

MINUTES

THE COMMON COUNCIL

JULY 06, 2009

TAPE MALFUNCTION

THE REGULAR MEETING OF THE COMMON COUNCIL FOR THE CITY OF CHARLESTOWN WAS HELD ON MONDAY, JULY 06, 2009 AT 6:30 P. M. AT CITY HALL WITH MAYOR BOB HALL PRESIDING.

COUNCIL MEMBERS PRESENT: TERRY PIERCE, DAN ROBERTS, JEFF AARON, SCOTT MCKECHNIE AND MARK GOODLETT, ALSO PRESENT WERE CLERK TREASURER DONNA COOMER AND CITY ATTORNEY MIKE GILLENWATER.

MINUTES:

JEFF AARON MADE A MOTION TO APPROVE THE MINUTES OF JUNE 01, 2009, WITH A SECOND BY SCOTT MCKECHNIE. APPROVED 5-0.

CLAIMS:

SCOTT MCKECHNIE MADE A MOTION TO APPROVE THE CLAIMS, WITH A SECOND BY JEFF AARON. APPROVED 5-0.

PUBLIC COMMENT:

NONE

ORDINANCE 2009-OR-08:

ORDINANCE 2009-OR-08 LIMITS THE AMOUNT AND TYPES OF NOISE MADE INCLUDING RESTRICTIONS WITHIN CERTAIN HOURS. A FINE UP TO \$100.00 COULD RESULT FOR THE FIRST OFFENSE AND UP TO \$200.00 FOR EACH OFFENSE THERE AFTER. THE COUNCIL BEFORE THE NEXT MEETING WILL REVIEW THE ORDINANCE AND FINES WILL NEED TO BE ADVERTISED.

DAN ROBERTS MADE A MOTION TO APPROVE ORDINANCE 2009-OR-08, ON THE FIRST READING, WITH A SECOND BY SCOTT MCKECHNIE. APPROVED 5-0.

RESOLUTION 2009-R-6:

RESOLUTION 2009-R-6 WILL ALLOW THE CITY TO PLAN FOR DISASTERS AND TO RECEIVE FUNDING AFTER FEMA APPROVES THE HAZARD MITIGATION PLAN.

JEFF AARON MADE A MOTION TO APPROVE RESOLUTION 2009-R-06, WITH A SECOND BY SCOTT MCKECHNIE. APPROVED 5-0.

ORDINANCE 2009-OR-07:

MAYOR BOB HALL ASKED THE COUNCIL TO APPROVE ORDINANCE 2009-OR-07 APPROPRIATING \$66,000.00 TO THE RAINY DAY FUND TO PAY FOR A NEW MHZ SYSTEM FOR THE POLICE AND TO COVER VEHICLE MAINTENANCE AND REPAIR.

JEFF AARON MADE A MOTION TO APPROVE ORDINANCE 2009-OR-07 ON THE FINAL READING, WITH A SECOND BY SCOTT MCKECHNIE. APPROVED 5-0.

POOL PROPERTY:

CITY ATTORNEY MIKE GILLENWATER SAID CONCERNING THE LAND SWAP BETWEEN THE CHARLESTOWN POOL AND JONATHAN JENNINGS ELEMENTARY SCHOOL THROUGH GREATER CLARK COUNTY SCHOOLS. MIKE SUGGESTED FILING A TORT CLAIM AND PUTTING THEM ON NOTICE.

MARK GOODLETT MADE A MOTION TO APPROVE CITY ATTORNEY MIKE GILLENWATER TO MOVE FORWARD WITH A TORT CLAIM CONCERNING GREATER CLARK COUNTY SCHOOLS, WITH A SECOND BY SCOTT MCKECHNIE. APPROVED 5-0.

SCOTT MCKECHNIE ASKED IF THE TORT CLAIM WOULD BE PUBLISHED. CITY ATTORNEY MIKE GILLENWATER SAID THEY WOULD SCHEDULE AN EXECUTIVE SESSION AND DISCUSS IT.

RESIDENTIAL RENTAL INSPECTION ORDINANCE:

DIRECTOR TONY JACKSON PRESENTED THE RECOMMENDATIONS FROM THE ADVISORY PLAN COMMISSION. MAYOR BOB HALL SAID THE ORDINANCE WOULD BE INTRODUCED TO THE COUNCIL AFTER CHANGES ARE MADE TO THE ORDINANCE.

GREEN VALLEY DRIVE:

JEFF AARON ASKED THE STATUS ON GREEN VALLEY DRIVE DRAINAGE. MAYOR BOB HALL ASKED JUSTIN HARRIS WITH SAEGESSER ENGINEERING AND EXECUTIVE DIRECTOR DAVID FLOWE TO LOOK INTO THE PROBLEM AND GET A PLAN TOGETHER.

BOB LYNN PROPERTY:

JEFF AARON ASKED ABOUT CUTTING THE DITCH AREA ON BOB LYNN'S PROPERTY. MAYOR BOB HALL ASKED CITY ATTORNEY MIKE GILLENWATER IF THERE IS LEGISLATION CONCERNING DRAINAGE DITCHES THAT WE CAN PASS. MIKE SAID THE CITY'S WEED ORDINANCE REQUIRES WEEDS NOT TO BE OVER A CERTAIN HEIGHT AND DOES NOT EXCLUDE DITCHES.

CHILDREN AT PLAY SIGNS:

JEFF AARON ASKED ABOUT THE POLICY ON INSTALLING CHILDREN AT PLAY SIGNS. CITY ATTORNEY MIKE GILLENWATER SAID THE INSURANCE COMPANIES ARE NOT IN FAVOR OF IT BECAUSE IT LEAVES THE CITY OPEN FOR LIABILITY AND GIVES THE APPEARANCE OF GIVING PERMISSION FOR CHILDREN TO PLAY IN THE STREETS.

MAYOR BOB HALL SUGGESTED WE LOOK AT THE COURT TRENDS ON THE ISSUE. CITY ATTORNEY MIKE GILLENWATER SAID WE SHOULD CONTACT THE CITY'S INSURANCE RISK MANAGEMENT AND GET THEIR RECOMMENDATION. CLERK TREASURER DONNA COOMER SAID SHE WOULD CHECK WITH THE INSURANCE COMPANY.

TRAIL SIDEWALK PROJECT:

MARK GOODLETT ASKED WHERE WE ARE ON THE TRAIL PROJECT AND MAYOR BOB HALL SAID WE ARE GETTING THE STIMULUS MONEY AND IT WILL BE READY TO LET ON DECEMBER 1, 2009 AND WE SHOULD BREAK GROUND IN 2010.

LAKEVIEW HIGHVIEW SEWERS:

PHASE TWO OF WORK ON THE PROJECT IS AWAITING EASEMENT APPROVALS. PORTIONS OF THE SUBDIVISION STILL HAVE SEPTIC TANKS AND INDIANA BOARD OF HEALTH NO LONGER PERMITS USE OF SEPTIC TANKS BECAUSE OF SOIL CONDITIONS IN THAT AREA. JUSTIN HARRIS WITH SAEGESSER SAID THE PROJECT SHOULD START BY THE END OF THE YEAR AND FINISH IN THE FALL OF 2010.

ADJOURNMENT:

TERRY PIERCE MADE A MOTION TO ADJOURN THE MEETING, WITH A SECOND BY SCOTT MCKECHNIE. APPROVED 5-0.



MAYOR, G. ROBERT HALL

8/3/09
DATE



CLERK TREASURER, DONNA S. COOMER

8/03/09
DATE

ATTEST