only, between sunrise and sunset, with all fires to be **attended at all times** until completely extinguished.
3. No burning of any type shall be conducted during unfavorable meteorological conditions such as high winds and air stagnation. Any fire creating a nuisance because of smoke, odor, or fire hazard shall be immediately extinguished.
4. No burning of any type shall be conducted at any construction site.

SECTION 2: SPECIAL EVENTS WITH OPEN FLAMES. Any community or civic special events that include any type of open flame shall be approved only by the Fire Chief, or his or her designee. The Fire Chief, or his or her designee, has the authority to disallow open flames if the Fire Chief, or his or her designee, finds that the open flame may be detrimental to the safety of bystanders, the community, or emergency responders.

SECTION 3: IMMINENT DANGER. The Fire Chief, or his or her designee, may stop an operation or require the evacuation of any Class I Structure or portion thereof under the provisions of I.C. 36-8-17 when it is determined that conduct or conditions of the property:

1. Present a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser.

2. Is prohibited without a permit, registration, certification, authorization, variance, exemption, or other license required under I.C. 22-14, another Indiana statute or rule of the Commission, or
3. Will conceal a violation of law.

ARTICLE IV. EMERGENCY PLANNING

SECTION 1: CROWD MANAGER TRAINING AND QUALIFICATIONS. Crowd managers shall receive training, approved by the Fire Chief or his designee, in crowd management techniques. Crowd managers shall be:

1. At least 21 years of age.
2. The owner or operator of the business, or under the direct control and supervision of said owner or operator; and
3. Responsible for:
 - a. Maintaining clear paths of egress, assuring that the facility does not exceed its occupant load limit, initiating a fire alarm if necessary, directing occupants to exits.
 - b. Assuring general fire and life safety awareness of employee and occupants, including assuring that exit announcements are made; and
 - c. Utilizing portable fire extinguishers, as necessary.

SECTION 2: WHEN REQUIRED. One trained crowd manager or crowd manager supervisor shall be provided for assembly occupancies. In the event the occupant load exceeds 250, additional trained crowd managers or crowd manager supervisors shall be provided at a ratio of 1 crowd manager or crowd manager supervisor for every 250 occupants. Exception: for assembly occupancies used exclusively for religious worship with an occupant load not exceeding 2,000, the ratio of trained crowd managers to occupants may be reduced if approved by the Fire Chief or his designee, when the existence of an approved, supervised automatic sprinkler system and the nature of the event warrant a reduction. Conversely, the Fire Chief, or his designee, shall require a fire watch in accordance with 675 IAC 22 if conditions or the nature of the activity warrant.

SECTION 3: FIRE WATCH. Fire watch as set out in 675 IAC 22 shall be used to determine if a fire watch is warranted and the personnel to be used during a fire watch.

1. Persons who are deemed qualified by the Fire Chief to service as fire watch personnel shall be compensated at a rate of \$35 an hour.
2. If compensation to qualified persons goes unpaid, legal action may be taken to recover unpaid compensation including an accumulate interest at an annual rate of 8% plus reasonable attorney's fees and legal costs of collection.
3. In the event of an excessive number of accidental or undetermined alarm activations, the Fire Chief, or his or her designee, is authorized to require the property owner, tenant, or occupant to provide an approved fire watch until the accidental or undetermined alarm activation has been repaired or restored to service.

4. Any properly owner or tenant that does not comply with a fire watch order issued by the Fire Department may be fined \$500 per day.

ARTICLE V. FIRE SERVICE FEATURES

SECTION 1: ADDRESS IDENTIFICATION. New and existing buildings and tenant spaces shall have approved street address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road frontage fronting the property as outlined in the Indiana Fire Code (675 IAC 22).

1. Numbers and alphabetical text for Class 2 Structures shall be Arabic numbers and alphabetical characters. Numbers and alphabetical characters shall be a minimum of four inches in height with stroke width of 0.5 inch.
2. The following numbers and alphabetical text for Class 1 Structures may be used as a guide to provide an additional location to facilitate emergency response identifying a premise:

Distance from Street to Building		Minimum Figure Size			
Over	To	Height	Width	Stroke q/ line	Building Placement (max. height)
0'	10'	6"	2"	½"	8'
11'	25'	6"	2 ¼"	½"	10'
26'	35'	7"	2 ½"	½"	12'
36'	45'	10"	3"		14'
46'	55'	10"	3 ½"	¾"	16'
56'	65'	10"	4"	¾"	18'
66'	75'	10"	4 ½"	"	20'
76'	85'	12"	5"	1"	22'
96'	95'	12"	5 ½"	1"	24'
96'	200'	12"	6"	1 ¼"	26'

SECTION 2: FIRE LANE MARKINGS. The location of fire lanes shall be established by the Fire Chief, or his designee. The Fire Chief, or his designee, can require signage or striping or any combination. Design of the fire lane markings shall be approved by the Fire Chief, or his designee. The erection of and maintenance of fire lane marking signs and striping shall be the responsibility

of the property owner. All markings shall remain in good visible condition as determined by the Fire Chief or his designee. The parking or standing of any obstruction, including motor vehicles, within established fire lane markings on private or public property shall be prohibited.

SECTION 3: GATES OR BARRICADES. The Fire Chief, or his designee, is authorized to approve the installation of approved gates or other barricades across fire apparatus access roads, trails, or other access ways, not including public streets, alleys, or highways. Approved gates or barricades shall be maintained by the property owner.

