

CITY COUNCIL MEETING

December 12, 2005

The Common Council of the City of Crawfordsville, Indiana, met in a regular session, 7:00 p.m., December 12, 2005. Present were Mayor John Zumer, who chaired the meeting, City Attorney David Peebles, and Clerk-Treasurer Nellie Thompson. Also present were Council members Loran Rutledge, Steve Frees, Roger Rockenbaugh, Charlie Coons, Dennis Cook and Les Hearson.

Councilman Fiedler was absent.

Other officials in attendance were Fire Chief Todd Barton, Street Commissioner Rod Jenkins, Wastewater Treatment Plant Manager Tom Mitchell, and Park & Recreation Program Director Cheryl Keim. The press was also present.

Chairman Zumer called the meeting to order; Councilman Rutledge led the pledge to the flag and Attorney Peebles offered the invocation.

Chairman Zumer asked Clerk-Treasurer Nellie Thompson to call the roll for purpose of attendance, a quorum was present.

Councilman Hearson moved to approve the minutes from the November 14, 2005 City Council meeting, with correction, "Councilman Cook was absent", seconded by Councilman Frees. The minutes were approved as amended.

The roll was called for the purpose of any additions to the agenda. Councilman Frees and Chairman Zumer both indicated they had information and questions.

FISCAL AFFAIRS

Chairman Zumer called on Councilman Hearson to present the business of the Fiscal Affairs Committee.

The first item presented by Chairman Hearson was an ordinance making an additional appropriation for the year 2005 Police Department roof. Chairman Hearson moved to table the ordinance. Seconded by Councilman Frees. The motion to table the ordinance passed with a unanimous vote.

The second item presented was a second reading of an ordinance fixing the salaries for the Mayor, Clerk/Treasurer and elected officials for the City of Crawfordsville. Chairman Hearson moved to place the ordinance on second reading. Seconded by Councilman Rutledge. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

Chairman Hearson moved to place the ordinance on third and final reading and so adopt. Seconded by Councilman Rutledge. Offering comments from the Council was Councilman Cook, Chairman Zumer and Chairman Hearson. Hearing no further comments the roll was called for a vote. The ordinance passed with a unanimous vote on third and final reading.

ORDINANCE NO. 36-2005

AN ORDINANCE FIXING SALARIES FOR THE MAYOR, CLERK-TREASURER AND ELECTED OFFICIALS OF THE CITY OF CRAWFORDSVILLE, INDIANA, FOR THE YEAR 2006

WHEREAS, the Common Council of the City of Crawfordsville, Indiana has previously determined that the salaries of the elected officials of the City for the year 2006 should now be fixed by the Common Council of the City of Crawfordsville.

BE IT ESTABLISHED AND ORDAINED by the Common Council of the City of Crawfordsville, Indiana, that;

Section 1. The salaries of the said elected officials of the City of Crawfordsville, Indiana, for the year 2006 payable from the general tax funds of the City, shall be as follows:

Mayor	\$63,184.00
Clerk-Treasurer	\$48,238.00
City Council (all, total)	\$29,946.00

ADOPTED BY THE COMMON COUNCIL of the City of Crawfordsville, Indiana, on the 12th day of December, 2005.

Signed/// John P. Zumer
John P. Zumer, Mayor & Presiding Officer

Presented by me to the Mayor of the City of Crawfordsville, Indiana, on the 12th day of December, 2005.

Signed/// Nellie Thompson
Nellie Thompson, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 12th DAY OF
December, 2005.

Signed/// John P. Zumer
John P Zumer, Mayor

ATTEST:

Signed/// Nellie Thompson
Nellie Thompson, Clerk Treasurer

Third item Chairman Hearson presented was a Declaratory Resolution for the Designation of an Economic Revitalization Area and approval of Tax Abatement for Lann Vest, Inc. Chairman Hearson moved to approve the resolution. Seconded by Councilman Cook. Chairman Zumer called for comments from the Council and public. Offering comments from the Council were Mayor Zumer, Attorney Pebbles, Chairman Hearson, and Councilman Cook. Offering comments from the public were Michael Johnson, Lann Vest, Clifton Carr, Rodger Walther, Brad Hurt and Russ Stath. Hearing no further comments the roll was called for a vote. The resolution passed with 5 yea votes and Councilman Coons casting a dissenting vote.

The fourth item presented was an ordinance amending ordinance no. 19-2005, the ordinance fixing the salaries of appointed officers and employees of the City of Crawfordsville, Indiana for the year 2006. Chairman Hearson moved to place the ordinance on first reading. Seconded by Councilman Frees. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance passed on first reading with a unanimous vote.

