

# March 17th 2009 Town Council Minutes

Contributed by Administrator

Bay Development Litigation  
Little League Parade April 18th 2009  
Heavy Trash Days Scheduled

## TOWN COUNCIL MEETING

MARCH 17TH 2009  
7:00 PM

|                       |                           |
|-----------------------|---------------------------|
| MEMBERS PRESENT:      | J.Buddenbaum, Attorney    |
| Wm. Hueber, President | J.Compton, ClerkTreasurer |
| John Hart, Vice Pres. | J.Mardis, Town Manager    |
| S.Smith               | C.Patterson, Marshal      |
| K.Kindler             | S.King, Lt.               |
| R.Barnette (absent)   |                           |

OTHERS PRESENT: Walt Reeder, Rob Wagner

Determination of a quorum was established by Mr. Hueber to bring the meeting to order. With everyone standing the Pledge of Allegiance and a moment of silence followed.

### APPROVAL OF MINUTES:

S.Smith made a motion to approve the February 2009 minutes. K.Kindler seconded the motion. All eyes motion carried. The minutes were passed for signatures.

### TOWN STAFF REPORTS:

The Town Manager gave the Council several articles on Global Warming and legislation to control greenhouse gas emissions. The Council was asked to read these reports and be prepared to adopt a Resolution next month that will enable our Town to address this legislation with our best interest and protection of unfair rising costs and effects to the Midwest energy producers and consumers. Mr. Buddenbaum will provide the Resolution 2009 at the April meeting. Mr. Buddenbaum states the Council should be prepared in the future to schedule public hearings on this issue and possibly petition our residents for signatures and to contact our legislators. The Council needs to ensure the residents we understand these very important issues that could have a crippling cost effect on our community, but at the same time support the increase of energy efficiency.

All reports and articles on this legislation are attached.

#### TOWN MARSHAL:

K-9 Support T-shirts are being sold at this time to benefit the K-9 Dare program.

A grant through the stimulus package will pay for a new officer's salary and benefits at a 100% for three years. The Marshal will apply for this grant.

The Marshal also applied for a \$1000.00 equipment grant through Chief's supply. This grant requires a 25% match.

The Marshal has ordered the second modem for the police cars because the Motorola will no longer make these modems after this month. The modem will be taken out of the communication fund.

St. Vincent Hospital will accept our 24 hour commitments (persons who are a threat to themselves or others) as long as they have insurance. Hendricks Regional has a long processing time which leaves our Town without coverage while the officer is waiting. Marshal Patterson gave the Town Attorney a policy to review to make sure we are covered to take persons to St. Vincent, he will respond on the information at a later date.

Marshal Patterson requested the Town to consider writing an ordinance for parades so

Organizations would give 30 days notice to the Town and or Police Dept of dates and time so proper coverage can be scheduled. She presented a copy of Marion County's ordinance to the Town Attorney to review. The Council felt at this time they would not establish an ordinance since only two times a year we have parades. The Police Dept. could put this information of parade rules on the web site for organizations to follow.

Marshal Patterson would like to hold a raffle of \$1000 in cash or merchandise obtained from a Wal-mart Grant. Attorney Buddenbaum will check legality of a raffle being conducted on the behalf of the Department.

Training in SWAT, ILEA, and through JAG grants is scheduled in the month of April for Lt. King, Cpl Carson and Marshal Patterson.

February statistics from the speed trailer on West Main are on an attached report along with all other calls of service attended to by the Police Dept.

These reports are attached with the minutes in file.

#### MISC REPORTS:

Attorney Buddenbaum introduced the discussion of the lawsuit pertaining to Bay Development.

A settlement of \$15000.00 has been offered with much discussion from all members.

K. Kindler made the motion to accept the offer of \$15000. S.Smith seconded the motion.

Three ayes were voiced. J. Hart opposed. Motion was carried.

#### PLAN COMMISSION:

Mr. Mardis reported election of officers had been held. Zoning issues were ongoing of land use and nuisance policies.

A public hearing is set for the meeting March 24th 2009 at 7:00 pm for Zoning Amendments for pools and spas.

#### PARKS & RECREATION:

Mr. Hueber presented to the Clerk the January 6th 2009 Park Board minutes and a February Superintendent's report to be filed.

UTILITY BOARD:

They were discussing the reports on carbon tax and cap and trade approach.

FIRE BOARD: No minutes

CONTRACTED BUSINESS: None

UNFINISHED BUSINESS:

S.Smith said he would like to meet with our insurance broker to go over our options for coverage before he reports at the May meeting. He asked the Clerk to set the meeting for a daytime in April.

NEW BUSINESS:

The Clerk asked the Council for approval of three dates of April 18th , July 18th, and October 17th 2009 for heavy trash days through Ray's Trash Service.

The Council expressed the approval and asked not to be contacted on this issue again giving the decision to the Clerk and Town Manager for this service provided in the future.

Mr. Hueber has been contacted by the U.S. Census Bureau to form a committee to advise citizens of the importance of completing and returning the census forms. Mr. Hueber has asked the local TAK Sorority to form this committee to contact businesses, churches, and homeowners associations only to stress upon them the importance of returning the census forms which will be sent to all citizens.

WISHES TO SPEAK:

Mr. Wagner asked the Council for permission to have a Little League parade on April 18th 2009 at 10:00am. They

would start at Walnut St. proceed down Main and end at the Elementary School for pictures. The Police did ask that no children be allowed to ride in the back of trucks following the parade route.

S.Smith made a motion to allow the parade on April 18th 2009. J.Hart seconded the motion. All Ayes motion carried.

Mr. Hueber was concerned about the heavy trash day being scheduled the same day and asked the Clerk to see if we might change the date with Ray's.

PUBLIC COMMENT: None

COUNCIL COMMENT:

S.Smith complimented and thanked the Police for a quick response on a car parking incident at Brixton.

ACKNOWLEDGMENT OF CORRESPONDENCE:

Mr. Hueber gave the Clerk an IDEM to file.

REVIEW AND APPROVE DRAFTS AND CLAIMS:

S.Smith made a motion to approve the February drafts and claims. J.Hart seconded the motion. All ayes motion carried. Claims and drafts passed for signatures.

ADJOURNMENT:

S.Smith made a motion to adjourn the meeting. Wm. Hueber seconded the motion. All ayes motion carried.