

## **Roanoke Town Council Meeting**

**June 17, 2008**

**The Pledge of Allegiance was recited and the Roanoke Town Council convened on Tuesday, June 17<sup>th</sup> 2008 at 7:00 P.M. at the Town Hall in accordance with this Council's rules and applicable laws. Those present from the Council were President John Stoeckley, Vice President Michelle Schwieterman, Councilman Brian Young, Councilman Troy Karshner and Councilman Nick Altman. Also present were Town Superintendent Paul Swain, Town Asst. Town Superintendent John Hitzemann, Marshal Kip Rupert, Fire Chief Chad Taylor and JoAnne Kirchner, Clerk/Treasurer.**

**Councilman Altman ,moved to approve the minutes of the regular meeting of June 3, 2008 as written with one name correction. President Stoeckley seconded and the motion was approved unanimously with Vice President Schwieterman and Councilman Young both abstaining. Michelle then moved to approve the minutes of the June 10, Executive meeting as written. John seconded and the motion was approved unanimously.**

**The Council approved by consensus home improvement requests as follows:  
1) Condan Bradbury, 1069 Steven Ct. deck add-on 2) Mark Wright, 263 Clark St., new pool addition and 3) J. Scher, Nordyke Dr., new shed.**

**Mr. Brian Secor distributed a memo with totals of the wastewater fund expenses for the year 2007, obtained from the 2007 annual report from the Clerk/Treasurer's office, with his citizen comments, (copy on file at the Clerk/Treasurer's office). After being asked what his issues were with the two recent rate studies from municipal consultant, Mr. Greg Guerrettaz, Brian stated "Greg's assumptions were wrong".**

**Therefore the Council again tabled reconsideration of Ordinance 2008-3, an ordinance amending section 53.06 of Roanoke's Town code relating to the rates and charges of the wastewater works system, until the July 1, 2008 regular Council meeting.**

**Proposed Ordinance 2008-4 was then introduced (on file). That Ordinance would annex certain Huntington County real estate to the Town of Roanoke. By motion of Vice President Schwieterman, seconded by Councilman Altman, and passed unanimously, it was read by title only and briefly discussed by Council members. Council President Stoeckley advised those present that the**

**proposed Ordinance must be discussed at a public hearing concerning the proposed annexation. Council, by consensus, determined that the public hearing will be held commencing not earlier than 7:00 P.M. on August 19, 2008 in the Roanoke Town Hall located at 126 N. Main Street, in the Town of Roanoke, Indiana. All interested parties are urged to attend and those who do will have the opportunity to testify as to the proposed annexation. The Clerk/Treasurer will publish and mail by certified mail notice of that public hearing no later than sixty (60) days before the hearing as certified by law. Council notes that the list of property owners has been provided, (copy on file).**

**Nest, President Stoeckley introduced and provided copies of proposed Resolution 2008-6 concerning and containing the fiscal plans for and in support of that proposed Ordinance 2008-4, which Resolution must be acted upon before mailing, by certified mail, that notice to landowners in the Territory which would be annexed by that Ordinance 2008-4. John noted the summary of the Resolution and Council members had considered that accuracy and completeness of the recitals by previously receiving copies by U.S. mail. Then upon motion by Vice President Schwieterman, seconded by Councilperson Young, Resolution 2008-6 was adopted by a 5-0 vote of the Council members present. It was then signed, (original on file).**

**John stated that the Council was waiting on the Town attorney to review extra-territorial jurisdiction boundaries before naming another member of the BZA, thus the appointment was again tabled.**

**Fire Chief, Chad Taylor, informed the Council that the department would be considering pool fill fees and procedures over the coming months and needed input on waiver of liability forms. JoAnne would facilitate that request. Chad also stated the department was “good” regarding recent new radio purchase requests for the time being. He also stated the department had been operating on the same budget for the years 2007 and 2008.**

**Marshal Rupert gave the police department report stating that two (2) yards had been mowed by a contractor for the Town involving tall grass ordinance violations. He also stated that the “DARE” drug program had gone by the wayside and he was in the process of implementing a new program at the school.**

**Superintendent Swain gave the utility report stating the department had picked up 38 loads of brush, had mosquito sprayed several times and placed larvicide in retaining ponds again. Paul also stated he was working on a \$10,000 request to the County Highway Dept. and the County Commissioners toward a new salt and sand storage building near the WWTP across Hwy. #24.**

**A representative from Pathfinder Services would be at the next regular Council meeting on July 1 to speak to the Council regarding the recycling trailer and curb-side recycling. He also announced that the Spring/Summer Town wide clean-up day would be July 11 weekend. JoAnne's office had placed that information on the utility bills that day. Three (3) 30 yard dumpsters would be placed at the Town parking lot, one specifically for appliances.**

