

**BOONVILLE CITY COUNCIL
BOONVILLE CITY HALL
135 SOUTH SECOND STREET
BOONVILLE, INDIANA**

Thursday, September 1st, 2016
5:00 p.m.

If you wish to speak under Citizens Comments you must sign in and state your subject.

AGENDA

1. Call to order
2. Pledge
3. Approval of Previous Minutes – (8-4-16)
4. Citizen Comments
 - a. Informal Presentation for blighted lots by Miller-Valentine Group
5. Council Concerns
6. Old Business-
 - a. Ordinance 2016-6 (Salary Ordinance for Appointed Officials and Employees) **Second Reading**
 - b. Ordinance 2016-7 (Salary Ordinance for Elected Officials) **Second Reading**
7. New Business
 - a: Ordinance 2016-10 (Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the City of Boonville)
 - b. Ordinance 2016-11 (Ordinance Concerning Removal of the City of Boonville’s Municipal Water Utility from the Jurisdiction of the Indiana Utility Regulatory Commission)
 - c. Resolution 2016-9 (Resolution Supporting SB 1714 and HR 2403 for United Mine Workers)
8. Miscellaneous
9. Approval of Claims
10. Adjournment

PERSONS WITH DISABILITIES OR NON-ENGLISH SPEAKING PERSONS WHO WISH TO ATTEND A PUBLIC MEETING OR HEARING AND NEED ASSISTANCE SHOULD CONTACT SARA HURT, AT CITY HALL, 135 S SECOND ST, BOONVILLE, INDIANA 47601 OR 812-897-1230 NOT LATER THAN ONE (1) WEEK PRIOR TO ANY MEETING OR HEARING. EVERY EFFORT WILL BE MADE TO MAKE REASONABLE ACCOMMODATIONS FOR ANY SUCH PERSON OR PERSONS.

ORDINANCE 2016-6

APPOINTED OFFICIALS AND EMPLOYEES OF
THE CITY OF BOONVILLE FOR 2017

BE IT ORDAINED; BY THE COMMON COUNCIL OF THE
CITY OF BOONVILLE, INDIANA:

Section One: From and after January 1, 2017, the following compensation shall be in effect for all appointed officials and employees of the City. Where compensation is listed as an hourly figure, such position is deemed an hourly position. Where such position shows a bi-weekly or monthly figure, such position shall be considered a salaried position.

COMPENSATION		
City Attorney	\$ 1,710.12	Monthly (plus \$150 per hr. for litigation & special projects plus a contract rate for bond work)
Police Chief	\$ 1,988.05	Bi-Weekly
Fire Territory Chief	\$ 1,988.05	Bi-Weekly
Asst. Police Chief	\$ 1,834.27	Bi-Weekly
Fire Territory Asst. Chief	\$ 1,834.27	Bi-Weekly
Police Lieutenant	\$ 1,640.06	Bi-Weekly
Fire Territory Captain	\$ 1,640.06	Bi-Weekly
Police Sargeant	\$ 1,587.65	Bi-Weekly
Patrolman	\$ 1,575.73	Bi-Weekly
Fire Territory Fireman	\$ 1,575.73	Bi-Weekly
Probationary Police or Fire Territory Fireman	\$ 1,527.47	Bi-Weekly
School Crossing Guard (pd while school in session)	\$ 126.31	Bi-Weekly
Bdg Authority/Code Enforcement Officer	\$ 1,473.06	Bi-Weekly
Part Time Police or Fire Territory Fireman	\$ 19.70	Hourly
Police Administrative Assistant	\$ 15.75	Hourly
Deputy Clerk-Treas/Bookkeeper	\$ 18.34	Hourly
Compliance & Public Relations Officer	\$ 16.50	Hourly
Traffic Safety Officer	\$ 13.20	Hourly
Clerk	\$ 14.72	Hourly
Part Time Clerk/Floater	\$ 13.20	Hourly
Administrative Assistant/Planning/Zoning Administrator	\$ 18.34	Hourly
Secretary	\$ 15.55	Hourly
Billing Processor	\$ 16.75	Hourly
Maintenance	\$ 13.00	Hourly

Janitor	\$	10.00	Hourly
Parks Director	\$	17.33	Hourly
Aquatic Director (seasonal while pool open)	\$	16.73	Hourly
Head Lifeguard (seasonal while pool open)	\$	9.58	Hourly
Lifeguard (seasonal while pool open)	\$	8.98	Hourly
Front Desk/Cashier Pool	\$	8.25	Hourly
Seasonal Maintenance Supervisor	\$	11.25	Hourly
Seasonal Maintenance	\$	10.69	Hourly

Section Two: All payments for overtime compensation together with other fringe benefits shall be in addition to the annual compensation and shall not be considered as a part of the compensation set out in Section One.

