

Madison City Council Meeting
Tuesday, September 22, 2020 @ 5:30 pm
Agenda

- A. Lord's Prayer/Pledge of Allegiance
- B. Calling of Roll and notice of absentees
- C. Reading, approving, correcting or disposing of minutes from prior meeting
- D. Presentation of petitions, memorials, remonstrance's, introduction of motions and guests
 - Memorial Words acknowledging passing of Mayor Damon Welch: Frank Hays
- E. Resolutions or bills
 - Resolution 2020-___: Establishing "Cottage Lane"
 - Resolution 2020-___: Approving an Application for Grant Funding
- F. Reports, recommendations and other business from standing/select committees of the city council
- G. Reports of City Officials
 - Chief of Staff: Mindy McGee
 - Streets Department: Tony Sorrells
 - City Planner/Preservation: Nicole Schell
 - Utility Superintendent: Brian Jackson
- H. Bills on third reading
 - Ordinance 2020-12: Budget For 2021 Appropriations and Tax Rates (Rampy)
 - Ordinance 2020-13: Fixing Salaries of Appointed Officers and Employees Ordinance (Rampy)
 - Ordinance 2020-14: Fixing Compensation of Elected Officials Ordinance (Rampy)

- Ordinance 2020-16: Amendment to the Traffic Ordinance dated July 3, 1958 (Chatham)

I. Bills on second reading

- Ordinance 2020-17: Repealing the Micro-Loan Program and Transfer of Remaining Funds to Economic Development Revolving Loan Fund (Rampy)
- Ordinance 2020-18: Amending the Meter Deposit Ordinance (Thevenow)

J. Miscellaneous

- Board Appointments

K. Public Comments

L. Mayor's Comments

M. Next Council Meeting Tuesday, October 6, 2020 @ 5:30 pm.

N. Motion to Adjourn

Title VI Voluntary Public Involvement Survey

The City of Madison is conducting a voluntary survey to gather information about the populations affected by proposed projects. The survey is on our website: Madison-in.gov: Title VI Compliance Survey. If you choose to participate, simply complete the survey online. *As per Title II of the Americans with Disabilities Act, anyone requiring an auxiliary aid or service for affective communication, should contact the city at 812-265-8300 as soon as possible, but no later than 48 hours before the scheduled meeting.*

**COMMON COUNCIL
SEPTEMBER 8, 2020**

The Common Council of the City of Madison, Indiana, met in regular session at 5:30 P.M. at City Hall, 101 W. Main Street.

Mayor Courtney opened the meeting with the Lord's Prayer followed by the Pledge of Allegiance to the Flag.

Present: Thevenow, Creech, Rampy, Chatham, L. Dattilo, Bartlett and D. Dattilo (7-0).

MINUTES:

Thevenow made a motion to approve the August 18, 2020 minutes, seconded by Rampy. All in favor, motion carried (7-0).

PROCLAMATIONS:

Mayor Courtney read a proclamation for Constitution Week for September 17-23. Marilyn Hutchison presided.

Mayor Courtney read a proclamation for National Suicide Prevention and Recovery Month. Keith Howard presided.

RESOLUTIONS OR BILLS:

BILLS ON FIRST READING:

ORDINANCE NO. 2020-17 (RAMPY)

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA
REPEALING THE MICRO-LOAN PROGRAM OF THE CITY OF MADISON AND
TRANSFERRING THE BALANCE OF THE REMAINING FUNDS TO THE
ECONOMIC DEVELOPMENT REVOLVING LOAN FUND**

ORDINANCE NO. 2020-18 (THEVENOW)

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA
AMENDING THE METER DEPOSIT ORDINANCE**

REPORTS OF CITY OFFICIALS:

Matt Woolard reported that adult softball is almost over. Youth volleyball has 46 kids signed up. The department is still in the need for 2 coaches. The Sunrise Golf Course held the Hanover College benefit scramble. The numbers were somewhat lower and probably due to the virus. The Friends of Sunrise have plans for new bathrooms at the golf course. Woolard thanked them. The parks department switched to Rec Desk for their new software program. The new Sport Court had their grand opening. The pool was open until Labor Day.

