

## Yorktown Town Council Regular Meeting Monday, April 22, 2019 @ 5:30 PM

### Roll Call

<b>Rick Glaub</b>	<b>Lon Fox</b>	<b>Daniel Flanagan</b>	<b>Rich Lee</b>	<b>Robert Ratchford</b>	<b>Michael Burke</b>	<b>Bryan Smith</b>
Present	Present	Present	Present	Present	Present	Present

**Approval of Claims:** Lon Fox motioned to approve the claims, Rich Lee seconded and the motion to approve the claims passed unanimously.

**Approval of March Minutes:** Rich Lee motioned to approve the minutes from March, Michael Burke seconded and the motion passed unanimously.

**Old Business Ordinance 779:** Last month, the Council introduced and adopted the fees for the overlay district for downtown. Upon adoption, the Clerk-Treasurer would advertise the ordinance and the fees would be in effect 90 days after being published in the Muncie Star Press. Rich Lee motioned to approve Ordinance 779. Bryan Smith seconded and President Flanagan requested a roll call vote. Ordinance 779 passed 6-1.

<b>Rick Glaub</b>	<b>Lon Fox</b>	<b>Daniel Flanagan</b>	<b>Rich Lee</b>	<b>Robert Ratchford</b>	<b>Michael Burke</b>	<b>Bryan Smith</b>
Nay	Yea	Yea	Yea	Yea	Yea	Yea

### New Business

**Resolution 2019-5:** At the Redevelopment Commission meeting on April 18<sup>th</sup>, 2019, Resolution 2019-5 was adopted to authorize a lease between the Commission and the Redevelopment Authority and for the Authority to issue bonds for the Civic Green Project. The Council will also need to approve the bond as part of the bonding process. The Redevelopment Commission will hold a public hearing on May 9, 2019, to approve the bonds, and then the Redevelopment Authority will hold a meeting to also approve the Bonds not to exceed \$5,170,000 for a period of 20 years with a tax rate similar to the first downtown project started in September of 2018. Rich Lee moved to approve Resolution 2019-5. Michael Burke seconded. Mr. Burke asked about a second reading. Pete Olson explained that a resolution required one reading, the funds would go the Redevelopment Commission as a result of the lease, and the Commission would be responsible for the project. The motion passed 6-1 with Rick Glaub voting against.

**Resolution 2019-6:** In 2018, the State Assembly established a Motor Vehicle Highway Restricted sub-fund. The resolution sets the starting balance at \$0 and the distributions from the State at 50% into the MVH Fund and 50% into MVH Restricted as of January 1, 2019. Michael Burke motioned to approve, Robert Ratchford seconded and the motion passed unanimously.

**Ordinance 780 Accident Report Fees:** Marshal St. John recommended that accident reports be placed online and established fees for the reports at \$12 to access online and \$15 to access in person. The electronic reporting system will improve customer service and improve internal controls by reducing transactions at the cash collection point. The Town Manager suggested suspending the rules and adopting the Ordinance. Rich Lee motioned to introduce Ordinance 780, Robert Ratchford seconded, and the motion passed unanimously. Rich Lee motioned to suspend the rules and adopt the Ordinance, Robert Ratchford seconded and the motion passed

unanimously. Rich Lee moved to pass the Ordinance, Robert Ratchford seconded, and the Ordinance was adopted by a unanimous vote. The Clerk-Treasurer will advertise the increase in fees as soon as possible.

**Ordinance 781 – Credit Card Policy:** The Town Manager and the Clerk Treasurer worked together to update the Credit Card Ordinances Numbers 643 and 755. Rich Lee motioned to introduce Ordinance 781, Robert Ratchford seconded, and the motion passed unanimously.

**Proposal to Purchase Battery Powered Extrication Equipment:** The Fire Chief recommended the middle quote from AMKUS not to exceed \$32,000 because the replacement battery made by DEWALT was cheaper and easier to replace. Rich Lee motioned to approve the middle quote, Bryan Smith seconded, and the motion passed unanimously.

**Departmental Reports:** Jon Myrick discussed the Easter Egg Hunt held on 4/21/19 with help from Mr. Gant, Mr. Thurston, and the American Legion. On 4/20/19, the RC Crawlers hosted an event that drew 40 remote control trucks. The group set up and cleaned up after the event and hoped to hold an event each month. Future events included: The Farmers Market on Fridays from 4-7 beginning May 10<sup>th</sup>, the community rummage on May 18 from 8am-12pm, and the movie Cars being shown in the Meadow on May 24<sup>th</sup>.

