

Yorktown Town Council Regular Meeting  
Town Court  
Monday, October 26, 2009 @ 5:30 P.M.

**Meeting called to order. Pledge of Allegiance was said.**

**Larry Crouch, Bob Flanagan, Steve Lowry, Mike Beeman, and Rick Glaub**

Bob Flanagan made a motion for approval of meeting minutes of August 24, September 9, and September 28. Rick Glaub seconded the motion. All councilmen voted in favor. Steve Lowry asked that the copies are available to be signed at the meeting. Beth Neff said she would have them.

Mike Beeman made a motion for approval of a claim docket. Larry Crouch seconded the motion. All councilmen voted in favor.

Steve Lowry asked where we were on the tax draw. Beth Neff stated that she had heard the 1<sup>st</sup> of November.

**Comments from the Floor:**

Gordon Cox stated that he had a letter for the council and wanted it to be put on the record. Steve Lowry read the letter from Gordon Cox explaining that he did not feel that he owed the taxes and that it was not his error. He presented a check for \$1,685.56 as a donation to the town. Steve Lowry thanked Mr. Cox for the donation.

**Old Business:**

**P2P purchasing agreement-Table**

**Town Manager Contract-Table**

**New Business:**

**Downtown Revitalization Invoices and Payments with GRW:** Dan Cutshaw handed out information about the downtown revitalization outstanding invoices and payments. He explained that 15-18% of the project was supposed to be paid by the Town of Yorktown. There was information given on the payments that GRW has received. There is still about \$204k of bills that GRW is waiting for. Mr. Cutshaw stated that he would like for Yorktown to pay their share and is asking to receive help from the Town on INDOT's part. Larry Crouch stated that when we left the meeting from INDOT he thought that everyone was in agreement of what needed to be done. Larry Crouch recommended that we pay the remaining portion of our bill. Beth Neff stated that she worked with Steve Murphy's firm on an audit of what the Town of Yorktown is responsible for. Beth also stated that when she submitted the bill to INDOT they short paid them. She explained that the Town does still owe money, but we have never received a verification of what is really owed. Steve Lowry asked what the process was on getting an official audit. Pete Olson stated that he believed INDOT allows for a singular audit of the entire project. Beth Neff stated that she believed the Town somewhere around \$100k, but of the money we have already paid around \$48k. Beth Neff also stated that she submitted more invoices about 3 weeks ago to INDOT, but has not received a response. She also stated that she has been told that INDOT does not feel they need to pay anymore GRW said that they are going through the final construction bill and believe that there will be less that \$10k more in bills. Steve Lowry stated that he would like for Pete Olson to work with Beth Neff and Steve Murphy to get this taken care of. Dan stated that he thought Yorktown owed around \$120k. Beth Neff explained that Tim Kelty put an additional inspector. Tim Kelty thought that the Town did not have to pay for the additional inspector. Steve Lowry stated to keep this on old business so that we know where it is.

**Consideration for approval for Update of fixed assets equipment by TM Wells Valuation**

**Services:** Beth Neff explained it has been 3 years since we have done a fixed asset report. Tim Wells quoted the cost to be \$6,500 for the fixed asset report. This would come from all departments. Larry Crouch stated that he felt this was necessary to have done. Larry Crouch made the motion to accept. Mike Beeman seconded the motion. All councilmen voted in favor.

**Consideration for approval to replace carpet in the Court Room:** Pete Olson explained that that Pat Zeabart solicited bids for carpet and the lowest bid was \$3,934.88 from Keith Lambert flooring. Mike Beeman made a motion to allow the court to get carpet. Larry Crouch seconded the motion. All councilmen voted in favor.

**Purchase Snow Plow for Small Pickup Truck:** Tim Caldwell requested to have a snow plow put on one of the small dump trucks. He obtained 3 quotes and Mid State Truck Equipment was the cheapest quote for \$4,995. Larry Crouch made the motion to accept. Mike Beeman seconded the motion. All councilmen voted in favor.

**Contract Modification & Change Order #3:** Pete Olson explained that because of weather E&B Paving wants to go ahead and do the paving for the parking lot because they will be shutting down the asphalt plant during the winter. E&B stated that they would hold the invoice until the Town of Yorktown receives the Bond proceeds. Pete Olson explained that because the Town Council is the signing body for the TIF Bond they have to ok what the money goes to. The first item that needs to be addressed is the approval of the contract modification the cost is around \$140k. Rick Glaub made a motion to accept the changes. Larry Crouch seconded the motion. All councilmen voted in favor. Beth Neff asked Pete Olson if they had heard anything about bonding issues. It will be around the second or third week of November before the bond will be bought. The south parking lot is going to be a street. Tim Miller from RMA is putting the street dedication together, which is change order #3. Pete Olson recommended using \$26k from LRS for that project. They will be redoing the YMCA to be a gravel parking lot. Larry Crouch made a motion to accept. Rick Glaub seconded the motion. All councilmen voted in favor. Pete Olson explained that the sale of the bond will be pushed back a week because of Veteran's day. The Town should receive the money at the end of November or the 1<sup>st</sup> of December. Steve Lowry asked Beth Neff to provide a ledger of what comes in and out of the Bond money. Beth Neff explained the Redevelopment is the one that is actually over the money not the Town Council.

