

CITY COUNCIL MEETING

Monday May 11, 2009 at 7:00P.M.

The Common Council of the City of Crawfordsville, Indiana, met in regular session, 7:00 PM., May 11, 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, Nellie Thompson, George Parker, Dennis Cook, Ray Kirtley, Roger Rockenbaugh, and Patrick Taylor.

Other officials in attendance were Fire Chief Eric Small, Acting Plan Director Megan Huckstep, Street Commissioner Rodney Jenkins, Assistant Police Chief Hal Utterback, Wastewater Representative Tom Terry and Gary Weliver Storm Water Director.

The Press was also present.

Chairman Coons called the meeting to order. Councilman Taylor 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 all were present.

Councilwoman Perkins moved to approve the minutes from the April 13, 2009 City Council meeting. Seconded by Councilwoman Thompson. 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.

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

PUBLIC HEARING

Chairwoman Thompson opened the Public Hearing on the ordinance making an additional appropriation for the 2009 budget at 7:03 PM.

Chairman Coons called for comments from the public and the Council. Hearing no comments Chairwoman Thompson closed the public hearing at 7:04PM

FISCAL AFFAIRS

The first item presented was the third 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 Thompson 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. 11-2009

An ordinance of the City of Crawfordsville, 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.

WHEREAS, the City of Crawfordsville (the “Member”) is a municipal corporation created and existing under the laws of the State of Indiana and is a member in good standing of the Indiana Municipal Power Agency (“Agency”), a body corporate and politic and political subdivision of the State of Indiana, created pursuant to I.C. 8-1-2.2 (the “Act”); and

WHEREAS, the Agency and the Member entered into a Capacity Purchase Agreement (Agreement) on April 1, 1982, pursuant to the authority of the Common Council of the City of Crawfordsville, Indiana, given by Ordinance No. 6, 1982 and adopted April 15, 1982, and subsequently amended by the First Amendment, The Second Amendment and the Third Amendment;

WHEREAS, the Agency seeks certain amendments to the Agreement and the Agency has agreed to such amendments as adopted by the Board of Commissioners of the Agency on June 29, 2007; and

WHEREAS, the Fourth Amendment to the Agreement is marked as Exhibit A and is attached hereto, and incorporated herein by reference, and two (2) copies are on file in the office of the Clerk-Treasurer for public inspection pursuant to I.C. 36-1-5-4; and

WHEREAS, the Utility Board found and determined in Resolution No. ___ that it is in the best interest of the Member for the Member to execute and deliver the Fourth Amendment to the Agreement; and

WHEREAS, based upon the foregoing, the Member by this Ordinance hereby finds and determines to approve the Fourth Amendment to the Agreement;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE MEMBER:

Section 1. The Member is authorized pursuant to this Ordinance to enter into the Fourth Amendment to the Agreement in the form attached hereto as Exhibit A.

Section 2. The findings and determinations set fourth in the preambles to this Ordinance are hereby made findings and determinations of the City of Crawfordsville.

Section 3. By this Ordinance, the Mayor is hereby authorized and directed to execute and deliver, and the Clerk- Treasurer is hereby authorized to attest and seal, the Fourth Amendment to the Agreement.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Common Council of the City of Crawfordsville, this 11th day of May, 2009.

COMMON COUNCIL OF THE CITY OF
CRAWFORDSVILLE, INDIANA
Signed///Charles E. Coons
Charles E. Coons, Presiding Officer

ATTEST:

Signed///Terri Gadd
Terri Gadd, Clerk Treasurer

(SEAL)

Presented by me, the undersigned Clerk-Treasurer of the City of Crawfordsville to the Mayor of said City for his/her approval on the 11th day of May, 2009, at 7:00 p.m.

Signed///Terri J. Gadd
Clerk Treasurer

Approved by me, the undersigned Mayor of said City on the 11th day of May, 2009, at 7:00 p.m.

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

The second item presented was an ordinance setting storm water user fees. Chairwoman Thompson moved to place the ordinance on first reading. Seconded by Councilwoman Perkins. Chairman Coons called for comments from the Council and public. Offering comments from the Council were Council members Parker, Perkins, Taylor and Thompson, also offering comments were City Attorney David Peebles and Storm Water Director Gary Weliver. Offering comments from the public were Don Swearingen and Larry Smith.

Hearing no further comments Chairman Coons called for the vote. The ordinance passed on first reading with six yeas one nay from Councilman Parker.

FIRST READING

The third item presented was an ordinance making an additional appropriation for the 2009 budget. Chairwoman Thompson moved to place the ordinance on first reading.

Seconded by Councilman Cook. Chairman Coons called for comments. Hearing no comments the roll was called for a vote. The ordinance passed on first reading with a unanimous vote.

