

Yorktown Town Council Regular Meeting
Tuesday, January 21, 2019 @ 5:30 PM
Yorktown Town Hall

Call to Order, Pledge of Allegiance, Roll Call:

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

Approval of Claims-Rich Lee motioned to approve claims totaling \$1,737,154.88, Robert Ratchford seconded, and the claims were approved without opposition.

Approval of December Meeting Minutes-The status of the tabled agreement with T.M. Wells Valuation was discussed. Clerk Treasurer Turner explained that the annual fee was within the spending authority of the Town Manager and that the Council would be informed of the discussion that would take place with Mr. Wells concerning the difference in the amounts presented in the Annual Financial Reports and the amounts reviewed by the Council and the State Board of Accounts Field Examiner. Robert Ratchford motioned to approve the minutes, Lon Fox seconded and the minutes were approved 7-0.

Old Business: Ordinance 791 – Transfer of Properties to Urban Boundaries. The Ordinance moves the classification of land owned by Bison Properties from rural to within the urban zoning district. Michael Burke motioned to approve Ordinance 791, Lon Fox seconded and the Ordinance passed unanimously.

Ordinance 792 – Zoning Change. The Bison Properties application for a zoning change from light industrial to multi-family residential was approved following a public hearing with the Planning Commission on December 4, 2019. Rich Lee motioned to approve Ordinance 792, Michael Burke seconded, and the motion passed unopposed.

Ordinance 793 – Regulation of Golf Carts. Ordinance 793 permits the lawful operation of golf carts and authorizes penalties for violating regulations. Robert Ratchford moved to adopt Ordinance 793, Rich Lee seconded, and the Ordinance passed uncontested.

New Business: Council Officer Election-Lon Fox motioned to elect Rich Lee as President and Bob Ratchford as Vice President. Michael Burke seconded, and the motion passed without dissent.

Appointment of Department Heads-Dan Flanagan moved to appoint the following individuals as department heads and legal counsel for 2020: Street Superintendent - Tim Caldwell, Water Superintendent - Wayne Studebaker, Waste Water Superintendent - Alan Neff, Marshal - R. Todd St. John, Fire Chief - David Boone, Assistant Fire Chief - Mike Crisp, Zoning Commissioner - Matt Ray, and Defur Voran as corporation council. Robert Ratchford seconded, and the motion passed without opposition.

Ordinance 794 – Municipal Waste Water Treatment Rate Ordinance. Every 3 years, the Town is required to get a National Pollution Discharge Permit that included the removal of phosphorus and other upgrades to the Treatment Plant. Last month, the price of \$10 million from Thieneman Construction was approved. As the last rate increase took place in 2011 and 2012, Baker Tilley

proposed a rate increase to sustain the enterprise fund associated with the construction upgrades of the waste water treatment collection and processes. The implementation of the increase will happen in July of 2020 and July of 2021 and would also affect the Delaware County Regional Wastewater rate. Dan Flanagan motioned to introduce Ordinance 794, Robert Ratchford seconded, and the motion passed 6-1, with Rick Glaub voting against the motion.

Introduction of Ordinance 795 – Amending the Salary Ordinance. Marshal St. John has provided an additional level of tech pay to occur retroactively for the 2020 calendar year to encourage involvement with other programs and law enforcement agencies. The increase has been accounted for within the budget. Robert Ratchford moved to introduce the amendment to the salary ordinance, Bryan Smith seconded, and the ordinance was introduced by a unanimous vote. Dan Flanagan motioned to suspend the rules for a second reading, Robert Ratchford seconded, and the motion passed unopposed. Robert Ratchford moved to adopt the amended Salary Ordinance, Bryan Smith seconded, and the ordinance was adopted uncontested.

Resolution 2020-1 Encumbrances-Daniel Flanagan motioned to approve Resolution 2020-1 Encumbrances, totaling \$100,670.69, to be paid from the 2019 Budget. Bryan Smith seconded, and the Resolution passed without dissent.

Appointment of Council Members to Community Foundation Yorktown Board-Daniel Flanagan moved to appoint Bryan Smith and Lon Fox, Robert Ratchford seconded, and the motion passed without opposition.

Appointment to ECI Regional Planning District Board-Daniel Flanagan motioned to appoint Rich Lee. Robert Ratchford seconded, and the motion passed 7-0.

Appointment of Various Town Boards/Commissions-No appointments were made to the Park Board. Lon Fox motioned to appoint Ryan Jaromin, Bob Ratchford, and Dan Flanagan to the Planning Commission. Bryan Smith seconded and the motion passed unopposed. Daniel Flanagan moved to appoint the following individuals to the Redevelopment Commission and the BZA: Teresa Belt, Ted Johnson, Jason Brooks, Matt Anderson, Heather Taylor, and Steve Moore to the Yorktown Redevelopment Commission; Jerry Hoffman to the Board of Zoning Appeals; and Michael Burke to the Delaware County MPO Transportation Policy Committee. Robert Ratchford seconded, and the appointments were unanimously approved.

Clerk Treasurers Surety Bond-Based on IC 5-4-1-8, the surety bond of the Clerk Treasurer should be approved annually. Mr. Turner's bond was set at the maximum amount of \$300,000 as required by the State Board of Accounts. Daniel Flanagan motioned to approve the Clerk Treasurer Surety Bond, Robert Ratchford seconded, and the motion passed uncontested.

Conflict of Interest Forms were submitted by Lon Fox, George Kane, Jason Brooks, Jon Myrick, Jerry Hoffman, and Jason Gasaway. Rick Glaub moved to approve the conflict of interest forms, Dan Flanagan seconded, and the motion was approved without dissent.

Water/Waste Water/ Storm Water-Digester Lid Removal. In December, the Digester Lid on the 2nd unit developed a failure separate from the construction project. Theineman provided a price of \$25,373 to remove the digester lid such that it may be inspected and a plan formulated for repair. Robert Ratchford motioned to approve the claim to be paid with existing cash in the Depreciation Fund. Dan Flanagan seconded, and the project was approved without opposition.

Departmental Reports-Jon Myrick memorialized Molly Day, who passed away on December 28, 2019, and her commitment to serve and improve the community. Marshal St. John introduced intern Nate Eakins, announced that Officer Howard was studying at the Police Academy, and introduced the officers in attendance: Brooke Barnard, Blake Barnard, Erin Gross, Jeff Wulff, Larry Harless, Chris Greene, Mike Daugherty, and Ryan Jaromin. The following officers received awards: Erin Gross, Top Gun; Blake Barnard (Lead Investigator) and Mike Daugherty (Apprehended the Individuals), Big Fish; and Blake Barnard, Officer of the Year. Councilman Smith expressed concerns about drivers disregarding stopped school busses. The Marshal explained how the Department was addressing the concern particularly between River Road and SR 32 on Nebo Road and the Town Manager added that improvements would be made to the road. Clerk Treasurer Turner presented a special claim to upgrade 6 office computers as part of a scheduled 3-year renewal process for \$5339.94 to take advantage of a business discount. Dan Flanagan motioned to approve the claim, Lon Fox seconded, and the claim was unanimously approved.

Comments were made from the Floor and from Town Council Members. The work and leadership of Planning Commissioner President Ryan Jaromin and outgoing President Dan Flanagan was acknowledged. Al Baker was memorialized. Al and his surviving wife, Barb, were commended for their contributions to the Town of Yorktown.

Upcoming Meetings: Tuesday, February 18, 2020

Adjournment: 6:34 p.m.