

## CITY COUNCIL MEETING

**Monday April 13, 2009 at 7:00P.M.**

The Common Council of the City of Crawfordsville, Indiana, met in regular session, 7:00 PM., April 13, 2009. Present were Mayor Charles Coons, who chaired the meeting. City Attorney David Peebles and Clerk-Treasurer Terri Gadd. Also present were Council members, Heather Perkins, George Parker, Dennis Cook, Ray Kirtley, and Roger Rockenbaugh. Councilman Patrick Taylor and Councilwoman Thompson were absent.

Other officials in attendance were Fire Chief Eric Small, Park and Recreation Director Roger Neal, Acting Plan Director Megan Huckstep, Street Commissioner Rodney Jenkins, Police Chief Kurt Knecht, Storm Water Director Gary Weliver, and Wastewater Representative Tom Terry.

The Press was also present.

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

Councilman Rockenbaugh said the prayer.

Chairman Coons asked Clerk-Treasurer Terri Gadd to call the roll for the purpose of attendance. Councilman Patrick Taylor and Councilwoman Nellie Thompson were absent.

Councilwoman Perkins moved to approve the minutes from the March 9, 2009 City Council meeting. Seconded by Councilman Cook. The minutes were approved with a unanimous vote.

Councilman Cook moved to approve the minutes from the March 30, 2009 City Council meeting. Seconded by Councilman Rockenbaugh. The minutes were approved with a unanimous vote.

The roll was called for the purpose of any additions to the agenda. There were no additions.

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Chairman Coons called on Councilwoman Perkins to present the business of the Fiscal Affairs committee.

### **FISCAL AFFAIRS**

The first item presented was the second reading of an ordinance authorizing the execution and delivery of the Fourth Amendment to the Capacity Purchase Agreement by and between the City of Crawfordsville and the Indiana Municipal Power Agency. Chairwoman Perkins moved to place the ordinance on second reading. Seconded by Councilman Cook. Chairman Coons 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 a resolution authorizing transfers within the Riverboat Revenue Sharing Fund for the year 2009. Chairwoman Perkins moved to approve the resolution. Seconded by Councilman Parker. 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 NO. 4-2009**

**A RESOLUTION AUTHORIZING TRANSFERS WITHIN  
THE RIVERBOAT REVENUE SHARING FUND  
FOR THE YEAR 2009**

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, MONTGOMERY COUNTY, INDIANA, that:

Section 1. Certain extraordinary conditions have developed since the adoption of the annual budget so that it is now necessary to transfer money that was previously appropriated within the Riverboat Revenue Sharing Fund for certain governmental stormwater functions.

Section 2. (a) To meet those extraordinary conditions and for the purposes herein set out, for the year ending December 31, 2009, there is hereby authorized a transfer of money from the following fund category to the following fund categories:

<b>AMOUNT</b>	<b>FROM</b>	<b>TO</b>
\$20,000.00	Riverboat Revenue Sharing Fund Acct #310- Professional Services	Riverboat Revenue Sharing Fund Acct #312-MS4 Operations
\$20,000.00	Riverboat Revenue Sharing Fund Acct #310 Professional Services	Riverboat Revenue Sharing Fund Acct #440 Equipment & Machinery*

\*Riverboat Revenue Sharing Fund Acct #440, Equipment & Machinery, is a new account

Section 3. This resolution shall be effective upon passage.

Adopted and passed by the Common Council of the City of Crawfordsville this 13th day of April, 2009.

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

ATTEST:  
Signed///Terri Gadd  
Terri Gadd, Clerk-Treasurer

The third item presented was an ordinance setting storm water user fees. Chairwoman Perkins moved to table the ordinance. Seconded by Councilman Cook. Chairman Coons called for comments from the Council and public. Hearing no comments a voice vote was called. The ordinance was tabled with a unanimous vote.

### **TABLED**

The fourth item presented a resolution addressing the impact of global warming and climate changes by CEL&P. Chairwoman Perkins moved to approve the resolution Seconded by Councilman Rockenbaugh. Chairman Coons called for comments from the Council and public. Offering comments from he Council was Councilwoman Perkins, and offering comments from the public was Roy Kaser. Hearing no further comments the roll was called for a vote. The resolution passed with a unanimous vote.

### **RESOLUTION NO. 5-2009**

#### **A RESOLUTION ON GLOBAL WARMING AND CLIMATE CHANGE**

WHEREAS, the Council of the City of Crawfordsville understands that the US Congress and President Barack Obama will address the issue of global warming and climate change and by taking such action could impact the electric rates of consumers in Indiana.

WHEREAS, The City of Crawfordsville understand the importance of addressing global warming and the resulting health implications on societies throughout the world and supports efforts to increase energy efficiency and renewable energy, but maintains that clean coal must be part of a diversified power supply.