Matt Wirth gave a power point presentation on the Mobilize Madison Small Business Rescue Fund. The City received a \$250,000.00 grant from OCRA that can be utilized to help small business in the City to create and retain low/moderate income jobs that may be impacted by Covid 19. The City matched the grant with \$50,000.00. Wirth went through all of the guidelines to apply. Businesses are eligible for \$5,000.00 to \$10,000.00. Wirth said to feel free to contact him for more information.

Chief Wallace reported there were 81 arrests and 41 citations written in August along with several warning citations. There were 106 case reports and 32 accidents. Training for officers is ongoing at Muscatatuck. Wallace announced a big number of some 16 arrests of people for solicitation of a minor. Wallace stated that while proud of the operation he was dismayed that there are so many predators out there. Wallace praised his officers for all the very hard work.

BILLS ON SECOND READING:

**ORDINANCE NO. 2020-12 (RAMPY)
ORDINANCE OR RESOLUTION FOR APPROPRIATION AND TAX RATES**

Jan Vetrhus, as a member of the Cable Board, questioned channel 15's allocation in the budget and feels the cable channel should be getting a larger share of the franchise fees the city receives. Vetrhus would also like to see the channel have its own non-reverting fund created. Mayor Courtney stated that he has studied this situation over the last several months and can find no such ordinance or resolution that ties the City into appropriating a certain amount to the cable channel. Thevenow wondered about the lump sum of money allocated for the non-profits and economic impact investment. Chief of Staff McGee explained they are focusing on three groups-seniors, veterans, and at-risk youth. There is no intention to reduce the amounts that are currently allocated to groups but the future focus will be on the three previously named areas. The administration is trying to gather more information on each organization, what they do with the dollars, and what their goals are. The economic impact investment will be a similar process. Thevenow also questioned whether the full \$18,000.00 is needed for the new park website startup. He stated if not, he wished for what is left over to go to the Heritage Trail. McGee said she would check that out as Matt Woolard was no longer present.

**ORDINANCE NO. 2020-13 (RAMPY)
AN ORDINANCE FIXING SALARIES OF APPOINTED OFFICERS
AND EMPLOYEES OF THE CITY OF MADISON, INDIANA FOR THE YEAR 2021**

**ORDINANCE NO. 2020-14 (RAMPY)
AN ORDINANCE FIXING COMPENSATION OF ELECTED OFFICIALS OF THE
CITY OF MADISON, INDIANA FOR THE YEAR 2021**

McGee stated that she had caught a mistake and that the Council members pay should be 10% of the Mayor's salary. As previously figured it was slightly under that amount. Dattilo made a motion to amend the amount in the budget to pay Council members 10% of the mayor's salary,

seconded by Rampy. Thevenow said he felt a 5% increase for the mayor and the council was inappropriate given the economic climate we are in. Mayor Courtney responded that the City is in good shape fiscally and could afford the increase. Roll call vote: D. Dattilo – Y, L. Dattilo – Y, Bartlett – Y, Chatham – Y, Rampy – Y, Creech – Y, Thevenow – N. Amendment passes (6-1).

**ORDINANCE NO. 2020-15 (THEVENOW)
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY
OF MADISON, INDIANA AMENDING ORDINANCE NO. 2015-3, FLOOD HAZARD AREAS**

Thevenow made a motion to suspend the rules and move to the third reading, seconded by Chatham. All in favor, motion carried (7-0).

BILLS ON THIRD READING:

**ORDINANCE NO. 2020-15 (THEVENOW)
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY
OF MADISON, INDIANA AMENDING ORDINANCE NO. 2015-3, FLOOD HAZARD AREAS**

Roll call vote: Chatham – Y, Bartlett – Y, L. Dattilo – Y, Creech – Y, Rapp – Y, D. Dattilo – Y, Thevenow – Y. Ordinance passed (7-0).

