

**TOWN OF SELLERSBURG  
REGULAR TOWN COUNCIL MEETING  
316 E. UTICA STREET SELLERSBURG, INDIANA 47172**

**Agenda for  
July 8, 2024 at 5:30 p.m.**

**CALL TO ORDER AND ROLL CALL OF MEMBERS:**

**PRAYER:**

**PLEDGE OF ALLEGIANCE:** All Present.

**MOTION TO AMEND/ADOPT THE AGENDA AS PRESENTED:**

**APPROVAL OF MINUTES:**

Approval of minutes as submitted by the Clerk-Treasurer.

**APPROVAL OF ALLOWANCE CLAIMS:**

**APPROVAL OF PAYROLL ALLOWANCE DOCKET:**

**BOARD OF ZONING APPEALS (BZA) APPOINTMENT:**

**COMMENTS FROM PUBLIC ON AGENDA ITEMS (time limit of 5 minutes per person):**

**ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE 2024 – OR - 008: An Ordinance Regulating Traffic Control at the Intersection of Indianola Drive and Allhands Avenue.
2. ORDINANCE 2024 – OR - 009: An Ordinance Disposing of Surplus or Worthless Personal Property Belonging to the Town of Sellersburg, Indiana and Authorizing the Special Purchas of a Used Yard Waste Truck.

**UNFINISHED BUSINESS:**

1. Discussion: Community Award Survey
3. Discussion: Right-of-Way Ordinance No. 2019 – OR - 022

**NEW BUSINESS:**

**GENERAL COMMENTS FROM THE PUBLIC (limited to 15 minutes total):**

**RECEIPT OF STAFF REPORTS:**

Charlie Smith, Town Manager

Chief Russ Whelan

Mike Harris (Jacobi, Toombs, & Lanz)

Jacob “Jake” Elder, Town Attorney

**COMMENTS FROM COUNCIL MEMBERSHIP (Good of the order):**

Randall Mobley, District 2

Terry Langford, District 4

Brad J. Amos, District 3

Scott McVoy, District 1

Matthew Czarnecki, At-Large

Michelle Miller, Clerk-Treasurer

**ADJOURN:**

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2024 – OR – 008**

**AN ORDINANCE REGULATING TRAFFIC CONTROL AT THE INTERSECTION OF INDIANOLA DRIVE AND ALLHANDS AVENUE.**

**WHEREAS**, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

**WHEREAS**, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

**WHEREAS**, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

**WHEREAS**, this Council and Town Manager have identified a need to establish a three (3) way stop at the intersection of Indianola Drive and Allhands Avenue.

**NOW THEREFORE BE IT ORDAINED** by this Town Council of Sellersburg, Indiana the following:

1. The intersection of Indianola Drive and Allhands Avenue shall now become (3) three-way stops. *(See Exhibit A)*.
2. The Town Manager shall cause to have the necessary signage installed notifying the public of said modification. The signage shall be installed within public right of way and per INDOT and town standards where appropriate.

3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

**So Ordained** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

“Aye”

“Nay”

\_\_\_\_\_  
Brad Amos  
Council President

\_\_\_\_\_  
Brad Amos  
Council President

\_\_\_\_\_  
Terry Langford  
Council Vice President

\_\_\_\_\_  
Terry Langford  
Council Vice President

\_\_\_\_\_  
Scott McVoy  
Council 2<sup>nd</sup> Vice President

\_\_\_\_\_  
Scott McVoy  
Council 2<sup>nd</sup> Vice President

\_\_\_\_\_  
Matthew Czarnecki  
Council Member

\_\_\_\_\_  
Matthew Czarnecki  
Council Member

\_\_\_\_\_  
Randall Mobley  
Council Member

\_\_\_\_\_  
Randall Mobley  
Council Member

\_\_\_\_\_  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: \_\_\_\_\_

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

VOTE: \_\_\_\_\_ AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSTAIN

SECOND READING

DATE: \_\_\_\_\_

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

VOTE: \_\_\_\_\_ AYE \_\_\_\_\_ NAY \_\_\_\_\_ ABSTAIN

**EXHIBIT A**






### Proposed 3-Way

**Legend**

 3-Way Stop Intersection

 No Parking (30ft from Intersection)

