

## CITY COUNCIL MEETING

October 15, 2007

The Common Council of the City of Crawfordsville, Indiana, met in a regular session, 7:00 p.m., October 15, 2007. Present were Mayor Charles Coons, who chaired the meeting, City Attorney David Peebles, and Clerk-Treasurer Nellie Thompson. Also present were Council members, Steve Frees, Roger Rockenbaugh, Don Swearingen, Charles Fiedler and Rodger Walther. Councilmen Dennis Cook and Phil Michal were absent.

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 Director Brandy Allen, Chief of Police Kurt Knecht and Street Commissioner Rodney Jenkins.

The press was also present.

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

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

Councilman Frees moved to approve the minutes from the September 17, 2007 City Council meeting, seconded by Councilman Rockenbaugh. The minutes were approved as presented.

The roll was called for the purpose of any additions to the agenda. Councilman Swearingen indicated he had comments to be addressed under Miscellaneous.

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### FISCAL AFFAIRS

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

The first item presented was an ordinance approving an additional appropriation from Riverboat Revenue Sharing Fund for the purchase of storm water inlet markers. Chairman Fielder moved to place the ordinance on first reading. Seconded by Councilman Frees. Chairman Coons 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

<b>Amount</b>	<b>From</b>	<b>To</b>
\$5,000.00	Riverboat Revenue Sharing Fund #242.335 (Unappropriated)	Stormwater Dept Inlet Markings <b>Acct #</b>

The second item presented was a resolution approving the 2008 interlocal governmental cooperation agreement for the provision of E911 dispatching services by the City of Crawfordsville for Montgomery County. Chairman Fiedler moved to approve the resolution. Seconded by Councilman Walther. Chairman Coons 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 #21-2007**

**A RESOLUTION APPROVING THE 2008  
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 the calendar year 2008; 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 2008 as presented to the Common Council is hereby approved, and that the Mayor is authorized to execute the Agreement on behalf of the City.

This resolution shall be in full force and effect from and after its passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE  
THIS 15<sup>TH</sup> DAY OF OCTOBER 2007.

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

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

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

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## **ORDINANCES AND PETITIONS**

In the absence of Councilman Cook, Chairman Coons called on Councilman Fiedler to present the business of the Ordinances and Petitions Committee.

The first item presented was a second reading of an ordinance amending chapter 153 Zoning of the Crawfordsville Municipal code, rezoning the Crawfordsville Commerce Park from R-1 and R-2 zoning to I-1 zoning. Chairman Fiedler moved to place the ordinance on second reading. Seconded by Councilman Walther. Chairman Coons called for comments from the Council and public. Offering comments from the Council were Councilmen Swearingen and Frees, and attorney Peebles. Hearing no further 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 a second reading of an ordinance amending the ordinances of the city of Crawfordsville concerning park hours and Sugar Creek Trail use. Chairman Fiedler moved to place the ordinance on second reading. Seconded by Councilman Frees. Chairman Coons called for comments from the Council and public. Offering comments from the Council was Councilman Swearingen. Hearing no further comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

### **SECOND READING**

The third and final item presented was a second reading of an ordinance designating the Pike-Washington Local Historic District. Chairman Fiedler moved to place the ordinance on second reading. Seconded by Councilman Frees. Chairman Coons called for comments from the Council and public. Offering comments from the Council were attorney Peebles and Councilman Swearingen. Hearing no further comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

### **SECOND READING**

Completing the business of Ordinances and Petitions Committee, Chairman Fiedler turned the meeting over to Chairman Coons.

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## **ANNEXATION**

Chairman Coons called on Councilman Rockenbaugh to present the business of the Annexation Committee.

### **PUBLIC HEARING**

Chairman Rockenbaugh opened a public hearing at 7:14 p.m. for the purpose of hearing comments regarding an ordinance annexing contiguous territory to the corporate boundaries of the city of Crawfordsville. Hearing no comments, chairman Rockenbaugh closed the meeting at 7:15 p.m.

Chairman Rockenbaugh presented the third reading of an ordinance annexing contiguous territory to the corporate boundaries of the city of Crawfordsville.