**Paul stated that an Eighth St. Project pre-construction meeting would be taking place the next morning, June 18<sup>th</sup> at 9:30 A.M., and any two Councilpersons were invited to attend.**

**Resident, Mr. Lee Weiss, was present requesting that the Town cut down a maple tree in the Town's right-of-way near his property at the corner of Seventh and N. Main Street that had sustained significant damage during recent storms. The Council determined by consensus that Paul was to get the best price and proceed with the project.**

**Paul next distributed copies of the Town engineer's estimate of probable construction costs (preliminary) for water extensions on the East side of U.S. 24 (Apparosa Inc. to Station Road – Open Cut & HDD Installation NO Jack & Bore) for \$110,000 based on year 2008 –water only, (copy on file at the Clerk/Treasurer's office). The Council took the information under advisement.**

**Councilman Karshner next addressed the list of eleven (11) in-Town residents who were not hooked up to sewer service, as provided at his request from Paul and JoAnne (copy on files in the Clerk/Treasurer's office). There was significant discussion regarding the Town Code 53.20, Suitable Facilities; Sewer Availability where it states that all properties "situated within the Town and abutting any street, alley or right-of-way in which there is now located or may be located a public sewer or combined sewer of the Town, is hereby required at his or her expense to install suitable toilet facilities therein**

**and to connect the facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after the date of official notice to do so, provided that the public sewer is within 100 feet of the property line”.**

**Troy stated that he could not in good conscience vote for a sewer rate increase for current users of the utility while others remained outside the system, which by ordinance requires them to be a part. Troy therefore moved to send certified mail notice to all properties within the Town limits where sewer infrastructure was available that they must hook into the system per Ordinance within 90 days of notice. Councilwoman Schwieterman seconded and the motion was approved unanimously. Notices from the Town Council would be going out within two weeks.**

**JoAnne informed the Council that the County Council would be meeting on Monday, June 23, at 7:00 P.M. with Todd Samuelson of Umbaugh and Associates present to discuss 2009 Budgets, and the possibility of a LOIT study and tax.**

**JoAnne next stated that since she was on the Roanoke Library Board, which was also trying to determine their 2009 Budget, she knew there had been previous discussion of the Town beginning to charge the library a fair share of rent and utilities for space in the Town Hall for the first time. The library had never in its almost 100 year history paid any rent, utilities or other operating costs to the Town. The Town Council had felt for several years that a fair share should be forthcoming, due to significantly increased operating costs to the Town, As a courtesy to the library board and to facilitate her work on the 2009 Town Budget anticipated revenues, she felt the issue needed to be addressed soon.**

**Lengthy discussion followed resulting in the Council asking for a summary of utility costs for the last 12 months for the town hall before the next Special Council meeting of June 24<sup>th</sup> regarding the 2009 Town Budget.**

**Councilwoman Schieterman questioned the \$100 fee to take the CDL test submitted by a utility employee and asked how many times the Town paid for the test before the employee passed. After discussion, the Council agreed by consensus that the Town would pay for two (2) testing attempts, after which the fee would be the responsibility of the employee.**

**JoAnne asked to be heard as both the Clerk/Treasurer and a citizen under business not on the agenda. AS Clerk/Treasurer she stated that she was very unclear as to why the Council was again tabling Ordinance 2008-3. She had offered several times to answer any lingering questions regarding the important issue and asked if the Council wished to have the municipal consultant come back to explain again his two recent detailed rate studies with figures taken directly from her previously audited books.**

**JoAnne stated, speaking as a citizen and utility customer, that she found it ironic that Mr. Brian Secor was the only resident to publicly object to the proposed ordinance. Ironic because Mr. Secor had been seen by three (3) persons, including a Town utility employee, helpfully pointing to an overflowing sewer grate for the IDEM inspector after she had been called into Town that day following a very heavy rainfall. As a result of that visit, the Town faced a heavy fine, a \$530,000 infrastructure upgrade mandate from IDEM and resulting forced sewer rate increase to pay for the costs. JoAnne stated it was evident that this very difficult Council decision was being driven by Brian Secor, who did not hesitate to repeatedly present incorrect “facts”, significantly discredit the municipal consultant and successfully sidetrack the Council into once again tabling the ordinance. Since introduction of the ordinance until the next July 1 Council meeting, the sewer fund would lose significant revenues to pay for a project that had already been contracted for with no way to totally pay for it. JoAnne thanked the Council for allowing her to speak.**

**Last on the agenda was the presentation of bills for payment. Vice President Schwieterman moved to pay the bills as listed on the allowance of claims payable vouchers for \$35,213.81. Councilman Young seconded and the motion was approved unanimously.**

**Councilman Karshner moved to adjourn the meeting. Councilman Young seconded and the motion was duly adopted.**

**Respectfully submitted,**

**JoAnne Kirchner, Clerk/Treasurer**