

**MINUTES OF MEETING
COMMON COUNCIL
CITY OF MONTICELLO
Monday March 21, 2016**

The regular meeting of the Common Council, of the City of Monticello, Indiana, was held on Monday March 21, 2016, at 6:00 p.m. The meeting was called to order by Mayor Ken Houston and opened with the Pledge of Allegiance.

Roll call, by Clerk Treasurer Jim Mann, was answered by Mayor Ken Houston, Councilors Doug Pepple, Kim Kramer, Phil Vogel and Ralph Widmer. City Attorney George Loy was also present.

Minutes-Kim Kramer made a motion to approve the minutes from the March 7, 2016 meeting as presented. Ralph Widmer seconded. All ayes, motion passed.

Additions & Deletions-None

Department Heads Reports-None

Citizen Participation-Brooke Johnson representing Little Ras-ke's Day Care approached the Council about increased traffic in the National Homes neighborhood. She indicated she had reached out to the White County Area Plan Commission for assistance with this matter last October. She thought that Area Plan was going to reach out to her. Brooke is asking for help with more signage and speed bumps in order to deal with safety concerns. She also indicated Twin Lakes School students are driving through the neighborhood after school creating more traffic. She is busing her day care kids at this time. Brooke stated that she has communicated with the Assistant Chief of Police regarding the traffic after he had parked in the neighborhood to observe. He did suggest he felt it had increased. Mayor Houston asked Brooke what the specific concern is at this point. She indicated it was traffic control. It was agreed the Council needed more time to be informed about the history and details of the matter. Don Miller asked to speak. He said he did not feel speed bumps and signage were necessary. He indicated there should be no more day care facilities. Three in the National Homes neighborhood is enough.

Committee Reports-Mayor Houston said that three committees have and will continue to meet. These are the Ordinance, IT and Wellhead committees.

Old Business:

1. Update on Parking Concerns during Festivals-Council President Doug Pepple has discussed the concerns with both festival committees. The idea would be to have the festival vendors park in other lots and leave spaces available in the lot behind the theatre and NAPA. Doug will contact the owner of the theatre and work out additional details.
2. Policy on reporting shortages, losses, variances, and thefts-City Clerk Treasurer Jim Mann recommended the amount of \$250.00 be used under Section 2 as a threshold for which the Clerk would be required to notify the State Board of Accounts. Also, he recommended the amount of \$2,000.00 in Section 3 be used as a threshold for reporting to the State Board of Accounts for non-cash shortages, thefts, and variances. Phil Vogel made a motion to approve the recommendation. Kim Kramer seconded. All ayes, motion carried.
3. Ordinance 2016-03-Implementation of Policies and Procedures for reporting material losses. Doug Pepple made a motion to approve the Ordinance as presented. Ralph Widmer seconded. All ayes, motion carried.

4. Ordinance 2016-04-Additional Appropriation-Police Department-Ralph Widmer made a motion approve the ordinance as presented. Kim Kramer seconded. All ayes, motion carried.

New Business:

1. Ingrid Landis-Main Street Tour-Ingrid requested permission to block the streets off for the Main Street Tour Concert on Friday July 29th. Main Street will be blocked off beginning at noon. Broadway Street will be blocked off at 3:00 pm. Kim Kramer made a motion to approve the request. Ralph Widmer seconded. All ayes, motion carried.

2. Area Plan Commission-Amendment to Zoning Ordinance 47-Childcare Home Standards
APC Director Joe Rogers presented the amendment with a vote from the APC Board of 11 in favor and zero against. Joe indicated he has had complaints from the neighbors in the neighborhood where the daycare facilities are located for three years. During the summer of 2015 Joe received many calls from the neighbors in the National Homes. He arranged a meeting with the residents to discuss the concerns which ranged from safety, parking, and a decline in property values. He also met with Brooke Johnson the owner in an attempt to work out a solution. It was concluded that the issue is related to the intensity of use. Joe indicated that the APC Board felt that 500 feet in between each daycare facility would positively impact the intensity of use concerns. Phil Vogel made a motion to move Ordinance 2016-05 to second reading. Doug Pepple seconded. Brooke Johnson asked to clarify and defend a few issues brought up regarding the discussion at hand. She felt it would be unfair to not allow daycares where the distance between each is less than 500 feet. There are several operating today under those circumstances. She also felt that closing a daycare because of a change of license would be unfair because providers may change a license as a means to obtaining a grant for their facility. Brooke also indicated that if the proposed rules are accepted she would have to close her operations in a case where her Father passes away. The proposed rules would not allow her to stay in operation because upon death the property ownership would change from her Father which would create a violation and require closure. Don Miller suggested that Brooke open a larger center and provided a location example such as the Woodlawn School. He does not feel more neighborhood daycare facilities are appropriate. Kathleen Miller mentioned that the National Homes neighborhood has changed over the years and that the daycare operations have added to the changes. The neighbors want their neighborhood back. Brooke Johnson indicated she has looked for property that would be suitable for a larger facility. She has not been intentionally trying to cause problems. Councilor Doug Pepple suggested that the role of Area Plan is to determine the best use of the land. Joe Rogers added that in the case being discussed we are talking about protecting residential property. However, state law does not allow banning child care facilities in residential areas. The question on a local level is how we manage these matters and balance the needs. Roll call vote on the ordinance moving on 2nd reading...all ayes, motion carried.

3. Area Plan-Joe Rogers-Rezoning Petition 1046-MPL Properties LLC-The petition was for a rezone from R2 Single Family Residential to B2 General Business. The Area Plan Commission voted and sends an unfavorable recommendation to the Council for consideration. Discussion revolved around the road access being unsatisfactory and the business nature of proposed development conflicting with the residential nature of the neighborhood. The petitioner has considered subdividing the property and has met with neighbors to discuss. Park Department Superintendent Mitch Billue expressed concerns about the parking situation with the petitioner's development. If the development involves a pub which would be different than the traditional offering of a sandwich shop, candy bars, and ice cream it changes the use of the area. Doug Pepple made a motion to table the matter until next meeting. Kim Kramer seconded. All ayes, motion carried.

4. Randall Miller Invoice 15-0271 for Alley Reconstruction-\$3,000.00

This is for the alley west of Main Street connecting Washington Street and Marion Street. The project involves repairing the sewer line because it is taking in too much of water. There would also be street repairs as a result. Councilor Doug Pepple made a motion to approve spending \$3,000.00 from the engineering budget. There was no second.

5. Amendment 2 Ordinance 2000-9 Establishing Provisions for Occupation of Public Right of Ways
City Attorney George Loy provided background to the development of user fees for contractors needing to access City right of ways. Since these were developed 15 years ago the Street Commissioner feels the fees should be increased. Discussion revolved around since 2000 there have been wage, materials, insurance and other cost increases. So, the fees need to keep pace with 2016 costs. Phil Vogel made a motion to move Amendment 2 to second reading. Ralph Widmer seconded. All ayes, motion carried.

Accounts Payable Vouchers-Phil Vogel made a motion to approve the vouchers as presented. Kim Kramer seconded the motion. All ayes, motion carried.

Miscellaneous and all other matters-Clerk Treasurer Jim Mann reported that the investments are doing very well. The Finance Committee met with Jeff Messer of Umbaugh and Associates to review the investments and discuss additional actions to be taken with the funds. Jim indicated the committee would like to move forward with 3 Certificates of Deposit coming due at the end of the month along with \$500,000.00 from the City's core balances.

Adjournment-There being no further business the meeting adjourned at 7:30 p.m.

James D Mann
Clerk Treasurer
City of Monticello