

## Dillsboro Town Council

October 28, 2024

The regular meeting of the Dillsboro Town Council was called to order at 6:00 p.m. by President, Doug Baker, who led the Pledge of Allegiance.

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

Council Member (CM) Caldwell made a motion to approve the minutes from the October 14, 2024 regular meeting. CM Jackson seconded the motion. All were in favor, and the motion carried.

### Guests

Alan Weiss, representing the Dearborn County Community Advocating for Substance-Abuse Awareness (CASA), attended the meeting to provide an overview of CASA's mission and activities. He proposed that the town consider allocating a portion of its Opioid Settlement Funds to support CASA's efforts in substance abuse awareness and prevention.

Town Manager Derek Walker confirmed that he consulted both the Police Chief and the Fire Chief regarding this proposal, and neither expressed any objections to sharing a portion of the settlement funds with CASA.

Property owners Ashley Runck and her husband Justin Runck, of 12547 Rullman Drive, were present to discuss their request regarding backyard chickens. Council Member (CM) Baker reported that he met with the Runcks and spoke with their neighbors, none of whom expressed any concerns about the chickens.

Following discussions at the previous council meeting, an amendment to the town's regulations on backyard chickens was proposed. The Runcks' chicken coop is within 200 feet of neighboring properties.

CM Benning made a motion to approve Ordinance 2024-10-5, titled "An Ordinance of the Town of Dillsboro, Indiana Amending Chapter 91, Section 91.02 of the Municipal Code" (attached). The motion was seconded by CM Fryman. The motion carried unanimously.

### Clerk-Treasurer – Rita Stevens

#### Financial Reports

The September financial reports were distributed to the council with the following balances:

- Water Operating Balance: \$98,108.14
- Sewer Operating Balance: \$183,477.28

A sewer adjustment request was submitted for DeWayne Burris, 13225 Bank Street, for \$59.87 due to a water leak between his house and the meter. CM Jackson made a motion to approve the adjustment, which was seconded by CM Fryman. The motion carried unanimously.

#### AIM Roundtable

The AIM Roundtable will be held on November 20 in Oldenburg. Reservations will be made for CM Benning, CM Baker, TM Derek Walker, and Clerk-Treasurer Rita Stevens. CM Fryman will confirm attendance with CT Stevens.

#### Additional Appropriations

Ordinance 2024-10-6 (attached), authorizing an additional \$5,000 for the park fund, was approved unanimously by the council.

#### Invoice Approval

An invoice from Drake Lawn for \$600.00 was presented for the re-sanding and resealing of pavers at Heritage Pointe. CM Baker made a motion to pay the invoice from the park fund, seconded by CM Fryman. The motion carried unanimously.

#### Main Street – Kami Hamilton, Executive Director

K. Hamilton and Melissa Walston attended the Preserving Historic Places Conference, where they received a certificate recognizing Dillsboro Main Street as an Indiana Accredited Main Street.

Planning is underway for the Dillsboro Homecoming Christmas, scheduled for December 7th.

#### Attorney – John Watson

#### Dearborn County Regional Sewer District (DCRSD) Agreement

The official agreement with the Dearborn County Regional Sewer District (DCRSD) was provided to Clerk-Treasurer Stevens. This agreement involves the installation of a new sewer line extending from the town's sewer plant to the Lake Dilldear area, located west of Dillsboro along US 50.

#### Opioid Settlement Funds Allocation

In response to a previous request from Alan Weiss of CASA (Community Advocating for Substance-Abuse Awareness), the council discussed allocating a portion of the town's Opioid Settlement Restricted Fund to support CASA's opioid prevention initiatives. CM Benning made a motion to allocate \$2,255.28 from the Opioid Settlement Restricted Fund to CASA, which was seconded by CM Jackson. The motion passed unanimously.

#### Town Manager – Derek Walker

#### Grace Quinlan/Katie Robinson Sign

The town is awaiting approval from INDOT to install the new Welcome to Dillsboro / Grace Quinlan/Katie Robinson signs within INDOT's right-of-way.

#### Sewer CCTV Project

The 2020 Preliminary Engineering Report on the town's wastewater system identified 8,315 linear feet of sanitary sewer main requiring inspection for potential issues. Green Earth Environmental is scheduled to begin jet cleaning and televising the sanitary sewer lines on November 4.

#### Board of Zoning Appeals (BZA)

The BZA approved the library's addition, along with a request to reduce the off-street parking requirements. The BZA will meet again on October 30 to review a request regarding the division of the J&J Liquor Store property. Town Manager Walker is considering amendments to some of the town's development standards over the winter, aiming to simplify and ease regulations on landscaping, allowable uses, and signage.

#### Stellar Pathways

The final draft of the Dearborn County Strategic Investment Plan (SIP) is complete and open for steering committee comments through October 29. Town Manager Walker reviewed the draft with the council.

#### Façade Improvement Matching Grant (FIMG)

FIMG applications are due by November 1. Currently, only one application has been received, though more are expected. The review committee will meet on November 7, and their recommendations will be presented to the council at the November 18 council meeting.

