GREENWOOD COMMON COUNCIL
December 4, 2017 Minutes
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I. Call Meeting To Order

The Common Council of the City of Greenwood, Johnson County, Indiana met in its regular session on Monday, December 04, 2017 at 7:00 p.m. in the regular place, the Council Chambers of the Greenwood Municipal Building, 300 South Madison Avenue, Greenwood, Indiana. The Council President, Mike Campbell, presided and the City Clerk, Jeannine Myers, was present to memorialize the proceedings.

Father Daniel Coffey, Dept. Staff Chaplain for the Indiana State Police, led in prayer.

Present on the roll call were Council Members: Bruce Armstrong ("Mr. Armstrong"); Ron Bates ("Mr. Bates"); Mike Campbell ("Mr. Campbell"); Linda Gibson ("Ms. Gibson"); Ezra Hill ("Mr. Hill"); David Hopper ("Mr. Hopper"); Chuck Landon ("Mr. Landon") and David Lekse ("Mr. Lekse"). Brent Corey was absent. A quorum was obtained.

Additional Officials Present: Mark Myers ("Mayor Myers"), City of Greenwood Mayor; Darin Hoggatt ("Chief Hoggatt"), Greenwood Fire Chief; Matthew Fillenwarth ("Assistant Chief Fillenwarth"), Greenwood Assistant Chief of Police; Krista Taggart ("Ms. Taggart"), Corporation Council; Kathie Fritz ("Ms. Fritz"), Interim Controller; and Bill Peeples ("Mr. Peeples"), City Planner.

II. Approval of Minutes from the Regular Meeting on November 20, 2017

Motion to approve the minutes from the Regular Meeting on November 20, 2017, made by Mr. Bates. Seconded by Mr. Lekse. Vote: Ayes. (8-0) Motion Carries.

III. Audience Requests

Katie Harvey, 2512 Summerwood Lane, member of Summerfield Village homeowner’s association, spoke regarding ordinance 17-58. She shared photos with council and voiced that mailboxes being blocked is not the only concern, but safety and health concerns of mailed prescriptions not being able to be delivered. In response to worries about limiting holiday and visitor parking, she recalled how, in similar parking situations, drivers would often drop off passengers and park just a little further down the street, leaving access to emergency vehicles with little inconvenience to drivers. In response to worries that limiting parking would encourage parking on easements or yards, she stated that many already park in such a manner to avoid being sideswiped. Darlene Phillips, 2461 Harvest Moon Drive, Secretary of the Board for Summerfield Village homeowner’s association, drew the attention of council to a packet she distributed including a letter from the postman of the area, a map of Summerfield Village distinguishing renters, who are the biggest offenders of the association’s bi-laws, and noted that the addition of storage sheds was approved in May 2002, in order to free garages for vehicles. She also presented a letter from Clark Pleasant Community Schools Transportation Director, Robert Downin, detailing school bus travel and safety concerns regarding this area. Mr. Campbell and Mr. Lekse thanked Ms. Harvey and Ms. Phillips. Ms. Gibson asked that Mr. Peeples receive a copy of this packet.

Nat Ridge, 489 Overland Drive, addressed council regarding ordinance 17-66. He voiced concerns shared by some 316 of his fellow residents that a fine increase to fifty dollars is excessive. He stated that in zero lot line areas such as these, legal street parking is nearly impossible. He shared information from the cities of Avon and Carmel regarding their parking penalty procedures. He was in favor of a system more like those cities, where an initial lower fine is increased the longer it goes unpaid.

Danny Daniels, 400 North Park Drive, addressed council regarding an abandoned property on or around 200 Broadway. He stated that this property has been an ongoing issue for several years but little seems to have been done to address it. He noted that with broken windows, broken down shed, dilapidated roof and failed maintenance wrapping, it is a tremendous eyesore. Ms. Gibson, Ms. Taggart, and Mr. Peeples
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discussed the city and county issues and legal intricacies surrounding this property, finalizing with Ms. Gibson requesting Mr. Peeples look into the issue for council.

IV. Reports

A. Corporation Counsel

Ms. Taggart notified council that the Board of Public Works approved an additional action plan to be submitted in respect to their compliance plan, having the compliance plan end in December 2021, through the completion of the Western Regional Interceptor Projects' construction- the major capital improvement project recommended by the Ten Year Capital Improvement Study.

B. Controller

None

C. Committee & Board Reports

Mr. Landon informed council he had distributed a copy of a want list in preparation for meeting with an architect for the approved $210,000 planning grant.