WHEREAS, the City of Crawfordsville believes that as a nation and state with traditionally cost competitive energy prices, we cannot afford to close down all of the existing coals-fired generation because the victims of such a strategy will be consumers, business, and industry and the economy as a whole.

WHEREAS, the City of Crawfordsville believes the overall goal of federal legislation should be long-term in nature with a clear time frame, and allow the economy and the industry the necessary time to transition to the changes that lie ahead.

WHEREAS, the City of Crawfordsville supports a policy that emphasizes a cap and trade approach that places a declining limit on emissions over several years and allows utilities to meet the cap by reducing emissions or purchasing emissions allowances from others.

WHEREAS, the City of Crawfordsville supports a cap and trade system that focuses on an emission allocation system and not an auction process or carbon tax. Emission allowances need to be allocated at no cost to all existing coal-fired facilities, as well as future coal-fired facilities under construction. Since the Clean Air Act Amendments of 1990, this approach has been successful in reducing SO<sub>2</sub> and NO<sub>x</sub> emissions.

**THEREFORE, BE IT RESOLVED,**

Section I: That the City Council of the City of Crawfordsville is concerned about the rising cost of electricity and the financial impact of potential climate change policy on its citizens and

Section II: The City of Crawfordsville hereby requests the citizens of the city to contact our Members of Congress to support a CO2 cap and trade approach that has no cost allocation system that addresses global warming and reduced emissions of carbon dioxide without causing an unreasonable burden on the Indiana electric consumer.

Senator Richard Lugar (202) 224-4814 [senator\\_lugar@lugar.senate.gov](mailto:senator_lugar@lugar.senate.gov)

Senator Evan Bayh (202) 224-5623 <http://bayh.senate.gov/contact/email/>

Congressman Steve Buyer (202) 225-5037

<http://www.stevebuyer.house.gov/contact.htm>

APPROVED by me this 13<sup>th</sup> day of April, 2009

Signed///Nellie Thompson  
President of the City Council  
City of Crawfordsville, Indiana

ATTEST:

Signed///Terri Gadd

Terri Gadd, Clerk-Treasurer

Completing the business of the Fiscal Affairs committee Chairwoman Perkins turned the meeting over to Chairman Coons.

Chairman Coons called on Councilman Cook to present the business of the Ordinances and Petitions committee.

### **ORDINANCES AND PETITIONS**

The first item presented was an ordinance enacting and adopting the 2008 supplement to the Code of Ordinances to the City of Crawfordsville, Indiana. Chairman Cook moved to place the ordinance on first reading. Seconded by Councilman Rockenbaugh. Chairman Coons called for comments from the Council and public. After hearing comments from Councilman Parker the roll was called for a vote. The ordinance passed on first reading with a unanimous vote.

#### **FIRST READING**

Chairman Cook moved to suspend the rules and place the ordinance on second reading. Seconded by Roger Rockenbaugh. Chairman Coons called for a voice vote. The vote was unanimous to suspend the rules.

Chairman Cook moved to place the ordinance on second reading. Seconded by Councilwoman Perkins. Chairman Coons called for comments. Hearing none the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

Chairman Cook moved to place the ordinance on third and final reading and so adopt. Seconded by Councilman Parker. Chairman Coons called for comments. Hearing none

the roll was called for a vote. The ordinance passed on third and final reading with a unanimous vote.

**ORDINANCE NO. 8-2009**

AN ORDINANCE ENACTING AND ADOPTING  
THE 2008 SUPPLEMENT  
TO THE CODE OF ORDINANCES OF THE  
CITY OF CRAWFORDSVILLE, INDIANA

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2008 supplement to the Code of Ordinances of the City of Crawfordsville, Indiana, which supplement contains all ordinances of a general nature enacted by the Crawfordsville Common Council since the prior supplement to the Code of Ordinances of this municipality, through calendar year 2008; and

WHEREAS, American Legal Publishing Corporation has also recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Indiana Code that have been changed or added by prior sessions of the Indiana General Assembly; and

WHEREAS, it is the intent of Common Council to accept these updated sections in accordance with the changes to the law of the State of Indiana;

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

Section 1. The 2008 Supplement to the Code of Ordinances of the City of Crawfordsville, Indiana, as submitted by American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. This ordinance shall take effect and be in force from and after its date of passage.

ADOPTED BY THE COMMON COUNCIL of the City of Crawfordsville, Indiana, this 13th day of April, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor & Presiding Officer

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE,  
INDIANA, THIS 13th DAY OF APRIL, 2009.

