

Yorktown Town Council Regular Meeting  
Town Court @ 5:30 pm  
Monday, September 28, 2009

**Bob Flanagan, Steve Lowry, Mike Beeman, and Rick Glaub all were present. Larry Crouch was absent**

**Comments from the Floor:**

**John Mogush, Lonebeech:** Mr. Mogush asked how TIF bonds would be handled by the town. Mr. Mogush spoke about the TIF district that the money will be pulled from and how the debt will be extended from 2009-2029. He also asked if there was enough leeway on required funds in an emergency situation if a loan would be required. He asked if there wasn't enough money from the TIF district would they have to do an additional tax to get the funds. Mr. Mogush questioned if they really could use the bond money for buying YMCA equipment.

**Paving of Westbrook Area:** Residents were happy those roads had been paved.

**Public Hearing 2010 budget:** Pete Olson stated that copies of the budget are available in the Clerk Treasurer's Office. Beth Neff, Clerk Treasurer explained that the budget was advertised at a higher tax rate. Beth Neff also explained that there should be additional savings for individuals due to the language of the House Bill 1001. Mike Beeman asked why the assessed value went down. Beth Neff explained it was because of "trending". Public Hearing closed.

**Public Hearing Ordinance 646 additional appropriation:** Beth Neff explained that this money was budgeted it just wasn't appropriated. The state won't allow you to transfer from different funds. Transferring from one fund to the next was what the town originally wanted to do, but the state doesn't allow for that. The town still won't be using the money appropriated in the funds they had planned on transferring from. Public hearing closed.

**Old Business:**

**Consideration to approve Grounds Lease with Yorktown Schools:** Pete Olson explained the lease parking agreement with the school. Pete Olson also stated that there were some concerns about the maintenance of the building. Zach Rozelle was recommending to his board to accept the agreement.

**New Business:**

**Resolution 2009-7 Town Council Approval of Issuing Bonds of Redevelopment**

**Commission:** Pete Olson explained the bond. He stated that last Wednesday the redevelopment met and approved the TIF Bond. Pete Olson gave an overview of the Bond through a Power Point presentation. The presentation gave information of what will be bought with the bond. There were a few projects listed that would not be covered under the bond for future. Rich Starkey from Barnes and Thornburg commended John Mogush for reading the entire document. He explained that the language Mr. Mogush was asking about is the part that asks about loaning to another company. You can not use bond proceeds to obtain another loan. Rich Starkey explained the process. He stated that they will have to set up an actual closing to transfer the funds. The Clerk Treasurer will set up a fund to pay for the bond issue. The redevelopment laws are a little different than the Towns. Mike Beeman said that the Town needs to make getting fences around the retainage ponds a priority. He stated even if the Town has to pay it out of their own budget he wants in done. Lauren Mathis from Umbaugh stated that it would take 3 to 4 weeks to get the funds. Pete Olson said that the funds for the fencing and exercise equipment are priorities.

**Ordinance #649-Loan of Money from Cum Fire Fund to Gen Fund & Park and Recreation Fund:** Pete Olson explained because we haven't had traditional tax draw we would have the money for tax draw. We are going to get money from a tax draw sometime hopefully by the end of December. We are borrowing from cum fire to park and general funds. We have depleted the cash on hand from these funds. We are able to borrow from ourselves. Mike Beeman made the motion to accept ordinance 649. Bob Flanagan seconded the motion. Mike Beeman made the

motion to waive the rules and read by title only two more times. Rick Glaub seconded the motion. All councilmen present voted in favor. Pete Olson read the ordinance two more times by title only. Mike Beeman made the motion to accept Ordinance 649. Bob Flanagan seconded the motion. All councilmen present voted in favor.

**Ordinance #651-Amending Ord. #508 Building Permit Fees:** Pete Olson stated that they had been receiving funds for fencing and pool permits and it hasn't been spelled out in our ordinance. Mike Beeman made the motion to accept Ordinance #651. Bob Flanagan seconded the motion. All councilmen present voted in favor. Mike Beeman made a motion to suspend the rules and read by title only twice. Rick Glaub seconded the motion. All councilmen present voted in favor. Pete Olson read ordinance twice. Mike Beeman made a motion to adopt Ordinance 651. Rick Glaub seconded the motion. All councilmen voted in favor.

**Review of Sprinkler Credit Ordinance #412:** Pete Olson explained that there was a resident that wanted the sprinkling credit to extend through October. Pete Olson stated that he couldn't recommend this because the water towers get cleaned around this time of year and they drain the water for to do that.

**Consideration for approval to waive tap-in fees and any construction of availability fees for water and sewer tap-in for Munciana Multi-use Sports Facility Building:** Munciana was requesting that the fees be waived for the construction or availability fees for water & sewer tap-in for Munciana multi-use sports facility building. Pete Olson stated that after doing some research the fees can not be waived. Pete Olson stated that he appreciate all the help Beth Neff, Clerk-Treasurer provided with this research.

**Consideration of Procurement Services Agreement with P2P Solutions, LLC:** Dave Criswell with P2P explained how his company works with communities to cut costs with invoicing by purchasing as a group, which will cut costs and discounts will be given. The company has been approved by the State Board of Accounts. They also receive revenues by working with the companies and those revenues are distributed to the companies that are on the programs. There is a one time set-up fee with the company that is \$2500. Then it will be \$2500 for each year. Beth Neff stated that she liked the idea, but would like to understand it better before a decision is made. Bob Flanagan made a motion to table. Mike Beeman seconded the motion. All councilmen present voted in favor.

**Town Manager Contract-**Table for now.

**Claim docket:** Mike Beeman made the motion to accept the claim docket. Rick Glaub seconded the motion. All councilmen present voted in favor.

**Ordinance 646, Additional appropriation:** Mike Beeman made a motion to accept the additional appropriation. Rick Glaub seconded the motion. All councilmen present voted in favor. Mike Beeman made a motion to suspend the rules and read by title only. Rick Glaub seconded the motion. All councilmen present voted in favor. Pete Olson read the ordinance twice by title only. Mike Beeman made a motion to accept ordinance 646. Rick Glaub seconded the motion. All councilmen present voted in favor.

### **Town Manager**

**Barnes & Thornburg Update:** Pete Olson received an effort report from Barnes and Thornburg and an update on what they have been doing on the Town's behalf to try to receive stimulus funds.

**Cardinal Greenway Update:** Pete Olson explained that last week Steve Lowry, John Brand, and he all met in trying to work with cardinal greenway and the white water greenway to connect trails. The Town is looking at areas of Morrison and White Water Greenway. They are trying to figure how to connect Tiger Greenway from Tiger Dr. to Morrison. Steve Lowry stated that all

possibilities are under considerations, but the problem is getting easements on either side of the river. Mike Beeman stated that he thought the Town had an easement along the river. They are looking with Schnieder on plans for reducing Tiger Dr. traffic and putting a trail down Tiger Dr. These are very preliminary ideas.

**Pete Olson:** Pete explained that he had an opportunity to meet with Woodland Trails home owner association. He stated that if any other neighborhoods have associations he is willing to meet with them.

**Comments for the Town Council Members:**

**Bob Flanagan:** Asked about the SR32 project. Pete Olson stated that they should be starting with the project on October 2<sup>nd</sup>. No other council members had comments.

Administrative Meeting Date is October 12<sup>th</sup> at 9:00 am at Town Hall  
Next Town Council Meeting on Monday, October 26, 2009 @ 5:30 PM-Town Court  
Adjournment at 6:45pm

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Town Council President

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Clerk-Treasurer