**Alternative Water Source for Sports Park:** Pete Olson explained the letter that John Mogush presented to the Town council suggesting alternative water sources for the watering of the park fields. John Mogush explained that the problem is that the good water is about 17ft and the sewer system that is currently in Westbrook leaks as well as the chemicals that people use on their grass and the surrounding farms that use chemicals that fertilize is going to contaminate the drinking water if the aquifer is pulled down too low. John Mogush gave suggestions like a deeper well, using the creek along the golf course, the buck creek, the river, etc. Pete Olson stated that they would set up a small committee to work on alternatives to watering. Steve Lowry thought that John Mogush was bringing up some good points. Pete Olson stated that he would set up a meeting with John and several concerned citizens.

**INDOT request for "No Parking" on SR 32 near Yorktown Elementary School:** Pete Olson explained the letter from INDOT, which stated that they were no longer going to allow parking on 32 from Adaline going towards the school. Steve Lowry asked if the school was in favor of that. Marshal St. John stated that he has been talking with the County police to see if they will help direct traffic during the morning and afternoon for school. Steve Lowry asked if that meant they would start ticketing parents. St. John stated that he didn't really want to do that, but it could come to that. Steve Lowry suggested taking this under advisement. Mike Beeman made the motion to table for 30 days. Larry Crouch seconded the motion. All councilmen voted in favor.

#### **Water/Wastewater Dept. /Stormwater**

**Sewer repair:** Pete Olson explained there were some problems with a residence on River Valley Rd. from the property line to the main. He also explained that between the main and the property line the town is responsible for repairs. Pete Olson recommended that the Town contract with Roto-Rooter to blow the lines before tearing up the road to see if it will fix the problem. The quote that was received is \$3,966.10. Rick Glaub made a motion to accept Roto-Rooter's bid. Mike Beeman seconded the motion. All councilmen voted in favor.

### **Departmental Reports**

Pete Olson explained that the Redevelopment Commission discussed the purchase of a home on Walnut to tear down and build a new home.

Pete Olson spoke about the Street Sweeper being used and asked that people try to get the word out to not park on the street during work hours.

Pete Olson stated that there are 3 leaf pickups scheduled for this fall.

Pete Olson talked about receiving a course from Bowen and he would recommend that Supervisor to attend.

### **Comments for the Town Council Members:**

**Larry Crouch** spoke about the conference that he and Beth Neff attended for IACT in French Lick. He stated that he was in a seminar that spoke about the costs of downsizing and explained how sometimes it ends up costing more. He also explained that Township lines are drawn in sand not in stone and that he looks for a consolidation. Larry also talked about the 2010 census and what to accept from it. He stated that we need to really talk to the community because the ones that still have Muncie addresses, but live Yorktown will need to put Yorktown on the Census. Larry Crouch asked John Mogush if he would help with this census. He also stated that he would like to ask Zach Rozelle if he can send out a mass email on it. He explained how important the census is that one person counts for about \$8,000. He stated that he would like to talk with the old supermarket and how it needs to comedown.

**Steve Lowry** asked what the Halloween trick or treat hours were? Pete Olson stated that they are 6-8 PM on Saturday October 31, 2009.

Marshal St. John stated that he was really pleased with his Police department and they did a great job with the Village Pantry burglary.

Steve Lowry also asked Pete Olson to start getting an update from the Fire Board. He also stated that the Mayor wants the Town to help pay for the 911 availability.

Ball State students introduced themselves and talked about filming the council meetings.

Steve Lowry stated that he ran into Drew Thurston and he stated that they have transferred nine homes and anticipate another 3 homes located in the TK Constructors Model Show Home area.

Steve Lowry stated that he and Larry had a couple discussions about sending a member to the chamber meetings. Larry stated that he felt it was a good experience for the person going and shows what the town has to offer.

Sharon Cheslick stated that she felt Beth deserve the chance to defend herself on the taxes for the sports park Beth Neff explained that the Town never received the tax statements and she was looking up something else on the GIS and happened upon the tax bill that was not paid. She then spoke about how she discussed it with the Council and Town manager. That is how the tax issue with Mr. Cox's land came about.

Pete Olson stated that the YMCA will be holding open houses on Monday and through the Month of November.

Larry Crouch stated that he went to class and found out that Prison inmates make park furniture and that the Town should look into it.

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 6:45 PM

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Town Council President

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Clerk-Treasurer