Section Three: In addition to the compensation provided in Section One, all full time policemen and firemen shall be paid the sum of \$100 per holiday 14 days and all full time policemen and firemen shall be paid the sum \$1250.00 for uniform allowance in July and December of the calendar year 2017. Volunteer Firemen, after one year of employment, shall be paid \$400.00 for clothing allowance and \$12.50 per run for fire runs. To be paid semi-annually.

Section Four: All current full time employees of the City of Boonville covered under the personal policy of the City of Boonville with the exception of elected officials with one year of continuous service, shall be entitled to longevity pay. For the year 2017 all full time City employees shall be paid fifty dollars (\$50.00) gross for each calendar year of continuous employment after the first year of employment. Longevity pay shall be paid to said employees in January payroll of the month following the first year of employment.

Section Five: There shall be twenty-six (26) pay periods in the calendar year 2017.

Section Six: All ordinances in conflict with this ordinance are hereby repealed effective January 1, 2017.

ADOPTED THIS _____ **DAY OF** _____, 2016.

Charlie Wyatt, Mayor
City of Boonville

ATTEST:

Tammy Boruff, Clerk-Treasurer
City of Boonville

ORDINANCE 2016-7
AN ORDINANCE FIXING COMPENSATION
FOR ELECTED OFFICIALS
OF THE CITY OF BOONVILLE FOR 2017

BE IT ORDAINED:

Section One: From and after January 1, 2017, the following compensation is fixed for elected officials of the City of Boonville:

Mayor	\$ 2,138.09	Bi-Weekly
Clerk-Treasurer	\$ 1,744.79	Bi-Weekly
Member of City Council	\$ 600.00	Monthly

Section Two: Compensation fixed herein shall be paid bi-weekly twenty-six (26) pays or once a month where indicated.

ADOPTED this _____ day of _____, 2016.

Charles Wyatt, Mayor
City of Boonville

ATTEST:

Tammy Boruff, Clerk-Treasurer
City of Boonville

ORDINANCE 2016 – 10

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES FOR THE CITY OF BOONVILLE, INDIANA**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the seventh (7) supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the Indiana code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Indiana; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance takes effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF
THE POLITICAL SUBDIVISION OF BOONVILLE, INDIANA:**

Section 1. That the seventh (7) supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk-Treasurer of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk-Treasurer.

ADOPTED this _____ day of _____, 2016.

Charles Wyatt, Mayor

ATTEST:

Tammy Boruff
Clerk-Treasurer

ORDINANCE 2016-11

AN ORDINANCE OF THE CITY OF BOONVILLE, INDIANA,
CONCERNING REMOVAL OF THE CITY OF BOONVILLE'S MUNICIPAL
WATER UTILITY FROM THE JURISDICTION OF THE INDIANA UTILITY
REGULATORY COMMISSION

WHEREAS, the City of Boonville, Indiana, (the "City"), has previously established a municipal water utility for purposes of operating water facilities and providing potable water service to customers in and around the City; and

WHEREAS, the rates, charges, evidences of indebtedness, and certain other matters concerning the City's municipal water utility are regulated by the Indiana Utility Regulatory Commission (the "IURC"); and

WHEREAS, the Common Council of the City (the "Council") recognizes that, pursuant to Indiana Code § 8-1.5-3-9 and 9.1, the majority of municipal water utilities in the State of Indiana have been removed from the IURC's jurisdiction as to rates, charges, evidence of indebtedness, and certain other matters; and

WHEREAS, the Council believes that: (i) the City is capable of appropriately establishing rates and charges, determining appropriate levels of indebtedness, and otherwise operating the City's municipal water utility without incurring the expense associated with the IURC's jurisdiction over such matters; and (ii) the City's municipal water utility should be removed from the IURC's jurisdiction; and

WHEREAS, the Council believes that it is important to obtain the input of the City's municipal water utility customers prior to completing the removal of the City's municipal water utility from the jurisdiction of the IURC; and

WHEREAS, at least thirty (30) days prior to the date of adoption of this ordinance, the City caused to be mailed to all ratepayers of the City's municipal water utility and to the IURC written notice of the meeting of the Council at which this ordinance was considered for adoption (the "Public Meeting"); and

WHEREAS, at the Public Meeting, the City provided an explanation of the removal process and all ratepayers of the City's municipal water utility and representatives of the IURC were provided with an opportunity to comment on the matter of the removal of the City's municipal water utility from the IURC's jurisdiction;

NOW, THEREFORE, be it ordained by the Common Council of the City of Boonville, Indiana that:

Section 1. Pursuant to Indiana Code § 8-1.5-3-9.1, the City's municipal water utility is hereby removed from the jurisdiction of the IURC for the approval of rates and charges and

the issuance of stocks, bonds, notes, or other evidence of indebtedness, and any other applicable matters.

