

MORRISTOWN TOWN COUNCIL

MINUTES

November 14, 2018

President Lawrence Tracy called the meeting to order with the Pledge to the Flag, others present were Kristi Langkabel, David Benefiel, William White, and Ralph Henderson. Also present were: Town Attorney, Mark McNeely and Deputy Clerk-Treasurer Don Roberts.

Minutes of the October 24, 2018 meeting were approved as written on a motion by David Benefiel, seconded by William White and the motion passed. Vote 5/0

Minutes of the October 31, 2018 special meeting were approved as written on a motion by William White seconded by David Benefiel and the motion passed. Vote 5/0

Minutes of the November 9, 2018 special meeting were approved as written on a motion by William White, seconded by Ralph Henderson. Vote 5/0

Claims presented were approved on a motion by Ralph Henderson, seconded by David Benefiel and the motion passed. Vote 5/0

**PUBLIC HEARING: Water Rate Increase**

President Tracy opened the Public Hearing:

Deputy Clerk-Treasurer Roberts stated that Notices of the Public Hearing were made in the Shelbyville Newspaper, message on the utility bill and posting at the Morristown Municipal Building by hard copy and the lighted message board.

Council Member-Benefiel asked if there was any way the Town might be able to commit other funds to reduce the rates. John Seever from Umbaugh stated that we were in a time crunch presently but in the future it might be something we could look at. Mr. Seever also recommended a Cost of Use study be done shortly after the construction is done.

Leigh Langkabel asked if we had pursued any grants. Council members said we had but because of timing it was not feasible and we had no guarantee of getting the grant.

President Tracy asked if there was anything further from the audience?

William White made a motion to close the Public Hearing. David Benefiel seconded the motion. Vote 5/0

**New Business:**

Don Smith stated that he had been working with council members White and Benefiel and Morristown Matters to have some type of Christmas celebration in Morristown.

Trees, lights, community participation and any other suggested ideas.

Mr. Smith stated it would be nice if the Town could help with some money issues. After considerable discussion between Mr. Smith and the Council it was decided that the town would designate \$1,500.00 to Christmas in Morristown. David Benefiel made a motion for the \$1,500.00, Ralph Henderson seconded. Vote 5/0

Council Member White stated the Halloween celebration at the fire station went very well.

#### **WATER RATE ORDINANCE 09-2018:**

Legal Council Mark McNeely read Ordinance 09-2018 and asked for a motion to approve.

David Benefiel made a motion to approve Water Rate Ordinance 09-2018 on first reading.

William White seconded the motion. Vote 5/0

Ralph Henderson made a motion to suspend the rules so that Ordinance 09-2018 could be passed on second and final reading. William White seconded the motion. Vote 5/0

David Benefiel made a motion to pass Ordinance 09-2018 on final reading. Ralph Henderson seconded the motion. Vote 5/0

#### **COST OF SERVICE STUDY:**

David Benefiel made a motion that shortly after the Water Filtration Plant construction is finished that a Cost of Service Study be done. William White seconded the motion. Vote 5/0

#### **BOND ORDINANCE ADJUSTMENT No. 10-2018:**

Legal Council Mark McNeely read Ordinance No. 10-2018 and asked for a motion to approve.

David Benefiel made a motion to approve Ordinance No. 10-2018 on first reading. William White seconded the motion. Vote 5/0

Ralph Henderson made a motion to suspend the rules so that Ordinance 10-2018 could be passed on second and final reading. William White seconded the motion. Vote 5/0

David Benefiel made a motion to pass Ordinance 10-2018 on final reading. Ralph Henderson seconded the motion. Vote 5/0

#### **BID EVALUATION LETTER:**

Adam Sitka from Wessler Engineering went over the Bid Evaluation Letter in detail. After discussion among the council members the following adjustments were made.

