

Town of Meridian Hills  
Minutes of Town Council Meeting  
November 13, 2006

President O'Brien called the regular meeting of the Meridian Hills Town Council to order at 7:00 pm. The meeting was held at the Hilbert Early Learning Center at Park Tudor School.

In Attendance: Terry O'Brien, President  
Abbe Hohmann, Councilor  
Kay Ivceвич, Councilor  
John Taylor, Clerk - Treasurer  
Mike Russo, Town Marshal  
Sue Beesley, Town Attorney  
Alex Sanders as Town Engineer

Following the pledge of allegiance,

**Police Report**

Marshall Russo submitted the monthly Police Report.

Marshall Russo mentioned a recent burglary on November 9<sup>th</sup> at 128 W. 73<sup>rd</sup> Street, where the resident were home at the time of the burglary. A family member in attendance at the Town Meeting reported that a garage door had been accidentally left open and a laptop was stolen along with a purse and keys to a car. The car was stolen and later found around 40<sup>th</sup> & Broadway. Mike agreed to follow up with the resident and report his findings at a future meeting.

Marshall Russo also mentioned a report of a blue truck parking near St. Luke's School. In looking into the matter it turned out to be a painter working in the area.

Halloween had no reports of vandalism and the Police department did hand out the 400 candy bars that had been provided by the Town.

**Approval of Minutes**

After discussion, the September 11<sup>th</sup> Town Council Minutes were approved as amended by a vote of 3 to 0. The Special Meeting minutes of October 26<sup>th</sup> were also approved by a vote of 3-0.

## **Report of Town Engineer**

Alex Saunders serving in capacity as Town Engineer, submitted the monthly Town Engineer's report. Alex reported that Globe Paving project to repair, patch, and seal the authorized street locations should be completed by the next Town Meeting.

Additionally the Stop Bars installation would be completed this week weather permitting.

Engineer Saunders suggested that the Town Council consider spending approximately \$400 to clean the Baxter Sewer and to confirm that the pipes are 12 inches or larger so that DPW can take over the maintenance.

The Council discussed the matter in detail. Several issues required further consideration. Concerns were expressed that in the event of a collapse while doing cleaning, the Town would have liability. Councilor Hohmann questioned the priority of this project and the need to obtain proper easement access. President O'Brien expressed the desire to obtain resolution soon. The Council tabled the matter for further study.

The Election day water main break on Spring Mill Road exacerbated the drainage problem. President O'Brien commented that in reviewing the matter that day, he was thankful that Alex Saunders, of Schneider Corporation was on sight. President O'Brien also had positive comments for Veolia their quick action to address the issue. Many residents had taken personal initiative to try and clear culverts and drains from debris and leaves.

President O'Brien had received information during the past month from several Engineering firms. The Council will plan on a special meeting during the coming month to consider taking formal proposals for the replacement of Cecil Whitaker who had resigned from Schneider Corporation in October.

## **Report of Town Attorney**

Sue Beesley, Town Attorney, reported that she had prepared numerous Ordinance's that will be considered later in the meeting:

Attorney Beesley also commented on a letter from Comcast that had been received by the Clerk – Treasurer. The letter cancelled the Cable contract with the town based on State Legislation that had recently passed. Attorney Beesley stated that the cancellation was not intended to stop the payments that the Town receives and didn't know of any reason that the Town should see a stop in payments.

Attorney Beesley asked that the Council contact her for any legal direction.

## **Report of Clerk Treasurer**

John Taylor, Clerk-Treasurer, reported he met with DLGF to obtain approval of appeal for an excessive levy due to a Math Error. The amount of \$11,076 was approved and reinstated to the Town's budget.

Clerk – Treasurer Taylor submitted the monthly financial statements for the Council's review.

## **Old Business**

President O'Brien submitted Ordinance # 01- 06 with modifications. This Ordinance is an amendment to Town's Municipal Code, to establish the speed limits on streets in the Town not governed by the City of Indianapolis. The ordinance modifies the speed limit from 30 to 25 mph with exceptions for streets listed in Appendix B of the ordinance.