#### Old Business

##### Main Street Sewer Issue:

The property owner has submitted a permit application to connect a new storm sewer to the Town owned catch basin. The Town Manager (TM) Walker has been in discussions with the contractor about potential issues related to the project which may commence this weekend.

##### US Bank Property – 12899 Bank Street:

TM Walker inquired about the possibility of structuring a contingency deal with the sellers, potentially tied to the sale of the existing town hall. He reiterated the town's continued interest in the property if the price aligns with budget expectations but noted no new updates from the realtor. The Council requested TM Walker maintain regular contact with the realtor to keep the town's interest known.

##### Indiana Mentors Lease Agreement – 12827 Lenover Street:

The Real Estate Manager for Sevita Health Care (formerly National Mentors Healthcare) verbally requested termination of the lease agreement for 12827 Lenover Street. In response, TM Walker consulted with local realtor Jay Knowles, who provided a property valuation of approximately \$325,000, or an estimated rental rate of \$1,950 to \$2,150 per month. The existing lease agreement is scheduled to run from January 2023 to January 2028. TM Walker recommended entering an agreement with a realtor to list the property for sale with an option to lease. Council Member (CM) Baker made a motion to proceed with an agreement with Jay Knowles to market the property for

TOWN OF DILLSBORO ORDINANCE 2024-10- 5

AN ORDINANCE OF THE TOWN OF DILLSBORO, INDIANA AMENDING CHAPTER 91  
SECTION 91.02 OF THE MUNICIPAL CODE

**WHEREAS**, the Common Council of the Town of Dillsboro has determined that it has a substantial and compelling interest in amending its municipal code to allow residents to keep chickens in Town limits, with some restrictions; and

**WHEREAS**, The following regulations will govern the keeping of chickens and are designed to prevent nuisances and prevent conditions that are unsanitary or unsafe.

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

**Ordinance Amendment.** Chapter 91, §91.02 shall be amended and shall read as follows:

**§91.02 LIMITATION ON KEEPING CERTAIN ANIMALS; SANITATION.**

(A) It shall be unlawful to have or keep any goats, sheep swine or pigs, horses, mules, ponies, cattle, rabbits, chickens, ducks, geese, turkeys, guineas or other farm animals or fowl within 200 feet of any residence, other than the residence of the person so keeping or having these animals except in compliance with this section.

(B) No person shall cause or allow any stable or place where any animal or fowl is or may be kept becoming unsanitary.

(C) Noise. An owner or handler may not keep an animal that makes frequent or long, continued noise that is disturbing to a person of normal sensibilities.

(D) Exceptions. *gallus domesticus*, also known as chickens, are excepted from the requirement in provision A above if the following regulations are followed:

(1) Number. No more than ten (10) chickens shall be allowed for each single-family dwelling. The flock shall not include more than one male, rooster.

(2) Housing Requirements. Chickens must be housed in a secure coop with an attached enclosure that is predator-proof, adequately ventilated, and designed for easy access and regular cleaning. Each coop must provide a minimum of two square feet per chicken to ensure proper space and welfare.

(3) Outdoor Enclosure Standards. Chickens shall have access to an outdoor area that is fully enclosed and fenced to prevent the chickens from escaping and to protect against predators. This area should be constructed with materials and fencing adequate to contain the chickens on the property at all times.

sale or lease at \$1,950 per month. The motion was seconded by CM Benning. All members voted in favor; the motion carried.

New Business

Side Street Station Request for Use of Public Right-of-Way:

Steve Williams, owner of Side Street Station, requested permission to temporarily close the on-street parking in front of his building on November 3rd to hold an anniversary celebration for his business. TM Walker recommended approving the request, contingent on the property owner signing a hold harmless and waiver of liability statement and providing insurance coverage for the event. CM Benning made a motion to approve the request with these conditions, which was seconded by CM Jackson. All members voted in favor, and the motion carried.

Pavement Asset Management Plan (PAMP):

TM Walker reported that the annual Pavement Asset Management Plan, necessary to maintain eligibility for INDOT's Community Crossings Matching Grant (CCMG), is due by the end of November. This year's plan has been prepared in-house, saving the town approximately \$7,000 compared to last year's outsourced cost. TM Walker reviewed the completed plan with the council.

2025 Salary Ordinance:

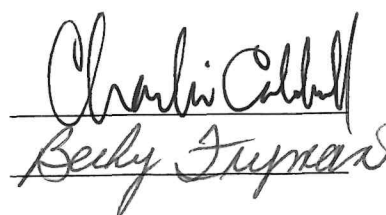
TM Walker presented the 2025 Salary Ordinance, which includes a 3% raise for all employees, with two exceptions of employees who use their licenses for permit approval and tenure. TM Walker also proposed combining the Clerk-Treasurer and Utility Clerk positions. Attorney Watson confirmed that it is legal to merge these roles and noted that the Clerk-Treasurer's salary cannot be reduced. TM Walker reminded the council that the ordinance must be passed by the next meeting on November 18.