Marshal St. John presented four estimates for new police cars ranging from \$35,998 to \$37,949. It was expected that the purchase request for three cars would take place at the May meeting. Marshal St. John answered a question about getting computers in every car provided by the Commissioners by the end of the year. There was also a discussion about the make and model of the vehicles and the functionality of a hybrid model.

Pete Olson asked for a motion to approve hiring summer help from two college students, Brady Horine being one of the workers. Rick Glaub made the motion to hire two workers, Robert Ratchford seconded, and the motion passed unanimously. Pete also reported that Vectren would start work on Canal Street on May 17, 2019, with water and sewer lines following as part of Project Number One. Clerk Treasurer Turner requested a motion from the council to acknowledge receipt of the TIF Management Report sent through email on Friday, April 12, 2019. Michael Burke motioned to acknowledge receiving the report, Robert Ratchford seconded, and the motion carried unanimously.

**Comments from the Floor:** John Mogush asked who would be affected by the 2019 \$5 million bond and received answers that the urban area of town and the annex would be impacted. Rick Yencer suggested that the council rethink the project due to lack of economic development, commented that property values were going up because millions of dollars of property were taken off the tax roll, and expressed concerns about tax increases and how tax money was spent.

County Councilman Ryan Ballard, 12212 W Native Trail, explained that he was receiving phone calls questioning the \$650-700 increase in property taxes. The assessor explained that an oversight occurred and referred Ryan to the council. Ryan asked if there was an oversight, under which budget the oversight occurred, and who was responsible for the oversight. Robert Ratchford requested that Town Manager Olson address the questions. Mr. Olson explained that in 2017 there was no tax rate for the Fire Department in place for 2018. The budget advertised in 2018, pay 2019, was to pay the operating budget and to increase reserves for that department.

The Town Manager explained that the responsibility for advertising the budget was the statutory job of the Clerk Treasurer. He continued that the failure to advertise the budget and tax asking was done by the Clerk Treasurer's Office in 2017. Mr. Ballard asked what the resolution was to the significant increase. Town Manager Olson explained that the tax rate was drastically lower in 2018 before the increase and that the tax rate would decrease, but not to the amount in 2018.

Michael Burke asked what the oversight had cost the town. Mr. Olson estimated that the cost was about \$400,000. He explained that money was lost and that the Town was regenerating the reserve fund for the Fire Department. Michael Burke restated that \$350,000 was not being collected. Pete Olson communicated that the Town was not able to collect the taxes that should have been collected in 2018. He explained that the solution was to transfer money in June from the Fire Department Fund to even out the problem in the next 1 ½ to 2 years. Robert Ratchford summarized that it was the person who held the Clerk Treasurer's Office in 2017. Michael Burke asked if there was anything to make sure this did not happen again. Newly elected Clerk Treasurer Turner explained that the budget would be looked over by others before it is approved and it will be advertised properly.

Nancy Perry, 8401 W Red Bud Lane, discussed the Martin and Puckett property, if eminent domain would be used if no agreement was reached, and asked about the Marsh property. President Flanagan stated that anything was on the table and made no commitment one way or another. Robert Ratchford commented that the Marsh property was going to auction May 8. Mr. Ratchford and Mr. Flanagan explained that the property would be purchased as a storage/warehouse facility but the owners could go before the zoning board to repurpose the property. Also, the new owner would be responsible for taxes going forward and cleaning up the property. It was asked who was responsible for back taxes and the council answered that the seller of the property was responsible for any liens.

Vicki Craig, 11290 W River Road, asked about the space for the Civic Green and the town manager described the area to be between Vine Street and a new street 30 feet west of the alley between Vine and Plum Streets. Bruce McFarland, 9414 W Canal St, expressed concern about eminent domain, BF&S acting as an agent of the town, and discussed an article about casinos. The Town Manager explained that BF&S made a purchase offer, was in negotiations and had not invoked eminent domain.

**Comments from Town Council Members:** Council members thanked those in attendance. Mr. Burke expressed hope for improvement at the former Marsh. President Flanagan encouraged the public to make comments concerning the J Turn at St Rd 332 and 600W.

**Next Town Council Meeting: May 20, 2019, at 5:30 p.m.**

**Adjournment: 6:15 pm**

---

**President-Daniel Flanagan**

---

**Clerk Treasurer-Lance Turner**