SECTION 4: KEY BOXES. Any new Class 1 structure that is protected by an automatic sprinkler system or fire alarm system which sends a local or transmitted signal, and access to, or within such structure, or an area on that property is unduly difficult because of secure openings, and where immediate access is necessary for lifesaving or firefighting purposes or property preservation, the Fire Chief, or his designee, shall require a key box or other rapid entry product to be installed in an approved location(s). The key box or rapid entry product manufacturer must be approved by the Fire Chief, or his designee.

SECTION 5: ELEVATOR KEY BOXES. When a building is equipped with an elevator(s) and when required by Safety Codes for Elevators, Escalators, Manlifts and Hoists adopted by the Indiana Fire Prevention and Building Safety Commission to install an elevator key box, the owner, or his or her duly authorized agent, shall contact the Fire Chief, or his or her designee for approval of the location of the elevator key box.

1. After installation, the owner, his or her duly authorized agent, shall contact the Fire Chief, or his or her designee to secure the necessary keys in the box. The necessary keys shall include, but not be limited to, elevator door key, elevator equipment room key, and Fire Department emergency access elevator control keys.

SECTION 6: SECURITY CAPS. When a newly constructed Class 1 Structure is protected by a water-based fire protection system with a Fire Department connection (FDC), the Fire Chief, or his or her designee, shall require the property owner or tenant to install a Knox FDC Plug, PDC Storz Cap, or similar product manufactured by the Knox Company.

SECTION 7: FIRE PROTECTION EQUIPMENT IDENTIFICATION. Fire protection equipment including fire hydrants, Fire Department connections, dry hydrants, and the like, shall be clearly identified in a manner approved by the Fire Chief, or his or her designee, to prevent obstruction by vehicles or other obstructions.

1. In all new and existing Class I Structures, all interior or exterior doors that lead to fire protection equipment, electrical panels or equipment, HVAC equipment, elevator equipment, hazardous materials storage or process areas, interior roof access, or equipment that controls other building functions shall be identified for use by the Fire Department.

SECTION 8: OBSTRUCTIONS TO FIRE DEPARTMENT ACCESS. Fire protection equipment, including, but not limited to, fire hydrants, Fire Department connections, and dry hydrants shall be clearly marked in a manner approved by the Fire Chief, or his or her designee, to prevent the presence of any obstructions,

SECTION 9: WATER SUPPLY. A water supply capable of supplying the required fire flow, for firefighting purposes, as determined by Section 11 of this Article, must be provided to all premises or property upon which a Class 1 structure, a portion of a Class 1 structure or a Class 2 structure is hereafter constructed. The water supply shall be provided as follows:

1. When a municipal water supply is available and contingent to the premises or property, fire hydrants and mains shall be installed and capable of providing the required fire flow as determined by Section 11 of this Article.
2. When a municipal water supply is not available, an alternative water supply may be approved. The alternative water supply shall consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank, or other fixed system capable of providing the required fire flow as determined by Section 11 of this Article. The means of acquiring the water from an alternative water supply shall be accessible and the connection(s) shall be approved by the Fire Chief, or his designee. The owner shall verify the fire flow requirements with the Fire Chief, or his designee, prior to final design and construction.

SECTION 10: PRIVATE FIRE SERVICE MAINS AND WATER TANKS. Private fire service mains and water tanks shall be periodically inspected, tested, and maintained in accordance with NFPA 25 as adopted by the commission in effect at the time of inspection, testing, or maintenance at the following intervals:

1. Private fire hydrants (all types). Inspection annually and after each operation; flow and maintenance annually.
2. Fire service main piping. Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainer. Inspection and maintenance after each use.
4. Private hydrants shall be painted blue and meet NFPA color coding standards.
5. Water mains shall be a minimum of eight inches.
6. Hydrants shall be free from obstructions at all times, with a minimum of three feet clearance from any safeguards or debris.

SECTION 11: FIRE FLOW REQUIREMENTS. In determining the requirements for fire flow, the Fire Chief, or his designee, shall utilize 675 IAC 22 Appendix B – “Fire Flow Requirements for Buildings” and 675 IAC 22 Appendix C – “Fire Hydrant Locations and Distribution” as a guide. The requirements in Appendix B & C may not be made more stringent by the Fire Chief, or his designee.

SECTION 12: SMOKE DETECTORS. Smoke detectors and smoke alarms shall be installed as required by the Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, Indiana Electric Code, Indiana Residential Code, I.C. 22-1 1-18, and any other code of the jurisdiction.

1. If required by the Indiana Building Code, Indiana Fire Code, this fire prevention chapter or any other Fire Safety Code of the jurisdiction, single-station and multi-station smoke alarms shall be installed as follows:
 - (a.) R-2 occupancies shall be equipped with a minimum of one ionization smoke alarm and one photoelectric smoke alarm. Alternatively, one ionization/photoelectric combination smoke alarm may be used instead.
2. The location of these smoke alarms shall be the responsibility of the owner of each dwelling, room house, or apartment house to install approved smoke detectors according to the Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, Indiana Electric Code, Indiana Residential Code, I.C. 22-1 1-18, and any other code of the jurisdiction.
3. It shall be the responsibility of the owner to supply and install all required detectors. The owner shall be responsible for testing and maintaining detectors in common stairwells and hallways. It shall be the responsibility of the tenant to test and maintain detectors within dwelling units and to notify the owner or authorized agent in writing of any deficiencies. The owner shall be responsible for providing each tenant with written information regarding detector testing and maintenance.
4. The tenant shall be responsible for replacement of the battery or unit except that the battery or unit shall be in operating condition at the time that the tenant takes possession. The owner or authorized agent shall correct any reported deficiencies in the smoke detector and shall not be in violation of this subchapter for a deficient smoke detector when he or she has not received notice of the deficiency.

