

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.

Councilman Mathis said he had been asked if Councilman Langley is going to run the water company once the Town has the water company. So he asked Councilman Langley if he wants to run the water company. Councilman Langley responded the last water company he had run was ten times the size of Mooresville. He is happy he has moved on and works in two successful businesses. He has no interest in becoming an employee of the water company.

Councilman Perry said her main concern is what is best for the people of Mooresville. She is all for it.

Council President Watkins said there is no one on this council that benefits from any action this council takes. The goal is to leave Mooresville a better place than when he started on the council. He said he was a one term council member. In this situation it makes this decision not that difficult. His concerns are the rates and what the economic future looks like not the service of Indiana American Water Co. President Watkins also said we have good citizens and employees that run all the town departments. Indiana American has asked for a surcharge since the process has begun and if gotten would stay in Tier 2.

Councilman Mathis made a motion to suspend the rules, present ordinance, and consider the ordinance at first reading. Councilwoman Perry seconded the motion. Motion carried 5-0.

Next, consider the ordinance. A motion was made by Councilman Mathis with a second by Councilman Cook to approve Ordinance 16-2012. Motion carried 5-0. Attorney Chris Janak will update the council at their January 15, 2013 meeting.

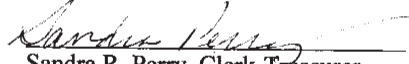
Next, consider the ordinance. A motion was made by Councilman Mathis with a second by Councilman Cook to approve Ordinance 16, 2012. Motion carried 5-0. Attorney Chris Janak will update the Council at their January 15, 2013 meeting.

There being no further business to come before the council at this time Councilman Langley made a motion to adjourn. Councilwoman Perry seconded. Motion carried 5-0.

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