

**CITY COUNCIL MEETING
DECEMBER 10, 2007**

The Common Council of the City of Crawfordsville, Indiana, met in a regular session, 7:00 p.m., December 10, 2007. Present were Mayor Charles Coons, who chaired the meeting. City Attorney David Peebles and Clerk-Treasurer Nellie Thompson. Also present were Councilmembers, Steve Frees, Roger Rockenbaugh, Don Swearingen, Charles Fiedler, Dennis Cook, Rodger Walther and Phil Michal.

Other officials in attendance were Fire Chief Todd Barton, Wastewater Treatment Plant Manager Tom Mitchell, Park & Recreation Director Cheryl Keim, Director of Planning & Community Development Brandy Allen, and Assistant Chief of Police Hal Utterback.

The press was also present

Chairman Coons called the meeting order; Councilman Rockenbaugh led the pledge to the flag.

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

Councilman Cook moved to approve the minutes from November 12, 2007, Special City Council meeting. Seconded by Councilman Frees. The minutes were approved as presented.

Councilman Frees moved to approve the minutes from the November 20, 2007 City Council meeting. Seconded by Councilman Cook. The minutes were approved as presented.

The roll was called for the purpose of any additions to the agenda. Councilmen Walther, Frees, and Chairman Coons indicated they each had something to discuss under miscellaneous.

GOLF COURSE AUTHORITY ANNUAL REPORT

Jack Clements, president of the Golf Course Authority presented the Council with the first annual report for 2007. Hearing no comments from the Council, Chairman Coons thanked Jack Clements for his presentation.

FISCAL AFFAIRS

Chairman Coons called upon Councilman Fiedler to present the business of the Fiscal Affairs Committee.

The first item presented was a second reading of an ordinance fixing salaries for the Mayor, Clerk Treasurer, and elected officials of the City of Crawfordsville, Indiana for the year 2008.

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

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

ORDINANCE NO. 45-2007

AN ORDINANCE FIXING SALARIES FOR THE MAYOR, CLERK-TREASURER
AND ELECTED OFFICIALS OF THE CITY OF CRAWFORDSVILLE, INDIANA
FOR THE YEAR 2008

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 2008 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 the salaries of the following elected officials of the City of Crawfordsville, Indiana, for the year 2008 payable from the general tax funds of the City, shall be as follows:

Mayor	\$63,184
Clerk-Treasurer	\$50,650
City Council	\$29,946 (\$4,278 each)

ADOPTED BY THE COMMON COUNCIL of the City of Crawfordsville, Indiana, on the 10th day of December, 2007.

Signed///Charles E. Coons
Charles E. Coons, Mayor & Presiding Officer

Presented by me to the Mayor of the City of Crawfordsville, Indiana, on the 10th Day of December, 2007.

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

Mayor
Clerk-Treasurer
City Council

\$63,184
\$50,650
\$29,946 (\$4,278 each)

The second item presented was an ordinance setting documentation reproduction and transmission fees for the city of Crawfordsville. Chairman Fiedler moved to place the ordinance on second reading. Seconded by Councilman Swearingen. Chairman Coons called for comments from the public and Council.

Then Chairman Fiedler offered to approve the ordinance with amendments as printed in the provided ordinance. Seconded by Councilman Swearingen. Chairman Coons called for comments from the public and Council. Hearing no comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

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

ORDINANCE NO.46-2007

AN ORDINANCE SETTING DOCUMENT REPRODUCTION AND TRANSMISSION FEES FOR THE CITY OF CRAWFORDSVILLE

WHEREAS, Indiana Code 5-14-3-8 was amended effective July 1, 2007 to mandate that the fee charged by a public agencies for copying documents may not exceed the greater of twenty-five cents (25¢) per page for color copies and ten cents (10¢) per page for non-color copies, or the actual cost to the agency of copying the document; and

WHEREAS, it is now incumbent on the City of Crawfordsville to conform with this amended statute; and

WHEREAS, certain other fees should be imposed or adjusted to conform with the actual cost to the City of copying or transmitting documents at the request and for the benefit of third parties,

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

1. The following fee schedule for reproducing and transmitting documents is hereby adopted:

<u>Reproduction</u>	
Non-color photocopies	\$0.10 per page (up to 8.5" x 11" paper) \$0.15 per page (8.5" x 14" or x 17" paper)
Color photocopies	\$0.25 per page (up to 8.5" x 11" paper)

	\$0.30 per page (8.5" x 14" or x 17" paper)
Color print-outs of digital photos or images onto photo quality paper	\$1.00 per page
Specialty & oversize reproduction (Mylar documents, blueprints, etc.)	Cost of materials + \$0.25 per page
Electronic copying (CD-ROM, diskette, cassette tapes)	Cost of materials (no charge if provide own disk)
Electronic map print-outs (GIS maps, etc.)	Per departmental commercial fee schedule, but not less than cost of materials + \$0.25 per page
Certification of documents	\$1.00 per page, in addition to any printing or copying charge

