

Dillsboro Town Council

August 11, 2025

The regular meeting of the Dillsboro Town Council was called to order at 6:00 p.m. on August 11, 2025, by Council President, Tim Benning, who led the Pledge of Allegiance.

Council present: Tim Benning, Becky Fryman, Charlie Caldwell, Jerri Jackson and Dustin Kitchell.
Attorney present: John Watson

Absent: Clerk/Treasurer - Rita Stevens

Minutes prepared by Kami Hamilton – Administrative Assistant

CM Kitchell made a motion to approve the minutes from the regular meeting on July 14th, 2025, the special meeting July 21st, 2025, and the special meeting on August 4th, 2025. Motion seconded by CM Caldwell. All were in favor. Motion carried.

Clerk-Treasurer – Rita Stevens

Absent

Fire Department – Jason Sullivan

Jason Sullivan thanked The Town for their support. The Fire Department had their retirement dinner last week. Jason provided council with an incident report. There was a total of 22 incidents in this report.

Police Department – Josh Cady

Chief Cady expressed appreciation to the Ross Foundation for awarding a \$3,000 grant. Of this amount, \$2,000 was used to support the mobile speed trailer, and \$1,000 was allocated to the K9 program. He also thanked CASA for providing a drug test kit to the department.

Chief Cady reported that the police Tahoe continues to experience air conditioning issues. Both Tom Tepe and Dylan's Garage inspected the vehicle but were unable to identify the cause. Josh will continue to monitor the situation and update Council as needed.

Council Member Benning raised concerns about the increasing number of electric bikes being operated recklessly throughout town.

Utility Superintendent - Russell Earles

Superintendent Earles reported that the Sewer Plant has experienced ongoing issues with the lift station pump.

The town crew recently installed a new drinking water fountain at the park near the soccer shelter. He noted that two dumpsters have been filled this month as a result of the weekly heavy trash pickup.

Crews have been bush-hogging and maintaining rights-of-way and utility easements. On Lenover Street and Western Row, temporary gravel fills have been applied every other week due to the poor

condition of the road. Rohe Asphalt has until March or April to complete the resurfacing project, but the goal is to finish by October. Council Member Benning recommended placing a temporary patch until Rohe can complete the work.

The crew has also been catching up on mowing at the park. Additionally, they have been addressing code enforcement issues on North Street by mowing and trimming two neglected properties. If property owners fail to take corrective action, the town may proceed with removing overgrown shrubs. One of the affected properties is currently listed on the county tax sale.

Beautification – Charlie Caldwell

Nothing to report

Main Street – Kami Hamilton, Executive Director

Rod Martin resigned from Main Street. Dillsboro Main Street is raffling off an alcohol basket during the Summer concerts and Heritage Days. Hamilton stated that Main Street is always looking for new members.

Legal – John Watson

Attorney Watson provided an update on the Interlocal Cooperation Agreement with Dearborn County, noting that he received a proposed one-year agreement for 911 dispatch services. He recommended approval of the agreement. He also reported that St. Leon is the only municipality that has not yet signed, and they have until September to decide.

Watson also addressed a proposed amendment to Section 90.27 of the Dillsboro Municipal Code. The amendment would allow the Town Manager and/or Town Council to issue notices for Junk Ordinance violations, rather than the Clerk-Treasurer.

Council Member Jackson made a motion to approve the amendment to Section 90.27 of the Municipal Code. The motion was seconded by Council Member Fryman. Motion carried unanimously.

Town Manager – Derek Walker

Town Manager Walker reported that some water customers have tampered with meter lids and valves. He noted that if these issues continue, enforcement action and fines may be imposed.

Walker presented Resolution 2025.08.01 regarding town-owned property at 12916 North Street. The resolution authorizes the property to be disposed of in support of economic development, as permitted under state statute. Under the resolution, Walker would serve as the disposing agent, authorized to receive and evaluate offers in coordination with a three-member review committee appointed by Council. Two appraisals will be required before action can proceed. Walker recommended approval of the resolution and appointment of the review committee.

Council Members Jackson and Fryman volunteered to serve on the Review Committee. Council will be asked to approve any decisions made by the committee. Motion: Council Member Kitchell moved to approve Resolution 2025.08.01. Motion seconded by Council Member Jackson. Motion carried unanimously.

Walker provided an update on the Stellar Pathways sidewalk improvement project. Since the last meeting, he and Council Member Benning reviewed concerns with engineering cost estimates and requested clarification from the engineers, particularly for the segments along North Street to SR 262 and on Holland Drive. They also requested a walkthrough with the engineers to ensure accurate estimates.