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 13th DAY OF  
April, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor

ATTEST:

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

City of Crawfordsville

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The second item presented was an ordinance authorizing CEL&P to adopt a Net Metering Program for use by electric utility customers. Chairman Cook moved to place the ordinance on first reading. Seconded by Councilwoman Perkins. Chairman Coons called for comments from the Council and public. After hearing comments from Council members Cook and Perkins and Roy Kaser of CEL&P the roll was called for a vote. The ordinance was passed on first reading with a unanimous vote.

### **FIRST READING**

Completing the business of the Ordinance and Petitions committee Chairman Cook turned the meeting over to Chairman Coons.

Chairman Coons called on Councilman Kirtley to present the business of the Traffic, Parking and Safety committee.

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

The first item presented was the second reading of an ordinance requesting a stop sign on Ray Street at the intersection of Ray Street and Southgate Drive. Chairman Kirtley moved to place the ordinance on second reading. Seconded by Councilwoman Perkins. Chairman Coons called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance was passed on second reading with a unanimous vote.

Chairman Kirtley moved to place the ordinance on third and final reading and so adopt. Seconded by Councilman Parker. 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 and final reading with a unanimous vote.

### **ORDINANCE NO. 9-2009**

#### **AN ORDINANCE DESIGNATING A STOP SIGN AT RAY STREET AND SOUTHGATE DRIVE IN CRAWFORDSVILLE, IN**

WHEREAS, the Common Council of the City of Crawfordsville, Indiana, has determined that for reasons of traffic and pedestrian safety, traffic on Ray Street should come to a complete stop at the intersection of Ray Street and Southgate Drive, and there should be a stop sign installed on Ray Street at that intersection, there already being a stop sign on Southgate Drive

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

Section 1. Traffic on Ray Street shall come to a complete stop at the intersection of Ray Street and Southgate Drive.

Section 2. Stop signs shall be installed by the City on Ray Street at that intersection.

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

Section 4. The ordinance shall be in full force and effect from and after its passage and after any necessary publication

ADOPTED BY THE COMMON COUNCIL of the City of Crawfordsville, Indiana, this 13th day of April, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor & Presiding Officer

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE, INDIANA, THIS 13th DAY OF APRIL, 2009.

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 13th DAY OF April, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor

ATTEST:

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

City of Crawfordsville

The second item presented was the second reading of an ordinance requesting a speed limit reduction on Southgate Drive. Chairman Kirtley moved to place the ordinance on second reading. Seconded by Councilwoman Perkins. Chairman Coons called for comments from the Council and public. Hearing no comments the roll was called for a vote. The ordinance was passed on second reading with a unanimous vote.

Chairman Kirtley moved to place the ordinance on third and final reading and so adopt. Seconded by Councilwoman Perkins. 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 and final reading with a unanimous vote.

**ORDINANCE NO. 10-2009**

AN ORDINANCE ALTERING THE SPEED LIMIT  
OF SOUTHGATE DIVE IN  
CRAWFORDSVILLE, IN

WHEREAS, the following are located on or near Southgate Drive in Crawfordsville, Indiana: (a) Milligan Park and its swimming pool, (b) an existing park speed zone, (c) the Crawfordsville Community Center, and (d) a mix of residential and non-residential land use; and

WHEREAS, the Common Council of the City of Crawfordsville, Indiana, has determined that in light of the foregoing, there exists a safety hazard to pedestrians, bicyclists, and traffic on Southgate Drive and the speed limits on Southgate Drive should be changed; and

WHEREAS, the Street Commissioner, Assistant Police Chief, and Director of Parks and Recreation of the City concur in this assessment; and,

WHEREAS, the Common Council finds that Southgate Drive, Crawfordsville, Indiana, should have a speed limit of 15 miles per hour, from Mill Street to South Boulevard.

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 Southgate Drive, Crawfordsville, Indiana, between Mill Street and South Boulevard is hereby altered, and shall hereafter be designated to have a maximum speed of 15 miles per hour.

Section 2. The Street Commissioner is hereby authorized and directed to 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 both local newspapers of record.

ADOPTED BY THE COMMON COUNCIL of the City of Crawfordsville, Indiana, this 13th day of April, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor & Presiding Officer

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE, INDIANA, THIS 13th DAY OF APRIL, 2009.

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 13th DAY OF April, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor

ATTEST:

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

City of Crawfordsville

Completing the business of the Traffic, Parking and Safety committee Chairman Kirtley turned the meeting over to Chairman Coons.

**ANNEXATION**

**MISCELLANEOUS**

**ADJOURNMENT**

There being no further business, Chairman Coons moved to adjourn seconded by Councilwoman Perkins the meeting was adjourned at 7:30 PM.

Signed by me this 11<sup>th</sup> day of May, 2009

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

ATTEST:  
Signed///Terri Gadd  
Terri Gadd, Clerk Treasurer  
City of Crawfordsville