Chairman Hearson moved to suspend the rules to pass the ordinance on second reading, seconded by Councilman Frees. Chairman Zumer called for objections from the Council. Hearing none the rules were suspended.

Chairman Hearson moved to place the ordinance on second reading. Seconded by Councilman Rutledge. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

Chairman Hearson moved to place the ordinance on third and final reading and so adopt. Seconded by Councilman Rockenbaugh. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance passed on third and final reading with unanimous vote.

ORDINANCE NO. 37-2005

AN ORDINANCE AMENDING ORDINANCE NO. 24-2005, THE ORDINANCE FIXING THE SALARIES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF CRAWFORDSVILLE, INDIANA, FOR THE YEAR 2006

WHEREAS, the Department of Parks & Recreation of the City of Crawfordsville has determined that it is necessary for its operations to employ a Museum Director, which position was not included in the 2006 salary ordinance, Ordinance No. 24-2005, previously passed by the Common Council of the City of Crawfordsville; and

WHEREAS, the Mayor and Common Council of the City of Crawfordsville have also determined that this position is necessary; and

WHEREAS, this new position requires the fixing of a bi-weekly salary and the creation of a new worksheet form,

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA, that:

SECTION 1. The provisions of Ordinance No.24-2005 concerning Department of Parks & Recreation positions and salaries are hereby amended by adding the following position, as line #111: "Museum Director," which position is to have a bi-weekly gross salary of \$1,307.69 (\$653.85 per week) for the year 2006. This position is intended to be a full-time one, and the position is entitled to sick or vacation pay, insurance, and any other benefit extended to full-time employees of the City of Crawfordsville.

SECTION 2. Ordinance No. 24-2005 is hereby amended to include a new worksheet for the position of "Museum Director" with a bi-weekly salary \$1,307.69 (\$653.85 per week) for the year 2006 for the Department of Parks & Recreation, as **attached hereto.**

SECTION 3. All other provisions of the existing salary ordinance not in conflict with the above amendment shall remain in full force and effect.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA,
THIS 12th DAY OF December. 2006.

Signed/// John P. Zumer
John P Zumer, Mayor

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE, INDIANA,
THIS 12th DAY OF December, 2006.

Signed/// Nellie Thompson
Nellie Thompson, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 12th DAY OF December 2006.

Signed/// John P. Zumer
John P Zumer, Mayor

ATTEST:

Signed/// Nellie Thompson
Nellie Thompson, Clerk Treasurer

The fifth item presented was a resolution of the Common Council acknowledging receipt of the proposed 2006 budget for the Crawfordsville Waste Water Department. Chairman Hearson moved to approve the resolution. Seconded by Councilman Cook. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION NO. 35 -2005

**RESOLUTION OF THE COMMON COUNCIL ACKNOWLEDGING
RECEIPT OF THE PROPOSED 2006 BUDGET FOR THE
CRAWFORDSVILLE WASTEWATER DEPARTMENT**

BE IT HEREBY RESOLVED by the Common Council of the City of Crawfordsville, Indiana, that it is hereby acknowledged the Crawfordsville Wastewater Department has filed its proposed budget for the year 2006 with the Common Council, all as provided by law.

Adopted by the Common Council of the City of Crawfordsville, Indiana, this 12th day of December, 2005.

Signed///John P Zumer
John P. Zumer, Mayor

Attest:

Signed///Nellie Thompson

Nellie Thompson, Clerk-Treasurer

The sixth item presented was resolution of the Common Council acknowledging receipt of the proposed 2006 budget for the Crawfordsville Electric Light and Power Company for 2006. Chairman Hearson moved to approve the resolution. Seconded by Councilman Cook. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION NO 36-2005

**RESOLUTION OF THE COMMON COUNCIL ACKNOWLEDGING
RECEIPT OF THE PROPOSED BUDGET FOR CRAWFORDSVILLE
ELECTRIC LIGHT AND POWER COMPANY FOR 2005**

BE IT HEREBY RESOLVED by the Common Council of the City of Crawfordsville, Indiana, that it is hereby acknowledged Crawfordsville Electric Light and Power Company has filed its proposed budget for the year 2006 with the Common Council, all as provided by law.

Adopted by the Common Council of the City of Crawfordsville, Indiana, this 12th day of December, 2005.