Council Member Kitchell inquired about potential sidewalks near the J-turns and whether funding may be available for that work. Walker responded that he would follow up with HWC.

Walker also presented the proposed engineering contract with Clark Dietz for the Stellar Pathways North Street streetscape project. He stated that the contract was reasonable given the scope, that the company has been responsive in negotiations, and that it includes a 30–60 day back-out clause. Although it is a large contract spanning three to five years, he recommended approval.

Rob Huckby, representing Clark Dietz, stated he was available to answer questions and emphasized the importance of adhering to INDOT's prescribed schedule during the first phase. Motion: Council Member Kitchell moved to approve the engineering contract with Clark Dietz for the Stellar Pathways North Street streetscape project. Motion seconded by Council Member Fryman. Motion carried unanimously.

Old Business

Town Manager Walker reported that he is preparing specifications for the new Emergency Services Garage. The Fire Department has pledged \$15,000 toward the project. He also noted that Manchester Metals removed the Missouri clause from their contract, and he is awaiting their signed copy.

Walker stated he received an HVAC quote of approximately \$3,000 for heating and air conditioning in the garage. In response to Council Member Benning's question, he confirmed that the quote was accepted and that he is waiting for the contractor to return the signed agreement and required documentation before issuing a notice to proceed.

Walker further reported that a grant application was submitted last week to the Dearborn Community Foundation for \$100,000. The low bid was submitted by Dave O'Mara Contracting in the amount of \$168,524 for the pickleball courts and \$99,468 for the basketball court, totaling \$267,992. He noted there is a three-month review period for the grant application, and if the full review period is taken, the bid will need to be accepted shortly after a decision is made.

New Business

Town Manager Walker proposed a revision to the Sick Pay Rules and Regulations. Under the change, employees with 40 or more years of service would be eligible, on a case-by-case basis, to use up to 25% of accrued sick time at retirement for medical eligibility. He noted this policy would serve as an incentive for long-term employee retention. Employees would not receive a cash payout for unused sick time, but it could be applied to extend their employment. Motion: Council Member Kitchell moved to approve the revised Sick Pay Rules and Regulations, Section 35.108. Motion seconded by Council Member Jackson. Motion carried unanimously.

Walker reported that Donald Schmaltz has submitted written notice of his retirement. His last working day will be Wednesday, August 13, 2025, and he has formally requested to use his accrued sick time until his official retirement date of September 30, 2025. With no objections from Council, Walker confirmed the request will be honored.

Walker then presented Salary Ordinance Amendment 2025-08-01, proposing to hire Carson Deamron at \$18.00 per hour. Motion: Council Member Jackson moved to approve Salary Ordinance Amendment 2025-08-01. Motion seconded by Council Member Fryman. Motion carried unanimously.

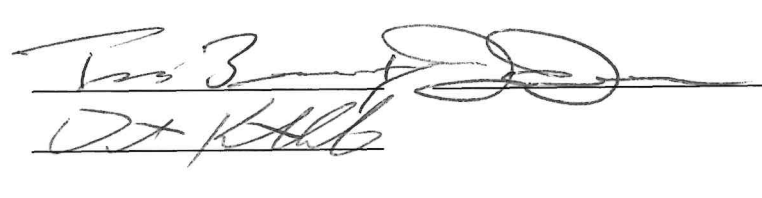
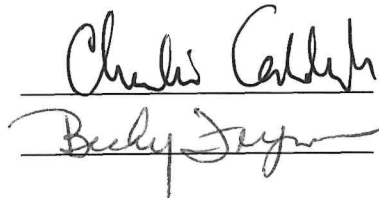
Regarding Ordinance 2025-08-02 (Junk Ordinance), Council Member Benning raised concerns about the condition of Jerry Bruce's residence and the burned property across from J&J Liquors. Walker reported that citations are currently active for Kyle Smith and Sandra Muncy.

Council Member Benning and Jason Sullivan of the Fire Department discussed prior conversations regarding storage space for the Fire Department's truck and UTV in the Emergency Services Garage. Some disagreement arose regarding which party should have initiated the process of securing space or constructing a new facility.

With no further business, Council Member Kitchell moved to adjourn the meeting at 6:58 p.m. Motion seconded by Council Member Caldwell. Motion carried unanimously.



Kami Hamilton, DMS Director/Admin. Assistant



TOWN OF DILLSBORO ORDINANCE 2025-08-01

An ordinance setting salary and wages for the employees, Town Council and Clerk Treasurer of the Town of Dillsboro for the 2025 fiscal year.

