

**Town of Meridian Hills
Town Council Meeting
May 10, 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 7:33 pm, at the Hilbert Early Learning Center of Park Tudor School.

Present were: Terry O'Brien, President Sue Beesley, Town Attorney
 Abigail Hohmann, Councilor Cecil Whitaker, Town Engineer
 William Nunery, Clerk-Treasurer Mike Russo, Town Marshal

Absent was: Kay Ivcevich, Councilor

Changes to the agenda

Moved two items from Old Business (Park Tudor drainage and 1st Congregational Church) and one item from New Business (Development Standards and Residential Construction committee report) up on the agenda to immediately follow the Police Report.

Police Report

Mike Russo, Town Marshal, reported that the annual police picnic, co-hosted with Williams Creek, has been cancelled. They were unable to resolve an insurance issue raised by the new homeowner where the event has traditionally taken place. The organizers are hoping to hold the event in the fall, once a location and the details can be resolved. As the original date was advertised in the recent issue of the Town newsletter, an update will be sent to residents advising of the date change.

The monthly law enforcement report was submitted, with highlights provided by Mr. Russo. He indicated a proposal will be forthcoming to purchase an Automatic External Defibrillator (AED) device for the Town's squad car. President O'Brien requested that Marshal Russo pursue a similar purchase by the Town of Williams Creek.

Old Business

Cecil Whitaker, Town Engineer, submitted his analysis of the Park Tudor/Nunery drainage situation. Additional input was provided by Jim Bremner and Bill Tolbert, representatives from Park Tudor School, Rachel O'Neil from the Indianapolis Department of Metropolitan Development and Washington Township, Jeff Healey from Banning Engineering, and Dr. Nunery, resident. Park Tudor indicated resolution of the issue did not involve the Town, and thus no action was required of the Town. President O'Brien requested that Ms. O'Neil initiate a review of the situation, and that Ms. Beesley prepare a letter summarizing the discussion. Mr. Bremner and Mr. Tolbert complained that construction on 7404 N. Park Avenue was carried out without a drainage permit, and demanded that a permit be pursued retroactively. Mr. Tolbert referred to a seven story drainage system underground on his property, and said that he expected Dr. Nunery to

follow the same guidelines that he had followed. He further demanded that not one drop of water cross the property line from Dr. Nunery's property onto Park Tudor. Dr. Nunery replied that he did not agree with Park Tudor's characterization of the facts, but that he would investigate the drainage permit history and consult a private drainage engineer regarding the issue.

Councilor Hohmann was asked to report on the deliberations of the Development Standards and Residential Construction Committee. Councilor Hohmann replied that the committee met on several occasions, but a quorum was never reached. She reported that this worked well as she did not have to announce the meeting in advance, nor was she required to write minutes.

Councilor Hohmann reported that 1st Congregational Church is withdrawing its rezoning petition, and will pursue a variance petition to accommodate their memorial garden. The Zoning Review Board hearing is June 1st. President O'Brien asked if any action for the hearing was required. Councilor Hohmann reported that a member of her committee will review the variance petition and be present at the hearing on June 1st. President O'Brien requested that a summary of any meetings held on the 1st Congregational Church zoning issue be submitted to the Clerk-Treasurer with the dates, locations, and members present, as a matter of Town record. He requested this of any future committee meetings. No recommendation for action was made to the Town Council. No vote of the Council was taken.

New Business

Gary McNutt, with Estridge Corporation, reported on a residential construction project at 7574 Morningside Drive. He has met with the neighbor, and they are supportive of the plan. He assured the Council that they will be sensitive to the drainage concerns, and will file the appropriate building and demolition permits.

Approval of Minutes

President O'Brien moved to waive reading of the April Council meeting minutes, Councilor Hohmann seconded the motion. Approval of the minutes was tabled until the end of the meeting. Following discussion at the end of the Council meeting, the sentence from the submitted April minutes which said, "The Church offered to give binding agreements to the Town which would limit the general scope of the SU-1 classification," was struck from the minutes at Councilor Hohmann's request, as she believed this sentence would make the Church's representatives appear too cooperative with the Council, and she doubted the Church's ability to make binding agreements on the issue. In addition, Councilor Hohmann wanted the minutes somewhere to reflect that the initial bank interest rate to the Town was 1.19%. Since this was not an April agenda item, President O'Brien agreed to allow the sentence to be added to the end of the May minutes. President O'Brien moved that the minutes be approved as amended, Council Hohmann seconded, and the motion carried with a vote of 2-0.