V. Ordinances and Resolutions

A. Notice of Intent to Consider

ORDINANCE NO. 17-68 – AN ORDINANCE TO AMEND THE TEXT OF ORDINANCE NO. 82-1, "ZONING CODE", TO REPEAL GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 10, ARTICLE 23 "SIGN CODE", SECTION 10-600 TO SECTION 10-616, AND ADD ARTICLE 24, "SIGN CODE", SECTION 10-700 TO SECTION 10-714, TO THE GREENWOOD MUNICIPAL CODE (Sponsored by Corey)

Mr. Peeples addressed council regarding the details of the city’s sign code in response to a recent U.S. Supreme Court decision: Reed v. the Town of Gilbert. He discussed the details of regulation changes and informed council that the purpose statement of Greenwood’s sign code has been augmented with additional detail, in order to insure the city legally. Mr. Landon asked if these changes have been reviewed by the Chamber of Commerce, which they had. Mr. Landon asked if a letter from the Chamber of Commerce could be attained stating their approval and how these changes are business friendly. Ms. Taggart stated that the Chamber has not made it through the legal process necessary for them to take a stance on this issue yet. Mr. Landon voiced his desire to initiate and complete that process. Ms. Taggart discussed the legal intricacies related to this issue with council.


B. First Reading

ORDINANCE NO. 17-68 AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, SECTION 2-38 OF THE GREENWOOD MUNICIPAL CODE (1993) DESIGNATING NO PARKING ON CERTAIN SIDES OF THE STREETS IN SUMMERFIELD VILLAGE (Sponsored by Landon)

Mr. Campbell voiced that he believed this to be a good idea after speaking with public safety officials and as the issue has evolved from mere inconvenience, with blocked driveways and mailboxes to more of a public safety concern. Ms. Gibson echoed these sentiments and offered her support, but still had concerns about after hour parking and holiday or event parking. Council members discussed this concern and violation pricing concerns, also agreeing that whatever changes are applied to ordinance no. 17-66 will also
be applied to this one. This all resulted in a motion to amend ordinance no. 17-58 to a fifty-dollar citation rather than a one hundred forty dollar citation.

Motion to amend Ordinance No. 17-58 moved by Mr. Lekse. Seconded by Mr. Hopper. **Vote: Ayes. (8-0)** Motion Carries.

Motion for the first reading of Ordinance No. 17-58 moved by Mr. Landon. Seconded by Mr. Bates. **Vote: Ayes. (8-0)** Motion Carries.

**ORDINANCE NO. 17-67 AN ORDINANCE AMENDING GREENWOOD COMMON COUNCIL ORDNANCE NO. 88-75, AS AMENDED, AND GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 2, ARTICLE 6 TO AMEND CERTAIN PROVISIONS RELATED TO THE ORDINANCE VIOLATIONS BUREAU (Sponsored by Campbell)**

Mr. Armstrong clarified that this was to allow maximum payment amount, designated through the ordinance violation bureau to the Clerk’s office, be raised to two hundred fifty dollars from one hundred, to mirror state statute changes. Mr. Armstrong also noted that this does not take away a persons’ right to a trial.

Motion for the first reading of Ordinance No. 17-67 moved by Ms. Gibson. Seconded by Mr. Landon. **Vote: Ayes. (8-0)** Motion Carries.

**ORDINANCE NO. 17-66 AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 4, SECTION 8-28 AND CHAPTER 2, ARTICLE 6, SECTION 2-38 OF THE GREENWOOD MUNICIPAL CODE (1993) TO INCREASE PENALTY FOR PARKING VIOLATIONS AND AMENDING RELATED SECTIONS (Sponsored by Corey)**

Council members, Ms. Taggart, Assistant Chief Fillenwarth and Ms. Myers discussed alternate methods of reducing fines based on payment date, and the intricacies of the logistics of the current system of processing and payment, resulting in a motion to amend ordinance no. 17-66 to make initial parking tickets cost fifty dollars, be reduced to thirty-five dollars if paid within ten business days, and be raised to seventy-five dollars if not paid within thirty days.


Motion for the first reading of Ordinance No. 17-66 moved by Mr. Bates. Seconded by Ms. Gibson. **Vote: Ayes. (8-0)** Motion Carries.

**C. Second Reading**

**ORDINANCE NO. 17-59 AN ORDINANCE TO AMEND THE TEXT OF CHAPTER 8, TRAFFIC AND PARKING REGULATIONS, ARTICLE 5, SECTION 8-46 RELATED TO SPEEDING IN A DESIGNATED SCHOOL ZONE (Sponsored by Campbell)**

Mr. Armstrong clarified that this is just to make the code times match the times on the already posted signs throughout the city.

Motion for the second reading of Ordinance No. 17-59 moved by Mr. Bates. Seconded by Mr. Lekse. **Vote: Ayes. (8-0)** Motion Carries.

**ORDINANCE NO. 17-60 AN ORDINANCE TRANSFERRING FUNDS WITHIN THE GENERAL FUND, POLICE DEPARTMENT FROM BUDGET CATEGORY 222 TO BUDGET CATEGORY 335 ($30,000) (Sponsored by Bates, Gibson)**
Motion for the second reading of Ordinance No. 17-60 moved by Mr. Bates. Seconded by Mr. Landon. Vote: Ayes. (8-0) Motion Carries.

