

**Minutes of the Yorktown Town Council**  
**Regular Meeting**  
**Monday, December 19, 2022, at 5:30 p.m.**  
**Yorktown Town Hall**

**Call to Order, Pledge of Allegiance, Roll Call:**

<b>Jason Gasaway</b>	<b>Rick Glaub</b>	<b>Nanci Sears Perry</b>	<b>Lon Fox</b>	<b>Robert Ratchford</b>	<b>Daniel Flanagan</b>	<b>Marta Guinn</b>
Present	Present	Present	Present	Present	Present	Present

**Approval of Claims**-Bob Ratchford motioned to approve claims totaling \$1,487,078.28. Daniel Flanagan seconded and the motion was unanimously approved.

**Approval of November 21, 2022, Council Meeting Minutes and December 12, 2022 Executive Session Minutes**-Daniel Flanagan motioned to approve the meeting minutes. Robert Ratchford seconded and the motion passed without dissent.

**Old Business: 1) Paving Paths at Sports Park on 600W.** Bob Ratchford moved to accept the E&B Paving bid in the amount of \$75,165 to upgrade the stone paths to be compliant with ADA code to be paid from the 2023 Park budget. Marta Guinn seconded and the motion passed 6-0 with Jason Gasaway abstaining.

**2) Ordinance 831-2023 Salary Ordinance.** Bob Ratchford motioned to accept the amended salary ordinance to include the change in the Town Manager salary. Dan Flanagan seconded and the motion passed without opposition. Marta Guinn moved to adopt the ordinance. Dan Flanagan seconded and the motion passed with no objections.

**New Business: 1) Ordinance 832 Establishing Opioid Settlement Funds**-Clerk Treasurer Turner explained that an unrestricted and a restricted fund would be necessary to track the revenue and expenditures of these funds. Town Attorney Maura Hoff presented the estimated amounts of \$68,770.08 in unrestricted funds and \$160,463.30 in abatement funds. The first payout in 2022 will be in the amount of \$14,527.95 in the unrestricted account and \$33,898.55 in the restricted account. Between 2023-2038, the unrestricted account would receive between \$2,000-\$3,000 and the abatement fund would receive about \$6,000-\$8,000 annually with spending limited to specific purposes. Dan Flanagan motioned to introduce the ordinance. Nanci Sears Perry seconded and the motion passed with uncontested approval. Marta Guinn moved to suspend the rules and adopt the Ordinance. Dan Flanagan seconded and the motion was unanimously approved. Dan Flanagan motioned to adopt the ordinance. Jason Gasaway seconded and the motion to adopt the ordinance passed without dissent.

**2) Ordinance 833 Daugherty Preserve Rezoning Petition**-The Planning Commission certification of the 5-2 vote to rezone parcels north of State Road 32 outside of the corporate limits at the December 7, 2022, meeting was presented by Town Attorney Maura Hoff. A single vote was necessary to accept the findings of the Planning Commission because the Commission held a public hearing. Robert Ratchford moved to approve the

Planning Commission rezoning from M2 Multi-Family to PD-M2 Planned Development. Daniel Flanagan seconded. The 4-3 in favor roll call vote:

Jason Gasaway	Rick Glaub	Nanci Sears Perry	Lon Fox	Robert Ratchford	Daniel Flanagan	Marta Guinn
No	Yes	No	Yes	Yes	Yes	No

**3) Appoint Town Manager-**Marta Guinn motioned to hire Chase Bruton as the Town Manager. Nanci Sears Perry seconded and the motion passed 7-0. Roll call vote:

Jason Gasaway	Rick Glaub	Nanci Sears Perry	Lon Fox	Robert Ratchford	Daniel Flanagan	Marta Guinn
Yes	Yes	Yes	Yes	Yes	Yes	Yes

**4) Street Sweeper Repair-**Street Superintendent Tim Caldwell requested permission to order a new vacuum head to repair the 2006 Street Sweeper at a cost of \$7156 from Best Equipment. Nanci Sears Perry moved to approve. Bob Ratchford seconded and the motion passed without opposition.

**5) 2023 Trucks/Snow Plow Order-**At the July 18, 2022, Town Council meeting, the purchase of two 2022 Chevy Silverado 5500 trucks was approved. Mr. Caldwell reported that those two trucks would not be built. Two 2023 Silverado trucks would cost an additional \$3920 to be paid from Street. Bob Ratchford motioned to approve the additional expense. Nanci Sears Perry seconded and the motion passed with no objections.

**6) Jackson/Nebo Roundabout Street Lights Order-**Mr. Caldwell stated that the lights at the Jackson Street/Nebo Road Roundabout needed replaced and presented a proposal to replace them all with the same type of lights that were used on Smith Street at a cost of \$9497.24 to be paid from the Street Fund. Nanci Sears Perry moved to approve the quote. Bob Ratchford seconded and motion passed with uncontested approval.

