

Town of Williams Creek

Minutes – Town Council meeting Monday, December 9, 2019
Hollyhock Hill Restaurant

Attendance:

Present:

Michael Wernke, Town Council Member
Bob Parrin, Clerk-Treasurer
Lynn Yates, Town Attorney
Allen Kasper, Town Marshall
Craig Skelton, Town Council Member
Maureen Burger, Town Council President
Matt Neff, Town Council Member
Jason Sturman, Town Council Member

Others present:

Brian Touhy
Brian Brown
Tom Spencer

Agenda and discussion:

1. Council president M. Burger called the meeting to order at 7:30pm. A quorum was reached with five council members present. In addition, the Civil Rights Disclaimer was read into the record.
2. R. Parrin administered the oath of office for the five recently elected Council members. He will deliver these to the Marion County Election Board.
3. The annual anti-nepotism statements were received by R. Parrin.
4. The 2020 Salary Ordinance No. 2019-01 was reviewed and on a motion by M. Neff, seconded by J. Sturman, was passed unanimously by the Council. No changes were made from 2019.
5. M. Burger asked for comments and a motion to approve the meeting minutes of October 14, 2019. There being no comments, on a motion by M. Neff, seconded by C. Skelton, a unanimous vote approved the minutes as written.
6. R. Parrin updated the Council on Town finances at the end of November, 2019 reflected in the financial report previously distributed to Council members. He noted that the low General Fund balance will increase with expected property tax receipts of \$36,000 in December.
7. It was noted that two road repairs were completed on Morningside Dr. M. Wernke raised the issue of several other areas needing repair and will provide a map. R. Parrin reported that he is in discussions with Tim Joyce of DPW to have the Town added to an on-call pot hole repair service used by the city.
8. A. Kasper had no recent incidents in Town to report. M. Burger mentioned that she has been contacted by Relay requesting a meeting with Town officials on the CrimeWatch app transition. A. Kasper again reminded residents to use the application's PWP (patrol when possible) feature to advise of periods when they will be out of town.

9. J. Sturman had no additional information from his DNR contact on his progress with a ROW tree project. R. Parrin has requested a copy of DPW's new tree service contract from Bill Kincius, Manager of Urban Forestry, when awarded in early 2020.

10. The previously introduced proposal to lower the Town's speed limit on all streets to 25 MPH from 30 MPH was discussed. L. Yates advised that the Town Council has the authority to do this. R. Parrin offered to estimate the cost for installation of new signs.

Regarding the suggestion that the intersection of Sycamore and Willow Spring be a three way stop in place of the existing one way stop from westbound Willow Spring, R. Parrin inquired with a traffic engineer about the ramifications of making such a change and report back to the Council the results and if favorable, the cost to implement these changes.

The subject of overnight parking on Town streets was discussed. It can result in a hazardous condition at intersections that are blind and narrow. A. Kasper will raise this with any residents creating such situations.

11. L. Yates reported that the Town's ADA compliance program has been established and satisfies the INDOT requirement in order to receive Federal or State funding for roads. It requires documented training for all Town employees. On a motion by M. Neff, seconded by C. Skelton, Resolution No. 2019-01 Adoption of Title VI and ADA plans, was passed unanimously by the Council.

M. Neff thanked, and the Council agreed, L. Yates for the significant effort to draft and finalize this plan.

12. 8000 Sycamore request to relocate the driveway to Forest Blvd.

Representing the owner, Brian Touhy presented the plans and approvals for this relocation. In particular any impact on storm water drainage was discussed. Input from the owner's engineer indicated that there will be no change in the property's drainage profile. In addition the drainage tributary along Forest Blvd will be cleared which should improve flow.

New business

1. The Town's municipal code was discussed, particularly the enforcement provisions of signs posted in the Town not in conformity with the ordinance Title X and the need for a practical enforcement provision in the ordinance.

After consulting with legal counsel during the meeting, it was agreed that legal council should write language to amend Title X, Section 4 to include the enforcement conditions discussed and include such language in the minutes of this Council meeting. A motion to adopt the submitted language was made by M. Neff, and seconded by M. Werke, and passed unanimously.

Subsequently, the Town attorney submitted the following to be included in the minutes of this meeting.

"RESOLVED, the Town Council of Williams Creek unanimously agrees to the following modification to the Municipal Code of the Town of Williams Creek, Chapter X, Section 4. "Enforcement," as follows:

The existing Title X Section 4 is hereby repealed, and replaced with the following:

"Upon receiving a report of a nonconforming sign, a member of the Town Council, the Town Marshal or a Deputy Marshal shall visually confirm that a sign is posted in a manner not permitted under this Title X; photograph the nonconforming sign to record the time, date and the specific nonconformity; remove or have removed any such sign from its position; and if not located on the property address referenced in the sign, relocate or have it relocated to the property address. The person or organization who placed the nonconforming sign in the Town may appeal this enforcement action to the court identified in the Town's

Interlocal Agreement, but in no instance shall the Town be responsible for damage incident to removal or relocation of a sign that is held to be nonconforming.”

This enforcement provision shall be adopted upon the executive officer signing these minutes, and shall take effect immediately upon their posting on the Town of Williams Creek website.

2. L. Yates advised that she will not be able to continue as Town attorney due to an increase in her firm's business. It was agreed that it is best to find a replacement who is a Town resident. The Town will solicit candidates in the upcoming newsletter. It was also agreed that the Town should consider specialist municipal legal assistance when warranted.

3. The Council considered its annual requirement to name a Town Council president from its members. On a motion to nominate C. Skelton as president by J. Sturman, seconded by M. Neff, the Council voted unanimously to approve this nomination.

The next regular meeting of the Town Council is scheduled for Monday, February 10, 2020 at 7:30 PM at Hollyhock Hill restaurant.

There being no further business the meeting was adjourned on a motion by M. Neff, seconded by C. Skelton.

Minutes recorded by R. Parrin, Town Clerk-Treasurer

Signed: *Maureen Burger*
Maureen Burger, Council President