WHEREAS the town council has a lawful obligation and duty to set amounts of compensation and increases and decreases from time to time of the Town's employees; and

WHEREAS, it has been determined that certain employees should have salaries and wages for the year 2025 and are effective upon passage of this ordinance, unless otherwise noted herein.

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

1. Carson Deamron, General Laborer, shall receive a regular hourly wage of \$18.00 per hour, an overtime wage of \$27.00 per hour, a Sunday wage of \$36.00 per hour, and be reimbursed \$600.00 annually for cell phone usage. Compensation for this position shall be allocated as follows: 45% from the Water Works Fund, 45% from the Sanitary Sewage Fund, and 10% from the Park and Recreation Fund.
2. Michael J. Beach, General Laborer, shall receive a regular hourly wage of \$22.89 per hour, an overtime wage of \$34.34 per hour, a Sunday wage of \$50.20 per hour, and be reimbursed \$600 annually for cell phone usage. Compensation for this position shall be allocated as follows: 20% from the Motor Vehicle Highway (MVH) Fund, 40% from the Water Works Fund, and 40% from the Sanitary Sewage Fund.
3. Brian Graver, General Laborer, shall receive a regular hourly wage of \$25.10 per hour, an overtime wage of \$37.65 per hour, a Sunday wage of \$50.20 per hour, and be reimbursed \$600.00 annually for cell phone usage. Compensation for this position shall be allocated as follows: 20% from the MVH Fund, 40% from the Water Works Fund, and 40% from the Sanitary Sewage Fund.
4. Eric R. Graver, Wastewater Operator, shall receive a regular hourly wage of \$26.70 per hour, an overtime wage of \$40.05 per hour, a Sunday wage of \$53.39 per hour, and be reimbursed \$600.00 annually for cell phone usage. Compensation for this position shall be allocated as follows: 100% from the Sanitary Sewage Fund.
5. Donald R. Schmaltz, Foreman, shall receive a regular wage of \$25.03 per hour, an overtime wage of \$37.54 per hour, a Sunday wage of \$50.05 per hour, and shall be reimbursed \$600.00 annually for cell phone usage. Donald R. Schmaltz will

receive 1/5 sick days per (1) day that Utilities Superintendent is absent beginning January 1, 2023, and each year thereafter. Compensation for this position shall be allocated as follows: 60% from the Water Works Fund, 30% from the Sanitary Sewage Fund, and 10% from the Park and Recreation Fund.

6. Russell Earles, Superintendent, shall receive a regular hourly wage of \$31.00 per hour, an overtime wage of \$46.50 per hour, a Sunday wage of \$62.00 per hour, and be reimbursed \$600.00 annually for cell phone usage. He shall be subject to the terms and conditions of the approved job offer dated July 14, 2025. Compensation for this position shall be allocated as follows: 20% from the General Fund, 40% from the Water Works Fund, and 40% from the Sanitary Sewage Fund.
7. Kami Hamilton, Main Street Executive Director / Administrative Assistant, shall receive a regular wage of \$17.51 per hour, an overtime wage of \$26.27 per hour, and a Sunday wage of \$35.02 per hour. The position is part-time, being offered 32 hours per week, and no overtime is expected. Compensation for this position shall be allocated as follows: 20 hours week (62.5%) from the Riverboat Fund, 3 hours per week (9.375%) from the General Fund, 3 hours per week (9.375%) from the Water Works Fund, and 3 hours per week (9.375%) from the Sanitary Sewage Fund.
8. Rita Stevens, Utilities Clerk, shall receive a regular wage of \$17.21 per hour, an overtime wage of \$25.82 per hour, a Sunday wage of \$34.42 per hour, and shall be reimbursed for \$600 annually for cell phone usage. Compensation for this position shall be allocated as follows: 50% from the Water Works Fund and 50% from the Sanitary Sewage Fund.
9. Derek Walker, Town Manager, shall receive an annual salary of \$77,250.00 and shall be reimbursed \$600 annually for cell phone usage. He shall receive five weeks' vacation. Compensation for this position shall be allocated as follows: 1/3rd from the General Fund, 1/3rd from the Water Works Fund, and 1/3rd from the Sanitary Sewage Fund.
10. Alexander Sears, Patrol Officer, shall receive a regular wage of \$24.72 per hour, an overtime wage of \$37.08 per hour, and a Sunday wage of \$49.44 per hour. Compensation for this position shall be allocated as follows: 80% from the General Fund and 20% from the Local Income Tax Public Safety Fund.
11. Joshua Cady, Police Chief, shall receive a regular wage of \$30.08 per hour, an overtime wage of \$45.12 per hour, and a Sunday wage of \$60.16 per hour. Compensation for this position shall be allocated as follows: 80% from the General Fund and 20% from the Local Income Tax Public Safety Fund.