Report of Town Engineer

Mr. Whitaker provided an overview of a proposal to conduct a drainage study for the Town. The study would be conducted in two parts: 1) a general drainage assessment, and 2) site-specific analysis and

recommendations. The cost of the study would be \$8900. No drainage study for the Town has been conducted since the early 1960's. President O'Brien requested a special meeting of the Town Council within the next two weeks to review the details of the proposal, and agree on next steps.

Mr. Whitaker recommended that all engineering records be retained in electronic format on a going forward basis, and requested that the Town make provisions for storing such files in the future. He reported that equipment has been loaned to the Town for measuring reflectivity of our street signs. This is an annual review process, and it will commence shortly. Results of the review will be provided to the Streets & Thoroughfares Committee.

Councilor Hohmann requested stop signs be placed at 73rd and Pennridge in order to slow down traffic. Attorney Beesley was asked to research the process for implementing this recommendation.

Report of Town Attorney

Sue Beesley, Town Attorney, submitted a summary of activities for the previous month. President O'Brien reported that the website agreement had been executed with the Town's webmaster, Charles Fox.

Report of Clerk Treasurer

William Nunery, Clerk-Treasurer, provided additional information on the AED device for the police department. President O'Brien requested that a written estimate and resolution be submitted for consideration. Councilor Hohmann recommended that the Public Safety Committee review the proposal before taking action.

Dr. Nunery reported that a volunteer effort had begun clearing right-of-way at the corner of 75th and College to improve motorist visibility. This created a cost savings to the Town of approximately \$1400.

He requested support to establish a Cumulative Capital Improvement (CCI) Fund in which to deposit cigarette tax distributions, and bring the Town in compliance with State code.

He further reported that the State Board of Accounts has provided a letter instructing the Town on appropriate signatories for municipal accounts. Councilor Hohmann objected to the deputy clerk-treasurer remaining as a signatory, however, President O'Brien stated that signatories will remain as is, which is compliant with the SBOA's position on this issue.

He concluded with a summary of the Town's municipal accounts which reflects a cash balance of \$265,277.69

Old Business (Continued)

President O'Brien read Resolution MH 21-04, which calls for the formation of a law enforcement continuing education fund. After verifying that the town attorney's comments had been incorporated in the verbiage, President O'Brien moved to accept the resolution. Councilor Hohmann seconded the motion, and the motion carried with a vote of 2-0.

Ordinances MH 02-04 and MH 03-04 were tables for discussion at the next meeting.

New Business (Continued)

Perry Jordan, member of the Streets & Thoroughfares Committee, reported that stop signs at the intersection of 75th and Pennsylvania are obscured by trees and brush. President O'Brien advised Perry to speak to the resident about cutting the trees back, and to document the request in a letter.

President O'Brien reported for the Communications Committee that the first newsletter has gone out, and feedback has been overwhelmingly positive. He solicited comments on how to improve it. Residents have been providing input regarding concerns, and drainage is a common issue. He noted that the Town's website is now current with respect to meeting agendas and minutes being posted.

In the Resident Forum, F. Pauley, voiced concern about the intersection of 75th and Pennsylvania, and the lack of visibility for the stop signs. It was agreed this would be cared for immediately through the Streets & Thoroughfares committee.

Approval of Claims and Warrants

President O'Brien moved that the following claims be approved as submitted. Councilor Hohmann seconded the motion, and it carried with a vote of 2-0.

	<u>Payee</u>	<u>Purpose</u>	
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70	William Nunery Clerk-Treasurer	Salary	650.00
71	Bingham McHale	Attorney Salary	800.00
72	Schneider Corp	Engineer Salary	650.00
73	Ipls Power & Light	Street Lights	623.80
74	SBC	Police Phone	TBD
75	MH Police	Payroll 5/14	TBD
76	MH Police	Payroll 5/28	TBD
77	Mathieu Robison	EQ rental – 75 th & College	224.02
78	Speedway	Police auto fuel	83.18
79	Prime Pay	Payroll Service	114.25
80	Boyce	Supplies	29.88
81	Mathieu Robison	Conference/training expense	130.00
82	William Nunery	Training travel expenses	90.32
83	William Nunery	Trailer Rental – 75 th & College	74.09
84	Domain Registry	Website domain registration	25.00
85	Kinko's	March and April Council Copy	41.60

There being no further business, President O'Brien moved that the meeting be adjourned. Councilor Hohmann seconded the motion, and the meeting concluded at 10:15 pm.

Respectfully submitted,

William R. Nunery, MD
Clerk-Treasurer
May 20, 2004