

Yorktown Town Council Regular Meeting

Monday, March 18, 2019 @ 5:30 PM

Roll Call

Rick Glaub	Lon Fox	Daniel Flanagan	Rich Lee	Robert Ratchford	Michael Burke	Bryan Smith
Present	Present	Present	Present	Absent	Present	Present

Approval of Claims: The Core & Main APV for \$277.78 and the Alfa Laval, Inc. APV for \$998.10 were voided because Department Heads discovered the invoices contained charges for returned parts. The APV for Trophy Girl for the amount of \$820.33 was voided because it was not confirmed whether the Fire Association or the Town were responsible for payment. Also, the APV for \$6,118.21 to JPMorgan Chase contained undocumented charges from employees totaling \$14.88. The amount would be collected by the Clerk Treasurer's office from the employees so the recommendation was given to approve the claim. The motion to approve with changes was made by Rich Lee, Michael Burke seconded and the motion passed unanimously.

Approval of February Minutes: Lon Fox made the motion to approve the February minutes and Michael Burke seconded. Rich Lee abstained and the motion passed 5-0.

Old Business: The planning commission approved Amended Ordinance 776 for the Downtown Overlay District on March 11, 2019, for final adoption by the Town Council. The ordinance was introduced to the council in December, delivered to the Planning Commission, presented at a public hearing, was discussed and then amended. The map and the guidelines for architectural structures, construction, and site amenities for the downtown area were included. The Town Manager proposed that the changes allowed for the implementation of the ordinance over time without having an adverse effect on the owners of existing properties. Specifically, there would be no cost to existing business within the first three years. Current properties could utilize the Downtown Façade Grant offered by the Redevelopment Commission to bring the properties into compliance.

The membership of the Architectural Review Board was also discussed. The ARB was structured to meet statutory requirements to include three appointed members from the Planning Commission with no more than one Town Council member and two members or three members without a Town Council member. Members were to be selected from the sitting at-large members of the Planning Commission. If Amended Ordinance 776 was adopted, the planning commission requested a new fee structure for the downtown overlay district be adopted as specified in Ordinance 779. It was noted that permit fees were discovered to be reasonable based on fees charged in communities of similar size. Collected fees would be placed into the General Fund to cover expenses typically appropriated within the fund such as staffing and operating costs. Furthermore, Ordinance 779 would need to be introduced and would go into effect thirty days after it was passed and advertised by the Clerk Treasurer. Rich Lee motioned to approve Amended Ordinance 776 and Michael Burke seconded. Present council members voted in favor with Rick Glaub voting against the motion. Rich Lee motioned to approve the introduction of Ordinance 779 with Michael Burke seconding the motion. The motion also passed 5-1 with Rick Glaub voting against the motion.

New Business

Micro-Surface of Streets: The remainder of the \$1 million IDOT Community Crossing Grant was to be used for maintenance on various streets including: Sarasota Drive, Sunset Drive, Sunset Court, Kettner Drive, Ludlow Road, Nip Street, Brookside Ave, and Crown Street. Rich Lee made the motion to approve the quote from Pavement Solutions, Inc. for 20,471 square yards of Modified Asphalt Emulsion Micro-surface at \$3.66 per square yard at the cost of \$74,923.86. Bryan Smith seconded and the motion passed unanimously.

Supplemental Contract #2 Nebo Bridge Sidewalk: John Brand from Butler, Fairman & Seufert Civil Engineers was available to answer questions. As a result of working with Delaware County on the Nebo Bridge and Sidewalk Project, the Town was asked to put sidewalks along the east side of the bridge and to redesign the bridge joints, the bridge deck and the scouring area. The project would be reimbursed 80% from Federal funds. Lon Fox made the motion to accept the supplemental contract, Rick Glaub seconded and the motion passed unanimously.

Canal St Supplemental Agreement: The cost for right-of-way services and relocating gas and water lines with BF&S would add an additional \$168,080 to bring the total engineering services not-to-exceed amount to \$366,830. The proceeds would be paid out of the bond. Rich Lee made the motion to accept the supplement, Michael Burke seconded and the motion passed unanimously.