BILLS ON SECOND READING:

**ORDINANCE NO. 2020-16 (CHATHAM)
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY
OF MADISON, INDIANA AMENDING CERTAIN PORTIONS OF THE CITY
OF MADISON TRAFFIC ORDINANCE AS FOUND IN CHAPTER 70 OF THE
CITY OF MADISON MUNICIPAL CODE**

MAYOR'S COMMENTS:

Mayor Courtney reported that the dedication of the new flagpole will be this Saturday, September 19. The City Covid-19 testing is still ongoing until October 2nd. There have been over 1500 tested so far at the City location. Jefferson County continues to show one of the lowest infection rates. The Board of Public Works passed a resolution to put a stop sign at Green Road and Maple. The new contract for work done along St. Michaels and Vaughn Drive was awarded to Sedam Construction. The City has secured a purchase agreement for the Peak Properties around the bridge approach so the City can control what happens with this important area.

Next council meeting is Tuesday, September 22, 2020 at 5:30 P.M. at City Hall.

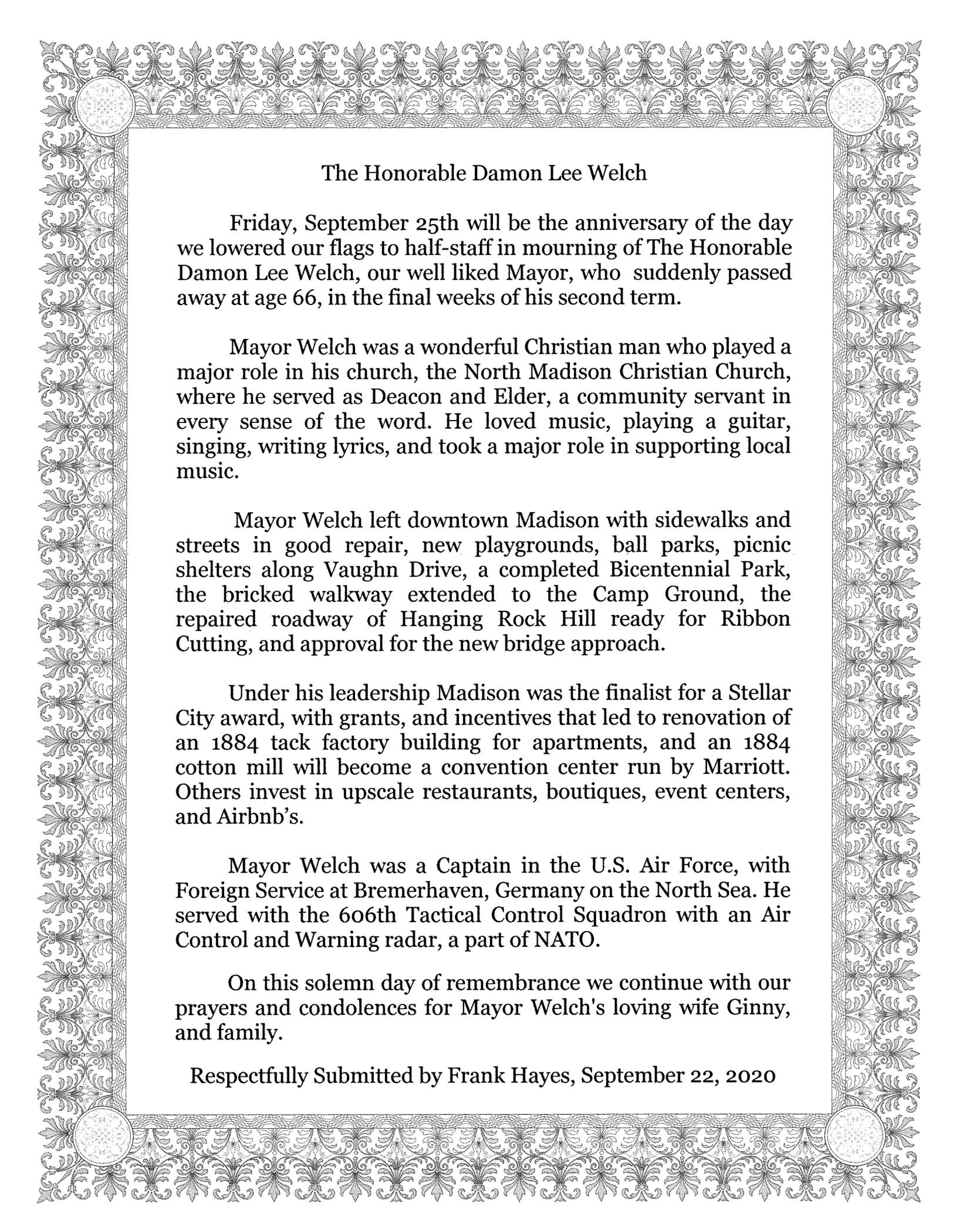
Rampy made a motion to adjourn, seconded by Creech. All in favor, motion carried (7-0).