SECTION 13: FIRE PROTECTION SYSTEM REMOVAL. No person shall interfere with, tamper with, or remove any fire protection system, emergency lighting system, fire hydrant, or any other firefighting equipment without first obtaining a written approval from the Fire Chief, or his or her designee and such removal in accordance with the Indiana General Administrative Rules set out at.

ARTICLE VI. EMERGENCY AND STANDBY POWER

SECTION 1: EMERGENCY LIGHTING ACTIVATION TEST. An activation test of the emergency lighting equipment shall be completed semi-annually. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.

SECTION 2: EMERGENCY LIGHTING ACTIVATION TEST RECORD. Records for the activation test shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief, or his designee, upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

SECTION 3: EMERGENCY LIGHTING POWER TEST RECORD. Records for the ninety (90) minute power test shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief, or his designee, upon request. The record shall include the location

of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

ARTICLE VII. FIRE PROTECTION SYSTEMS

SECTION 1: CONSTRUCTION DOCUMENTS. Plans for Fire Alarms Systems, Water-Based Fire Protection Systems, Fire Pumps, Special Hazard Fire Suppression Systems, High-piled Storage Arrangements and Firestop Systems shall be submitted for review. Each applicable submittal must contain the following information:

1. Sprinkler/Standpipe Systems:
 - (a) One (1) Full Set of Sprinkler/Standpipe Plans.
 - (b) One (1) Full Set of Sprinkler/Standpipe Calculations.
 - (c) One (1) Copy of the Sprinkler Construction Design Release (CDR).
 - (d) One (1) Set of Manufacturer's *Cut-Sheets* for all sprinkler heads in the design.
2. Fire Alarm Systems:
 - (a) One (1) Full Set of Fire Alarm Plans.
 - (b) One (1) Set of Battery Calculations.
 - (c) One (1) Copy of the Fire Alarm Construction Design Release (CDR).
 - (d) One (1) Set of Manufacturer's *Cut-Sheets* for the Fire Alarm Control Panel (FACP) and all Fire Alarm Components.
 - (e) One (1) Fire Alarm Sequence of Operation Matrix.
3. Special Hazard Fire Protection Systems:
 - (a) One (1) Set of Plans (if applicable).
 - (b) One (1) Set of Engineering Data (if applicable).
 - (c) One (1) Copy of the Construction Design Release (if applicable).
 - (d) One (1) Set of Manufacturer's *Cut-Sheets* for System Components.
4. Fire Pumps:
 - (a) One (1) Copy of the Manufacturer's Fire Pump Specifications.
 - (b) One (1) Copy of the Manufacturer's Certified Pump Test Characteristic Curve.
5. Firestop Systems:
 - (a) Through-Penetration Firestop Systems.
 - (b) Membrane-Penetration Firestop Systems.
 - (c) Fire-Resistant Joint Systems.
 - (d) Perimeter Fire Barrier Systems.
 - (e) Fire-Rated Duct and Air-Transfer Openings.

SECTION 2: FIRE DEPARTMENT CONNECTIONS. The location of the fire department connections shall be approved by the Fire Chief, or his designee, with respect to fire hydrants, fire department access roads, fire apparatus water supply lines, building, utilities, and landscaping.

Immediate access to fire department connections shall be maintained at all times and not hindered by obstructions including fences, bushes, trees, walls or other fixed or removable objects.

SECTION 3: FIRE EXTINGUISHERS. Portable fire extinguishers shall be installed and maintained in Class 1 structures as set forth in the referenced edition of NFPA 10 as published by the National Fire Protection Association.

SECTION 4: QUALIFIED CONTRACTORS. Prior to performing installation, service, repair, inspection or maintenance of fire protection systems, the qualified person conducting such function(s) shall submit documentation to the fire chief, or his designee, verifying certification, for the company or individual, for each type of fire protection system being installed, serviced, repaired, inspected or maintained. Certification shall conform to the requirements as outlined in each applicable NFPA standard or from the manufacturer of such equipment.

ARTICLE VIII. FIREWORKS

SECTION 1: CONSUMER FIREWORKS. Pursuant to IC 22-11-14-10.5 and this Ordinance, consumer fireworks may only be used in the City of Batesville, Indiana, corporate limits during the days and times listed in IC 22-11-14-10.5 (c)(3) which are listed below:

1. Between the hours of 5:00 P.M. and two (2) hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9.
2. Between the hours of 10:00 A.M. and 12:00 midnight on July 4.
3. Between the hours of 10:00 A.M. on December 31 and 1:00 A.M. on January 1.

In the event that the hours of use for consumer fireworks listed in IC 22-11-14-10.5 (c)(3) are amended, the state statute shall control.

