

# Danville Town Council Meeting Minutes

## August 17, 2009

- I. CALL TO ORDER: Council President, Jeff Martin, called meeting of the Danville Town Council to order at 7:00pm on August 17, 2009 in the Danville Town Hall, 147 W Main Street.
- II. ROLL CALL: President, Jeff Martin, acknowledged a quorum of the Council and led everyone in the Pledge of Allegiance to the American Flag. The following Council members were in attendance: Jeff Martin, Richard Burrows, Steve Hartsock, Mike Neilson and Marcia Lynch. The following Administrative officials were present: Gary Eakin, Town Manager and Amy Roberts, Clerk-Treasurer.
- III. APPROVAL OF MINUTES: Motion was made by Mike Neilson to approve the minutes as read for the Town Council meeting of 8/3/2009, seconded by Marcia Lynch. Motion passed 5-0.
- IV. AGENDA ITEMS:
- a) DCHS Band – Robert Dure  
Request to use Town Facility for Rummage Sale (new Town Hall parking lot, 49 N Wayne Street)  
The band has used the parking lot adjacent to US 36 and Wayne Street in the recent past. They desire this location again because of high visibility and past success. The date requested is 8/29/2009 from 8 a.m. to noon. Jeff Rigdon indicated that some construction will still be taking place; however, he does not foresee a problem. Motion made by Marcia Lynch to approve the use of this parking lot by the DCHS Band, seconded by Steve Hartsock. Motion passed 5-0.
  - b) Amendment to Ordinance Violations Bureau – Increase Penalties 14-2009  
This meeting is to introduce this amendment and to take public comment. Gary Eakin explained that the main reason for this amendment is to increase parking violation penalties. Kevin Dogan prepared this amendment and it will not take effect until passage by the Town Council and publication.
  - c) Zoning Text Amendment – Flood Hazard Area 15-2009  
Laura Parker provided a favorable recommendation to Council regarding this amendment. She indicated that this ordinance matches the State of Indiana ordinance allowing us to participate in the National Floodplain Insurance. There are approximately 14 properties in Danville that this would affect. This amendment requires elimination of one chapter and replacement with another. Motion made by Marcia Lynch to adopt Ordinance 15-2009, seconded by Dick Burrows. Motion passed 5-0.
  - d) Amendment to User-Fee Ordinance 16-2009  
Clerk-Treasurer Roberts has received IRS memos regarding the collection of a sales tax on all rental facilities. The Town of Danville should have been collecting this sales tax al it is her understanding; therefore, a 7% sales tax will be collected on all of our rental facilities to go into effect on October 1, 2009. Motion made by Dick Burrows to suspend the rules and act upon this amendment immediately, seconded by Mike Neilson. Motion passed 5-0. Motion made by Dick Burrows to approve this amendment to the user fee ordinance, seconded by Steve Hartsock. Motion passed 5-0.
  - e) Fiscal Plan for Beaty Annexation – Resolution 8-2009  
Staff recommends approval of this annexation. Motion made by Dick Burrows to accept the fiscal plan for the Beaty Annexation, Resolution 8-2009, seconded by Mike Neilson. Motion passed 5-0.
  - f) Resolution for Tax Abatement  
This is a Declaratory Resolution – no number is required. The Town Council granted a five (5) year tax abatement on the property in Commerce Park; however, the Board of Zoning Appeals denied the variance request Craig Callahan of Sullivan Tire is now seeking a two year tax abatement on the property where the old Ford Dealership used to be on East Main Street. Staff recommends granting this 2-year tax abatement. This will be published with a public hearing date for a confirmatory resolution and public comment. Motion was made by Mike Neilson to pass this Declaratory Resolution for a two (2) year tax abatement on the property located on E. Main Street at the Old Ford Dealership, seconded by Marcia Lynch. Motion passed 5-0.

g) Meals on Wheels – Request for Financial Donation

Staff offers the opinion that in light of the Town's present needs and finances, it would be difficult to justify doing this again this year. May, 2008, the Town gave \$1000 from the HOST fund. Motion made by Mike Neilson to give a financial donation to Meals on Wheels in the amount of \$1000.00 from the HOST fund, seconded by Steve Hartsock. Motion passed 5-0.

h) Bid Award for Site Work at New Town Hall (Jeff Rigdon)

Jeff Rigdon informed the Council that on 8/17/-09, six bids were received. These bids were opened and Millennium Contractors were awarded the bid. They were the lowest most responsive and responsible bidder at a total of \$88,747.00. This includes dirt, concrete, hauling off-site, and hauling and compacting 53's. Staff recommends approval of this bid award to Millennium Contractors. Motion to award was made by Marcia Lynch, seconded by Steve Hartsock. Motion carried 5-0.

i) Resolution to Transfer Appropriations between major budget classification. (Auto Repairs for Danville PD)

Chief Gill requests the transfer of funds from account 511-380 to account 511-250 to cover unexpected auto repairs. The Clerk-Treasurer has no problem transferring these funds. Motion made by Dick Burrows to approve this transfer of funds, seconded by Mike Neilson. Motion passed 5-0.

Department Head Reports

Planning

At the recent concert on the square, over 1000 were in attendance. The application for the façade grant is due by August 28, 2009. A new piece of Art from the Indianapolis Museum of Art will be placed at the new Town Hall – date not specified – the name of this piece is Holistic Image No. 8 by Betty Gold.

Fire

Nothing to report

Public Works – Julie Cooney

Approximately 94 hours were spent on Stormwater related projects and 71 hours for tree trimming and tree removal.

Water

Nothing to report

Wastewater

Nothing to report

Police

White Lick Foundation has hired 4 off-duty officers to work Saturday at the Marshall Tucker concert at the Amphitheater.

Park

The pool closed for the season. The revenues are \$140,000.00. The expenses are not all in yet. Revenues are down compared to 2008 season. The Park Board considered changing the name of the amphitheater to the Harold J. Martin Sr. Amphitheater. The Park was voted "Best Park" in Hendricks County for the 4<sup>th</sup> year in a row. With regard to the skate park ramps, Brazil thinks that they have found a piece of land owned by CSX where they will place the skate park. Unknown when they will be clearing out Ellis Park of the skate park structure.

PUBLIC COMMENTS

None

## STAFF COMMENTS

### Town Manager Eakin

A follow-up regarding the building construction – we have received a letter contesting the payroll of two employees of Akers Construction listed as ‘semi-skilled’. According to the union, they must be in apprenticeship training. Interesting fact is that Akers is non-union!

Reminder that Wednesday at 6:00 p.m. is the Roundtable at the Train Station – beginning with a dinner.

### Amy Roberts

Informed the Council that the Town website has been updated with information regarding the Stormwater Utility in an effort to familiarize residents with the bill.

### Marcia Lynch

Update regarding the Stormwater Utility: The public hearing dates have been set for 9/14/09 at 4:00 p.m. and 9/21/2009 at 5:00 p.m. Consensus of the Council is not to put council members’ names on the map showing the impervious surface.

### Dick Burrows

The Siddons family expresses their thanks to the Park and the Town for allowing them to use the Park.

### Mike Neilson

Suggested that it would be a good idea to plan an open-house for the New Town Hall.

### Jeff Martin

Scheduled a work-study to be held on 8/24/2009 at 6:00 p.m.

V. CLAIM DOCKET: Mike Neilson made a motion to approve claim docket, seconded by Dick Burrows. Motion passed 5-0.

VI. ADJOURNED: President of the Council, Jeff Martin, adjourned the meeting at 7:55 pm.

Minutes submitted by:

Approved by:

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Amy Roberts, Town of Danville

Jeff Martin, President