Meeting adjourned at 7:12 P.M.

APPROVED:

President Pro Tempore,

Rick Berry, Clerk-Treasurer

A decorative border with a repeating floral pattern surrounds the text. The border features intricate scrollwork and leaf designs, with circular medallions at the corners.

The Honorable Damon Lee Welch

Friday, September 25th will be the anniversary of the day we lowered our flags to half-staff in mourning of The Honorable Damon Lee Welch, our well liked Mayor, who suddenly passed away at age 66, in the final weeks of his second term.

Mayor Welch was a wonderful Christian man who played a major role in his church, the North Madison Christian Church, where he served as Deacon and Elder, a community servant in every sense of the word. He loved music, playing a guitar, singing, writing lyrics, and took a major role in supporting local music.

Mayor Welch left downtown Madison with sidewalks and streets in good repair, new playgrounds, ball parks, picnic shelters along Vaughn Drive, a completed Bicentennial Park, the bricked walkway extended to the Camp Ground, the repaired roadway of Hanging Rock Hill ready for Ribbon Cutting, and approval for the new bridge approach.

Under his leadership Madison was the finalist for a Stellar City award, with grants, and incentives that led to renovation of an 1884 tack factory building for apartments, and an 1884 cotton mill will become a convention center run by Marriott. Others invest in upscale restaurants, boutiques, event centers, and Airbnb's.

Mayor Welch was a Captain in the U.S. Air Force, with Foreign Service at Bremerhaven, Germany on the North Sea. He served with the 606th Tactical Control Squadron with an Air Control and Warning radar, a part of NATO.

On this solemn day of remembrance we continue with our prayers and condolences for Mayor Welch's loving wife Ginny, and family.

Respectfully Submitted by Frank Hayes, September 22, 2020

RESOLUTION NO. ____-2020

**A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF MADISON, INDIANA
ESTABLISHING “COTTAGE LANE”**

WHEREAS, there has been a request filed asking that the alley located between Fourth Street and Fifth Street and running east and west between West Street and Mulberry Street be named “Cottage Lane”;

WHEREAS, there is an apartment located on said alley and the need has arisen that said alley be named for 911 emergency and mail delivery purposes;

WHEREAS, it would be in the best interest and safety of the citizens of the City of Madison, Indiana that an official name be assigned for said alley.

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

Section 1. The alley located between Fourth Street and Fifth Street and running east and west between West Street and Mulberry Street in the City of Madison, Indiana be officially named “Cottage Lane”.

Section 2. The City of Madison Street Department is hereby authorized to erect such signs as may be necessary to implement the intent of this Resolution.

Section 3. This Resolution shall become immediately effective upon its adoption by the Common Council, signature of the Mayor, enrollment in the book of Resolutions, and posting of the appropriate signs on said street.

Section 4. Any Resolution in conflict with this Resolution is hereby repealed.

ADOPTED this _____ day of September, 2020.

Councilman

Bob G. Courtney, Mayor

(SEAL)

ATTEST:

Rick Berry, Clerk-Treasurer

RESOLUTION NO. ____-2020

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA
APPROVING APPLICATION FOR GRANT FUNDING**

WHEREAS, The State Board of Accounts recommends that all grants applied for and to be received by the City be first reviewed and be subject to the approval of the Common Council of the City of Madison, Indiana.

