

Yorktown Town Council Regular Meeting
Monday, November 17, 2008 @ 5:30 pm

Call to order followed by the pledge of allegiance and roll call:
Larry Crouch, Bob Flanagan, Steve Lowry, Rick Glaub and Mike Beeman were present.

Rick Glaub made a motion to approve meeting minutes and claim docket. Bob Flanagan seconded the motion. All councilmen voted in favor.

Comments from the Floor:

Doris Humbert: She lives on Canal Street along the creek she stated that the bank is still caving in and last week when she was mowing about 4 ft fell into the creek. Town Manager Tim Kelty spoke about the creek and that he had just got authorization from the DNR and Army Corp. of Engineers to take care of the sandbars. Mrs. Humbert stated the cause of the problem was the taking of sandbars out. Tim Kelty stated that we are going to try to correct that. Larry Crouch explained that the way the creek moves is what is causing those problems. Larry stated that the Town will be able to fix that and monitor it.

Barbara Stephens: She stated that every time you make changes to the river it changes the direction of the flow. She also stated that she had heard that a shooting range was going to be created where the old Street Department building was located. She asked the council to talk to the property owners prior to creating the range. Steve Lowry stated that it's a serious concern and that they would speak to the surrounding property owners.

Calvin Grim: He wanted to thank the board for paving along Greenview Dr.

Public Hearing for Annexation Ordinance 617 Greenview Voluntary Annexation: Public hearing was opened. No comments were made. Public hearing was closed.

Public Hearing for Additional Appropriation Ordinance 624: Public hearing was opened. Beth Neff, Clerk Treasurer explained that the cemetery had additional costs this year due to weather damage and needed more money in the fund to cover those expenses. Public Hearing closed.

Old Business:

Consideration of proposal for Audio/Visual improvements to Court: Tim Kelty, Town Manager suggested this should be left on the table.

Ordinance #615 2009 Salary Ordinance: Tim Kelty, Town Manager stated that he hasn't done the work on this to leave it on the table.

Consideration of naming RMD Patti as Yorktown insurance agent of record for Health insurance: Tim Kelty, Town Manager explained that he met with Todd Bird with RMD Patti about being the Town of Yorktown's insurance agent. Tim Kelty stated that he decided to look around for a different insurance agent because he felt that the town wasn't getting the level of public service that he expected. Tim Kelty also stated that he had spoken with Mr. Smith the town's current insurance agent and the town's agent for the past 8 years. Mike Bee man made a motion to accept RMD Patti for the insurance agent. Rick Glaub asked if there was a disadvantage to changing agents. Tim Kelty explained that the new company wasn't local which maybe a disadvantage, but he doesn't feel like the other insurance agent was local due to lack of communication. They would be able to provide the same insurance with the same costs. Tim Kelty explained that the new agent would handle all new employees and would make one meeting every month for any questions that the employees may have. Rick Glaub seconded the motion. Larry Crouch said that he was unaware that there was any problem with insurance. Larry Crouch stated that he wanted to let Mr. Smith speak on his own behalf. Joe Smith stated that the he has never been aware of any issues that Tim Kelty had with his service. In the last month since he has been aware of this issue he has been sending emails to employees and has been trying to get things the way that the Town wants. He stated that every year when he met with Tim and

Joyce there were issues that were important and they were discussed at that point. In order to determine the cost of all the employees insurance they have to fill out health history to find out the rates. Tim Kelty has allowed Joyce to handle daily issues and he had not been told not to allow that. He stated that he has dealt with Joyce or someone else in the office whenever issues arose. Mr. Smith also stated that if service was an issue, why hasn't been brought to his attention. Tim Kelty stated that as our agent he receives notices showing cancellation and felt he should have been in contact with the town to keep any cancellations from happening. Roll Call vote was taken: Mike Beeman voted yes to go with RMD, Rick Glaub voted yes, Steve Lowry voted yes, Bob Flanagan voted yes, and Larry Crouch abstained from voting.

New Business:

Ordinance #624 Additional Appropriation Ordinance: Beth Neff, Clerk Treasurer read the ordinance. The ordinance requested \$1,500 for the Cemetery Fund. Mike Beeman made a motion to suspend the rules. Rick Glaub seconded the motion. All councilmen voted in favor of suspending the rules and reading by title only two more times. Beth Neff, Clerk Treasurer read by title only two more times. Mike Beeman made a motion to accept ordinance #624. Rick Glaub seconded the motion. All councilmen voted in favor.

Ordinance #617 Greenview Voluntary Annexation: Tim Kelty, Town Manager explained Ordinance 617 the de-annexation petition to be de-annexed from the county and annexed back in the Town. Tim Kelty recommended reading by title only. Rick Glaub made the motion to read by title only. Bob Flanagan seconded the motion. Mike Beeman made motion to accept Ordinance 617. Bob Flanagan seconded the motion. All councilmen voted in favor.