FIRST READING

Chairwoman Thompson moved to suspend the rules and place the ordinance on second reading. Seconded by Councilman Parker. The roll was called for a vote. The rules were suspended with a unanimous vote.

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

SECOND READING

Chairwoman Thompson moved to place the ordinance on third and final reading and so adopt. Seconded by Councilman Cook. Chairman Coons called for comments from the Council and the 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. 12-2009

**AN ORDINANCE MAKING AN ADDITIONAL
APPROPRIATION FOR THE YEAR 2009**

WHEREAS, the City of Crawfordsville, Indiana received recently its budget order from the Indiana Department of Local Government Finance; and;

WHEREAS, to satisfy said Department, the City should re-publish and re-adopt its 2009 budget in the form of an additional appropriation,

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

SECTION 1. The foregoing extraordinary conditions have developed since the adoption of the City's annual budget so that it is now necessary to appropriate more money than was originally appropriated in the 2009 annual budget for the various functions of City government, and an extraordinary emergency is hereby declared to exist to justify such appropriations.

SECTION 2. To meet this emergency, there is hereby appropriated from the following funds the following specified amounts for the following accounts:

AMOUNT	FROM	TO
\$9,084,836	General Fund Unappropriated	General Fund Appropriated
\$1,390,171	Street (MVH) Unappropriated	Street (MVH) Appropriated
\$ 990, 707	Park & Recreation	Park & Recreation

	Unappropriated	Appropriated
\$ 139,385	Aviation Unappropriated	Aviation Appropriated
\$ 505,176	Fire Pension Unappropriated	Fire Pension Appropriated
\$ 558,328	Police Pension Unappropriated	Police Pension Appropriated
\$ 51,354	Civil Defense Unappropriated	Civil Defense Appropriated
\$ 0	Cumulative Capital Fire Unappropriated	Cumulative Capital Fire Appropriated
\$ 203,000	Cum. Cap. Improvement Unappropriated	Cum. Cap. Improvement Appropriated
\$ 363,000	Cum. Cap. Development Unappropriated	Cum. Cap. Development Appropriated
\$ 565,000	Local Road & Street Unappropriated	Local Road & Street Appropriated
\$ 111,514	Police Bldg Bond Unappropriated	Police Bldg Bond Appropriated
\$ 369,900	Commerce Park Bond Unappropriated	Commerce Park Bond Appropriated
\$ 370,000	C'ville Square TIF Unappropriated	C'ville Square TIF Appropriated
\$ 116,443	Kroger Pace Dairy Bond Unappropriated	Kroger Pace Dairy Bond Appropriated
\$ 100,000	Wheel Tax Unappropriated	Wheel Tax Appropriated
\$ 12,000	Local Law Enf. Cont. Ed. Unappropriated	Local Law Enf. Cont. Ed. Appropriated

SECTION 3. As required by the Indiana Department of Local Government Finance, attached hereto, and adopted as a part of this ordinance is DLGF Budget Form 4A.

SECTION 4. The effective date of this ordinance shall be January 1, 2009.

Adopted and passed by the Common Council of the City of Crawfordsville, Indiana, this 11th day of May, 2009.

Signed///Charles E. Coons

Charles E. Coons, Mayor & Presiding Officer

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILL,
INDIANA, THIS 11TH DAY OF MAY, 2009.

Signed///Terri Gadd

Terri Gadd, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 11TH DAY OF MAY,
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 Fiscal Affairs committee Chairwoman Thompson 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 the second reading of an ordinance authorizing CEL&P to adopt a Net Metering Program for use by the electric utility customers.

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

SECOND 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 an ordinance vacating certain alleys in the City of Crawfordsville (various Parcels in the 300 block of West Market Street and Ward Avenue). Chairman Kirtley moved to place the ordinance on first reading. Seconded by Councilman Cook. Chairman Coons called for comments from the Council and the public. Offering comments from the Council were Councilman Taylor and from the public Stoney McGaughey. Hearing no further comments Chairman Coons called for the vote. The ordinance passed on first reading with a unanimous vote.

FIRST READING

The second item presented was an ordinance approving a handicapped parking space in the 1000 block of Tuttle Avenue. Chairman Kirtley moved to place the ordinance on first reading. Seconded by Councilman Taylor. Chairman Coons called for comments from the Council and the public. Offering comments from the Council were Council members Taylor, Perkins, Cook, Parker and Thompson with City Attorney David Peebles and Acting Director of Planning Megan Huckstep. Offering comments from the public were Janey Carey Brant. Hearing no further comments Chairman Coons called for the vote. The ordinance passed on first reading with five yeas and 2 nays. With Councilwoman Perkins and Councilman Cook voting nay.

FIRST READING

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 Councilman Cook the meeting was adjourned at 8:00 PM.

Signed by me this 8th day of June, 2009

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

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