WHEREAS, the City of Madison needs to update the Madison Historic District Residential and Commercial Guidelines which were written in 2009; and

WHEREAS, the design guideline update project will be funded by grant funds not to exceed \$35,000 from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology and funds from the City of Madison not to exceed \$23,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA, that the City of Madison to apply to the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology for a grant from the Historic Preservation Fund.

DULY PASSED on this ____ day of _____, 2020 by the Common Council of the City of Madison, Indiana.

Presiding Officer

Rick Berry, Clerk Treasurer

Bob G. Courtney, Mayor

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/22/2020 9:29:30 AM

Ordinance / Resolution Number: 2020-12

Be it ordained/resolved by the **Madison City Council** that for the expenses of **MADISON CIVIL CITY** for the year ending December 31, **2021** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **MADISON CIVIL CITY**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Madison City Council**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Madison City Council	Common Council and Mayor	09/22/2020

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY	\$230,000	\$0	0.0000
0101	GENERAL	\$7,255,094	\$5,948,058	1.1352
0342	POLICE PENSION	\$497,045	\$0	0.0000
0706	LOCAL ROAD & STREET	\$94,500	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$495,080	\$0	0.0000
1301	PARK & RECREATION	\$1,570,787	\$951,171	0.1815
2102	AVIATION/AIRPORT	\$218,249	\$194,180	0.0371
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$32,100	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$223,200	\$208,974	0.0339
		\$10,616,055	\$7,302,383	1.3877

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9500	RIVERBOAT	\$47,200
9501	COUNTY TAX FUND	\$1,162,000
9502	PARK DEPT NON-REVERTING	\$204,900
9503	CONTINUING EDUCATION	\$23,000
9504	LIT Public Safety Fund	\$447,200
		\$1,884,300

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/22/2020 9:29:30 AM

Name		Signature
Kathleen Hosier-Rampy	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Dan Dattilo	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Patrick Thevenow	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
James Bartlett	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Curtis Chatham	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Amanda Creech	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Lucy Dattilo	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST

Name	Title	Signature
Rick Berry	Clerk Treasurer	

MAYOR ACTION (For City use only)

Name		Signature	Date
Bob Courtney	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		09/22/2020

**AN ORDINANCE FIXING SALARIES OF APPOINTED OFFICERS AND EMPLOYEES
OF THE CITY OF MADISON, INDIANA, FOR THE YEAR 2021**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA, that:

1. From and after the first day of January 2021, the pay salary scale for the appointed officers and employees of the City of Madison, Indiana shall be hereby fixed as follows, to-wit:

SALARY SCHEDULE AS PRESCRIBED

BY

MAYOR BOB G. COURTNEY

2021

TO THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA

I, the undersigned, Bob G. Courtney, Mayor of the City of Madison, Indiana, as required by IC 36-4-7-3 and IC 36-8-3-3, hereby fix the salaries and pay schedule for appointed officers and employees of the City of Madison, Indiana, beginning January 1, 2021 and continuing thereafter until changed, and request such salary rates be approved by the Common Council.

The foregoing ordinance was passed and adopted by Common Council, City of Madison, Indiana at a regular meeting held on the ____ day of _____, 2020

Mayor Bob G. Courtney

Councilman

(SEAL)

ATTEST

Rick Berry, Clerk Treasurer

ORDINANCE NO 2020 - 11

11/11/20

AN ORDINANCE FIXING COMPENSATION OF ELECTED OFFICIALS OF THE CITY OF MADISON, INDIANA, FOR THE YEAR 2021

WHEREAS, the Common Council of the City of Madison, Indiana will consider and take upon the proposed ordinance fixing annual compensation of all elected Officials for the calendar year 2021. The meeting was duly published as Provided in I.C. 36-4-7-2; and

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA, that:

1. From and after the first day of January 2021, the compensation for the elected officials of the City of Madison, Indiana shall be hereby fixed as follows:

MAYOR	\$71,389.50
CLERK TREASURER	\$62,446.00
COMMON COUNCIL MEMBERS	\$7,139.00
BOARD OF PUBLIC WORKS MEMBERS	\$1,500.00

2. The Common Council of the City of Madison, Indiana as required by I.C. 36-4-7-2, hereby fix the annual compensation for all elected officials of the City of Madison, Indiana, beginning January 1, 2021, and continuing thereafter until changed as provided by law.