SECTION 2: PUBLIC DISPLAYS OF FIREWORKS. The documentation requirements for providing a public display of fireworks within the city are listed below:

1. A copy of the completed fireworks permit application from the Office of the Indiana Department of Homeland Security (DHS) as required by I.C. 22-11-14.
2. A letter of intent to display fireworks. This letter of intent to display fireworks shall include:
 - (a.) Name of the sponsoring organization.
 - (b.) Day, date, and time of the display.
 - (c.) Location of the display.
 - (d.) Number and maximum diameter size of aerial display shell.
 - (e.) Types and amounts of ground materials and locations.
 - (f.) Timetable of operations including delivery set-up and time of the "live load;"
 - (g.) A statement that only materials listed and approved by the U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms (ATF) will be utilized.

- (h.) A statement attesting to be the understanding of all the rules and regulations governing public fireworks displays and that the display located in the city will be in accordance with NFPA 1123.
 - (i.) A list of personnel who will be representing the fireworks vendor, their function, experience, and qualification.
 - (j.) A site plan of the proposed display site.
- 3. A copy of the certificate of insurance as required by I.C. 22-11-14; and
 - 4. A copy of the contract between the sponsor and the fireworks vendor.

ARTICLE IX. AUTOMATIC EXTERNAL DEFIBRILLATOR

SECTION 1: PLACEMENT REQUIREMENTS. Automatic External Defibrillator's (AED) shall be located in new buildings whose construction is started after the effect date of this chapter as follows:

- 1. Group A with an occupant load that exceeds 300',
- 2. Group B with an occupant load that exceeds 300.
- 3. Group E with an occupant load that exceeds 300.
- 4. Group H.
- 5. Group's 1-1, 1-2 and 1-3.
- 6. Group M with an occupant load that exceeds 1,000.
- 7. Group R-1, three stories or greater in height.
- 8. Covered malls exceeding 50,000 square feet.
- 9. Single-tenant Class I Structures exceeding 60,000 square feet; and
- 10. Class I Structures where the floor level of the highest story is located more than 30 feet above the lowest level of Fire Department vehicle access.

The following are exceptions to the location of Automatic External Defibrillator's (AED):

- (a.) Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 1,000 in the sanctuary; and
- (b.) Self-storage facilities.
- (c.) AED devices, where required, shall be installed in sufficient numbers and in locations so that an AED device shall be accessible, at a minimum, within three minutes or 500 feet maximum travel distance in the event of an emergency in accordance with the American Heart Association recommendations.
- (d.) AED devices, where required, are to be wall mounted and installed so that they are clearly visible to staff and visitors.
- (e.) The Fire Chief, or his or her designee, shall review and approve the number and installation locations for AED devices; and shall inspect the establishment to confirm the AED installation as approved prior to the issuance of a certificate of occupancy.

(f.) The installation and maintenance of the AED device(s) and periodic training on the use of the AED device(s) shall be the responsibility of the owner. A business, institution, or other entity which is required to install AED devices shall train one or more persons in the use of an ABD.

(g.) All AED installations shall be subject to annual inspections by the Fire Chief, or his or her designee.

(h.) A business, institution, or other entity which is required to install AEDs can appeal to the Fire Chief, or his or her designee, for relief from this section if it can be demonstrated that an undue hardship will exist from complying with the conditions of this section.

(i.) AED devices shall be installed in newly constructed Class I Structures as required in this fire prevention chapter; the intent of this fire prevention chapter is not to require AED devices in Class I Structures in existence prior to the adoption of this chapter.

ARTICLE X. OUTDOOR WOOD AND OTHER FIRED FURNACES

SECTION 1: GENERAL PROHIBITION ON OUTDOOR BURNING AND REFUSE BURNING. Outdoor burning and refuse burning are prohibited in the City of Batesville unless the burning is specifically permitted.

SECTION 2: MATERIALS THAT MAY NOT BE BURNED. Unless a specific written approval has been obtained from the Indiana Department of Environmental Management, or other appropriate state or federal agency, the following materials may not be burned in an outdoor incineration or heating device:

1. Rubbish or garbage, including but not limited to, food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business wastes.
 2. Waste oil or other oily wastes, unless otherwise permitted by the Indiana Department of Environmental Management.
 3. Asphalt and products containing asphalt.
 4. Treated or painted wood, including but not limited to, plywood, composite wood products or other wood products that are painted, varnished, or treated with preservatives.
 5. Any Plastic material, including but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films, and plastic containers.
 6. Rubber including tires and synthetic rubberlike products; or
 7. Newspaper, corrugated cardboard, container board and paper products.
- Notwithstanding the foregoing provisions, small quantities of newspaper, paper and cardboard products may be used as starter fuel for any fire that is permitted under this code.

SECTION 3: OUTDOOR FURNACES. Ground level pollution of smoke and particulate matter caused by the incomplete combustion of outdoor furnaces in the City of Batesville is hereby declared to be a nuisance.

1. Outdoor furnaces shall not be permitted to be installed, used, or maintained within the corporate city limits of Batesville, Indiana.

SECTION 4: EXISTING OUTDOOR FURNACES. Any existing outdoor furnaces in the City of Batesville shall be installed, used, operated, and maintained in strict compliance with the provisions of section.

