

## REGULAR MEETING OF CELINA CITY COUNCIL April 27, 2009

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President Rodriguez called the Regular Meeting of Celina City Council to order at 7:00 p.m. Council Members Buxton, Jeffries, King, Larmore, Scott and Sell answered roll call. Council Member Bachelor was absent. Also present were Safety Service Director Hazel, Planning & Community Development Director Bryan, City Auditor Stewart, and City Law Director McKirnan.

CM Sell made a motion to accept the agenda passed out tonight, seconded by CM Larmore. Roll call vote 6-0, Aye.

CM Scott made a motion to accept the minutes of the April 13, 2009 Regular Council Meeting as written, seconded by CM Buxton. Roll call vote 6-0, Aye.

CM Sell made a motion to accept the minutes of the April 20, 2009 Special Council Meeting as corrected, seconded by CM King. Roll call vote 6-0, Aye.

### **COMMITTEE REPORTS:**

CM Scott reported that the Utility Committee met on March 19<sup>th</sup> to review utilities specifically related to upcoming projects. He briefly went over the minutes.

CM Scott stated the Utility Committee met again on April 17<sup>th</sup> and discussed two lift stations north of Meyer Road. He briefly went over the minutes from the meeting.

CM Sell said the Community Betterment Committee met on April 20<sup>th</sup>. The committee discussed existing zoning codes and he briefly explained the discussion.

President Rodriguez stated that the Council as a Whole Committee met April 20<sup>th</sup> and said the purpose was to discuss the four note ordinances that were tabled.

**COMMUNICATIONS:** None

### **AUDIENCE COMMUNICATIONS:**

Don Kohnen, 903 Sycamore, questioned if anyone checked to see how much value of property went down because of the structure that was built that Mrs. King has been concerned about. Director Bryan said he did not go to the auditor's office to check. CM King tried to explain her feelings on the property.

Teresa Howick, 7531 St. Rt. 197, commented on the pamphlet that she received with her utility bill and the statement about being in compliance. Director Hazel explained how we can figure we are in compliance without a water sample.

Teresa Howick asked if the city has heard anything on Main Street. Director Hazel said nothing has come back from ODOT yet. She asked about the approval for sidewalks, alleys, etc. Director Bryan said the plan goes to state the first part of June. The alleys do not need state approval, they fall under the city.

### **NEW BUSINESS: (First Reading)**

28-09-O: An Ordinance repealing and replacing Ordinance 25-09-O, to authorize expenditure of funds, and authorize the Safety Service Director to enter into a contract for emergency repairs to the Public Works Building and shelter house roofs, and declaring an emergency. CM Jeffries asked if 25-09-O was the ordinance we passed for \$30,000 for the public works building roof. Director Hazel said yes, and explained this time we are looking at the office area of the building. CM Sell asked if we are repealing 25-09-O and doing this ordinance because of transferring funds. Director Hazel said yes and explained what the state auditor department said. He explained how far back the repair will go. After a further short discussion, a motion to

suspend the rules was made by CM Sell, seconded by CM Scott. Roll call vote 6-0, Aye. CM Scott made a motion to pass the ordinance, seconded by CM King. Roll call vote 6-0, Aye.

29-09-O: An Ordinance amending various categories within Ordinance 9-09-O as a First Supplement to the 2009 Annual Appropriations, and declaring an emergency. CM Sell asked about the Occupant Protection Coordinator Grant. Director Hazel explained the difference was because their fiscal year is different from our fiscal year. CM Sell made a motion to suspend the rules, seconded by CM King. Roll call vote 6-0, Aye. CM King made a motion to pass the ordinance, seconded by CM Sell. Roll call vote 6-0, Aye.

30-09-O: An Ordinance accepting a donation from the Celina Lodge No. 1473 Loyal Order of Moose, Incorporated and appropriating the same for the purchase of a water rescue suit for the Celina Fire Department, and declaring an emergency. CM Sell asked what this suit was. Director Hazel said it is a specific suit for rescue, Mustang is the brand. He stated we do have other suits but not necessarily this brand. CM Sell made a motion to suspend the rules, seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM King, seconded by CM Buxton. Roll call vote 6-0, Aye.