David Benefiel made a motion to remove the option for a natural gas run generator. William White seconded the motion. Vote 5/0

William White made a motion to remove the option for cantilever gates. Ralph Henderson seconded the motion. Vote 5/0

William White made a motion to keep the soft soil removal option. David Benefiel seconded the motion. Vote 5/0

Mr. Sitka stated he would prepare a new letter with the deducts and adds.

**WATER FILTRATION PLANT BID AWARD:**

David Benefiel made a motion to award the bid to Graves Construction Services, Inc. for the construction of the Morrison Street Water Filtration Plant. William White seconded the motion. Voter 5/0

**ASSET MANAGEMENT PLAN:**

After discussion with Umbaugh and Wessler concerning the requirement for the Asset Management Plan William White made a motion that we proceed with the Asset Management Plan as required at the Good to Better range based on Wessler's chart. Ralph Henderson seconded the motion. Vote 5/0

**WASTEWATER FORCE MAIN:**

William White made a motion to table the Wastewater Force Main project at this time. David Benefiel seconded the motion. Vote 5/0

**COMMUNITY CROSSING FUND:**

William White made a motion to proceed with the Community Crossing Fund Grant that was awarded to Morristown and have Wessler continue with their assistance. David Benefiel seconded the motion. Vote 5/0

**INSURANCE 2019:**

Decided to have insurance vendors make presentations on December 11 at 5:30 p.m.

**Dump Truck:**

Deputy Clerk-Treasurer Roberts presented a quote for a 2019 Silverado 3500HD 4x4 truck.

After considerable discussion among council members, deputy clerk-treasurer and David Koehl

William White made a motion to purchase the truck as quoted. David Benefiel seconded the motion.

Kristi Langkabel questioned the fiscal responsibility of the town in purchasing this truck. Stating that we have spent considerable amounts of money. Vote 4/1

**POLICE DEPARTMENT:**

Discussed parking at the old fire station. Will do away with parking in front after construction is finished.

Tires for police car: William White made a motion to purchase cars for the police car from Riley Park Tire for \$613.53. David Benefiel seconded the motion. Vote 5/0

William White made a motion to purchase medical supplies for the police cars. David Benefiel seconded the motion. Vote 5/0

**Park Gates:**

William White made a motion to table gates in the park for now. David Benefiel seconded the motion. Vote 5/0

**Dodds Hall:**

David Koehl stated he is still finalizing with contractor the repairs needed.

**CONCESSION STAND:**

Should be done by Thanksgiving.

**COMPREHENSIVE PLAN:**

Still questions about the grant.

**NEW PLANT:**

President Tracy stated he met with representatives from a truck body plant locating to Morristown.

William White moved to adjourn, Ralph Henderson seconded the motion. Vote 5/0

\_\_\_\_\_ Larry Tracy, President

\_\_\_\_\_ Don Roberts, Deputy Clerk-Treasurer

November 14, 2018

# NOTICE OF PUBLIC HEARING MORRISTOWN WATER UTILITY

Property owners of Morristown, Indiana, ratepayers and other interest parties in or served or to be served by the Water Utility of the Town of Morristown are hereby notified that an ordinance increasing rates and charges for services rendered by the Water Utility was introduced at a meeting of the Town Council of the Town of Morristown held on October 31, 2018. The proposed new rates are as follows:

## MORRISTOWN (INDIANA) MUNICIPAL WATER UTILITY

### SCHEDULE OF PRESENT AND PROPOSED RATES AND CHARGES

			<u>Proposed Rates</u>
			(1)
<u>Monthly Metered Flow Rate (rate per 1,000 gallons):</u>			
First	3,000 gallons		\$9.44
Next	17,000 gallons		7.66
Next	80,000 gallons		4.79
Over	100,000 gallons		2.67
<u>Minimum Charge per month:</u>		<u>Gallons Allowed</u>	
5/8 – 3/4	Inch meter	3,000	\$28.32
1	Inch meter	7,470	62.56
1 1/2	Inch meter	14,960	119.93
2	Inch meter	23,910	177.27
3	Inch meter	44,870	277.67
4	Inch meter	77,870	435.74
6	Inch meter	150,000	675.24
8	Inch meter	240,000	915.54
10	Inch meter	345,000	1,195.89
<u>Fire Protection (per year):</u>			
Public Hydrant Rental per hydrant – per annum*			\$447.74
Privage Hydrant Rental – per hydrant – per annum			1,020.85
Private fire protection:			
4	Inch meter - per month		\$36.91
6	Inch meter - per month		85.07
8	Inch meter - per month		150.46
10	Inch meter - per month		236.44

\*Public hydrant rental does not reflect the proposed rate increases. Utility receives \$50,000 for municipal fire protection charges annually.

#### Non-Recurring Charges:

5/8 inch or less connection or tap-on	\$250.00
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Greater than 5/8 inch connection or tap-on	1,550.00
Special handling charge after 60 days	25.00
Special meter reading	20.00
Bad check charge	30.00
Late payment charge	10% of bill
Reconnection fee	25.00
Meter deposit	50.00

(1) Represents a 128% increase in present rates and charges.

The Town Council will conduct a public hearing on the matter of increasing these rates, and on adoption of this ordinance, at 7 p.m. on Wednesday, November 14, 2018, at the Town Hall, 418 West Main Street, Morristown, Indiana.

At such hearing and prior to final adoption of said ordinance, all interested parties may appear and be heard. A copy of the ordinance may be examined in the Office of the Deputy Clerk-Treasurer, (765) 763-6748, address above.

Don Roberts, Deputy Clerk-Treasurer  
Town of Morristown

**ORDINANCE NO. 09-2018**

**AN ORDINANCE AMENDING ORDINANCE NO. 7-2008, ESTABLISHING NEW RATES AND CHARGES FOR THE USE AND SERVICES RENDERED BY THE WATER WORKS SYSTEM OF THE TOWN OF MORRISTOWN, INDIANA**

WHEREAS, the Town of Morristown, Indiana (the "Town"), has heretofore constructed and has in operation a water works utility; and

WHEREAS, the Town Council of the Town (the "Council") has previously established the existing schedule of user rates and charges for water service, pursuant to Ordinance No. 7-2008, adopted by the Council on August 31, 2008; and

WHEREAS, the Town has employed H.J. Umbaugh & Associates, Certified Public Accountants, LLP (the "Financial Advisor") to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Financial Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations; and

WHEREAS; pursuant to IC 8-1.5, as amended (the "Act"), this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, the Clerk-Treasurer of the Town has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on November 14, 2018, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, INDIANA, AS FOLLOWS:

SECTION 1. The Council hereby finds and determines that, based upon the Rate Report, the existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations.

SECTION 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report are nondiscriminatory, reasonable and just, and therefore should be adopted.

SECTION 3. The Council finds and determines that the proposed rates set forth in Exhibit A hereto are nondiscriminatory, reasonable and just, and should be adopted.

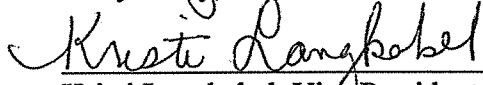
SECTION 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.


SECTION 5. This ordinance shall be in full force and effect from and after its passage. This ordinance shall be effective for bills rendered on and after the day after adoption of this ordinance or such later date as set forth in Exhibit A hereto.

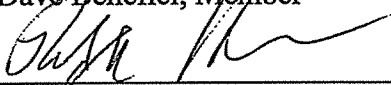
ALL OF WHICH IS PASSED AND ADOPTED THIS 14<sup>th</sup> DAY OF NOVEMBER, 2018, BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, SHELBY COUNTY, INDIANA.