1. All outdoor furnaces shall be installed, operated, and maintained in strict conformance with the manufacturer's instructions and the regulations promulgated hereunder. In the event of a conflict, the stricter of the manufacturer's instructions or the regulations promulgated hereunder shall control.
2. The outdoor furnace shall have a chimney or stack through which all smoke and by-products of combustion are emitted, the height of which shall be determined by the distance from the nearest residence or other building intended for human occupation which is not served by, or owned by the owner of, the outdoor furnace, as follows:

Zero feet - 100 feet	Height of the ridge line of the nearest residence or occupied building not served, plus 2 feet
More than 100 feet	75% of the ridge line of the nearest residence or occupied building not served, plus 2 feet

- a. In no event shall the chimney or stack height be less than 15 feet from ground level.
 - b. The chimney stack must be dismantled, cleaned, and inspected on an annual basis during the off-heating season and may not be reconstructed until the beginning of the heating season.
 - c. Any furnace that is not appropriately sheltered per manufacturer's specifications should be a minimum of 25 feet from the property line and a minimum of 75 feet from any other residential home. Furnace in existence at the time this section takes effect are presumed to be properly sheltered.
 - d. Enforcement of the requirements of this division may be waived upon receipt by the Fire Chief of the City of Batesville, written notices of waiver by the landowners of 2 nearest residences to the property served by the furnace. It is the responsibility of the furnace owner to obtain the written notices of waiver.
3. Only Clean hard wood may be burned in an outdoor furnace and it only may be burned during the heating season. Under no circumstance may coal, or any materials prohibited under section 2 hereof be burned in an outdoor furnace.
 4. The outdoor furnace shall be sufficiently vented to induce complete primary combustion.
 5. The owner of the outdoor furnace shall operate the same in a manner which is not harmful and does not create a nuisance or unreasonable interference with the use and enjoyment by owners or occupants of neighboring properties, and the public in general.

6. Owners of existing outdoor furnaces within the City of Batesville shall bring the same into compliance with this section within 30 days from the effective date of this section.
7. Ownership cannot be changed for existing outdoor furnaces. In the event the real estate upon which an outdoor furnace exists is transferred in any manner from its current owners, the outdoor furnace must be dismantled.

ARTICLE XI. PENALTIES

SECTION 1: PENALTY. If any person, firm, or corporation shall violate any of the provisions of this fire prevention chapter, or shall do any act prohibited herein, or shall fail to perform any duty lawfully enjoined within the time prescribed by the Fire Chief, or his or her designee, or shall fail, neglect, or refuse to obey any lawful notice of violation or any order by the Fire Chief, or his or her designee, in connection with the provisions of this fire prevention chapter or any other Fire Safety Code of the jurisdiction for each such violation, failure, or refusal, such person, firm, or corporation may be cited into the court having jurisdiction and fined up to and including the maximum penalty prescribed by I.C. 36-1-3-8(10).

SECTION 2: GENERALLY. The Fire Chief, or his or her designee, shall have the authority to levy fees or issue citations covering violations of this fire prevention chapter. Violators shall be fined and/or cited into the court having jurisdiction.

1. Whoever violates any of the provisions of the Fire Prevention Code or fail to comply therewith, or who shall violate or comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, shall, for each and every violation and noncompliance respectively, be fined not more than \$1,000.00.
2. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue; and all persons shall be required to correct or remedy the violations or defects within a reasonable time, and when not otherwise specified each 10 days that prohibited conditions are maintained shall constitute a separate offense.
3. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 3: OPEN BURNING. Any person who shall violate a provision of Article III shall be guilty of a Class D infraction, with a penalty of up to \$25 plus cost. Any second or subsequent violation or burning in violation of Article III after notice by the Fire Chief shall constitute a Class C infraction, with a penalty of up to \$500 per offense plus costs. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

SECTION 4: FIRE WATCH ORDER. Any property owner or tenant that does not comply with a fire watch order issued by the Fire Department may be fined \$500 per day. Each day during which a violation of this section takes place shall be deemed to be a separate violation.

SECTION 5: SMOKE DETECTORS. Whoever violates any of the provisions of Article V *et seq.* shall be subject to a fine of up to \$25 for each offense, with repeat violators to be subject to a fine of up to \$250 for each offense.

SECTION 6: AUTOMATIC EXTERNAL DEFIBRILLATOR REQUIREMENT. Any person, firm, or corporation violating the requirement for an AED upon conviction, shall be fined \$250 for the first offense and an additional \$250 shall be assessed for each 45-day period thereafter in which compliance has not occurred.

SECTION 7: OUTDOOR WOOD AND OTHER FIRED FURNACES. Any person, firm, or other entity in violation of any portion of Article X *et seq.* shall be subject to a civil penalty in the sum of \$100 for each offense. Every day, or part thereof, that a violation continues in existence constitutes a separate violation for which civil penalties may be imposed. In addition to civil penalties, the appropriate enforcement officers of the City of Batesville may seek injunctive relief.

ARTICLE XII FEES

SECTION 1: FEES. The fees assessed by this chapter are in addition to those fines or fees that may be levied by the State of Indiana, and/or the City of Batesville.

1. All payments are due within 30 days from the date of the assessment of the fee. Violators who fail to make payment prior to the payment due date shall be assessed an additional \$25 late fee for each outstanding fee and shall be subject to legal action for failure to pay an ordinance violation fee.

SUMMARY OF FEES.

Fee Type	Amount
Request for waiver	\$100
Fire investigation report	\$50
Fire investigation report with pictures	\$75
Fire NFIRS report	\$5
Fire watch	\$35/hour
Violation of fire watch order	\$500
Violation of stop work order	\$250
Smoke detectors	See Penalties section 5
False fire alarms	See Article II section 14

Non-compliance with fire watch order	\$500
Non-compliance with AED requirements	\$250

Passed and adopted on its first reading under suspension of rules this 13th day of July 2020 by the Common Council of the City of Batesville.