In order to vote on this issue at this meeting, the Council suspended the rules by a vote of 3-0 to allow for the first and second reading. The ordinance had a first reading previously discussed at the October meeting but was contingent on the Town's attorney looking into the matter of laws permitting speed limits below certain levels.. Attorney Beesley had reported that to have speed limits below 25 mph the town would have to conduct a traffic study to authorize.

President O'Brien gave the first and second reading of the Ordinance. A motion was made to approve. Motion was seconded. Open discussion followed.

Councilor Hohmann expressed 1) a concern that the issue didn't address 75<sup>th</sup> and Pennsylvania Streets speeding problems, and 2) cost of changing signs to post new speed limits.

President O'Brien stated the issue of cost for signs is to replace 3 signs around St. Luke that are currently 30MPH to 25MPH and the balance adding additional needed signs. The council had already approved signs for the Town and had budgeted up to \$5743.50 but needed to decide if the speed limit was to be 30 or 25 mph.

Councilor Ivcevich stated that the Town needed to establish consistency and it made sense to her to standardize. The Appendix B needed asterisks by the street listing for streets maintained by the City.

President O'Brien made a motion to accept the Ordinance as amended with the asterisks on the Appendix B for City Streets. Motion was seconded and the vote was 2-1 in favor of the ordinance. President O'Brien and Councilor Ivcevich voting for the Ordinance and Councilor Hohmann voting against.

Councilor Hohmann asked for a recommendation from Streets & Thoroughfares committee for 75<sup>th</sup> and Pennsylvania Streets speeding issues.

Councilor Hohmann also submitted an ordinance to improve the enforcement of provisions in the Town's municipal code. Councilor Hohmann discussed the reasons to review drainage proposals with the hope to increase the likelihood that projects are to be submitted to the Standards & Development Committee for review.

The ordinance was read, motion made and seconded. The ordinance was approved by a vote of 3-0.

A town resident asked "How does anyone know they need to submit a plan and it needs to be tied to the City Permit Review Process. Councilor Hohmann responded that this is an effort to work with spreading the word including newsletter, website and informing builders.

### **New Business**

President O'Brien submitted four Ordinances for Councils review.

#### MH-02-06 Establishing a Town Beautification Fund

A motion was made to accept first reading. Council discussed how it would work and be accounted for. Money donated to the Town would go into this fund for the purpose of paying for Beautification projects. This is similar to Police Education Funds that are currently in place. Vote to approve was 3-0.

#### MH-03-06 Town Entry Sign Standard

A motion was made to accept first reading. Two styles were discussed, as a monument and pillar. Councilor Hohmann questioned whether the standard needed to be an ordinance. Vote to approve was 2-1 President O'Brien, Councilor Ivcevich voting for and Councilor Hohmann against.

#### MH-04-06 Street Name Sign Standard

A motion was made to accept first reading. Councilor Hohmann questioned whether the standard needed to be an ordinance with additional discussion about the cost of the signs. Attorney Beesley commented that the Town had passed standards before for traffic signs and this was consistent with what the town had done in the past. President O'Brien also commented that the purpose of the street standard was to improve property values and bring Town identity. Councilor Ivcevich commented that this was high on the Town Survey taken earlier in the year by the Town Planning committee. Vote to approve was 2-1 President O'Brien, Councilor Ivcevich voting for and Councilor Hohmann against.

## MH-05-06 Decorative Street Light Standard

A motion was made to accept first reading. Discussion about the use of lower cost bulbs or IPL lens that will reduce up lighting at no charge. Vote to approve was 2-1 President O'Brien, Councilor Ivceovich voting for and Councilor Hohmann against.

Councilor Hohmann discussed the need for an MOU ( memorandum of understanding) between the City and the Town as to the interpretation of overseeing driveway permits. The Development Standards committee suggested the Town is not set up to issue driveway permits and recommends the City address driveway permits in the Town. The City agreed. Councilor Hohman requested that the Council approve that the City act on behalf of the Town and to authorize that the City approve driveway permits. Vote was approved 3-0.

## **Committee Reports**

### **Police and Law Enforcement-**

Nothing further added to the Marshall's report.

