

CITY COUNCIL MEETING

Monday August 10, 2009 at 7:00P.M.

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

Other officials in attendance were Fire Chief Eric Small, Plan Director Brandy Allen, Street Commissioner Rodney Jenkins, Park & Recreation Director Roger Neal, Wastewater Director Tom Mitchell and Storm Water Director Gary Weliver, Assistant Chief of Police Hal Utterback.

The Press was also present.

Chairman Coons called the meeting to order. Councilman Kirtley 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 Thompson moved to approve the minutes from the July 13, 2009 City Council meeting. Seconded by Councilman Cook. The minutes were approved as presented with a unanimous vote.

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

FISCAL AFFAIRS

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 that prohibits the sale or possession of alcohol at the municipal golf course and authorizing the sale and possession of same at that location. Chairman Cook moved to place this ordinance on second reading. Seconded by Councilwoman Perkins. Chairman Coons called for comments from the Council and public. Offering comments from the Council were members Rockenbaugh, Cook, Taylor, Kirtley and Thompson.

Councilman Rockenbaugh moved to amend the ordinance removing the word “liquor”. Seconded by Councilwoman Thompson. Chairman Coons called for comments from the Council and public. Offering comments from the Council were members Taylor, Perkins, and Rockenbaugh. Offering comments from the public were Lynn Ray, Jack Clements and Tom Mitchell. Hearing no further comments Chairman Coons called for the vote. The amendment passed with a five to two vote. Council members Parker and Cook voting nay.

Councilman Rockenbaugh moved to amend the ordinance by inserting rules into the ordinance. Seconded by Councilwoman Thompson. Chairman Coons called for comments from the Council and public. Offering comments from the Council were members Cook, Taylor, Perkins, Rockenbaugh, and Kirtley also offering comments were Mayor Coons, City Attorney Peebles and Tom Mitchell, Wastewater Director. Hearing no further comments Chairman Coons called for the vote. The amendment failed to pass with a four to three vote. Council members Perkins, Parker, Cook and Taylor voting nay.

Chairman Cook moved to place the ordinance on second reading with amendment. Seconded by Councilman Taylor. Chairman Coons called for comments from the Council and Public. Hearing no further comments the roll was called for a vote. The ordinance passed with one amendment on second reading with a four to three vote, with Council members Kirtley, Rockenbaugh and Thompson voting nay.

SECOND READING

The second item presented was an ordinance regulating plainly audible car stereos and engine exhaust/compression brakes. Chairman Cook moved to return this ordinance to committee. Seconded by Councilman Taylor. Chairman Coons called for comments from the Council and public. Offering comments from the public were Gene Cobalt and Russell Keller. Hearing no further comments Chairman Coons called for the vote. The motion passed with a five to two vote. Council members Parker and Perkins voted nay.

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 amending Title VII, Chapter 71 of the City of Crawfordsville, Indiana prohibiting the use of golf carts on city streets. Chairman Kirtley moved to place the ordinance on second reading. Seconded by Councilwoman Thompson. Chairman Coons called for comments from the Council and the public. Offering comments from the Council were members Taylor, Thompson, Cook and Perkins, also offering comments was Assistant Police Chief Hall Utterback. Hearing no further comments the roll was called for a vote. The ordinance passed on second reading with a unanimous vote.

SECOND READING

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

ORDINANCE NO. 18-2009

**AN ORDINANCE AMENDING TITLE VII, CHAPTER 71
OF THE CITY CODE OF CRAWFORDSVILLE, INDIANA
PROHIBITING THE OPERATION OF GOLF CARTS ON CITY STREETS**

WHEREAS, by recent change to Indiana law, the operation of golf carts upon municipal streets, alleys and highways may be permissible unless prohibited or regulated by municipal ordinance;

WHEREAS, the Police Chief, Fire Chief and the Common Council of the City of Crawfordsville, Indiana, believe that the operation of golf carts upon municipal streets, alleys, and highways inherently poses great risk of death or serious injury to operators of those carts, regardless of whether those operators have driver's licenses and/or insurance, due to the size and relative speed of other vehicles with which golf carts would share the street;

WHEREAS, those same officials also believe that the operation of golf carts upon municipal streets, alleys, and highways inherently jeopardizes other motor vehicles, especially large trucks, that lawfully operate on those streets;

WHEREAS, Indiana Code 9-21-1-3.3 reads as follows:

Ordinances regarding the use of golf carts.

Sec.3.3 (a) A city or a town may adopt by ordinance additional traffic regulations concerning the use of golf carts on a highway under the jurisdiction of the city or the town. An ordinance adopted under this subsection may not conflict with or duplicate state law.

(b) A fine assessed for a violation of a traffic ordinance adopted by a city or a town under this section shall be deposited into the general fund of the city or town.

(c) A person who violates subsection (a) commits a Class C infraction

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

SECTION 1. Title VII Chapter 71, Traffic Regulations, of the Municipal Code of the City of Crawfordsville is hereby amended to add a new section, as follows:

GOLF CARTS

71.70 DEFINITION

“Golf cart” means a three (3) or four (4) wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

71.71 No person shall drive or operate a golf cart on any street, alley, highway, sidewalk, bicycle path, or other public way within the City of Crawfordsville, other than on public ways specifically designated by the Department of Parks & Recreation or the Municipal Golf Course Authority for golf cart use.

SECTION 2. All provisions of existing ordinances in conflict with this ordinance are hereby repealed. In the event that any provision of this ordinance is held to be invalid by a court of competent jurisdiction, all other provisions of this ordinance not otherwise invalidated shall remain in full force and effect.

SECTION 3. This ordinance shall be effective upon passage and any required publication.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILL, INDIANA, THIS 10th DAY OF August, 2009.

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

ATTEST:

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

PRESENTED by me to the Mayor of the City of Crawfordsville, Indiana, this 10th day of August, 2009.

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

APPROVED by me as Mayor of the City of Crawfordsville, Indiana, this 10th day of August, 2009.

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

The second item presented was an ordinance altering the speed limit of Sycamore Hills Addition including Sycamore Drive, Thornwood Road and Sugar Tree Road in Crawfordsville. 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. Hearing none 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 Traffic, Parking and Safety committee Chairman Kirtley turned the meeting over to Chairman Coons.

ANNEXATION

MISCELLANEOUS

2010 Budget Discussion

Mayor Coons offered opening comments. Also offering comments were Council members Perkins, Cook, Thompson, Rockenbaugh, and Taylor. Department heads, Neal, Jenkins, Knecht, and Small also offered comments along with Russell Keller of the FOP.

ADJOURNMENT

There being no further business, Chairman Coons moved to adjourn seconded by Councilman Taylor the meeting was adjourned at 8:48 PM.

Signed by me this 21st day of September 2009

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

ATTEST:

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