

December 18, 2012

The Mooresville Town Council met in regular session on Tuesday, December 18, 2012, at 6:30 P. M. at the Mooresville Government Center.

Council members present were: President George Watkins, Vice-President Mark Mathis, Tony Langley, Virginia Perry, and Jeff Cook. No members were absent. Town Attorney Tim Currens was present.

George Watkins gave the invocation.

A motion was made by Councilman Langley with a second by Councilwoman Perry to approve minutes of December 4, 2012 meeting. Motion carried 5-0.

Proposed outline for procedures for tax abatements and use of SB-1's: Councilwoman Perry spoke of finding serious problems with the filing of SB-1's.

The council read the procedures to see if any changes were needed. Councilwoman Perry made a motion to approve. A discussion followed. Councilman Langley brought attention to the top of the second page. He was concerned with setting a maximum on the estimate and said another change could be worded "actual instead of "estimated". His example of this is if the estimate said 1million to be spent on personal property and they actually spend \$1,050,000 on equipment the company would lose \$50,000 in abatement. Abatement is based on tax return. Councilwoman Perry said maybe there should be a tolerance, but Tony said as long as not adding new equipment that was not originally approved should be limited to what they filed for. If they do add more equipment they need to do an amended filing. Councilman Langley said take out the word maximum in line 3 page 2. Councilman Mathis seconded the motion with the word maximum deleted. Council President Watkins asked if equipment is new to them, how does the council address that. Attorney Currens said the statute defines what qualifies and doesn't qualify based upon legislative compliance. Motion carried 5-0.

Unfinished business: Aerovision committee public policy and branding appointments. Council President Watkins stated he was not prepared to make the appointments as of yet.

Other business: Attorney Currens will look to see if appointing a representative to the Redevelopment Commission from the school board is Presidential or all Council.

Legal: Attorney Currens mention his sending a letter to the council concerning a conflict in the salary ordinance and personnel policy. Need to address at an upcoming meeting.

Legal: A motion was made by Councilman Mathis with a second by Councilman Cook to approve a waiver of potential conflict and appoint President Watkins as signatory due to the fact Bose, McKinney represented a bank that Indiana American Water does business with. Motion carried 5-0.

A motion was made by Councilman Langley with a second by Councilwoman Perry to approve payment of claims in the amount of \$226,272.28. Motion carried 5-0.

There being no further business to come before the council at this time a motion was made by Councilman Cook with a second by Councilman Mathis to adjourn the meeting. Motion carried 5-0.

The next regular scheduled meeting of the Mooresville Town Council is on Tuesday, January 15, 2013, at 6:30 P. M. at the Mooresville Government Center.

  
George Watkins, President

ATTEST:

  
Sandra R. Perry, Clerk-Treasurer

December 24, 2012

The Mooresville Town Council met on Monday, December 24, 2012, at 9:00 A. M. in the Mooresville Government Center.

Council members present: President George Watkins, Vice-President Mark Mathis, Tony Langley, Virginia Perry, and Jeff Cook. Town Attorney Tim Currens was not present. Attorney Chris Janak was present.

George Watkins gave the prayer.

There were no minutes to approve.

New Business: The Safer Grant has been awarded to the Fire Department. But the Town just recently found they have more time to accept the grant so this item is off the agenda for today.

A motion was made to approve pay request #27 for Wilhelm Construction for WWTP expansion in the amount of \$180, 069.35 was made by Councilman Mathis with a second by Councilman Langley. Motion carried 5-0.

A motion was made by Councilman Langley with a second by Councilwoman Perry to approve Resolution #9, 2012 Transfer of Funds from all departments to Self-funded Health Insurance Fund. Motion carried 5-0.

The Town Council next discussed a utilities update on the possible acquisition of the Indiana-American Water Company, Inc.'s Mooresville facilities. Attorney Chris Janak reported that the Town had sent an offer to Indiana-American Water Company in November, and Indiana-American Water Company had 30 days to accept the offer. Friday, December 21, 2012, was the end of the 30 day offer period. At this point, Attorney Janak stated that the Town had three options: (1) The Town can say it's done and walk away from the transaction; (2) the Town could informally proceed with negotiations with Indiana-American and attempt to negotiate some sort of resolution; or (3) proceed with condemnation. Attorney Janak presented an ordinance that would authorize the Town to move forward with the condemnation. Attorney Janak indicated that even if the ordinance authorizing condemnation is passed, it does not preclude the Town from negotiating a settlement or later walking away from the transaction.

As to the options presented, Councilman Langley talked about his presentation at the August meeting of the Council and said that the acquisition of the Indiana-American Water facilities has very strong financial advantages for the Town when considering that a town utility does not pay income taxes, real estate taxes, or seek to earn a return on its plant.

Councilman Langley also said he was not against private ownership; however, he did have an issue with how Indiana-American planned to calculate its rates on a going forward basis. Councilman Langley noted that based on Indiana-American's testimony in its last IURC rate case, Indiana-American would go towards single tariff pricing which would result in significant rate increases for residents of the Town of Mooresville.