12. Part Time / Seasonal Laborers shall receive \$13.25 to \$14.25 per hour. Part Time / Seasonal Laborers are ineligible for benefits and shall remain seasonal as defined by federal law. Compensation for this position shall be allocated as follows:
100% from the Riverboat Fund.
13. The Town Council shall receive \$6,991.83 per year. They will be paid the last pay period of every month. Council members may miss up to two meetings without loss of pay annually, absences in excess of two meetings annually, except for emergency circumstances, will result in reduced compensation. Compensation for this position shall be allocated as follows: 1/3rd from the Sanitary Sewage Fund, 1/3rd from the Water Works Fund, and 1/3rd from the General Fund.
14. The Clerk-Treasurer shall receive \$17,271.58 per year. The Clerk-Treasurer will be paid the last pay period of every month. Compensation for this position shall be allocated as follows: 1/3rd from the Sanitary Sewage Fund, 1/3rd from the Water Works Fund, and 1/3rd from the General Fund.

CELL PHONE REIMBURSEMENT: Employees who receive the \$600.00 cell phone allowance shall receive reimbursement in two installments, the first on or about June 1, 2025, and the second, or about December 1, 2025. Compensation for this benefit shall be allocated as follows: 100% from the Riverboat Fund.

ON CALL PAY: Utility employees who have on call duty will be paid \$100.00 per week. Compensation for this benefit shall be allocated as follows: 50% from the Water Works Fund and 50% from the Sanitary Sewage Fund.

OVERTIME PAY: Overtime will be earned when employees work in excess of 40 hours per week, overtime earned on Sunday will be paid double time. Overtime will be limited to emergencies, i.e., water line breaks, sewage problems, snow removal or as seen necessary by the Town Manager or Superintendent or with prior approval of the Town Council.

COMPENSATORY TIME: Employees who work overtime may also opt to take overtime hours as compensatory time rather than receiving overtime pay. Employees shall arrange compensatory time with their immediate supervisor, which will not be unreasonably denied. The employee will also report compensatory time scheduled and taken promptly to the clerk treasurer. Compensatory time will be granted so long as the compensatory time sought does not cause a serious disruption of town operations and/or services.

VACATION ENTITLEMENT: All permanent full-time employees shall earn vacation in accordance with the Town Employee Policies and Procedures policy. All vacation time accumulated in 2025 shall be used in 2025, with the exception to 40 hours which may be either paid out and/or rolled over to the following year. Vacation entitlement for new hires shall be subject to the discretion of the Council as outlined in the personnel policy.

SICK LEAVE: All permanent full-time employees shall receive twelve days per year from January to December. All new employees shall receive one sick day per month from date of employment to December. Sick days can be accumulated to a maximum of 90 days. Sick leave entitlement for new hires shall be subject to the discretion of the Council as outlined in the personnel policy.

HEALTH INSURANCE BENEFIT: All full time employees – or those employed in positions regularly requiring 35 or more hours per week calculated over the course of a calendar year - will receive major medical and dental insurance effective on the first day of employment, except as otherwise provided herein, and all permanent full-time employees will be enrolled in PERF. The Town of Dillsboro will furnish major medical insurance and dental insurance to the permanent full-time employees and their families. Employees who have single coverage will pay \$39.28 per pay period; employees with a child pay \$73.11 per pay period; employees with a spouse pay \$78.60 per pay period, and employees with family coverage will pay \$113.08 per pay period. The Town of Dillsboro will pay the balance of the premium.

HEALTH SAVINGS ACCOUNT: The Town of Dillsboro will deposit \$2,000.00 into any employee's Health Savings Account who is entitled to the insurance plan for the year 2025 to be taken out of the Riverboat Revenue Fund. The deposits will be as follows, March, \$500.00; June, \$500.00; September, \$500.00; and December, \$500.00.

RETIREMENT FUND: All full-time employees – or those employed in positions regularly requiring 35 or more hours per week calculated over the course of a calendar year - will be covered by the Indiana Public Employees' Retirement Fund (PERF), effective first day of employment except for a newly created position which will be subject to enlargement approval from PERF.

BONUS PAY: Any employee that acquires a CDL, a DSS Water License, or a Class 2 Wastewater license will receive an additional \$1.00 per hour for each such license earned so long as the license is maintained by the employee. The Town of Dillsboro will pay the costs for additional training, continuing education and other similar requirements necessary to maintain any such license. Each employee having secured such a license is expected to take the necessary steps to maintain the license in good standing. Every employee who receives additional pay for acquiring a CDL, DSS Water License or a Class 2 Wastewater license will be expected as a condition of employment to perform the duties which any such license holder is entitled to perform by law. Failure or refusal to perform such duties when required may result in disciplinary action or termination of employment.