Indiana St

Alhambra Ave

218

204

128

215

209

203

127

121

th

100 ft



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2024 – OR – 009**

**AN ORDINANCE DISPOSING OF SURPLUS OR WORTHLESS PERSONAL PROPERTY BELONGING TO THE TOWN OF SELLERSBURG, INDIANA AND AUTHORIZING THE SPECIAL PURCHASE OF AN USED YARD WASTE TRUCK.**

**WHEREAS**, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town; and,

**WHEREAS**, pursuant to Ind. Code § 5-22-22-3(b), this Council, acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

**WHEREAS**, if the purchasing agent does not engage an auctioneer or if the surplus property is not sold through an Internet auction site under Section 4.5 of Ind. Code § 5-22-22 *et seq.*, the purchasing agent shall sell the property at a public sale or by sealed bids delivered to the office of the purchasing agency before the date of the sale, unless otherwise allowed under Indiana law. Advertisement of sale shall be made in accordance with Ind. Code § 5-3-1 and all sales shall be made to the highest and most responsible bidder. (*Ind. Code § 5-22-22-5*); and,

**WHEREAS**, pursuant to Ind. Code § 5-22-22-8, “if the property is worthless, it may be demolished or junked.” Property may be determined to be worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and,

**WHEREAS**, pursuant to Ind. Code § 36-1-11-9, “[w]henever a disposing agent purchases new property with a condition that property of a similar nature is to be traded in or exchanged as part of the purchase and in reduction of the purchase price, the exchange or trade-in may be made without compliance with section 7 of this chapter but must comply with section 16 of this chapter”; and,

**WHEREAS**, this Council has determined a need for a newer yard waste truck to replace the trucks currently used by the Town; and,

**WHEREAS**, it is acknowledged that used yard waste trucks are a special purchase due to all of the variables and differing components dependent on size and use; and,

**WHEREAS**, this Council instructed the Town Manager to obtain several quotes on the different types of yard waste trucks available; and,

**WHEREAS**, this Council, after receiving several quotes and at the recommendation of the Town Manager, decided to trade in two (2) trucks and purchase a used 2020 Peterbilt 337 because it fit the needs of the Town and would be a savings of approximately \$100,000 - \$200,000 instead of purchasing a brand new truck.

**NOW THEREFORE BE IT ORDAINED** by this Town Council of Sellersburg, Indiana as follows:

1. The following personal property shall be traded in and disposed of consistent with Indiana law:

2019 Peterbilt  
3BPDJ0X4KF103096  
Mileage: 38406  
Hours: 4945

2002 Freightliner  
1FVHBXAK92HJ53247  
Mileage: 121336  
Hours: 4441



2. The proceeds from the trade in shall be applied to the purchase price of the of the used 2020 Peterbilt 337 and the compatibility of the truck and accessories were substantial considerations in the purchase while being the only source that met the Town’s reasonable requirements.
3. This Council further grants the Town Manager with the authority to trade the above-referenced personal property.
4. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

**So Ordained** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

“Aye”

“Nay”

\_\_\_\_\_  
Brad Amos  
Council President

\_\_\_\_\_  
Brad Amos  
Council President

\_\_\_\_\_  
Scott McVoy  
Council Vice President

\_\_\_\_\_  
Scott McVoy  
Council Vice President

\_\_\_\_\_  
Terry Langford  
Council 2<sup>nd</sup> Vice President

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Terry Langford  
Council 2<sup>nd</sup> Vice President

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Matthew Czarnecki  
Council Member

\_\_\_\_\_  
Matthew Czarnecki  
Council Member

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Randall Mobley  
Council Member

\_\_\_\_\_  
Randall Mobley  
Council Member

\_\_\_\_\_  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: \_\_\_\_\_

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

VOTE: \_\_\_\_\_ AYE    \_\_\_\_\_ NAY    \_\_\_\_\_ ABSTAIN

SECOND READING

DATE: \_\_\_\_\_

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

VOTE: \_\_\_\_\_ AYE    \_\_\_\_\_ NAY    \_\_\_\_\_ ABSTAIN