Ayes:

Nays:

WHEREUPON, the Mayor declared said ordinance finally and legally adopted.

Michael A. Bettice, Mayor

Attest:

Paul J. Gates, Clerk-Treasurer

**CITY OF BATESVILLE
RESOLUTION NO. 04-2020**

RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF BATESVILLE, INDIANA, APPROVING A LEASE
BETWEEN THE BATESVILLE REDEVELOPMENT
AUTHORITY AND BATESVILLE REDEVELOPMENT
COMMISSION AND APPROVING THE ISSUANCE OF
LEASE RENTAL BONDS BY THE REDEVELOPMENT
AUTHORITY AND OTHER MATTERS RELATED THERETO

WHEREAS, the Batesville Redevelopment Authority ("Authority") has determined to issue its Taxable Lease Rental Refunding Bonds of 2020 ("Bonds") pursuant to a Trust Indenture between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee ("Trustee"), dated as of June 1, 2020 ("Trust Indenture"), to be used to pay the costs of the acquisition of a shell building, together with all necessary appurtenances and related equipment ("Project"), and the refunding of the Loan (as defined in the Trust Indenture);

WHEREAS, the Batesville Redevelopment Commission ("Commission") held a public hearing on a proposed lease agreement between the Authority, as lessor, and the Commission, as lessee, on June 24, 2020 ("Lease");

WHEREAS, pursuant to IC 36-7-14.5-19(a) and IC 36-7-14-25.2(c), the Common Council is required to approve the issuance of the Bonds by the Authority and certain terms of the Lease and the Bonds;

WHEREAS, pursuant to IC 36-7-14.5-21(b) and (c), the Authority must obtain the approval of the Common Council to enter into the Trust Indenture and to approve any pledge or assignment made therein; and

WHEREAS, pursuant to IC 36-7-14.5-13(b) and IC 36-7-14.5-22, the Common Council must approve the transfer of property to the Authority and an exercise of the option to purchase pursuant to Section 12 of the Lease by the Commission upon redemption of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BATESVILLE, INDIANA, THAT:

Section 1. The Common Council hereby approves the issuance of the Bonds by the Authority in an aggregate principal amount not to exceed \$2,750,000, with a term ending no later than January 1, 2040, at a maximum interest rate of five percent (5.0%) per annum (actual rates will be determined by competitive sale).

Section 2. The Bonds are redeemable at the option of the Authority, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the Authority and by lot within maturities, at face value, without premium, beginning no earlier than five (5) years

after the date of issuance of the Bonds, plus accrued interest to the date fixed for redemption, and shall be subject to mandatory sinking fund redemption as determined upon the sale of the Bonds.

Section 3. The Common Council hereby ratifies the execution of the Lease and approves entering into the Lease in full force and effect upon issuance of the Bonds, with a maximum annual lease rental of \$300,000, plus \$5,000 annually for trustee and other administrative fees, for a maximum term not to exceed twenty (20) years from acquisition of the Project.

Section 4. The Common Council hereby approves the execution of the Trust Indenture by the Authority with the Trustee and hereby approves the pledge of: (i) the funds established by the Trust Indenture; (ii) the interest earnings on such funds; and (iii) the lease rentals provided for under the Lease, which lease rentals are payable from Tax Increment and, to the extent Tax Increment is not sufficient, from the LIT EDIT Allocation, on a parity with the Outstanding LIT Obligations (each as defined in the Lease).

Section 5. The Common Council hereby approves the transfer of the land upon which the Project was constructed from the City or Commission to the Authority and approves the exercise of the option to purchase the Project by the Commission pursuant to Section 12 of the Lease upon redemption of the Bonds.

This resolution shall be in full force and effect from and after its passage and execution by the Mayor.

PASSED by the Common Council of the City of Batesville, Indiana this 13th day of July 2020, by a vote of : **Ayes:** _ and **Nays:** _

Whereupon, the Mayor declared said Resolution adopted.

COMMON COUNCIL OF THE CITY OF
BATESVILLE, INDIANA

Michael A. Bettice, Mayor

ATTEST:

Paul J. Gates, Clerk-Treasurer

CITY OF BATESVILLE

ORDINANCE NO. 08-2020

**AN ORDINANCE PLEDGING CERTAIN LOCAL INCOME
TAX REVENUES TO BONDS OF THE BATESVILLE
REDEVELOPMENT AUTHORITY**

WHEREAS, the Batesville Redevelopment Authority ("Authority") has determined to issue its Taxable Lease Rental Refunding Bonds of 2020 ("Bonds") to fund the acquisition of a shell building, together with all necessary appurtenances, related improvements and equipment ("Project") and refund a Loan (as defined in the hereinafter defined Lease) in, serving or benefiting the Batesville I-74 Area Economic Development Area and to pay issuance expenses;

WHEREAS, the Authority has entered into a lease agreement, dated as of June 24, 2020 ("Lease") with the Batesville Redevelopment Commission ("Commission") providing for the acquisition of the Project and the leasing of the same to the Commission;

WHEREAS, lease rentals shall be payable from Tax Increment and, to the extent Tax Increment is not sufficient, from the LIT EDIT Allocation (on a parity with the Outstanding LIT Obligations) (each as defined in the Lease);