31-09-O: An Ordinance authorizing the Safety Service Director to enter into a professional services agreement for administration of the CDBG Tier II Grant, and declaring an emergency. Director Bryan explained there is \$60,000 for administrative fees; this \$28,000 comes out of that. The grant will close out in two years (sometime in 2010). There was some discussion on property owners' involvement and the grant amount allotted. CM Buxton asked what happens if we don't meet involvement and dollar amount. Director Bryan said state would say we didn't meet the grant agreement we signed and may ask for money back. CM Sell questioned the way Section One is worded. Director Bryan said Poggemeyer is making sure all paperwork is correct, i's dotted and t's crossed, for when we're audited. He explained how we leveraged this project with the state. A motion to suspend the rules was made by CM Sell, seconded by CM King. Roll call vote 6-0, Aye. CM Larmore made a motion to pass the ordinance, seconded by CM King. Roll call vote 6-0, Aye.

6-09-R: A Resolution authorizing the City of Celina to submit a grant application to the Bureau of Justice Assistance Recovery Act Justice Assistance Grant Program for police programs and equipment, and declaring an emergency. Chief Slusser said this is stimulus money that was made aware to us by a sales person. This does not require a match so far but if it's like other JAG Grants it would be 10%. He said right now he has a couple projects in mind, a printer and lap tops in cruisers. CM Scott asked if we can we refuse the grant if it requires a match. Chief Slusser said yes, this resolution is just asking council permission to apply. CM King asked if we have to pay the salesman that brought this to us a finder fee. Chief Slusser said no, he is just hoping to make a sale. CM King made a motion to suspend the rules, seconded by CM Buxton. Roll call vote 6-0, Aye. CM Sell made a motion to pass the resolution, seconded by CM King. Roll call vote 6-0, Aye.

**OLD BUSINESS:** (Second Reading)

26-09-O: An Ordinance authorizing the Mayor to enter into a Professional Services Agreement for a CDBG Tier II Grant Coordinator, and declaring an emergency. CM Bryan explained why Jerry Lacy was chosen and what he's been doing so far. He explained the budgeted hours. He said it's not a requirement of the grant to split the downtown manager position and this position. Director Bryan said he feels the state wants to see once this grant is done we want to continue to grow and approve downtown and he believes the downtown manager position helps with this. CM Scott asked about the flow of command. Director Bryan said both positions are under contract and officially answer to the Mayor. He said each morning we all sit down and discuss what is happening. He further explained why two roles and their duties. CM Sell made a motion to amend the ordinance in the second Whereas by changing the words "is required by the grant program", to read "administration desires". CM King made a second to the motion. Roll call vote 6-0, Aye. A motion to pass the ordinance to third reading was made by CM Sell, seconded by CM Scott. Roll call vote 6-0, Aye.

CM Buxton asked if the city has a five year or 10 year plan for the city. Director Bryan said yes, it was adopted last year but needs to be looked at and put together with more specific plans. There was a short discussion on stimulus and grant money possibilities.

4-09-R: A Resolution authorizing the Mayor to enter into a Coordination Agreement with the State Historic Preservation Office in order to expedite implementation of certain elements of the FY '08 Community Development Block Grant (CDBG) Downtown Revitalization Program; and declaring an emergency. CM Sell made a motion to pass the resolution to third reading, seconded by CM King. Roll call vote 6-0, Aye.

(Third Reading)

27-09-O: An Ordinance authorizing a lease agreement between the City of Celina and Freedom Days Family Picnic, Inc. for the lease of Lakeshore Park, and declaring an emergency. CM Scott made a motion to accept the amended version dated 4/20/09, seconded by CM King. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 5-0-1, Aye. CM Jeffries abstained.

CM Scott made a motion to take 17-09-O and 18-09-O off the table, seconded by CM Sell. The motion passed by voice acclamation.