Ordinance #526 Yorkchester Park Annexation: Bob Flanagan made a motion to accept Ordinance #526. Mike Beeman seconded the motion. All councilmen voted in favor.

Ordinance #527 Laurel Meadows/Autumn Acres Annexation: Tim Kelty, Town Manager explained the annexation. He stated that the public hearing for this annexation was last month. Larry Crouch made a motion to accept. Mike Beeman seconded the motion. All councilmen voted in favor.

Interlocal Agreement with INDOT for Construction of Sidewalks along both sides SR 32 from Nebo to Tiger Dr: Tim Kelty, Town Manager stated that he had not received an inter-local agreement from INDOT. Mike Beeman made a motion to table. Larry Crouch seconded the motion. All councilmen voted in favor.

Approval of Promotional Business expense Approval for Police Christmas Cards: Todd St. John, Town Marshal explained that he intended for this to come out of his own office supplies. Clerk Treasurer Neff stated that those items must be paid for out of the administrative budget and must be approved by the council. Bob Flanagan made the motion to pay for the Christmas Cards out of promotion of business. Larry Crouch seconded the motion. All councilmen voted in favor.

Approval of Annual software maintenance agreement with Keystone

Tim Kelty, Town Manager explained the software for utility and clerk treasurer's office. Tim Kelty also explained the annual maintenance agreement. Beth Neff explained that Keystone is located in Daleville and they can log in remotely so we don't have to wait on them to come here to work on the systems. Bob Flanagan made the motion to renew the software contract. Larry Crouch seconded the motion. All councilmen voted in favor.

Water/Wastewater/Storm Water

Resolution #2008-11 in support of petition for funding for Extraordinary Costs and Commitment of \$86,937 in local funding for project. Tim Kelty, Town Manager read resolution #2008-11 in full. This money was to relocate water lines along the St. Rd 32 Project. Tim Kelty recommended adopting resolution 2008-11. Mike Beeman made the motion to accept the resolution and Bob Flanagan seconded the motion. All councilmen voted in favor.

INDOT INterlocal agreement for funding for Extraordinary Costs for water line relocation.

Tim Kelty, Town Manager explained the agreement. Bob Flanagan made a motion to accept the agreement. Mike Beeman seconded the motion all councilmen voted in favor.

Departmental Reports

Field Operations Manager: Water, Sewer, Street, Park

Pete Olson explained the problems that Well Pump 1 had. He explained that Peerless had \$3,000 worth of work to finish up just to get it running again. It would cost an additional \$22,985 to getting working properly. Larry Crouch made a motion to accept the costs to get the well working. Mike Beeman seconded the motion. All councilmen voted in favor.

Pete Olson explained that the 1999 dump truck had been leaking hydraulic fluid and oil. Pete explained that the town employees had tried to fix this problem but didn't have the capability to do so. General Truck Sales quoted the repairs would be \$7300.60. A second quote of \$7120.00 was from a company in Fort Wayne. Mike Beeman made a motion to accept General Truck Sales quote. Rick Glaub seconded the motion. All councilmen voted in favor. Pete Olson explained that he had talked to the county highway department about working together on snow removal, but has not talked to the City of Muncie. Council asked him to check with Muncie to get an agreement.

Town Manager: Police, Building/Zoning, other

Tim Kelty, Town Manager explained the annual sewer fee went from \$1.40 to \$1.49. It is per agreement with the DCRW. WWTP Superintendent, Alan Neff, depreciated some of the costs over 5 years to keep expenses down.

Upcoming IMMA Conference in January 2009

Tim Kelty, Town Manager explained that Deputy Town Manager Pete Olson and he are going to an IMMA meeting Kentucky. He also explained he went to meeting about the House Bill 1001. He explained the loss that Yorktown is facing in property taxes.

Tim Kelty, Town Manager explained that he would like to create a new position for maintaining the town equipment and vehicles. The person selected for this position is Robbie Godwin, Water department employee.

Tim Kelty, Town Manager explained that he had requested air quality funds for trail along River Rd. The Town has taken a step forward for engineering of those trails.

Pat Zeabart, Town Judge, explained that she had the state micro film court records and put them on cds. She explained that this was done for less than \$3500.

Comments from Town Council Members

Mike Beeman stated that he has had a couple of people approach him about a dog park. He thought that the Town could make a fenced in area at the Lion's club park.

Larry Crouch stated that there will be an auction December 17 at the Delaware County Fairgrounds for town property that the Town no longer uses.

Adjournment

Town Council President

Clerk-Treasurer