WHEREAS, IC 6-3.6-4-3 prohibits the adopting body from reducing the tax rate below a rate that would produce 1.25 times the total of the highest annual outstanding debt service or lease rental for the Bonds;

WHEREAS, IC 6-3.6-6-5 prohibits the adopting body from reducing the proportional allocation of the additional revenue that was allocated the preceding year below an amount necessary to pay the Bonds;

WHEREAS, the Common Council has determined to pledge the LIT EDIT Allocation, on a parity with the Outstanding LIT Obligations, to the payment of lease rentals due under the Lease to the extent Tax Increment is not sufficient; and

WHEREAS, the estimated total cost of financing the Project and refunding the Loan, including issuance expenses, is now estimated to be approximately \$2,750,000 plus investment earnings on the Bond proceeds;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BATESVILLE, INDIANA, THAT:

Section 1. In consideration of the Authority's desire to proceed with the financing of the Project and the refunding of the Loan, the Common Council hereby pledges the LIT EDIT Allocation, on a parity with the Outstanding LIT Obligations for the payment of lease rentals due under the Lease to finance the Project and refunding of the Loan, to the extent Tax Increment is not sufficient.

Section 2. The Common Council further covenants that it will take no action to reduce the tax rate below a rate that would produce 1.25 times the total of the highest annual outstanding debt service or lease rental for the Bonds.

Section 3. The Common Council further covenants that it will take no action to reduce the proportional allocation of the additional revenue that was allocated the preceding year below an amount necessary to pay the Bond.

Section 4. Except for the Outstanding LIT Obligations, the City has not pledged or otherwise encumbered its LIT EDIT Allocation, and there are no prior liens, encumbrances or other restrictions on the LIT EDIT Allocation or on the City's ability to pledge the LIT EDIT

Allocation, on a parity with the Outstanding LIT Obligations, to the extent Tax Increment is not sufficient, to the payment of lease rentals.

Section 5. The City reserves the right to enter into leases or other obligations entitled to the pledge of the LIT EDIT Allocation, in whole or in part, and entitled to the pledge of the LIT EDIT Allocation on a parity with the Lease in accordance with the requirements set forth below ("LIT Parity Obligations") for the purpose of raising money for future projects of the City authorized under IC 6-3.6-6 or to refund outstanding obligations of the City. The authorization and issuance of LIT Parity Obligations shall be subject to the following conditions precedent:

(a) All rental payments due under the Lease and all payments on any LIT Parity Obligations payable from the LIT EDIT Allocation shall be current to date in accordance with the terms thereof, with no payment in arrears;

(b) The City shall have received a certificate prepared by an independent certified public accountant or an independent financial consultant with professional experience in the business of estimating the levels of and increases in assessed valuation in the State of Indiana and the expected changes in property tax rates caused by such changes ("Certifier"), certifying that the LIT EDIT Allocation estimated to be received in each succeeding year, together with estimated Other Available Revenues (as defined below), is at least equal to 125% of the principal and interest requirements on all outstanding Bonds and Outstanding LIT Obligations, all outstanding LIT Parity Obligations, and the proposed issue of additional LIT Parity Obligations, for each respective year during the term of such outstanding Bonds and Outstanding LIT Obligations, and outstanding LIT Parity Obligations, and the proposed additional LIT Parity Obligations. In estimating the LIT EDIT Allocation and Other Available Revenues to be received in any future year, the Certifier shall base his calculation on estimates, believed by the

Certifier to be reasonable, including without limitation estimates of investments earnings. For purposes of the paragraph, "Other Available Revenues" shall mean, to the extent such amounts have been set aside and designated for such purpose, amounts held in any debt service reserve accounts for the Bonds, the Outstanding LIT Obligations, and LIT Parity Obligations other than the proposed additional LIT Parity Obligations.

(c) The principal of any LIT Parity Obligations shall be payable on the same dates as the principal of the Bonds, the Outstanding LIT Obligations and the interest thereon shall be payable semiannually on June 1 and December 1.

Whole number of Council being five, this ordinance was approved on its first reading, under suspension of rules on July 13, 2020, as follows:

Ayes: _ Nays: _

Whereupon, the Mayor declared said Ordinance adopted.

Michael A. Bettice, Mayor

Attest: _____
Paul J. Gates, Clerk-Treasurer

City of Batesville
Non-Utility Financial Report
Thru June 30, 2020

FUND BALANCE SUMMARY

2020 Fund Activity for Non-Utility Departments	1/1/20 Balance	June YTD Rev	June YTD Exp.	6/30/20 Balance	2020 Net Chg
	\$ 5,088,034.48	\$4,386,994.76	\$ (3,551,428.09)	\$ 5,923,601.15	\$ 835,566.67

2020 EXPENSE SUMMARY

Expenses by Class Category - Operational Dept's Budgeted Accounts

Salaries, Wages, Benefits
Supplies
Other Services - Utilities, Travel, Repairs, Consultants, etc.
Capital Outlays - Buildings, Land, Improvements, etc.

