

**PROCEEDINGS OF THE COMMON COUNCIL OF
THE CITY OF RICHMOND, INDIANA,
MONDAY, MARCH 15, 2010**

The Common Council of the City of Richmond, Indiana met in regular session Monday, March 15, 2010 in the Council Chambers in said City.

PLEDGE OF ALLEGIANCE

PRAYER BY MR. MILLER

President Miller called the meeting to order and the following business was conducted:

ROLL CALL

Councilors present were Howard "Jack" Elstro, Kelley Cruse-Nicholson, Bruce Wissel, Clay Miller, Bing Welch, Larry Parker, Robert Goodwin, Diana Pappin and Phil Quinn.

Also present were: Bill Harris, Director of Human Resources; Kris Wolski, Police Chief; Linda Wolski; Barry Cramer; Dave Dorsten; Kim Vessels, Assistant City Attorney; Ray and Monica Burns; Brianna Butler; Todd Dooley, Richmond Site Coordinator for ABATE of Indiana; Curt Webb; Bob Ridgeway; Tammy Glenn, City Controller; Sally Hutton, Mayor; Walt Chidester, City Attorney; Karen Chasteen, City Clerk; Matt Ridgeway; and Elmer Brown.

APPROVAL OF MINUTES

Mr. Parker moved to approve the minutes of the meeting of March 1, 2010, supported by Mr. Welch. Upon a vote viva voce, the motion passed.

**PRESENTATIONS, MEMORIALS OR REMONSTRANCES, PETITIONS AND INTRODUCTIONS,
MOTIONS, RESOLUTIONS**

RESOLUTION NO. 3-2010 – A RESOLUTION ALLOWING A LATE FILED STATEMENT OF BENEFITS FORM FOR A TAX ABATEMENT FOR JM HUTTON & CO., INC.

Presented by Mr. Wissel, this Resolution would allow J.M. Hutton & Company, Inc. to request a ten-year tax abatement for equipment purchased before the tax abatement request. The Tax Abatement Committee recommended approval.

Mr. Wissel moved to approve Resolution No. 3-2010, supported by Ms. Pappin. Upon a vote viva voce, the motion passed.

RESOLUTION NO. 4-2010 – A RESOLUTION ALLOWING A LATE FILED STATEMENT OF BENEFITS FOR VANDOR CORPORATION

Presented by Mr. Wissel, this Resolution would allow Vandor Corporation to request a ten-year tax abatement for equipment. This project was delayed for several reasons, one of which was the decline of the economy. Vandor is now ready to move forward. The Tax Abatement Committee recommended approval.

Mr. Wissel moved to approve Resolution No. 4-2010, supported by Mr. Goodwin. Upon a vote viva voce, the motion passed.

COMMUNICATION FROM THE MAYOR

- Reminded citizens to complete their Census questionnaire – it is vital to the community
- The Spring Fling – hosted by the Department of Parks and Recreation – will be Saturday, March 20

REPORT FROM BOARD OF PUBLIC WORKS AND SAFETY

Minutes of the February 25 and March 4, 2010, meetings were accepted as presented.

REPORTS FROM DEPARTMENT HEADS, STANDING COMMITTEES, SPECIAL COMMITTEES and/or ORGANIZATIONS

City Controller Tammy Glenn presented an update on cash flow estimates.

MISCELLANEOUS BUSINESS

- The Police Department Merit Commission presented the name of Sandie Rowe to be reappointed. This was held until the April 5 meeting to allow for additional nominations.

ORDINANCES ON FIRST READING

Mr. Elstro moved to suspend the rules and read Ordinance Nos. 10, 11 & 13-2010 on first reading by title only, supported by Ms. Cruse-Nicholson. Upon a vote viva voce, the motion passed.

ORDINANCE NO. 10-2010 – AN APPROPRIATION ORDINANCE AMENDING ORDINANCE NO. 42-2009 KNOWN AS THE 2010 SALARY ORDINANCE

The Clerk read Ordinance No. 10-2010 on first reading by title only.

Presented by Mr. Harris, this Ordinance would change the classification of the Secretary/Receptionists with the Park Department and move a temporary employee of the Street to permanent status.

Mr. Welch moved to advance Ordinance No. 10-2010 to second reading and to suspend the rules and read by title only, supported by Mr. Parker. Upon a vote viva voce, the motion passed.

Council President Miller declared Ordinance No. 10-2010 on second reading and public hearing. There being no comments for or against the Ordinance, Mr. Elstro moved for engrossment of Ordinance No. 10-2010, supported by Welch. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 10-2010 on second reading by title only.

Mr. Wissel moved to advance Ordinance No. 10-2010 to third and final reading and suspend the rules and read by title only, supported by Ms. Cruse-Nicholson. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 10-2010 on third reading by title only.

Ordinance No. 10-2010 was adopted with an 8-1 roll call vote. Dissenting was Mr. Quinn.

ORDINANCE NO. 11-2009 – AN APPROPRIATION ORDINANCE AMENDING THE 2010 BUDGET

The Clerk read Ordinance No. 11-2010 on first reading by title only.

Presented by Mr. Harris, this Ordinance would authorize the transfer of funds within the Street Department Budget to cover the costs of reclassifying a temporary employee.

Mr. Welch moved to advance Ordinance No. 11-2010 to second reading and to suspend the rules and read by title only, supported by Mr. Parker. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 11-2010 on second reading by title only.

Council President Miller declared Ordinance No. 11-2010 on second reading and public hearing. There being no comments for or against the Ordinance, Mr. Parker moved for engrossment of Ordinance No. 11-2010, supported by Ms. Cruse-Nicholson. Upon a vote viva voce, the motion passed.