### **Street and Thoroughfare Committee-**

Nothing further added to the Marshall's report.

### **Finance Committee –**

Nothing Further to report.

### **Development Standard and Residential Construction Committee –**

Councilor Hohmann reported that the committee had met at the end of October. Committee had discussed property at 79<sup>th</sup> & Springmill Road. Resident had requested a driveway permit. Committee recommendation to the Council was to deny the permit due to a lack of evidence that the right of way exists. This recommendation was in agreement with Town Attorney Beesley. Motion was made and the Council voted 3-0 to deny the driveway permit.

Councilor Hohmann also discussed the Fry property at 75<sup>th</sup> & Pennsylvania Street. Councilors had received complaints about the status and lack of work being done on the property. Councilor Hohmann is to follow up with Mr. Fry and Health & Hospital if necessary.

Councilor Hohmann also commented on a set back issue at 79<sup>th</sup> & Illinois. A potential property owner wants to build on a lot with a small area to build that would potentially exceed the front set back. Attorney Beesley agreed with Councilor Hohmann that the calculation of the front setback would be measured from nearest of the intersecting streets.

### **Communications Committee Report -**

President O'Brien reported that he had signed the new Website agreement with Mike Reynolds of Spinweb. A motion was made and approved by a vote of 3-0 to move the Towns website to the new service provider.

President O'Brien announced that the Town was a finalist for a Keep Indianapolis Beautiful Grant. The proposal for the grant was for beautification projects at 73<sup>rd</sup> & Holliday Drive West cul-de-sac west of Illinois Street, and in Sherwood Village at Williams Creek Drive.

### **Ad Hoc Election Committee**

Clerk-Treasurer Taylor discussed the recommendation of the committee that had met on Thursday, October 11<sup>th</sup> at 5:30 at St. Luke's Catholic Church. The committee met to review the research of committee members on whether there were other Towns in Indiana that had Council Members voted in different years rather than all at once. The committee found that the only towns to have members elected in different years were only temporary additions to Towns that were growing rapidly. Those Towns were adding councilors as they grew but by State statute would eventually elect Councilors at the same time.

Based on the research of Committee members in finding out that other Included Towns in Marion County had three members, and a concern for cost of adding additional Councilors, the Committee recommends that Town keep the number of Councilors at three. The recommendation did not address at-large vs. districts.

The Ad Hoc Election Committee completed its task of looking into whether expanding the number of Councilors from three to five. Based on providing that recommendation to Council, the committee formally disbanded.

### **Resident Forum**

One resident commented that he didn't think it was necessary to pass ordinances but agreed that the Council could create standards.

### Approval of Claims and Warrants

Clerk – Treasurer John Taylor submitted Accounts Payable Vouchers for \$23,610.35 for approval. Vouchers were approved by a vote of 3-0.

## Town of Meridian Hills, Indiana

### Accounts Payable Vouchers Submitted November 13, 2006

	Town Payroll 11/9/06- 11/22/06	
EFT	(estimated)	\$4,600.00
	Town Payroll 11/23/06- 12/06/06	
EFT	(estimated)	4,600.00
	Town Payroll 12/07/06- 12/20/06	
EFT	(estimated)	5,800.00
1098	AT&T	93.35
1099	IPL	625.01
1100	Speedway	167.07
1101	Bingham, McHale	1,225.00
1102	Schneider Corp	3,771.25
1103	Butler Ford	29.95
1104	Indiana Newspapers	9.72
1105	Emblem Enterprises Inc.	378.00
	Liberty	
1106	Mutual	2,086.00
	Public Agency Training	
1107	Council	225.00
		<hr/>
		<u>\$23,610.35</u>

### Adjournment

There being no further business, President O'Brien adjourned the meeting at 8:59 pm.

Respectfully submitted,

John H.R Taylor

Clerk-Treasurer  
Town of Meridian Hills

Residents in Attendance:

Virginia Marten  
Ann O'Rourke  
E. Kirk McKinney  
Alice G. McKinney  
Francis Gharrett  
Bob Barrou