<b>Tract Number</b>	<b>Owner</b>	<b>Location</b>
Tract One	City of Crawfordsville	I-74/Concord Road
Tract Two	CSX Railroad	100 East/Concord Road
Tract Three	Heritage Products	Smith Ave/Concord Road

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

### **ORDINANCE NO.: 34-2007**

#### AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CORPORATE BOUNDARIES OF THE CITY OF CRAWFORDSVILLE, INDIANA

WHEREAS, the Common Council of the City of Crawfordsville, Indiana, conducted a public hearing, pursuant to notice as required by law, to consider the annexation to the corporate boundaries of said City of certain territory as hereinafter described; and,

WHEREAS, the Common Council has determined it is in the best interests of the City and the owners of said territory that it be annexed; and

WHEREAS, an appropriate fiscal plan for the territory to be annexed has been prepared and adopted by resolution of the Common Council; and

WHEREAS, the City is capable of extending all municipal services to the subject territory within the time periods proscribed under Indiana Code 36-4-3-13,

NOW, THEREFORE, BE IT ESTABLISHED AND ORDAINED that there is hereby annexed to and within the corporate boundaries of the City of Crawfordsville, Montgomery County, Indiana, the following described real estate, to-wit:

#### Section 1(a) Legal Descriptions.

Tract One. I-74/Concord Road, owner: City of Crawfordsville, Indiana by its Redevelopment Commission (formerly Jolley); 46.9 acres, more or less. Pt NH S20 T19N R4W, Assessor Parcel #020-10025-01, see attached legal description, which description is hereby incorporated into this ordinance as if fully set forth herein.

Tract Two. 100 East/Concord Road, owner: CSX Railroad; 7.5 acres, more or less. Pt S20 T19N R4W, Assessor Parcel # to be determined, see attached legal description, which description is hereby incorporated into this ordinance as if fully set forth herein.

Tract Three. Smith Avenue/Concord Road, owner: Heritage Products, Inc.; 12.85 acres, more or less. Pt SWQ S20 T19N R4W, Assessor Parcel #020-04039-00 see attached legal description, which description is hereby incorporated into this ordinance as if fully set forth herein.

(hereafter all known as “the territory”).

(b) Highways and Rights-of-way. Included in the territory are the following public highways and rights-of-way:

1. Concord Road
2. Smith Avenue (Flemming Road)
3. County Road 100 East
4. Interstate 74

(c) Acreage. The territory is comprised of 67.25 acres, more or less.

(d) Special Terms and Conditions. The following special terms and conditions are in effect for the territory: None, except for planned Crawfordsville Commerce Park covenants, restrictions and design standards.

(e) Real Property Tax Abatements. The following real property tax abatements are in effect for the territory:

1. Heritage Products, Inc., 2000 Smith Avenue, Crawfordsville, Indiana.

Section 2: Within one (1) year from the effective date of this annexation, the City of Crawfordsville shall extend to the territory all planned services of a noncapital nature including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries. Within three (3) years from the effective date of this annexation, the City of Crawfordsville shall extend to the territory all services of a capital improvement nature, including street construction, street lighting, sewer facilities, and stormwater control. Such services will be provided to the territory in a manner equivalent in standard and scope to those services provided to areas within the corporate boundaries of the City regardless of similar topography, patterns of land use and population

density. Some or all of these capital improvements shall be done at property owner's expense, pursuant to any applicable statutes, ordinances, rules and regulations.

Section 3. The territory shall be included in Ward 1, Precinct 2 of the City of Crawfordsville, Indiana.

Section 4: The Clerk-Treasurer is hereby directed to publish this Ordinance one (1) time in the Crawfordsville Journal Review.

Section 5: If no remonstrance to this annexation is filed within ninety (90) days following the publication of this Ordinance, the Clerk-Treasurer shall comply with the requirements of IC 36-4-3-22.

Section 6: This Ordinance shall be in full force and effect as of October 15, 2007; however, the annexation shall become effective not less than ninety (90) days after the publication hereof and after the Clerk-Treasurer having complied with IC 36-4-3-22.

Introduced pursuant to Indiana Code 36-4-3, on the 12<sup>th</sup> day of March, 2007.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE,  
INDIANA, THIS 15th DAY OF OCTOBER, 2007.

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

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

PRESENTED by me to the Mayor of the City of Crawfordsville, Indiana, this 15<sup>th</sup>  
day of October, 2007.

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

APPROVED by me as Mayor of the City of Crawfordsville, Indiana, this 15<sup>th</sup> day of  
October, 2007.

