

Yorktown Town Council Regular Meeting
Monday, July 27, 2009 @ 5:30 P.M.

Call to order followed by the pledge of allegiance and roll call:

Larry Crouch, Steve Lowry, Mike Beeman, and Rick Glaub present. Steve Lowry was absent.

Mike Beeman made a motion to accept the meeting minutes. Bob Flanagan seconded the motion. All councilmen present voted in favor.

Bob Flanagan made a motion to accept the claim docket. Mike Beeman seconded the motion. All councilmen present voted in favor.

Comments from the Floor:

Sharon Cheslick, Myra: Sharon explained that there are shrubs at Myra and Eucalyptus that are obstructing the view for driving. Pete Olson explained that he was in the process of rectifying the situation. He also explained that if it caused an accident it would be the property owner's responsibility if there is an accident.

Laura Vise: Asked what the consideration for donation to JAA was on the agenda. Pete Olson explained that for the last three years the Town has supported a baseball team. Laura Vise then asked what are the taxes for on the sports park? Pete Olson explained that they would go over that at a later in the meeting. She asked if they would be voting on the subject and Pete Olson explained that it was the council's intention to vote. Laura Vise asked if they could speak during the subject and Rick Glaub stated that the public could have comment.

Cal Grim: Mr. Grim asked if they had gotten a handle on the break-ins. Pete Olson explained that Marshal St. John would be talking on the subject later.

Public Hearing Zoning Ordinance Amendments

Councilman Glaub opened the public hearing. Pete Olson explained there were minor changes in the zoning ordinance. Rick Glaub asked if there were any comments. There were no public comments. The public hearing was closed.

Old Business

Fire Department Association request for Promotional Funds: Pete Olson explained that the Fire Department had requested a \$1000 donation for the annual Halloween festival. Mike Beeman made a motion to grant the \$1000 donation to the fire department. Bob Flanagan seconded the motion. All council members present voted in favor.

New Business

Ordinance #645 -To Approve Amendments to Zoning Ordinance

Pete Olson read the ordinance. Mike Beeman made a motion to introduce the amendments to the zoning ordinance. Larry Crouch seconded the motion. All council members present voted in favor. Mike Beeman made a motion to suspend the rules and read by title only. Bob Flanagan seconded the motion. Pete Olson read the ordinance by title only twice. Mike Beeman made a motion to approve amendments to the zoning ordinance. Bob Flanagan seconded the motion. All council members present voted in favor.

Consideration for donation to Yorktown JAA: Pete Olson explained that the Town of Yorktown has sponsored a JAA team the last couple of years. Bob Flanagan made a motion to accept. Mike Beeman seconded the motion. All council members present voted in favor. This is to be paid out of promotion of business.

Award of Paving Contract: Pete Olson explained the bids were opened for paving last week and the lowest bid came in from 1st Brooks Construction. Pete Olson explained the areas to be paved include Redbud, Balsam, Pine tree, Field Operations driveway, Buckeye, and Eucalyptus. He

explained that CR 600 is part of the ARRA project. Pete Olson had also explained that the plan was to pave Morrison Road, but Muncie had that already in their plans. Pete Olson made a recommendation to accept their bid for \$205,511 not to exceed that amount. Mike Beeman made the motion to accept. Bob Flanagan seconded the motion. All councilmen present voted in favor.

Ordinance#644-To Establish the Town of Yorktown Identity Theft Prevention Program:

Bob Flanagan made the motion to introduce Ordinance 644. Mike Beeman seconded the motion. Pete Olson read ordinance twice by title only. Mike Beeman made the motion to accept ordinance #644. Bob Flanagan seconded the motion. All councilmen present voted in favor.

Sports Park Tax Issues: Pete Olson explained the Town of Yorktown found out that the taxes on the Sports Park had not been paid. Pete Olson explained that they had put in an estimate on the sellers agreement as to when they signed the paperwork. The taxes doubled because the assessment changed when the town annexed the area. Mr. Cox had credited the Town of Yorktown \$1,500 for taxes to be paid. Steve Murphy explained that they had no idea what the taxes were going to be and because they had changed he feels that the Town of Yorktown should pay them. Pete Olson explained that Munciana paid the taxes so that they could finish the financing on the loan. Laura Vise explained that she had read the sellers agreement and there wasn't anything that stated the Town of Yorktown would pay the difference if the taxes changed. She felt this matter was between Mr. Cox and Munciana and the Town of Yorktown should not be responsible for these taxes. Beth Neff explained that she had a problem with this because the documents do not state that the Town of Yorktown would pay the difference. Rick Glaub stated that that was why the town had legal advisers. Bob Flanagan made a motion to table this subject until they can come up with a solution. Larry Crouch seconded the motion. All councilmen present voted in favor. Laura Vise stressed that she really wanted this matter to be looked into further and the Town and Munciana should not be responsible for these taxes.