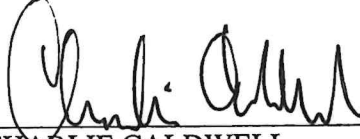
TRAINING/CONTINUING EDUCATION: All employees covered under this ordinance may receive up to five paid days for professional training or continuing education for licensure on subjects directly related to their employment with Dillsboro. These paid training/continuing education days shall be scheduled with and approved by the employee's supervisor if applicable and shall only be used for training/continuing

education purposes. The employee shall provide proof of attendance at the training/continuing education to their supervisor and/or the clerk treasurer as and when requested. Training and/or education in excess of five (5) actual days shall require approval of the Town Council. The employee shall use vacation time to cover absences caused by training and/or continuing education if approved by council for days in excess of five (5) days.

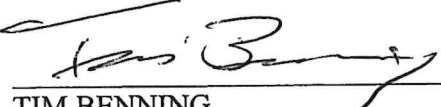
GENERAL TERMS: Any employee hired shall receive minimum wage. The Council may approve a higher rate depending on education and experience. All salaries and/or wages are to be paid every 2 weeks with twenty-six pay periods per year, and the overtime rate will be one and a half times the hourly rate. All salary and wage increases set forth above will be paid to those persons unless in the discretion of the Town Council there are insufficient appropriations or amounts contained in the budget from which to pay for such increases.

DILLSBORO, INDIANA
TOWN COUNCIL

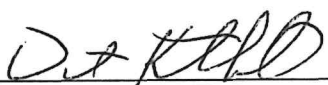
Date: August 11, 2025


CHARLIE CALDWELL

☒ Aye
☐ Nay
☐ Abstain


TIM BENNING

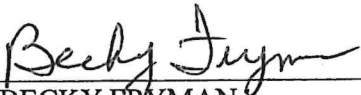
☒ Aye
☐ Nay
☐ Abstain


DUSTIN KITCHELL

☒ Aye
☐ Nay
☐ Abstain


JERRI JACKSON

☒ Aye
☐ Nay
☐ Abstain


BECKY RRYMAN

☒ Aye
☐ Nay
☐ Abstain

ATTEST


RITA STEVENS
Clerk-Treasurer

ORDINANCE NO. 2025-8- 02

AN ORDINANCE AMENDING SECTION 90.27 OF THE DILLSBORO MUNICIPAL CODE

WHEREAS, the Dillsboro Town Council has authority by statute to issue ordinances for the purposes of ensuring the health, safety and welfare of Dillsboro citizens and visitors to the Town; and

WHEREAS, it is sometimes necessary to enforce violations of Dillsboro ordinances through formal enforcement proceedings and occasionally through resort to the courts, and

WHEREAS, Dillsboro currently regulates the accumulation of unsheltered junk under code sections 90.25 through 90.30, and §90.27 currently states that formal enforcement notices shall be issued by the Town's Clerk Treasurer; and

WHEREAS, enforcement proceedings are typically investigated, commenced and prosecuted by or through the Town Council and/or the Town Manager;

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. Any owner found to be in violation of §90.26 of this subchapter shall be given written notice thereof, issued by The Town Council President, the Town Manager, or the Town Police Chief, or their duly authorized representative, which notice, together with a copy of this subchapter, shall be served by posting notice at the property, or by certified mail, return receipt requested, to the last known address of the owner. Said notice shall advise the owner that he or she has 15 days within which to bring the property into compliance with this chapter.
2. This ordinance shall be in full force and effect immediately upon passage.

Passed and adopted this 11th day of August, 2025.

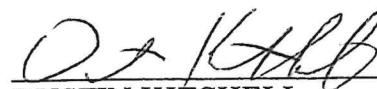
DILLSBORO, INDIANA TOWN COUNCIL


TIM BENNING

☒ Aye
☐ Nay
☐ Abstain


JERRY JACKSON

☒ Aye
☐ Nay
☐ Abstain


DUSTIN KITCHELL

☒ Aye
☐ Nay
☐ Abstain


BECKY FRYMAN

☒ Aye
☐ Nay
☐ Abstain


CHARLIE CALDWELL

☒ Aye
☐ Nay
☐ Abstain

ATTEST:

A handwritten signature in cursive script, appearing to read "Derek Walker", written over a horizontal line.

Derek Walker
Town Manager
Town of Dillsboro