Transmission

Mailing	Cost of postage + \$0.10 per envelope (no charge if provide own self-addressed stamped envelope)
Overnight delivery	Cost of service (no charge if billed to own account and picked up at City Bldg)
Facsimile transmission (out)	\$0.10 per page

If the amount of reproduction or transmission is unusually large, prepayment of the charge(s) may be required, at the discretion of the department providing that service. Also, if an unusually large or complicated request for records requires the services of a third party copying service or technical specialist such as a computer technician, then the requesting party shall be charged the cost of such service, provided that the requesting party shall first be informed of the need for this service and the estimated costs thereof.

2. All existing ordinances or parts of ordinances that are inconsistent with this ordinance are hereby repealed.

3. This ordinance shall be in full force and effect upon adoption.

Adopted and passed by the Common Council of the City of Crawfordsville,
Indiana, this 10th day of December, 2007.

Signed///Charles E. Coons
Charles E. Coons, Mayor & Presiding Officer

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE,
INDIANA, THIS 10TH DAY OF DECEMBER, 2007.

Signed///Nellie Thompson
Nellie Thompson, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 10TH DAY
OF DECEMBER, 2007.

Signed///Charles E. Coons
Charles E. Coons, Mayor

ATTEST:

Signed///Nellie Thompson
Nellie Thompson, Clerk-Treasurer
City of Crawfordsville

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Indiana Code 5-14-3-8

Fees; copies

Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter:

(1) to inspect a public record; or

(2) to search for, examine, or review a record to determine whether the record may be disclosed.

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

(d) This subsection applies to a public agency that is not a state agency. The fiscal body (as defined in IC 36-1-2-6) of the public agency, or the governing body, if there is no fiscal body, shall establish a fee schedule for the certification or copying of documents. The fee for certification of documents may not exceed five dollars (\$5) per document. The fee for copying documents may not exceed the greater of:

(1) ten cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies; or

(2) the actual cost to the agency of copying the document.

A fee established under this subsection must be uniform throughout the public agency and uniform to all purchasers.

(e) If:

(1) a person is entitled to a copy of a public record under this chapter; and

(2) the public agency which is in possession of the record has reasonable access to a machine capable of reproducing the public record;

the public agency must provide at least one (1) copy of the public record to the person.

However, if a public agency does not have reasonable access to a machine capable of reproducing the record or if the person cannot reproduce the record by use of enhanced access under section 3.5 of this chapter, the person is only entitled to inspect and manually transcribe the record. A public agency may require that the payment for copying costs be made in advance.

(f) Notwithstanding subsection (b), (c), (d), (g), (h), or (i), a public agency shall collect any certification, copying, facsimile machine transmission, or search fee that is specified by statute or is ordered by a court.

(g) Except as provided by subsection (h), for providing a duplicate of a computer tape, computer disc, microfilm, or similar or analogous record system containing information owned by the public agency or entrusted to it, a public agency may charge a fee, uniform to all purchasers, that does not exceed the sum of the following:

(1) The agency's direct cost of supplying the information in that form.

(2) The standard cost for selling the same information to the public in the form of a publication if the agency has published the information and made the publication

available for sale.

(3) In the case of the legislative services agency, a reasonable percentage of the agency's direct cost of maintaining the system in which the information is stored. However, the amount charged by the legislative services agency under this subdivision may not exceed the sum of the amounts it may charge under subdivisions (1) and (2).

(h) This subsection applies to the fee charged by a public agency for providing enhanced access to a public record. A public agency may charge any reasonable fee agreed on in the contract under section 3.5 of this chapter for providing enhanced access to public records.

(i) This subsection applies to the fee charged by a public agency for permitting a governmental entity to inspect public records by means of an electronic device. A public agency may charge any reasonable fee for the inspection of public records under this subsection, or the public agency may waive any fee for the inspection.

(j) Except as provided in subsection (k), a public agency may charge a fee, uniform to all purchasers, for providing an electronic map that is based upon a reasonable percentage of the agency's direct cost of maintaining, upgrading, and enhancing the electronic map and for the direct cost of supplying the electronic map in the form requested by the purchaser. If the public agency is within a political subdivision having a fiscal body, the fee is subject to the approval of the fiscal body of the political subdivision.

(k) The fee charged by a public agency under subsection (j) to cover costs for maintaining, upgrading, and enhancing an electronic map may be waived by the public agency if the electronic map for which the fee is charged will be used for a noncommercial purpose, including the following:

- (1) Public agency program support.
- (2) Nonprofit activities.
- (3) Journalism.
- (4) Academic research.