ADOPTED this ____ day of _____, 2020

Councilman

(SEAL)

ATTEST

Rick Berry, Clerk Treasurer

Presented by me to the Mayor of the City of Madison, Indiana, on the ____
Day of _____, 2020.

Rick Berry, Clerk Treasurer

Approved and signed this ____ day of _____, 2020.

Honorable Bob G. Courtney, Mayor
City of Madison, Indiana

**AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF MADISON, INDIANA AMENDING CERTAIN PORTIONS OF THE CITY OF
MADISON TRAFFIC ORDINANCE AS FOUND IN CHAPTER 70 OF THE CITY OF
MADISON MUNICIPAL CODE**

WHEREAS, the City of Madison previously adopted a Traffic Ordinance dated July 3, 1958 and which was amended over the years, and now finds it necessary to amend such ordinance in order to provide traffic protection and regulations for the citizens of the City of Madison, Indiana; and

WHEREAS the City of Madison desires to amend the previous Traffic Ordinance as described earlier in order to better preserve City owned streets and increase safety for the Citizens of Madison, Indiana; and

WHEREAS the City of Madison seeks to correct an error previously made to such ordinance and hereby adopts the following.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA THAT THE TRAFFIC ORDINANCE PREVIOUSLY ENACTED BE AMENDED TO AMEND 70.02 GROSS WEIGHT LIMITS SECTION (A) AND REPLACE WITH THE FOLLOWING LANGUAGE:

No vehicles (other than single axle trucks) having a maximum gross weight of ten tons or more, including vehicle and load weight, shall be permitted on any city street.

BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA THAT THE TRAFFIC ORDINANCE PREVIOUSLY ENACTED BE AMENDED TO AMEND 70.02 GROSS WEIGHT LIMITS SECTION (B)(2) AND REPLACE WITH THE FOLLOWING LANGUAGE:

The gross weight limitation imposed by this division (B) shall not apply to any vehicle that has persons, goods, property, or materials to pick up or deliver within the city limits nor shall it apply to commercial vehicles for emergency, school, municipal, or agricultural purposes.

BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA THAT THE TRAFFIC ORDINANCE PREVIOUSLY ENACTED BE AMENDED TO AMEND 70.03 TRANSPORTATION OF HAZARDOUS MATERIALS PROHIBITED SECTION (B) AND REPLACE WITH THE FOLLOWING LANGUAGE:

No vehicle shall transport any hazardous material on Vaughn Drive east of Ferry Street for a distance of 1,000 feet or on West Second Street between McIntyre Street and Madison Avenue. Other than the aforementioned streets, the transportation of hazardous materials which comply with Federal, State, and local laws may be permitted elsewhere within the city limits and as permitted on Indiana state highways 7, 421, 56, and 62.

BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA THAT THE TRAFFIC ORDINANCE PREVIOUSLY ENACTED BE AMENDED TO AMEND 70.99 PENALTY SECTION (B)(1) AND REPLACE WITH THE FOLLOWING LANGUAGE:

Any person or persons who violate the parking and traffic regulations established in Section 70.02 through 70.23 of this chapter, or as part of the traffic plan of any shopping center or business parking area that has entered into an agreement with the city, is guilty of a violation of this chapter and shall be fined in an amount of not less than \$10 and not more than \$100 for each violation.

This Ordinance shall become immediately effective upon its adoption by the Common Council, signature of the Mayor, enrollment in the book of Ordinances, and publication of notice as required by law.

Any Ordinance in conflict with this Ordinance is hereby repealed.