Water/Waste Water/Storm Water

Waste Water Treatment Plant Improvements: The plant needs updated to become compliant with phosphorus removal. The equipment is 30-35 years old and past its useful life. Mr. Brand added that some of the parts are 50 years old and the plant was expanded 20 years ago. The first phase of the project would address the removal of phosphorus and the second phase of the project would update the clarifier mechanisms and headworks along with some expansion to the plant. The estimate of construction costs for both projects was \$8 million. Components of the project could include design, bid, build, delivery, or guaranteed savings delivery. The first step would be to submit an application for SRF (State Revolving Fund) loans through the Indiana Finance Authority with a term of over 20 years as well as considering a traditional, reimbursable bond. The project would then update the plant for a service life of 50 years.

President Flanagan asked if the plant was in compliance with removing nitrogen. Mr. Brand explained that the previous expansion utilized fine bubble aeration and variable speed blowers for energy savings. Mr. Burke asked about the consequences of not moving forward with the project. Mr. Brand explained that the town would move from a status of compliance to enforcement with the IDEM in regards to permit requirements. Mr. Smith asked about the timeline for remaining in compliance. Mr. Brand noted that compliance would end in 2019. The compliance plan created by the Town was to begin designing the project and planning for financing during the current year with construction expected in 2020.

Mr. Burke asked if operating costs would decrease as a result of the project. Mr. Olson explained that using a guaranteed energy savings contract would reduce energy costs and the plant would operate more efficiently. Mr. Glaub asked for clarification of the length of the construction and if the funding would be all at once or incremental. Mr. Brand explained that the details of the funding would not be available until the design of the project was completed. An advantage of using SRF would be a discounted interest rate compared to going on the open market with a revenue bond and the use of payback money. Mr. Flanagan noted that the cost would be paid back with energy costs savings and revenue and not taxes. Mr. Brand stated that

the cost was afforded through user charges on wastewater utility bills and would have no tax impact. Mr. Glaub advocated for stable user costs. Mr. Brand concluded that over a period of time costs would go up and costs would be based on average costs in communities that were of a similar size. Rick Glaub moved to proceed with the project. Bryan Smith seconded and the motion passed unanimously.

Departmental Reports

The Park Board reported that the Go Kart Grand Prix would return in September and the Alumni Association Easter Egg Hunt would take place in April. The Fire Chief commented that the firemen had been busy in the last month. The Town Marshal updated the progress of getting four cars ready to be sold and was researching bids to purchase new cars. The Clerk Treasurer reported that he had attended twenty hours of training and was seeking certifications.

Comments

Dana Joslin, 1808 S Lindell Drive, was concerned about a “children at play” sign, drivers going too fast and the safety of children. The Town Manager proposed removing that sign due to liability, possibly posting speed limit signs and increasing police patrols.

Patti Decker, Mutual Bank, 2101 S Tiger Dr, asked whether the four-year-old sign used to promote business and community events would be grandfathered into the downtown overlay. The Town Manager replied that it would be grandfathered into downtown overlay ordinance.

Kay Miller, 9409 W Canal, requested a memorial recognizing the 50 years of business carried out by Ross Grocery/IGA.

Vicki Craig, 11290 W River Road, sought clarification about the scouring for the Nebo street bridge and the safety of the bridge, the \$66,000 and design work related to the Nebo supplement, and the façade grants. Mr. Olson and Mr. Brand stated that the scouring was for erosion protection, the supplement was requested by the County and included approximately 1/3 of the amount was for design, approximately 40% was for architectural elements, and the rest was for architectural design completed by Context. Also, the Town still has a façade grant.

Bruce McFarland, 9414 W Canal St, discussed being wrong about the measurements of the right-of-way and what the measurements should be, expressed concern about public comments not being included in the minutes, and requested individual meetings with several council members.

Councilman Lon Fox expressed gratitude towards the community in attendance, towards the clerk treasurer for seeking certification, and towards Mr. Brand for his years of service to Yorktown. Rich Lee thanked Mr. Brand and BF&S and acknowledged Marshal St. John, Officer Jaromin, and Officer Wulf for a job well done. Daniel Flanagan recognized the work of the clerk treasurer and the police officers. Mr. Flanagan also thanked the community members in attendance and commented on the progress of canal street and the waste water plant project.

Adjournment: 6:15 pm

Next Town Council Meeting: April 22, 2019 at 5:30 pm.

President-Daniel Flanagan

Clerk Treasurer-Lance Turner