Mayor Charles Henderson called the meeting to order at 8:30 a.m.

PRESENT: Board Members Mayor Charles Henderson, Kevin Hoover, and Thom Hord; Clerk Treasurer Jeannine Myers; City Attorney Shawna Koons; City Engineer and Director of the Department of Community Development Services Mark Richards.

Mr. Hord moved to accept the regular minutes of April 22nd, 2010 as presented. Second by Mr. Hoover. **Vote: Ayes. Motion carries.**

Director of Community Development Services and City Engineer Mark Richards reviewed the following requests:

1665 Woodfield Drive Lot 3 – Trails at Woodfield Section One

Bob Witte and Anne-Marie Kord, Innovative Irrigation LLC, appeared regarding the following request:

1) Requests to Encroach Easements/Right of Way for Installation of Irrigation System

Mr. Hoover moved to approve the request subject to the understanding that any work or repairs done in the easement and right of way are at the owner's risk, including the line that is close to the street, and direct staff to prepare an encroachment agreement, and further subject to providing proof that all utility companies have been notified. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Cobblestone – Section One

Donna Smithers, Northpointe Surveying Inc., stated that this was called the Grosvenor but will be Cobblestone once again. Ms. Smithers gave a presentation on the following requests:

1) Requests Acceptance of Plat
2) Requests to Encroach Easements for Landscaping

Mr. Hoover moved to grant the encroachment request as proposed, subject to final review by Community Development Services and Sanitation Field Departments and to direct the City Attorney to prepare an encroachment agreement. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Mr. Hoover moved to accept the plat subject to review by the Planning and Engineering Divisions. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Director of Community Development Services and City Engineer Mark Richards reviewed the following recommendation of Paul Peoni Engineering Division of the Department of Community Development Services:

Precedent South Business Center – Mays Chemical Section 1 - Lot 4C - Block 4

Joseph Heck, Projects Plus, appeared regarding the following request:

1) Accept and execute the final plat for Precedent South Business Center, Section One, Block 4, Lot 4C.

There are some revisions needed on the final plat. The engineering division recommends conditional approval based upon the following:

a) Final review and approval of the revised plat by both the engineering and planning divisions.

Moved by Mr. Hoover subject to review and approval by the Planning and Engineering Divisions. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

704 South State Road 135 Suite A – Dr. Sauer Dental Office

George Dury, Dury Investment Group, appeared regarding the request:

1) Requests Discussion Regarding Sewer Availability Fee

Mr. Richards reviewed the report prepared by the Dental Office to support the request. The letter of credit would be for $13,469.60. Mr. Dury stated that it takes time to get a letter of credit and asked if they could pay the amount in full now so they can start construction. Mr. Hoover moved to accept a cash payment for $5,989.80 now with the difference being $13,469.60 to be paid in a letter of credit and replace it with a guaranteed certified check. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Nuisance Complaints

John Myers, Code Enforcement Officer, stated that the following nuisance complaints were abated:

1) 72 West Broadway – Peasley
2) 37 Crestview Drive – McCarty
3) 708 North Howard Road – Sturgeon
4) 802 Lawndale Drive – Steenbergen
5) 247 West Pearl Street – Roeder
6) 245 North Smart Street - Mathews

John Myers, Code Enforcement Officer, spoke on the following nuisance complaints:

1) 933 Fry Road – Hyatt

Mr. Myers stated that the property has trash junk and debris and the owner has come before the Board previously. Debbie Hyatt appeared regarding the complaint and further discussion with the Board followed. Mr. Hord moved to find that a nuisance does exist at 933 Fry Road, and directed the City Attorney to issue an Order of Abatement giving 10 days notice and failing that to authorize the City Attorney to take all steps deemed appropriate to abate the nuisance and charge the cost thereof against the property owners. Second by Mr. Hoover. **Vote: Ayes. Motion carries.**

2) 555 Howard Road – Welling

Mr. Myers stated that the property is vacant with high grass and weeds. Mr. Hoover moved to find that a nuisance exists at 555 Howard Road, and directed the City Attorney to issue an Order of Abatement giving 10 days notice and failing that to authorize the City Attorney to take all steps deemed appropriate to abate the nuisance and charge the cost thereof against the property owners. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

3) 345 Hope Court – Browning

Mr. Myers stated that the property is vacant with high grass and weeds. Mr. Hoover moved to find that a nuisance exists at 345 Hope Court, and directed the City Attorney to issue an Order of Abatement giving 10 days notice and failing that to authorize the City Attorney to take all steps deemed appropriate to abate the nuisance and charge the cost thereof against the property owners. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Audience

Director of the Parks and Recreation Department Evan Springer requested approval to plant trees in the median at the entrance at Freedom Park. Mr. Richards spoke on the types of trees that can be used and referenced Resolution No. 05-03 which stated that the

Board can approve the tree species. Mr. Hoover moved to approve the planting of Greenspire Littleleaf Linden trees in the median strip at Freedom Park and good cause has been given for the inclusion of the tree to be included in Resolution No. 05-03 and to ratify the current Ornamental Pear trees. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Mr. Springer stated that there will need to be a sign at Freedom Park that would possibly be located in a right of way. Mayor Charles Henderson instructed that he work with staff to find out and get approval by the Board if it is in the right of way.