Mr. Wissel moved to advance Ordinance No. 11-2010 to third and final reading and suspend the rules and read by title only, supported by Ms. Pappin. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 11-2010 on third reading by title only.

Ordinance No. 11-2010 was adopted with 9-0 roll call vote.

ORDINANCE NO. 13-2010 – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (J.M. Hutton & Co., Inc. – equipment)

The Clerk read Ordinance No. 13-2010 on first reading by title only.

Presented by Mr. Wissel, this Ordinance is a request of J.M. Hutton & Co., Inc. for a ten-year tax abatement for equipment valued at Two Hundred One Thousand Four Hundred Seventy One Dollars and Fifty Cents (\$201,471.50). The Tax Abatement Committee recommended approval.

Mr. Parker moved to reconsider Ordinance No. 13-2010, supported by Ms. Pappin. Upon a vote viva voce, the motion passed.

Mr. Welch moved to advance Ordinance No. 13-2010 to second reading and to suspend the rules and read by title only, supported by Mr. Parker. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 13-2010 on second reading by title only.

Council President Miller declared Ordinance No. 13-2010 on second reading and public hearing. There being no comments for or against the Ordinance, Mr. Parker moved for engrossment of Ordinance No. 13-2010, supported by Ms. Pappin. Upon a vote viva voce, the motion passed.

Mr. Wissel moved to advance Ordinance No. 13-2010 to third and final reading and suspend the rules and read by title only, supported by Mr. Welch. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 13-2010 on third reading by title only.

Ordinance No. 13-2010 was adopted with a 9-0 roll call vote.

ORDINANCES ON SECOND READING

ORDINANCE NO. 6-2010 – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (Vandor – equipment)

The Clerk read Ordinance No. 6-2010 on second reading by title only.

Presented by Mr. Wissel, this Ordinance is a request of Vandor Corporation for a ten-year tax abatement for equipment valued at One Million Nine Hundred Thirty One Thousand Dollars and zero cents (\$1,931,000.00). The Tax Abatement Committee recommended approval.

Council President Miller declared Ordinance No. 6-2010 on second reading and public hearing. There being no comments for or against the Ordinance, Ms. Cruse-Nicholson moved for engrossment of Ordinance No. 6-2010, supported by Mr. Elstro. Upon a vote viva voce, the motion passed.

Mr. Welch moved to advance Ordinance No. 6-2010 to third and final reading and suspend the rules and read by title only, supported by Mr. Parker. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 6-2010 on third reading by title only.

Ordinance No. 6-2010 was adopted with a 9-0 roll call vote.

ORDINANCE NO. 8-2010 – A GENERAL ORDINANCE CREATING CHAPTER 78 OF THE RICHMOND CITY CODE REGULATING MOPEDS AND POCKET BIKES

Presented by Ms. Vessels, this Ordinance would create Chapter 78 of the Richmond City Code which will regulate mopeds and pocket bikes.

Council President Miller declared Ordinance No. 8-2010 on second reading and public hearing. Speaking in favor was Police Chief Wolski. Those voicing concerns were Elmer Brown, Curt Webb, Bob Ridgeway, Matt Ridgeway and Todd Dooley.

Mr. Welch moved to amend Section 78.02(a) by adding: *An operator who resides outside the corporate limits of the City of Richmond in Wayne County, or who resides in a county that borders Wayne County, who operates his or her moped in the City of Richmond under a valid registration as required by the operator's jurisdiction of residence shall not be required to have his or her moped registered with the City of Richmond, provided valid proof of registration is given and the operator has on his or her person proper identification as required by state law., supported by Ms. Cruse-Nicholson. Upon a vote viva voce, the motion passed.*

Mr. Parker moved to amend Section 78.05(h) as follows: *No moped shall be used to carry a child under the age of fifteen (15) years unless the operation is the legal guardian or has written permission. No passenger shall be permitted to ride in front of the operator. . . , supported by Ms. Pappin. Upon a vote viva voce, the motion passed 8-1. Dissenting was Mr. Wissel.*

Mr. Goodwin moved to amend Section 78.06(c) as follows: *An initial registration fee of \$35.00 per moped . . . thereafter an annual fee of \$15.00 per moped per year shall be charged to the owner for registration and inspection, supported by Mr. Wissel. Upon a vote viva voce, the motion passed.*

Mr. Wissel moved to amend Section 78.07(c) to read: *Prior to operation of a moped on City roadways, a person less than eighteen (18) years of age who operates a moped shall successfully complete and obtain certification of passage from motorcycle driver education and training course approved by the City of Richmond Police Department., supported by Ms. Cruse-Nicholson. Upon a vote viva voce, the motion passed.*

Mr. Wissel moved to amend the last sentence of this Ordinance to read: *This Ordinance shall be in full force and effect on May 1, 2010, supported by Mr. Parker. Upon a vote viva voce, the motion passed.*

Mr. Wissel moved for engrossment of Ordinance No. 8-2010 as amended, supported by Ms. Cruse Nicholson. Upon a vote viva voce, the motion passed.

Mr. Wissel moved to advance Ordinance No. 8-2010 as amended to third and final reading and suspend the rules and read by title only, supported by Mr. Welch. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 8-2010 as amended on third reading by title only.

Ordinance No. 8-2010 as amended was adopted with a 8-1 roll call vote. Dissenting was Mr. Miller.

ORDINANCES ON THIRD READING

None

CALL FOR ADJOURNMENT

There being no further business, on a motion duly made, seconded and passed, the meeting was adjourned.

S/S J. Clayton Miller
J. Clayton Miller, President

ATTEST: S/S Karen Chasteen
Karen Chasteen, IAMC, MMC
City Clerk