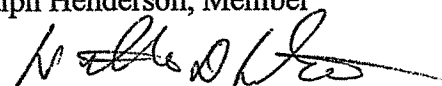
TOWN OF MORRISTOWN, SHELBY  
COUNTY, INDIANA, TOWN COUNCIL

  
Larry Tracy, President

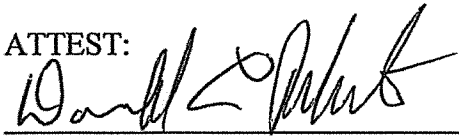
  
Kristi Langkabel, Vice President

  
Dave Benefiel, Member

  
Ralph Henderson, Member

  
William White, Member

ATTEST:

  
Don Roberts, Deputy Clerk-Treasurer



## EXHIBIT A

### MORRISTOWN (INDIANA) MUNICIPAL WATER UTILITY

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		<u>Gallons</u> <u>Allowed</u>	
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*Public hydrant rental does not reflect the proposed rate increases. Utility receives \$50,000 for municipal fire protection charges annually.			
<u>Non-Recurring Charges:</u>			
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Late payment charge			10% of bill
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DMS 13487196v1

ORDINANCE NO. 10-2018

AN ORDINANCE OF THE TOWN OF MORRISTOWN, INDIANA,  
AMENDING ORDINANCE NO. 08-2018

WHEREAS, the Town Council of the Town of Morristown, Indiana (the "Town") has heretofore, on October 31, 2018, adopted Ordinance No. 08-2018, entitled "An Ordinance Authorizing the Acquisition, Construction and Installation by the Town of Morristown, Indiana, of Certain Improvements and Extensions to the Town's Waterworks, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks and Other Related Matters" (the "Original Bond Ordinance"); and

WHEREAS, the Town Council has determined that it is necessary to amend the Original Bond Ordinance to provide that the latest permissible final maturity date for the Bonds (as defined in the Original Bond Ordinance) shall be July 1, 2040;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN THAT:

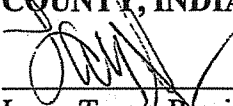
Section 1. Latest Permissible Final Maturity Date of Bonds. Notwithstanding any provisions of the Original Bond Ordinance to the contrary, the latest permissible final maturity date for the Bonds authorized by the Original Bond Ordinance shall be July 1, 2040.

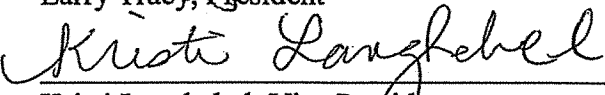
Section 2. Effectiveness of Original Bond Ordinance. Except as amended hereby, the Original Bond Ordinance shall remain in full force and effect.

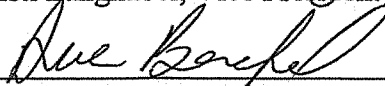
Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage.

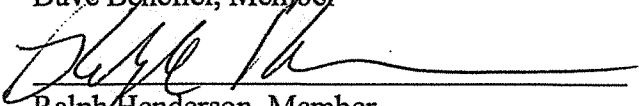
ALL OF WHICH IS PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER, 2018, BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, SHELBY COUNTY, INDIANA.

TOWN OF MORRISTOWN, SHELBY  
COUNTY, INDIANA, TOWN COUNCIL

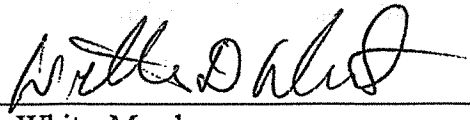
  
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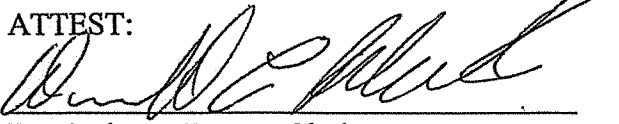
  
Ralph Henderson, Member

ORIGINAL



William White, Member

ATTEST:



Don Roberts, Deputy Clerk-Treasurer