Mr. Springer stated that there are trees that overhang on the road to the park and need to be trimmed back. Mayor Charles Henderson stated that he should get more information and then bring it before the Board.

Jeff Henson, Indiana American Water, stated that the City has been through a full month of billing the trash, water, and sewer together and asked if there were any questions or concerns. Mayor Charles Henderson stated that he had positive feedback and a little confusion about the new bill. Mr. Henson stated that the Sanitation Billing Office employees would be visiting the call center to meet the people they work with daily. Sanitation Billing Office Manager Arnie Kaptain stated that things were going very well with the new company.

City Attorney Status of Tasks

City Attorney Shawna Koons confirmed that everyone received the Memorandum of Status of Tasks and asked if there were any questions.

City Attorney Shawna Koons presented the following:

Opt to Contract for Trash and Curbside Recycling Program

Greenwood Municipal Code (1993), as amended, Section 6-320, provides that residents who do not otherwise qualify as participants for its Trash Collection and Curbside Recycling Program may opt to participate if they agree to abide by the terms of the program and pay the fees for participation. The Board previously approved a contract for this purpose. Five residents who qualify are opting to participate and the contracts to permit the participation must be approved by the Board.

Mr. Hoover moved to approve the Opt to Contract for Trash and Curbside Recycling Program for the following residents:

Jerry Beckham, 1721 W. Demaree Road;

Ima J. Brummeett, 1053 W. Smith Valley Road;

Donald Eades, 894 Cutsinger Road;

William E. Clark, 838 W. Worthsville Road; and

Luttie Abrams, 2096 Averitt Road,

and to authorize the Mayor to execute the Contracts in the Board's behalf. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Amendment of the Village of Lone Pine Farms Section One Fifteen Year Law Sewer Service Agreement and Sewer Availability Fee Credit Agreement (Zinkan and Barker Development, LLC)

As the Board is aware, it previously authorized a Fifteen Year Law Sewer Service Agreement and a Sewer Availability Fee Credit Agreement with Zinkan and Barker Development, LLC for the Village of Lone Pine Farm Section One Subdivision. Since the execution of those Agreements, the scope of the sanitary sewer improvements to be

constructed by Zinkan and Barker was reduced and it is no longer installing improvements that create excess capacity for additional users; therefore, the cost of construction has decreased, as has the sewer availability fee credit, and there shall be no recoupment due to Zinkan and Barker Development, LLC. It is necessary to amend the sewer service agreement to remove the fifteen year law provisions and to amend the engineer's report accordingly. It is also necessary to amend the Sewer Availability Fee Credit Agreement to reflect the change in scope, the change in costs of construction, and the amount of the sewer availability fee credit, accordingly. The City Attorney has been notified that the revised Engineer's Report, the final costs of construction, and the as-builts on this project have been submitted to appropriate City staff and are under review.

Mr. Hoover moved to authorize staff to amend the Fifteen Year Law Sewer Service Agreement (Proposed Plat Village of Lone Pine Farms Section One Subdivision) and the Sewer Availability Fee Credit Agreement with Zinkan and Barker Development Company, LLC (Village of Lone Pine Farms Subdivision), to reduce the scope of the sanitary sewer improvements, the construction costs, and the sewer availability fee credit, and to authorize the Mayor to sign the amended Sewer Service Agreement and Sewer Availability Fee Credit Agreement in the Board's behalf. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

City Engineer

Director of Community Development Services and City Engineer Mark Richards presented the bids for the 2010 Bituminous Overlay Project. The bids have been reviewed by the Engineering Division but have not yet been reviewed by the Law Department. Milestone was the apparent low bidder and recommended conditional approval upon the Law Department's review with authorization for the Mayor to sign the contract on the Board's behalf. Moved by Mr. Hoover. Second by Mr. Hord. **Vote: Ayes. Motion carries.**

Human Resources

None.

Director of Operations

None.

Clerk Treasurer

None.

Claims

Mr. Hord moved to accept and approve the claims as presented through May 6th 2010, with the exception of check number 10101114. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

Mayor

None.

With no further business, the meeting adjourned at 9:29 a.m.

Charles E. Henderson
Mayor Charles Henderson

Jeannine Myers
Clerk Treasurer Jeannine Myers