	2020 Budget	Apportioned Budget	June YTD 2020 Actual Expenses	Act vs Budget Fav / (Unfav)
	3,928,380.00	1,964,190.00	1,921,334.37	42,855.63
	332,100.00	166,050.00	136,392.68	29,657.32
	1,594,450.00	797,225.00	617,336.61	179,888.39
	864,000.00	432,000.00	233,670.69	198,329.31
<u>Totals by Class Category - Operational Dept's Budgeted Accounts</u>	<u>\$6,718,930.00</u>	<u>\$3,359,465.00</u>	<u>\$2,908,734.35</u>	<u>\$450,730.65</u>

Total Expenses - Non-Operational Dept's Budgeted Accounts

2,718,300.00 247,487.11

Total - All budgeted Accounts

\$9,437,230.00 \$3,156,221.46

Total Expenses - Non-Budgeted Accounts

395,206.63

Grand Total - All Expenses

\$3,551,428.09

City of Batesville
Wastewater Treatment Plant Financial Report
Thru June 30, 2020

FUND BALANCE SUMMARY

2020 Fund Activity for Wastewater Utility	1/1/20 Balance	June YTD Rev	June YTD Exp	6/30/20 Balance	2020 Net Chg
	\$ 1,916,176.50	\$ 921,389.24	\$ (1,150,606.28)	\$ 1,686,959.46	\$ (229,217.04)

2020 EXPENSE SUMMARY

Expenses by Class Category - Operational Dept's Budgeted Accounts

	2020 Budget	Apportioned Budget	June YTD 2020 Actual Expenses	Act vs Budget Fav / (Unfav)
Salaries, Wages, Benefits	702,200.00	351,100.00	376,150.00	(25,050.00)
Supplies	163,000.00	81,500.00	56,849.99	24,650.01
Other Services - Utilities, Travel, Repairs, Consultants, etc.	403,900.00	201,950.00	222,007.11	(20,057.11)
Capital Outlays - Buildings, Land, Improvements, etc.	37,000.00	18,500.00	2,049.94	16,450.06
Totals by Class Category - Operational Dept's Budgeted Accounts	\$ 1,306,100.00	\$ 653,050.00	\$ 657,057.04	\$ (4,007.04)

Total Expenses - Non-Operational Dept's Budgeted Accounts

1,296,115.00 493,549.24

Total - All budgeted Accounts

\$ 2,602,215.00 \$ 1,150,606.28

City of Batesville

Gas Utility Expenditure & Receipt Summary

Through June 30, 2020

FUND BALANCE SUMMARY

	1/1/20	June	June	June	6/30/20
	Balance	YTD Receipts	YTD Expenditures	Balance	2020 Net Chg
Fund Activity for Gas Utility (Includes Cash Reserve Fund)	\$ 4,968,687.44	\$ 1,816,758.69	\$ (1,122,328.05)	\$ 5,663,118.08	\$ 694,430.64
Cash Reserve Amounts	\$ 1,012,000.00			\$ 1,012,000.00	\$ -
Fund Activity for Gas Utility (Excludes Cash Reserve Fund)	\$ 3,956,687.44	\$ 1,816,758.69	\$ (1,122,328.05)	\$ 4,651,118.08	\$ 694,430.64

EXPENDITURE SUMMARY

	2020 Budget	June YTD Budget	YTD 2020 Actual Expenditures	Act vs Budget Fav / (Unfav)
<u>Expenditures by Class Category - Operational Dept's Budgeted Accounts</u>				
Salaries, Wages, Benefits	590,065.16	288,364.59	300,893.55	(12,528.96)
Supplies	49,470.00	23,660.00	28,372.78	(4,712.78)
Other Services - Utilities, Travel, Repairs, Consultants, etc.	1,377,425.00	927,647.00	656,284.26	271,362.74
Capital Outlays - Buildings, Land, Improvements, etc.				
Totals by Class Category - Operational Dept's Budgeted Accounts	2,016,960.16	1,239,671.59	985,550.59	254,121.00
<u>Total Expenditures - Non-Operational Dept's Budgeted Accounts</u>	348,000.00		1,120.00	
Total - All budgeted Accounts	2,364,960.16		986,670.59	
Total - All not budgeted Accounts			135,657.46	
Total - All Accounts			1,122,328.05	

City of Batesville
Water Utility Expenditure & Receipt Summary
Through June 30, 2020

FUND BALANCE SUMMARY

	1/1/20 Balance	June YTD Receipts	June YTD Expenditures	6/30/20 Balance	2020 Net Chg
Fund Activity for Water Utility	\$ 2,899,946.52	\$ 1,229,988.27	\$ (1,036,461.78)	\$ 3,093,473.01	193,526.49

EXPENDITURE SUMMARY

Expenditures by Class Category - Operational Dept's Budgeted Accounts

Salaries, Wages, Benefits
Supplies
Other Services - Utilities, Travel, Repairs, Consultants, etc.
Capital Outlays - Buildings, Land, Improvements, etc.

	2020 Budget	June YTD Budget	YTD 2020 Actual Expenditures	Act vs Budget Fav / (Unfav)
Salaries, Wages, Benefits	415,233.11	203,490.11	208,604.57	(5,114.46)
Supplies	205,284.00	87,342.00	126,679.84	(39,337.84)
Other Services - Utilities, Travel, Repairs, Consultants, etc.	385,840.00	203,564.00	99,380.20	104,183.80
Totals by Class Category - Operational Dept's Budgeted Accounts	1,006,357.11	494,396.11	434,664.61	59,731.50

Total Expenditures - Non-Operational Dept's Budgeted Accounts

18,039,208.00

493,578.00

Total - All budgeted Accounts

19,045,565.11

928,242.61

Total - All not budgeted Accounts

108,219.17

Total - All Accounts

1,036,461.78