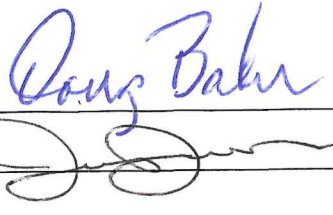
Southeast Indiana (SEI) Community Gardens Program:

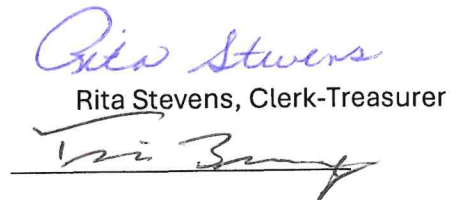
CM Baker shared information about the SEI Community Gardens Program, which is already active in other towns, and recommended establishing a similar program in Dillsboro. The proposal includes raised garden beds, with community members, including elementary school students, participating in their upkeep. The suggested location is across from the green space at Front and North Streets. Supplies would be funded through the SEI Community Gardens organization, but a designated person would be needed to oversee the project. Council members expressed interest, and CM Baker will invite a program representative to an upcoming meeting for further discussion.

Adjournment:

With no further business, CM Jackson made a motion to adjourn the meeting at 7:09 p.m. CM Caldwell seconded the motion. All members voted in favor, and the meeting was adjourned.

  
Charlie Cobble  
Becky Trupman

  
Doug Baker

  
Rita Stevens, Clerk-Treasurer

4) Supervised Free-Ranging: Chickens are only permitted outside of the coop and enclosure when directly supervised by a responsible individual aged 18 or older, who must be able to return the chickens to their coop or enclosure promptly if needed.

(5) Setbacks. Coops or cages housing chickens and enclosures shall be kept at least thirty (30) feet from any dwelling or occupied structure excluding the residence of the fowl's owner or handler. Coops and cages shall not be located within five (5) feet of a side yard lot line, nor a rear-yard lot line. Coops and cages shall not be located in the front yard.

8) Slaughtering. There shall be no outdoor slaughtering of chickens.

**DILLSBORO, INDIANA**

**TOWN COUNCIL**

Date: October 28, 2024

Charlie Caldwell  
CHARLIE CALDWELL

- Aye
- Nay
- Abstain

Tim Benning  
TIM BENNING

- Aye
- Nay
- Abstain

Doug Baker  
DOUG BAKER

- Aye
- Nay
- Abstain

Becky Fryman  
BECKY FRYMAN

- Aye
- Nay
- Abstain

Jerry Jackson  
JERRY JACKSON

- Aye
- Nay
- Abstain

**ATTEST:**

Rita Stevens  
RITA STEVENS  
Clerk-Treasurer



## ADDITIONAL APPROPRIATION ORDINANCE/RESOLUTION 2024-10

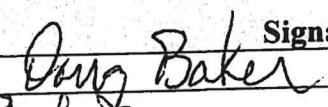




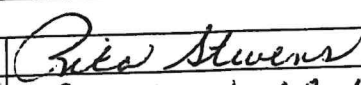
**WHEREAS** the proper officers of the Town Council of Dillsboro Civil Town, Dearborn County, Indiana have determined that it is now necessary to appropriate more money for calendar year 2024 than the amount that was fixed by the Town Council and finally determined in the annual budget under Indiana Code 6-1.1; and

**WHEREAS** notice was duly given to the public in accordance with IC 6-1.1-18-5(a) and IC 5-3-1-2(b) for a public hearing on a proposed additional appropriation and a public hearing was held on October 28, 2024, by the Town Council regarding the same:

**THEREFORE, BE IT ORDAINED (RESOLVED)** by the Town Council of Dillsboro Civil Town, Dearborn County, Indiana that a need now exists for an additional appropriation out of the following fund or funds named, and for the purposes specified, subject to laws governing the same:

FUND INFORMATION		
Fund Name: 2204 Park		
Budget Classification	Additional Amount Requested	Additional Amount Adopted
Personal Services	\$	\$
Supplies	\$	\$
Other Services and Charges	\$ 5,000.00	\$ 5,000.00
Township Assistance	\$	\$
Debt Service	\$	\$
Capital Outlays	\$	\$
<b>Total:</b>	<b>\$ 5,000.00</b>	<b>\$ 5,000.00</b>

Duly adopted by the following vote of the members of said Town Council this 28<sup>th</sup> day of October, 2024.

ADOPTION INFORMATION		
Official Vote	Name	Signature
<u>Nay</u>		
<u>Aye</u>		
<input type="checkbox"/>	Doug Baker	
<input checked="" type="checkbox"/>	Becky Fryman	
<input checked="" type="checkbox"/>	Tim Benning	
<input checked="" type="checkbox"/>	Charlie Caldwell	
<input checked="" type="checkbox"/>	Jerri Jackson	
<input type="checkbox"/>		
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<input type="checkbox"/>		
<b>Attestation by Secretary of Governing Body</b>		
<b>Date</b>		October 28, 2024