17-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$400,000, in anticipation of the issuance of bonds, to pay the costs of making storm sewer improvements and to construct and install a waterline along Johnson Avenue from Main Street to Holly Street, together with all necessary appurtenances, and declaring an emergency. Director Bryan passed out an updated sheet with projects and dollar figures. He explained he confirmed some numbers from the past information he gave council, only put numbers into debts we already have, and showed TIF dollars. A motion to amend the ordinance in Section Three by changing the date to May 8, 2009 was made by CM Scott, seconded by CM Sell. Roll call vote 6-0, Aye. CM Scott made a motion to pass the ordinance, seconded by CM Sell. Roll call vote 6-0, Aye.

18-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$660,000, in anticipation of the issuance of bonds, to pay costs of making storm sewer improvements along West Logan Street from Portland Street to the west City limits, including the Meyer Road Storm Interceptor Improvements (Phase 1), together with all necessary appurtenances, and declaring an emergency. Director Bryan passed out bid numbers he received and explained them. CM Sell made a motion to amend the ordinance by changing the amount from \$800,000 to \$660,000 in the title, Section One, and Section Three and also changing the date to May 8, 2009 in Section Three. CM Larmore made a second to the motion. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Larmore, seconded by CM Buxton. Roll call vote 6-0, Aye.

CM Sell made a motion to take 19-09-O off the table, seconded by CM Larmore. The motion passed by voice acclamation. Director Bryan said the bid date will be the first week of September. He questioned if we borrow money now or borrow from ourselves later. Auditor Stewart said she believes it is doable to borrow from ourselves on a 60-90 day length. She explained the funds. She feels it's possible for one project but not both Buckeye Street and the restrooms. Director Bryan recommended not to pass 19-09-O and sit on the debt. CM Sell made a motion to withdraw 19-09-O from the agenda, seconded by CM Buxton. Roll call vote 6-0, Aye.

21-09-O: An Ordinance providing for the issuance and sale of notes in an aggregate principal amount of \$350,000, in anticipation of the issuance of bonds, to pay costs of the Eastview Park Restrooms, together with all necessary appurtenances, and declaring an emergency. Director Bryan said he would like to get bids out. With some of the other bids we've been getting he thinks bids may look good. There was a short discussion on funding. CM Sell made a motion to amend the ordinance in the title and Section One by changing the words "restrooms, together with all necessary appurtenances" to read "Capital Improvement" and to change the date in

Section Three to May 8, 2009. The motion to amend was seconded by CM Larmore. Roll call vote 6-0, Aye. A motion to pass the ordinance was made by CM Sell, seconded by CM King. Roll call vote 6-0, Aye.

**ADMINISTRATIVE REPORTS:**

Director Bryan explained:

- EPA scoring we received on the water project
- Have gotten bids on Lakeshore Seawall to look at
- Low bid of \$134,000 to move material from Mersman property
- To receive \$10,000 from Tony Hawk Foundation for skate park

Director Hazel reported:

- Hosted AWWA spring meeting, gave 110 tours of GAC plant
- Fence row at Wal Mart cleaned and fence will be coming down
- Newer shelter house near Montgomery Field paid for by Bryson Trust
- Playground mulch starting to go in at Eastview and Westview
- Cleared some scrub trees by Pullman Bay
- Significant amount of tree trimming done

Reminder of Personnel & Finance Committee meeting at 4:30 p.m. on May 5<sup>th</sup> in the utility building.

Streets & Alleys Committee meeting set for May 4<sup>th</sup> at 4:30 p.m. in the utility building.

Parks & Recreation Committee meeting set to follow Streets & Alleys Committee meeting.

**FOR THE GOOD OF THE ORDER:**

CM Scott asked if it is possible that someone is taking the mulch by the old dump out by the dump truck load.

Director Hazel said yes, we don't monitor how it taken. We have had some communities, such as Rockford, come get mulch.

CM Buxton said if we don't have a rehiring policy, should we have one. Director Hazel said that can be discussed in a committee meeting.

CM Buxton said the Reserve Subdivision does not have final pavement down and asked what can be done. Director Hazel said he will have to look at paperwork on rules of subdivisions.

CM Jeffries asked what the status is of the boat docks of condo owners at West Bank. Director Bryan said we don't own them.

President Rodriguez adjourned the meeting at 9:35 p.m.

Jackie L. Lacy, Council Clerk