Signed/// John P. Zumer

John P. Zumer, Mayor

Attest:

Signed/// Nellie Thompson

Nellie Thompson, Clerk-Treasurer

The seventh item presented was a resolution authorizing an appeal from the levy limitations in connections with the 2006 annual budget of the City of Crawfordsville. Chairman Hearson moved to approve the resolution. Seconded by Councilman Frees. Chairman Zumer called for comments from the Council and public. Offering comments from the Council were Clerk Treasurer Nellie Thompson, Attorney Pebbles, Councilman Cook and Chairman Hearson. The public offered no comments. Hearing no further comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION 37-2005

**A RESOLUTION AUTHORIZING AN APPEAL FROM
LEVEY LIMITATIONS IN CONNECTION WITH
THE 2006 ANNUAL BUDGET OF THE CITY OF CRAWFORDSVILLE**

WHEREAS, Indiana Code 6-1.1-18.5-3 imposes limitations on the amount of funds that a city may raise from the property tax; and

WHEREAS, Indiana Code 6-1.1-17-15, 6-1.1-18.5-12, and 6-1.1-18.5-13 provide relief from those limitations on certain conditions; and

WHEREAS, if the City of Crawfordsville is not granted an exemption from those limitations, it will be unable to carry out certain governmental functions committed to it by law,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Crawfordsville that:

Section 1. The administrative officers of the City of Crawfordsville are authorized and directed to file an appeal before the State Department of Local Government Finance for permission of the City of Crawfordsville to increase its levy in excess of the limitations prescribed to meet costs due to a levy shortfall caused by mathematical errors and erroneous assessed values, with such levy to be applied to the General Fund of the City.

Section 2. The City of Crawfordsville, if not given the authority for which it petitions the State Department of Local Government Finance, will be unable to carry out, in its ensuing budget year, the governmental functions and responsibilities committed to it by law.

This resolution shall be in full force and effect from and after its passage and signing by the Mayor.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE
THIS 12TH DAY OF DECEMBER, 2005.

Signed/// John P. Zumer

John P. Zumer, Mayor & Presiding Officer

PRESENTED AND APPROVED BY ME THIS 12TH DAY OF DECEMBER, 2005

Signed/// John P. Zumer

John P. Zumer, Mayor

ATTEST: Signed///Nellie Thompson

Nellie Thompson, Clerk Treasurer

PUBLIC HEARING

Chairman Hearson turned the meeting over to Mayor Zumer to open the meeting at 7:46 p.m. for a public hearing regarding the approving of the resolution for \$500,000 downtown improvement grant. Offering comments from the Council were Councilmen Cook, Frees, Rockenbaugh, Hearson and Chairman Zumer. Offering comments from the public were Donna Anderson representing Kenna Group, Jerry Williams representing Burgess and Niple,

Bonnie Yund and Rodger Walther. Hearing no further comments Chairman Zumer closed the meeting at 8:26 p.m.

The eighth item presented was a resolution approving application for \$500,000 downtown improvement grant. Chairman Hearson moved to approve the resolution. Seconded by Councilman Rutledge. Chairman Zumer called for comments from the Council and public. Offering comments from the Council were Councilman Cook and Mayor Zumer. The public offered no comments. Hearing no further comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION NO. 38-2005

**RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF CRAWFORDSVILLE, INDIANA,
AUTHORIZING THE SUBMITTAL OF A
CFF APPLICATION TO THE INDIANA OFFICE OF RURAL AFFAIRS
AND ADDRESSING RELATED MATTERS**

WHEREAS, the Common Council of the City of Crawfordsville, Indiana, recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low-and moderate-income persons; and

WHEREAS, the City of Crawfordsville, Indiana, has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low-and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Crawfordsville, Indiana, that:

1. The Mayor is authorized to prepare and submit an application for Community Focus Funds (CFF) grant funding to address infrastructure needs in support of downtown revitalization, and to execute and administer a resultant grant including requisite general administration and

project management, contracts and agreements, pursuant to regulations of the Indiana Office of Rural Affairs and the United States Department of Housing and Urban Development.

2. The City of Crawfordsville, Indiana, hereby commits the requisite local funds in the amount of One Hundred Thousand Dollars (\$100,000.00), in the form of funds from the City's Urban Development Action Grant (UDAG) fund, as matching funds for said program, such commitment to be contingent upon receipt of CFF funding from the Indiana Office of Rural Affairs.

The foregoing was passed by the Common Council of the City of Crawfordsville, Indiana, this 12th day of December, 2005, at 8:30 o'clock p.m.

ATTEST: Signed///Nellie Thompson
Clerk – Treasurer

Signed///John P. Zumer
Presiding Officer

Presented by the Clerk-Treasurer of the City of Crawfordsville, Indiana, to the Mayor of the City of Crawfordsville, Indiana, this 12th day of December, 2005, at 7:00 o'clock p.m.

Signed///Nellie Thompson
Clerk – Treasurer

Approved and signed by the Mayor of the City of Crawfordsville, Indiana, this 12th day of December, 2005, at 7:00 o'clock p.m.

