

**Town of Meridian Hills
Town Council Meeting Minutes
April 12, 2004**

Prior to the pledge of allegiance, the regular meeting of the Meridian Hills Town Council was called to order by President Terry O'Brien at 7:30 pm, at the Hilbert Early Learning Center of Park Tudor School.

Present were: Terry O'Brien, President	Sue Beesley, Town Attorney
Abigail Hohmann, Councilor Engineer	Michael Hunter, Deputy Town
Katherine Ivcevich, Councilor	Michael Russo, Town Marshal
William Nunery, MD, Clerk-Treasurer	Jeff Lumpkin, Deputy Marshal

Changes to the agenda

Old Business was moved to the first item of discussion.

Old Business

David Kingen, and members of the Memorial Garden Planning Committee from 1st Congregational Church, presented for discussion their request for rezoning of the Church's property. Several residents of the Town expressed concern that rezoning to the SU1 classification would be too broad for the location of the Church in the community, while most residents generally favored a variance to support the proposed memorial garden. The Church offered to give binding agreements to the Town which would limit the general scope of the SU1 classification. President O'Brien referred the rezoning request back to the Developmental Standards and Residential Construction Committee, with instructions that a recommendation be presented at the next Council meeting.

Police Report

Mike Russo, Town Marshall, reported that the Town picnic, co-hosted by the Town of Williams Creek, will be held from 11 am to 2 pm on Saturday, June 6th, at 79th Street and Pennsylvania. He requested financial support from the 2004 appropriation for this community event. Approval was granted.

The monthly law enforcement report was submitted. Town Marshall Russo indicated he would propose, at a future meeting, the purchase of the non-lethal taser weapon, which Williams Creek is also preparing to purchase.

Approval of Minutes

President O'Brien moved that the reading of the minutes be waived, Councilor Ivcevich seconded the

motion. Councilor Hohmann requested that discussion of the minutes be moved to the end of the agenda.

Town Engineer's Report

Deputy Engineer, Mike Hunter, recommended that a comprehensive drainage study be completed for the Town. The study would document current drainage conditions, perform a needs assessment, and provide recommendations for action. President O'Brien requested that the Town Engineer provide, at the next Council meeting, a proposal for the scope of the study, timeline, and associated costs.

Deputy Hunter again gave the opinion that the issue of water drainage between Dr. Nunery and Park Tudor School is a private matter and no Town issues are involved. Councilor Ivceвич recommended the minutes reflect that the Town's interest in the matter is closed.

Town Attorney's Report

Attorney Beesley reported that HNTB has granted access to the Town's engineering records. President O'Brien requested that the town engineer review the HNTB records, and formulate a recommendation for transfer of the records. Councilor Hohmann requested to be present during the HNTB visit. Clerk-Treasurer Nunery requested that any records that relate to the Town be transferred to the Clerk-Treasurer's office for archiving.

Attorney Beesley reported that the Fite issue has been resolved. Mr. & Mrs. Fite will be responsible for maintenance of drainage on their property (without a new public easement), and the Town will be responsible for maintenance of drainage in the public right of way.

Attorney Beesley reported that the website agreement has been modified, and is ready for signature by President O'Brien and Charles Fox, the website administrator. President O'Brien requested input regarding the proposed agreement from the Councilors and the Clerk-Treasurer by Friday, April 16th.

Clerk-Treasurer's Report

Clerk-Treasurer Nunery requested public right of way information from the Town Engineer, pertaining to the intersection of 75th Street and College Avenue. He is working with the home owners, Mr. and Dr. John Williams, to improve the line of sight for motorists at that intersection.

The Town's 2004 budget has been approved by the Department of Local Government and Finance with minor adjustment.

The Clerk-Treasurer requested an Ordinance MH 02-04 to establish rates for reimbursement of lodging and food expenses for Town officials who attend educational conferences. The Clerk-Treasurer also reported on a residential concern, voiced by Mr. Tom Krukemeier of 7633 Washington Blvd., regarding the condition of a neighbor's porch.

Clerk-Treasurer Nunery proposed Resolution MH 04-21 which would establish a continuing education fund for law enforcement officials, and would bring the Town in compliance with State Code. He also

proposed Ordinance MH 03-04 which would allow payment of certain expenses in advance of the Town Council's approval, when permitted by state law.

Dr. Nunery reported that the Town's municipal accounts have been transferred from NBI to Bank One, and that signatory privileges have not been changed pending a response to the letter of inquiry he had submitted to the State Board of Accounts. President O'Brien requested that the Clerk-Treasurer follow up with Mr. Pride from the SBOA in a timely fashion so that the issue of who has authority to set bank signatories on municipal accounts may be resolved by the next Council meeting.

The March 31 financial summary shows a cash balance of \$267,007.74. Claims and warrants were submitted for Council review and approval.

New Business

Ordinance MH 02-04, as amended, moved by President O'Brien, and seconded by Councilor Ivceвич, would establish rates for food and lodging reimbursements for public officials attending conferences and meetings called by the State Board of Accounts, or approved in advance by the Town Council. The first reading of the Ordinance was passed and a second reading will be presented at the next Council meeting.

Resolution 04-21, moved by President O'Brien and seconded by Councilor Ivceвич, would establish a law enforcement continuing education fund, as required by state law, to be funded by monies generated from law enforcement fines, and to be used for continuing education for law enforcement officers or law enforcement purposes. At Councilor Hohmann's request, the Resolution was tabled.

Ordinance MH 03-04, moved by President O'Brien and seconded by Councilor Ivceвич, would allow the Town's fiscal officer to pay certain claims in advance of Council approval, when allowed by statute. These claims and warrants would include: 1) insurance premiums, 2) utility payments or connection charges, 3) maintenance or service agreements, 4) leases or rental agreements, 5) bond payments, 6) payroll, 7) state, federal, and county taxes, and 8) expenses that must be paid because of emergency circumstances. The first reading of the proposed Ordinance was approved, and the second reading will be presented at the next meeting.

Council discussed requirements for posting notices of public committee meetings. Clerk-Treasurer Nunery will provide instructions to the Councilors on how to provide such notice in advance of committee meetings.

The Communications committee reported that a newsletter is ready for publication later this month and will be mailed to residents of the Town. The committee plans for three publications this year. Sponsorships will be used to fund the newsletter this year, but discussion was held regarding newsletter appropriations to be budgeted by the Town in 2005.

Approval of Claims and Warrants

President O'Brien moved that the claims be approved as submitted, Councilor Ivceвич seconded the motion, and the motion carried.

Approval of Meeting Minutes

Minutes for the three meetings in February and the regular meeting in March were approved with the following amendments:

- 2/9 At Councilor Hohmann's request, the minutes will show Bingham McHale as the payee for Town Attorney expense, as opposed to Town Attorney Beesley, as payee.
- 2/23 At Councilor Hohmann's request, it will be noted that Councilor Kay Ivcevich left the meeting at 7:00 pm.
- 3/8 At Councilor Hohmann's request, the reference to "Zoning Subcommittee" will be changed to "Developmental Standards and Residential Construction Committee."

There being no further business, President O'Brien moved that the meeting be adjourned. Councilor Hohmann seconded the motion, and the meeting concluded at 11:02 pm.

Respectfully submitted,

William R. Nunery, MD
Clerk- Treasurer
April 12, 2004