The foregoing Ordinance was passed and adopted by the Common Council of the City of Madison, Indiana at a regular meeting held on the _____ day of _____, 2020.

PRESENTED BY:

Councilmember

Bob G. Courtney, Mayor

(SEAL)
ATTEST:

Rick Berry, Clerk Treasurer

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MADISON REPEALING THE MICRO-LOAN PROGRAM OF THE CITY OF MADISON AND TRANSFERRING THE BALANCE OF THE REMAINING FUNDS TO THE ECONOMIC DEVELOPMENT REVOLVING LOAN FUND.

WHEREAS, the City of Madison maintains and operates a revolving loan fund.

WHEREAS, the City of Madison's revolving loan fund is a tool available to the City of Madison to make loans for new and revolving businesses located within the City of Madison.

WHEREAS, on April 20, 1999, the City of Madison had created a Micro-Loan program in conjunction with the US Department of Agriculture's Micro-Loan Grant Program to promote and aid small business entrepreneurship in starting and/or expanding business for job creation and city economic growth.

WHEREAS, the City of Madison and the Common Council believe that it would be in the best interest of the City to incorporate the remaining funds held in the Micro-Loan program into the monies made available through the City of Madison Economic Development Revolving Loan Fund.

WHEREAS, currently the City of Madison Micro-Loan fund has a balance of \$96,769.07.

WHEREAS, the Common Council of the City of Madison desires to repeal the Micro-Loan program as outlined in City of Madison Municipal Code 35.32.

WHEREAS, from and after this date, any funds received as payments or previously made pursuant to the Micro-Loan Program shall be deposited into the City of Madison Economic Development Revolving Loan Fund.

WHEREAS, upon deposit of the funds from the City of Madison Micro-Loan Fund into the Economic Development Revolving Loan Fund any monies distributed shall be done so pursuant to City of Madison Code 35.16 as found in the book of Ordinances.

WHEREAS, the City of Madison is committed to enhancing all aspects of economic development and feel that this economic development tool will have a positive impact on the City of Madison now and in the future.

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

1. The Common Council of the City of Madison, Indiana hereby requests that the funds on deposit and future monies collected pursuant to the City of Madison Micro-Loan Program shall be deposited and utilized pursuant to the rules created for the City of Madison Revolving Loan Fund.
2. City of Madison Municipal Code 35.32 is hereby repealed and shall no longer be in effect.
3. This Ordinance shall become immediately effective upon its adoption by the Common Council, signature of the Mayor, enrollment in the book of Ordinances and publication of notice as required by law.
4. Any Ordinance in conflict with this Ordinance is hereby repealed.

The foregoing Ordinance was passed and adopted by the Common Council, City of Madison, Indiana at a regular meeting held on the _____ day of _____, 2020.

PRESENTED BY:

Councilman

Bob G. Courtney, Mayor

(SEAL)

ATTEST:

Rick Berry, Clerk-Treasurer

**AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF MADISON, INDIANA AMENDING THE METER DEPOSIT ORDINANCE**

WHEREAS, the Common Council of the City of Madison, Indiana has authorized the utility billing office to collect a deposit from each new customer who is a tenant of the premises to which utility service is to be provided; and

WHEREAS, the Common Council finds that the existing ordinance does not provide clarity on how meter deposit funds are to be allocated against delinquent bills; and

WHEREAS, the Common Council of the City of Madison, Indiana finds that without the clarification of this issue some utility customers may abuse the billing system and open accounts at new billing addresses while not being held responsible for previous bills; and

WHEREAS, it is in the best interest of the City of Madison, Indiana and its citizens that the allocation of meter deposit funds against delinquent bills be clarified;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF MADISON, INDIANA, that Chapter 52.23 METER DEPOSIT be amended to
include the following language:**

Funds received as a meter deposit shall be fully allocated against delinquent charges in the following order:

- 1) Wastewater
- 2) Water
- 3) Sanitation
- 4) Other fees or charges.

This Ordinance shall become immediately effective upon its adoption by the Common Council, signature of the Mayor, enrollment in the book of Ordinances, and publication of notice as required by law.