**7) Street Resurfacing Bids-**President Fox summarized the resurfacing projects of Nebo Road from the roundabout to State Road 332 and County Road 500 W from Jackson Street to State Road 332. The low bid was from Midwest at a cost of \$374,993.75 to be split between MVH, MVH Restricted, and LRS. Rick Glaub motioned to accept the bid. Dan Flanagan seconded and the motion passed 6-0 with Jason Gasaway abstaining.

**8) Approve Redevelopment Commission Real Estate Purchase-**The approval of Town Council was required to purchase property at 9315 W. Canal Street using READI grant funds as proposed in Redevelopment Commission Resolution 2022-1. Bob Ratchford motioned to table the request to purchase. The motion had no second and failed. Jason Gasaway moved to approve the property purchase. Rick Glaub seconded and the motion passed 5-2. Roll call vote:

Jason Gasaway	Nanci Sears Perry	Rick Glaub	Lon Fox	Robert Ratchford	Daniel Flanagan	Marta Guinn
Yes	No	Yes	Yes	No	Yes	Yes

**9) Resolution 2022-12 Transfer of Funds-**The Clerk Treasurer requested permission from the council to transfer funds within the General, Park, and Fire Funds to prevent negative appropriations. Dan Flanagan motioned to approve the resolution. Jason Gasaway seconded and the motion was unanimously approved.

**10) Resolution 2022-13 SRF Loan Signatory Authorization-**Town Attorney Maura Hoff explained that the resolution was to name Town President and acting Town Manager Lon Fox as the authorized representative to sign documents for the State Revolving Loan Program until a Town Manager was hired. Dan Flanagan moved to approve the resolution. Bob Ratchford seconded and the motion was approved without dissent.

**11) Resolution 2022-14 Changing Street Name-**Mrs. Hoff explained that the existing street sign for the road that was created in the Civic Green was labeled Meadow View Lane. Nanci Sears Perry moved to approve the street name. Dan Flanagan and the motion was approved without opposition.

**12) Resolution 2022-15 Reassigning Water Hydrant Fees-**As part of the water rate study, the Fire Department Hydrant Rental Fees were temporarily suspended. The Resolution would officially remove those fees and allocate those funds to purchase new apparatus. Dan Flanagan motioned to approve the resolution. Bob Ratchford seconded and motion passed with no objections.

**13) Resolution 2022-16 Fire Department Encumbrances-**Chief Boone requested that 2022 funds be used to pay for a 2022 Silverado that had not yet been delivered, new iPads, and iPad accessories. Marta Guinn moved to approve the resolution. Dan Flanagan seconded and the resolution passed with uncontested approval.

**14) Memorandum of Understanding-Sports Park Upgrades and REACH.** The MOUs provided the framework for the spending of Town ARP Grant Funds of \$125,000 in two installments for improvements and operations of the distribution facility of Reach Ministry at 2400 Russ Street and \$150,000 to build restroom facilities in the Yorktown Sports Park. Dan Flanagan motioned to accept the memorandums. Jason Gasaway seconded and the motion was unanimously approved.

**15) DCRWD Board Appointment-** Pete Olson agreed to serve another term as the representative of the Town on the Delaware County Regional Wastewater District Board. Bob Ratchford moved to approve the appointment. Dan Flanagan seconded and the motion was passed without dissent.

**16) 2023 Holiday Schedule-**Dan Flanagan motioned to approve the 2023 Holiday Schedule. Marta Guinn seconded and the motion passed without opposition.

**Water/Waste Water/Storm Water: 1) Wastewater Treatment Plant Repair-**Don Johnson presented a quote of \$7,585 to purchase bearing, seals, and spare parts for the sludge pumps. Nanci Sears Perry moved to accept the quote. Dan Flanagan seconded and the motion passed without opposition.

**Departmental Reports-**Deputy Chief Horner reported that the department had responded to 947 calls, assisted with deliveries of presents to assist Santa, encouraged citizens to clear snow from around fire hydrants, and to check on neighbors during severe weather.

Marshal Walthour thanked the outgoing council, welcomed new members, and welcomed the new Town Manager. Clerk Treasurer Turner answered the question from the November council meeting about the American Structurepoint claims explaining that the County had contributed \$50,000 and the expenditures were related to the project of widening and improvements of County Road 600 West between State Road 32 and State Road 67. During the audit of 2020, a comment was made about an unpaid 2018 Water Operating loan. The remaining balance was expected to be \$7,382.32 but funds were used from the Cumulative Capital Development Fund to purchase a new vehicle for the building commissioner. The special claim in front of the council was to approve repaying the 2018 water loan the remaining balance of \$37,718.17 from the General Fund to Water Operating. This would eliminate the audit comment from the 2020 accounting period filed December 27, 2021. Dan Flanagan motioned to approve the payment. Nanci Sears Perry seconded and the motion passed 7-0.

**Comments were made from the Floor and by Town Council Members.**

**Adjournment: 6:58 p.m.**

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**President**

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**Prepared by/Attest  
Clerk Treasurer-Lance Turner**