ORDINANCE NO. 17-61 AN ORDINANCE TRANSFERRING FUNDS WITHIN THE RAINY DAY FUND FROM BUDGET CATEGORY 449 TO BUDGET CATEGORY 338 ($22,182) (Sponsored by Bates, Gibson)

Motion for the second reading of Ordinance No. 17-61 moved by Mr. Bates. Seconded by Ms. Gibson. Vote: Ayes. (8-0) Motion Carries.

ORDINANCE NO. 17-64 AN ORDINANCE PROVIDING FOR AN ADDITIONAL APPROPRIATION FROM THE PARKS FUND TO BUDGET CLASSIFICATION 444 IN THE PARKS DEPARTMENT BUDGET ($160,000) (Sponsored by Hopper)

Public hearing scheduled for December 4, 2017.

Mr. Armstrong clarified that this would allow for the addition of sixty-five additional parking spaces at Freedom Springs. Mr. Lekse said this seems necessary. Mr. Landon asked if the amount of money was thoroughly sourced, to which Ms. Taggart replied there were multiple quotes, and if the work is completed for less money, the remainder would be returned to the fund.

Motion for the second reading of Ordinance No. 17-64 moved by Mr. Hopper. Seconded by Mr. Lekse. Vote: Ayes. (8-0) Motion Carries.

ORDINANCE NO. 17-65 AN ORDINANCE TRANSFERRING FUNDS WITHIN THE FIRE FUND, FIRE DEPARTMENT FROM BUDGET CATEGORY 229 TO BUDGET CATEGORY 335 ($10,000) (Sponsored by Gibson)

Motion for the second reading of Ordinance No. 17-65 moved by Ms. Gibson. Seconded by Mr. Bates. Vote: Ayes. (8-0) Motion Carries.

RESOLUTION NO. 17-34 – A RESOLUTION CONFIRMING RESOLUTION 17-32, THE DECLARATION OF A CERTAIN AREA WITHIN THE CITY OF GREENWOOD AN ECONOMIC REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY AND PERSONAL PROPERTY IMPROVEMENTS FOR PROPERTY TAX ABATEMENT AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING (FEDEX GROUND PACKAGE SYSTEM, INC.) (Sponsored by Campbell)


Victor Perr, 487 North Graham Road, addressed council with his concerns of the benefit of this development, in particular the scale, which he believes to be a disruptor to the area of prime real estate. He proposed the city save the seventeen million in proposed abatement, because FedEx would be able to afford to build without it. He would prefer that money go to more diversified businesses. He also had concerns about how other businesses would develop around this large-scale development.

Linda Beasley, 2894 South Windchime Circle, spoke in favor of this resolution stating that warehouses already exist on one side of the proposed site, an interstate exists on another side, and farmland exists on the final side. Therefore, she does not believe any substantial sound or light pollution would disrupt any major housing. She also felt that a warehouse facility like this would require less police or fire protection from the cities resources than housing developments would.


VI. New Business – Introduction of New Ordinances and Resolutions
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None  

VII. Miscellaneous Business  

A. Council  
Mr. Campbell called the council’s attention to upcoming Board and Commission appointments needed for January 2018. In particular, the Greenwood Economic Development Commission, and the Greenwood Community Development Corporation.  

B. Audience  
None  

C. Other Miscellaneous  
   i. Corporation Counsel  
None  
   ii. Controller  
Ms. Fritz informed council that the city received the Government Finance Officers Association Certificate in Financial Reporting Excellence for 2016.  

D. Mayor  
None  

VIII. Adjournment  

With no further business, the meeting adjourned at 8:33 p.m. The next regular meeting of the Greenwood Common Council to be held on December 18, 2017, at 7:00 p.m.  

Council President, Mike Campbell  
Clerk, Jeannine Myers  

In Accordance with HOUSE ENROLLED ACT No. 1822  
AN ACT to amend the Indiana Code concerning local government.  
Be it enacted by the General Assembly of the State of Indiana:  

SECTION 1. IC 36-2-2-11 [IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017].  
Sec. 11. (a) The county auditor shall attend all meetings of, and record in writing the official proceedings of, the executive. (b) If a copy of the executive's proceedings has been signed and sealed by the auditor and introduced into evidence in court, that copy is presumed to be an accurate record of the executive's proceedings. (c) This subsection applies only to a county having a population of more than one hundred thousand (100,000) that maintains an Internet web site. The county auditor shall post on the county's Internet web site the roll call votes of the county’s executive body not later than three (3) business days after the following: (1) The date the roll call vote is taken if the county's software is able to generate a roll call vote. (2) If the county's software is not able to generate a roll call vote, the date the county executive body is first able to approve the minutes of the meeting at which the roll call vote was taken. The county auditor shall maintain the roll call vote information on the Internet web site for a period of four (4) years.