Signed///Charles E. Coons  
Charles E. Coons, Mayor  
City of Crawfordsville, Indiana

ATTEST:

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

## ANNEXATION ORDINANCE EXHIBIT

### ANNEXED PROPERTIES: LEGAL DESCRIPTIONS

#### TRACT ONE

Owner: City of Crawfordsville by its Redevelopment Commission  
(formerly Carl & Bedford Jolley)

Part of the northeast quarter and part of the northwest quarter of section 20, township 19 north, range 4 west, bounded as follows:

Commencing at a point 83 ½ rods south of the northwest corner of the east half of the northwest quarter of section 20 for a PLACE OF BEGINNING and running thence east 2245.00 feet to the approximate centerline of Concord Road; thence south 37° 53' 44" west, along the approximate center line of Concord Road 1600.00 feet to the south line of the north half of said section 20, thence west along said south line of said north half 690 feet to the east right of way of the Louisville, New Albany and Chicago Railroad, thence north 25° west 900 feet, thence north 430 to the place of beginning, containing 46.9 acres, more or less, EXCEPTING there from that part appropriated for INTERSTATE 74 which bisects the caption tract from east to west, and also EXCEPT: all that part used for Concord Road on the east.

#### TRACT TWO

Owner: CSX Railroad  
(formerly Louisville, New Albany and Chicago Railroad/ Chicago, Indianapolis and Louisville Railway Company/ Monon Railroad)

Part of section 20, township 19 north, range 4 west, described as follows:

The entire right-of-way of the CSX Railroad (formerly the Louisville, New Albany and Chicago Railroad/Chicago, Indianapolis and Louisville Railway Company/Monon Railroad) commencing where said right-of-way intersects the northernmost corporate boundary of the City of Crawfordsville, Indiana, and running thence north northwest to the point where said railroad right-of-way intersects the northern boundary of the right-of-way of Interstate 74.

#### TRACT THREE

Owner: Heritage Products, Inc.

(formerly Ralph & Nina Deckard)

Part of the southwest quarter of section 30, township 19 north, range 4 west, described as follows:

Beginning at a point 13.11 chains east of the northwest corner of said quarter section and running thence south 9.98 chains; thence east 10.20 chains to the center line of the Richard Flemming Road; thence north 28 degrees east 5.34 chains along the center line of said road; thence east 2.60 chains to a point in the center line of the right of way of the Chicago, Indianapolis and Louisville Railway Company (Monon); thence north 36 degrees west along the center line of said right of way to the north line of said quarter section; thence west 12.78 chains to the place of beginning, containing 12.85 acres, more or less, in Montgomery County, Indiana.

Completing the business of the Annexation Committee, Chairman Rockenbaugh turned the meeting over to Chairman Coons.

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### **TRAFFIC, PARKING & SAFETY**

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

The first item presented was a third reading of an ordinance for a stop sign addition on Meridian Street near Helm Street. Chairman Walther moved to place the ordinance on third reading and final reading so adopt. Seconded by Councilman Fiedler. Chairman Coons called for comments from the Council and public. Offering comments from the Council were Councilman Frees, and Chairman Coons. Hearing no further comments the roll was called for a vote. The ordinance passed on third reading with a unanimous vote.

### **ORDINANCE NO. 35-2007**

#### **AN ORDINANCE DESIGNATING STOP SIGNS ON MERIDIAN STREET AT HELM STREET IN CRAWFORDSVILLE, INDIANA**

WHEREAS, the Common Council of the City of Crawfordsville, Indiana, has determined that for reasons of traffic safety, traffic on Meridian Street in both directions should come to a complete stop at the intersection of Meridian Street and Helm Street, and there should be stop signs installed on Meridian Street at that intersection; there are already stop signs on Helm Street in both directions at that intersection;

NOW, THEREFORE BE IT ESTABLISHED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA, THAT:

Section 1. Traffic on Meridian Street in the north- and southbound directions shall come to a complete stop at the intersection of Meridian Street and Helm Street.

Section 2. Stop signs shall be installed by the City on Meridian Street at that intersection, in both directions.

Section 3. The Street Commissioner is hereby authorized and directed to install the necessary stops signs and painting, with such markings to be in conformity with Indiana law.

Section 4. This ordinance shall be in full force and effect 30 days after publication in any necessary newspaper(s).

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA, THIS 15th DAY OF October, 2007.