Signed///John P. Zumer
Mayor

ATTEST: Signed///Nellie Thompson
Nellie Thompson, Clerk Treasurer

Completing the business of Fiscal Affairs, Chairman Hearson turned the meeting over to Chairman Zumer.

Ordinance and Petitions

Chairman Zumer called on Councilman Frees to present the business of the Ordinance and Petitions Committee.

The first item presented was a second reading of an ordinance concerning liability for sidewalks. Chairman Frees moved to place the ordinance on second reading. Seconded by Councilman Hearson. Chairman Zumer called for comments from the Council and public.

Hearing no comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

Second Reading

The second item presented was an ordinance designating the United States Post Office, Crawfordsville Branch, a single site local historic district. Chairman Frees moved to place the ordinance on second reading. Seconded by Councilman Cook. Chairman Zumer called for comments from the Council and from the public. Hearing no comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

Second Reading

The third item presented was a resolution approving the 2006 interlocal governmental cooperation agreement for the provision of emergency 911 dispatching services by the City of Crawfordsville for Montgomery County. Chairman Frees moved to approve the resolution. Seconded by Councilman Hearson. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION 39-2005

A RESOLUTION APPROVING THE 2006 INTERLOCAL GOVERNMENTAL COOPERATION AGREEMENT FOR THE PROVISION OF EMERGENCY 911 DISPATCHING SERVICES BY THE CITY OF CRAWFORDSVILLE FOR MONTGOMERY COUNTY

WHEREAS, the City of Crawfordsville, Indiana, (“the City”) and Montgomery County, Indiana, have negotiated an interlocal cooperation agreement providing for emergency 911 dispatch services by the City for the benefit of the County, for calendar year 2006; and

WHEREAS, the Common Council, as the fiscal body of the City, has reviewed that agreement, including the funding thereof, and approves of same,

NOW THEREFORE BE IT RESOLVED that the Interlocal Cooperation Agreement for the Provision of Emergency 911 Dispatch Services by the City of Crawfordsville for Montgomery County for calendar year 2006 as presented to the Common Council is hereby approved, and that the Mayor is authorized to execute that Agreement on behalf of the City.

This resolution shall be in full force and effect from and after its passage and signing by the Mayor.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE
THIS 12th DAY OF December, 2005.

Signed///John P. Zumer
John P Zumer, Mayor & Presiding Officer

PRESENTED AND APPROVED BY ME THIS 12th DAY OF December, 2005.

Signed///John P. Zumer
John P Zumer, Mayor

ATTEST: Signed///Nellie Thompson
Nellie Thompson, Clerk Treasurer

Completing the business of Ordinance & Petitions, Chairman Frees turned the meeting over to Chairman Zumer.

TRAFFIC, PARKING & SAFETY

Chairman Zumer called on Councilman Coons to present the business of the Traffic, Parking & Safety Committee.

Chairman Coons presented an ordinance designating a disabled parking space at 720 E. Main Street, in Crawfordsville, Indiana. Chairman Coons moved to place the ordinance on first reading. Seconded by Councilman Hearson. Chairman Zumer called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance passed on first reading with a unanimous vote.

First Reading

Completing the business of Traffic, Parking & Safety, Chairman Coons turned the meeting over to Chairman Zumer.

MISCELLANEOUS

Chairman Zumer commended the Street Department for clearing the city streets after the snow. He also announced Main Street from Green to Washington will be closed at 7:00 a.m. on Tuesday December 13 for snow removal.

Chairman Zumer asked the City Council to appoint 2 representatives for 2006 to the Redevelopment Commission. Nominations from the Council were Kevin Mallott, Marsha

Smith, Monty Harris and Dave Deckard. The roll was called for a vote. Clerk Treasurer Nellie Thompson tallied the votes.

Kevin Mallot – 3
Marsha Smith – 3
Monty Harris – 2
Dave Deckard – 4

The roll was called again to break the tie between Kevin Mallot and Marsha Smith.

Kevin Mallott – 0
Marsha Smith – 6

Representatives appointed by the Council to the 2006 Redevelopment Commission are Marsha Smith and Dave Deckard.

Councilman Frees offered comments regarding engineering firms hired by the Redevelopment Commission. Chairman Zumer offered comments.

And finally Councilman Frees questioned payments to engineering firms, comments were offered by Chairman Zumer and Attorney Pebbles.

There being no further business, Councilman Hearson moved to adjourn, seconded by Councilman Rutledge. The meeting was adjourned at 8:45 p.m.

Signed by me this ____ day of _____, 2006.

John Zumer, Mayor

ATTEST: _____
Nellie Thompson, Clerk/Treasurer