As added by P.L. 19-1983, SEC.6. Amended by P.L. 54-1985, SEC.6; P.L. 51-1986, SEC.2; P.L. 58-1993, SEC.7; P.L. 78-1995, SEC.1; P.L. 151-1999, SEC.1; P.L. 89-2001, SEC.1; P.L. 215-2007, SEC.1.

IC 5-14-3-8.3

Enhanced access fund; establishment by ordinance; purpose

Sec. 8.3. (a) The fiscal body of a political subdivision having a public agency that charges a fee under section 8(h) or 8(i) of this chapter shall adopt an ordinance establishing an enhanced access fund. The ordinance must specify that the fund consists of fees collected under section 8(h) or 8(i) of this chapter. The fund shall be administered by the public agency or officer designated in the ordinance or resolution. Money in the fund must be appropriated and expended in the manner authorized in the ordinance.

(b) The fund is a dedicated fund with the following purposes:

- (1) The replacement, improvement, and expansion of capital expenditures.
- (2) The reimbursement of operating expenses incurred in providing enhanced access to public information.

As added by P.L. 58-1993, SEC.8.

IC 5-14-3-8.5

Electronic map generation fund; establishment by ordinance; purpose

Sec. 8.5. (a) The fiscal body of a political subdivision having a public agency that charges a fee under section 8(j) of this chapter shall adopt an ordinance establishing an electronic map generation fund. The ordinance must specify that the fund consists of fees

collected under section 8(j) of this chapter. The fund shall be administered by the public agency that collects the fees.

(b) The electronic map generation fund is a dedicated fund with the following purposes:

(1) The maintenance, upgrading, and enhancement of the electronic map.

(2) The reimbursement of expenses incurred by a public agency in supplying an electronic map in the form requested by a purchaser.

As added by P.L.58-1993, SEC.9.

The third item presented was a resolution of the Common Council acknowledging receipt of the proposed 2008 budget for the Crawfordsville Electric Light & Power Company. Chairman Fiedler moved to accept the resolution. Seconded by Councilman Swearingen. Chairman Coons called for comments from the public and Council. Hearing no comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION NO. 25-2007

RESOLUTION OF THE COMMON COUNCIL ACKNOWLEDGING RECEIPT OF THE PROPOSED 2008 BUDGET FRO THE CRAWFORDSVILLE ELECTRIC LIGHT & POWER COMPANY

BE IT HEREBY RESOLVED by the Common Council of the City of Crawfordsville, Indiana, that it is hereby acknowledged the Crawfordsville Electric Light & Power Company has filed its proposed budget for the year 2008 with the Common Council, all as provided by law.

Adopted by the Common Council of the City of Crawfordsville, Indiana, this 10th day of December, 2007.

Signed///Charles E. Coons

Charles E. Coons, Mayor & Presiding Officer

ATTEST:

Signed///Nellie Thompson

Nellie Thompson, Clerk-Treasurer

The fourth and final item presented was a resolution of the common council acknowledging receipt of the proposed 2008 budget for the Crawfordsville Waste Water

Department. Chairman Fiedler moved to accept the resolution. Seconded by Councilman Frees. Chairman Coons called for comments from the public and council. Hearing no comments the roll was called for a vote. The resolution passed with a unanimous vote.

RESOLUTION NO 26-2007

**RESOLUTION OF THE COMMON COUNCIL ACKNOWLEDGING
RECEIPT OF THE PROPOSED 2008 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 Waste Water Department has filed its proposed budget for the year 2008 with the Common Council, all as provided by law.

Adopted by the Common Council of the City of Crawfordsville, Indiana, this 10th day of December, 2007.

Signed///Charles E. Coons
Charles E. Coons, Mayor & Presiding Officer

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

Completing the business of the Fiscal Affairs Committee Chairman Fiedler turned the meeting over to Chairman Coons.

MISCELLANEOUS

Chairman Coons presented the first item of business – announcing the swearing-in ceremony of the Council, Mayor and Clerk-Treasurer will be January 1 at 12:00 noon, in the Council chambers.

The second item of business was announcement changing the January full Council meeting from January 14 to January 21st.

The city Council Committee night will be held January 7th at 6:00 p.m., with a Special Council reorganization meeting following.

Councilman Frees Thanked the public and council for his time served as a Council member and president. And wished Mayor Coons the best.

Councilman Walther, Thanked the public and Council for his time served

Mayor Coons, read a proclamation to Nellie Thompson, retiring Clerk-Treasurer and presented her with a plaque honoring her service to the City of Crawfordsville.

There being no further business, Chairman Coons moved to adjourn, seconded by Councilman Rockenbaugh. The meeting adjourned at 7:20 p.m.

Signed by me this 10th day of December, 2007.

Signed///Charles E. Coons

Charles E. Coons, Mayor

ATTEST: Signed///Terri Gadd

Terri Gadd, Clerk Treasurer