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

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE, INDIANA, THIS 15th DAY OF October, 2007.

Signed///Nellie Thompson  
Nellie Thompson, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 15th DAY OF October, **2007**.

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

ATTEST:

Signed///Nellie Thompson

The second and final item presented was a third reading of an ordinance altering the speed limit on Centralia & Hubbard streets in Crawfordsville, Indiana. Chairman Walther moved to place the ordinance on third and final reading and so adopt. Seconded by Councilman Frees.

Chairman Coons called for comments from the Council and public. Offering comments from the Council were Councilman Swearingen, Chairman Coons and Street Commissioner Jenkins. Hearing no further comments the roll was called for a vote. The ordinance passed on third reading with a unanimous vote.

**ORDINANCE NO. 36-2007**

**AN ORDINANCE ALTERING THE SPEED LIMIT  
ON CENTRALIA & HUBBARD STREETS IN  
CRAWFORDSVILLE, INDIANA**

WHEREAS, because a portion of Wayne Avenue has been closed due to creek bank erosion, Centralia and Hubbard Streets in Crawfordsville, Indiana are receiving a higher volume of traffic than usual; and

WHEREAS, the current speed limits on Centralia and Hubbard Streets, which are residential streets, were not enacted with an eye toward this volume of traffic; and

WHEREAS, the Mayor and Common Council of the City of Crawfordsville, Indiana, have determined that in light of the foregoing, there exists a safety hazard to pedestrians and traffic on Centralia and Hubbard Streets, and the speed limits on Centralia and Hubbard Streets should be changed; and,

WHEREAS, the Street Commissioner of the City concurs in this assessment; and,

WHEREAS, the Common Council finds that Centralia Street and Hubbard Street, Crawfordsville, Indiana, should both have a speed limit of 20 miles per hour.

NOW, THEREFORE BE IT ESTABLISHED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA, THAT:

Section 1. The speed limit for all motorized traffic on Centralia Street and Hubbard Street, Crawfordsville, Indiana, is hereby altered, and shall hereafter be designated to have a maximum speed of 20 miles per hour.

Section 2. The Street Commissioner is hereby authorized and directed to immediately secure an adequate number of signs to notify the public of the altered speed limit and to post the same within the designated area as other speed limit signs are posted within the City.

Section 3. This Ordinance shall be in full force and effect from and after its passage; however, the same shall not be enforced until thirty (30) days have elapsed after the publication hereof.

Section 4. The City Clerk-Treasurer is hereby authorized and directed to publish this Ordinance one (1) time in the Crawfordsville Journal Review.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA,  
THIS 15th DAY OF October, 2007.

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

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE,  
INDIANA, THIS 15th DAY OF October, 2007.

Signed///Nellie Thompson  
Nellie Thompson, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 15th DAY OF  
October, 2007.

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

ATTEST:

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

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**DOWNTOWN PARKING METER COMMITTEE**

In the absence of Chairman Cook, Chairman Coons called upon Councilman Rockenbaugh to present the business of the Downtown Parking Meter Committee.

The only item presented was a second reading of an ordinance amending the traffic code of the municipal code of the city of Crawfordsville to remove all on street parking meters. Chairman Rockenbaugh moved to place the ordinance on second reading. Seconded by Councilman Swearingen. Chairman Coons called for comments from the Council and public. Offering comments from the Council were Councilmen Swearingen, Frees, Walther, chairman Coons and attorney Peebles.

Councilman Rockenbaugh moved to amend the ordinance section 5 to read as follows – “ This ordinance shall be in full force and effect from and after removal of effected parking meters.” Hearing no further comments the roll was called for a vote on the amendment. The amendment passed with 3 yeas and Councilmen Swearingen and Fiedler voting nay.

Chairman Coons called for comments from the public and council on the ordinance. Hearing no comments the roll was called for a vote. The ordinance passed on second reading with amendments with a unanimous vote.

## **SECOND READING**

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## **MISCELLANEOUS**

Councilman Swearingen commented on a recent letter he received from Ashley McBride a local 5<sup>th</sup> grader regarding Halloween Trick or Treat night and the conflict between a fifth grade camping trip.

There being no further business, Councilman Frees moved to adjourn, seconded by Councilman Walther. The meeting was adjourned at 7:45 p.m.

Signed by me this 15th day of October, 2007.

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

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