Any Ordinance in conflict with this Ordinance is hereby repealed.

The foregoing Ordinance was passed and adopted by the Common Council, City of Madison, Indiana at a regular meeting held on the _____ day of _____, 2020.

PRESENTED BY:

Councilman

Bob G. Courtney, Mayor

(SEAL)

ATTEST:

Rick Berry, Clerk-Treasurer



City of Madison

WATER AND SEWAGE DEPARTMENT
Indiana's Oldest Water Company

101 W MAIN STREET
MADISON, INDIANA 47250
(812) 265-8312
FAX (812) 273-0575
madutil@madison-in.gov

September 11, 2020

To: City Council members and BPW members,

RE: Proposed Ordinance 2020-18 – in regards to Water Meter Deposit

The proposed ordinance (Ordinance 2020-18) is endeavoring to reverse City of Madison Utilities policy regarding the use of deposits collected from accounts opened by a new customer who is a tenant of the premises to which water service is to be provided. . The \$150 meter deposit is currently collected as set forth in the City of Madison, Indiana Code of Ordinances Chapter V: Public Works: Chapter 52 Water Regulations. Specifically, it is in regard to “Article 52.23 Meter Deposit”. The city has a long-established policy of how the monies are allocated once the account has been closed and there remains a balance due for water usage, trash collection and sewage.

***A Water Meter Deposit is only charged to persons/customers that do not own their homes – the deposit is only charged to renters/tenants.*

Currently, the \$150.00 Water Meter Deposit is applied as follows toward unpaid balances:

1. Water amounts owed
2. Garbage collection amounts owed
3. Sewage collection amounts owed

According to our ordinances and the State Board of Accounts, the Water Department, Sewage Department and Garbage Collection Department are all separate entities operate under the supervision of the City of Madison Board of Public Works and Safety. .

Current practice with the remaining funds: if there are monies remaining from the \$150.00 Water Deposit after the Water amounts owed have been paid, then the monies are applied to the garbage collection amounts owed and lastly to the sewage collection amounts owed. At present, the water deposit monies are applied in this fashion because, per Indiana State Law, if the tenant vacates the property and their \$150 water deposit does not pay all of their utility debt; the City of Madison Utility Department cannot collect the water monies and garbage monies owed for providing these services. However, the state does allow for the municipality to collect unpaid sewage bills either from the property owner or via a sewer lien that can be placed on the property if the debt is not settled.

In the ordinance’s current form, if the Water Meter Deposit monies were to be applied to the wastewater portion of the unpaid bills first, this would immediately cause a decrease in funds going into the Water Department fund. After an accounting analysis, depending on the amount of the decrease in funds being taken in, this would likely result in the need for an increase in the current water rates to make up for this monetary shortfall. In essence, this ordinance would only benefit landlords - all the city’s customers would be responsible for making up for this shortfall by paying higher rates. In recent years, the utility billing office has taken several steps to reduce the burden of these unpaid bills on landlords. First, several years ago, the water meter deposit was raised from \$50.00 to \$150.00. When this new deposit amount was implemented, it helped both the billing office and subsequently the landlords. Secondly and more recently, the billing office reduced the time before someone was disconnected so the tenant’s utility bill could not grow as large. On average, disconnections due to non-payment occur swiftly within 10 days after the due date of the amount billed.

Based on what I have outlined above, I do not think this proposed ordinance would be beneficial to the City of Madison nor to the citizens (rate payers) in Madison. Landlords have several avenues to protect themselves such as (1) proper tenant screening for creditworthiness; (2) building water/sewer/trash into the monthly rent; (3) using their own tenant deposits to offset potential unpaid utility bills rather than transferring this risk to the City of Madison and (4) closely monitoring the payment of utilities by tenants themselves.

Approving this ordinance that modifies a longstanding policy eliminates one of the city's few avenues to collect unpaid utility bills and, thus, keep rates low and operations sustainable. It is our recommendation that the proposed ordinance either be withdrawn by the sponsor or not approved by City Council.

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