Section 2. Except as described in Section 3 hereof, this ordinance shall take effect sixty (60) days after the date of its adoption.

Section 3. If, within sixty (60) days of the adoption of this Ordinance, the Council receives a petition: (i) that is signed by at least the number of the registered voters of the City required under Indiana Code § 3-8-6-3 to place a candidate on the ballot; and (ii) that requests the Council to submit the question of removal from the IURC jurisdiction to the registered voters of the City at the next election, the Council will certify the public question to the county election board in accordance with Indiana Code § 8-1.5-3-9.1.

Section 4. Within thirty (30) days after this ordinance becomes effective, the Mayor and/or Clerk-Treasurer shall mail to the IURC written notice of the withdrawal of the City's municipal water utility from the IURC's jurisdiction.

Passed and adopted this _____ day of _____, 2016.

COMMON COUNCIL
CITY OF BOONVILLE, INDIANA

Presiding Officer

ATTEST:

Tammy Winsett Boruff, Clerk-Treasurer

Present by me to the Mayor of the City of Boonville, Indiana, on the _____ day of _____, 2016, at the hour of _____:_____ m.

Tammy Winsett Boruff, Clerk-Treasurer

This Ordinance approved and signed by me, the Mayor of the City of Boonville, Indiana, on the _____ day of October, 2016, at the hour of _____:_____ m.

Charles R. Wyatt

RESOLUTION

2016-9

(A Resolution Supporting Senate Bill 1714 & House Resolution 2403)

Whereas, thousands of retired miners, their dependents and widows live in our counties and contribute significantly to the economy of our communities; and

Whereas, if these retirees lose their health care and pension benefits, the economic impact on our counties will be catastrophic, especially on those who provide health care-related services like pharmacies, clinics, therapists, doctors, nursing homes and others; and

Whereas, these retired miners have earned these benefits through decades of hard and dangerous work; and

Whereas these benefits supports our communities and helps to preserve the coal industry and its contributions to the economy of our nation; and

Whereas, America's coal industry is facing unprecedented challenges; and

Whereas, Senate Bill 1714, (the Miner's Protection Act of 2015) and House Resolution 2403 (The Coal Healthcare and Pension Protection Act of 2015) would provide an additional funding mechanism for the UMWA 1974 Pension Plan, which is in critical status and which without assistance will become insolvent; and

Whereas, this piece of legislation would also ensure that retired miners would continue to receive the health care benefits they were promised in the event their employer has gone bankrupt;

NOW THEREFORE BE IT RESOLVED that the City Council of Warrick County, Indiana supports SB. 1714 and HR. 2403

Be it further resolved that we request that Senators Coats and Donnelly support SB. 1714, so critical to the economic and social fabric of our community; and

Be it further resolve that We request that the US Congressional delegation from Indiana support HR. 2403

Since thousands of retired miners, their dependents and widows live in our counties and contribute significantly to the economy of our communities and if these retirees lose their health care and pension benefits, the economic impact on our counties will be catastrophic, especially on those who provide health care-related services like pharmacies, clinics, therapists, doctors, nursing homes and others; and

Because these retired miners have earned these benefits through decades of hard and dangerous work and that these benefits support our communities and helps to preserve the coal industry and its contributions to the economy of our nation; and

Knowing that Senate Bill 1714, (the Miner's Protection Act of 2015) and House Resolution 2403, (the Coal Healthcare and Protection Act of 2015) would provide an additional funding mechanism for the UMWA 1974 Pension Plan, which is in critical status and which without assistance will become insolvent; and

That piece of legislation would also ensure that retired miners would continue to receive the health care benefits they were promised in the event their employer has gone bankrupt;

We the City Council of Warrick County, Indiana do fully support the passage of both HR 2403 and SB 1714 and ask that Senators Coats and Donnelly support the passage of SB1714.

We further ask that the entire US Congressional delegation from Indiana support HR 2403.

Passed at 9-1-16 meeting of the City Council

ATTEST:

Tammy Boruff

Charles Wyatt, Mayor

Larry Lacer

Steve Byers

Bob Canada

David Talley

Mike Webb