Consideration of Copy Machine proposal for Field Operations Office: Mike Beeman made motion to table. Bob Flanagan seconded the motion. All councilmen present voted in favor.

Consideration of expenditure of Funds for Town Manager to Attend ICMA conference:

Pete Olson explained he is a member of ICMA and attends this conference every year. He also explained that he is about to get his certification for it. He stated that he has already signed up to attend and would like the council to approve that he be able to go and the Town to pay for his flight. Pete approximated the amount for \$500 for housing, \$600 in conference and flight. Pete Olson explained the different topics they have taught at the conferences. Beth Neff explained that these conferences are very important for getting new ideas and seeing what others are doing, especially out of Indiana. Bob Flanagan made a motion to accept Pete going to the conference. Mike Beeman seconded the motion. All councilmen present voted in favor.

Water/Wastewater/Storm Water

Schneider Service agreement to review Park One facilities: Pete Olson explained that he had been notified that Park One is selling their water utility. The auction is going to be August 11th. He explained that he had asked Schneider to give a study on the Utility. Pete Olson explained that the appraisal should not exceed \$5000 and the expenditure would be taken half out of water and half out of sewer. Bob Flanagan made the motion to have Schneider consult. Pete Olson explained that they had received a package from the Bank as well. Mike Beeman seconded the motion. All councilmen present voted in favor.

Departmental Reports

Town Manager

New Billing Procedure: Pete Olson explained that the Town will no longer be sending shut off notices out to its customers. They receive a bill and it has a certain amount on in it. They then receive a second bill that has the original amount, plus penalty, and the new month's total. The bills will state that if the past due amount hasn't been paid by a certain time they will be shut off. This will cut down on time and money. Larry Crouch asked how the collection service was going.

Beth Neff explained that the Attorney was going to start the process of taking the people to court that had unpaid delinquent bills.

Town/School Update: Pete Olson explained that he had spoken to the school about creating a parking area at the Field Operations for the Buses. There would be an agreement for the board at the meeting on August 10th.

Wireless Camera's/Wireless: Pete Olson explained that the area web cameras should be up on the website next week. He also explained that the WIFI is up and running.

Police Department Update: Marshal St. John wanted to thank the Town board for the new 5 police cars. Mr. St. John explained that from 7/9-7/22 there were 25 cars reported broken into. Most of them were unlocked. They had no leads because there wasn't a time where anyone had witnessed any of the break-ins. There was a break-in into a woman's home and she chased him out and got a description of his vehicle, which was a maroon SUV. Officer Whitesell stopped a car last week that matched the vehicle and there were stolen items in the vehicle. Since the man has been arrested there had not been any reported break-ins.

Town Manager: Pete Olson explained that he was leaving to go on vacation and will be back next Wednesday. Beth Neff explained that she would be out of the office as well until the following Monday.

Comments from Town Council Members

Larry Crouch explained that the farmer's market had outgrown their space. He stated that they are going to have to limit the vendors for the market. Crouch stated that the Mouse left a ridiculous mess from their block party. There were beer cans, broken glass, trash, and food all over the parking lot. He stated that he would like for them to stop the block parties until they can come in and talk to the Town Council. Larry Crouch also stated that there was vandalism to the park and JAA. Larry Crouch explained that the school and parents have been notified of the damage and there will be consequences for their actions. Pete Olson stated he would get the cost of the vandalism in the park. Larry Crouch wanted to go on the record that he is totally against the LOIT. He explained that it is nothing more than a supplement for Muncie's problem. They say that Muncie has the largest population for this tax, but really Larry thinks when you add all the little towns in the county that they have more of the population. Mike Beeman stated that he was against the LOIT as well. Rick Glaub stated he was also against it. Rick Glaub stated if they would shrink government they would save on some money. Bob Flanagan stated that he was against it as well. They all agreed that the City of Muncie should not be able to make the decision for the entire county and that they are over the county.

Mike Beeman made a motion to adjourn the meeting at 6:20 PM.

Special Council Meeting August 10, 2009 @ 9:00 AM Town Hall

Next Town Council Meeting on Monday, August 24, 2009 @ 5:30 PM-Town Court

Town Council President

Clerk-Treasurer