

## **Approved Minutes for the Town of Rocky Ripple Board Meeting, Sept. 8, 2009**

Attendees: Robert Tomey, Carla Gaff-Clark, Cathy Hurt, Angela Herrmann (arrived late)  
The meeting was called to order at 7:30pm. The Pledge of Allegiance was recited.

### **Meeting minutes**

The minutes from the July meeting were read. Robert said that he called Kevin Hardie of Friends of the White River regarding the dead fish on July 17<sup>th</sup>, not the DNR. Marilyn Hunter called the DNR. Carla made a motion to accept the minutes with the above changes. Robert seconded and the motion was approved.

### **Treasurer's Report**

As of August 31, we had \$34,011.41 total in checking and savings. Expenses were \$3562.63 and income was \$27,189.43. Income included \$15,000.00 for the clerk-treasurer bond, \$3819.29 for motor vehicle highway, \$5391.67 for property tax distribution, and \$1511.67 for water pilot. Cathy contacted the State Board of Accounts (SBOA) and they will not be taking any part of the \$15,000 settlement. A copy of the financial summary that was handed out to board members is attached to this report.

Robert made a motion to accept the Treasurer's report, Carla seconded.

### **Citizen Concerns/ New Business**

It was asked whether we are pursuing the \$50,000 insurance payment for employee dishonesty. We are. We are waiting for the resolution of the criminal case. To find out about the status of the case citizens can contact the clerk of the court at 317-232-1930.

It was asked whether Mr. Elrod was helpful- it seems that we state that he has not gotten back to us at every meeting. Carla said that he does help in emergencies. We are not paying him for very many hours, so our routine business is not his top priority.

It was stated that we need to put pressure on Mr. Elrod and/or the insurance company to get the payment. The issue is that the policy specifically states that elected officials are not covered under the employee dishonesty clause. The agent that sold the policy to us stated at the time that elected officials would be covered, even after the wording in the clause was questioned by board members.

We have had this policy for 5 or 6 years. This is our general liability policy; the employee dishonesty clause is only a small part of it. There are only 2 insurance companies willing to cover towns like us, so we don't have a lot of options. We need general liability insurance- we need to be covered if someone is injured in the park, for instance.

It was suggested that we find a lawyer to take our case on a contingency basis once the criminal case is resolved.

Someone asked whether the bush hog was broken. It had a flat tire, which was fixed. Also, in the course of mowing a cable got caught in the blade. The mower was turned on its side to remove the cable, & then when it was restarted it smoked, but it is ok.

It was asked whether someone shot a fox in the neighborhood. It has not been confirmed, but a shot was heard. Our ordinance prohibits the discharge of firearms in town- there is a \$1000 fine for doing so.

It was stated that our town is "under attack" by thieves. See Marshal's report.

The police car needs major repairs- the heater core leaks, it needs new tires, the suspension and transmission need work and the head gasket & differential have leaks. Robert does not have time to do the repairs.

It is still uncertain whether we will get the police car grant from the Indiana Criminal Justice Institute. The grant board has walked out in protest of the State taking so much of the money. The Attorney General has interceded.

Some of the repairs can be put off until we find out about the grant, but the heater core is a safety issue and needs to be repaired now. Robert made a motion to allow up to \$1000 to repair the heater core in the police car. Carla seconded. It was asked whether we need to take bids for the work. We do not for this small amount of money.

Angela arrived at 8:20. She had been attending a public meeting with Veolia Water regarding work on the canal.

There have been several structures built into the levee this summer- one at 542 Ripple Rd and one at 654 W 54<sup>th</sup> street. Robert submitted photos. One is a deck and the other is a set of stairs cut into the levee. **BUILDING ANYTHING ON THE LEVEE IS NOT ALLOWED.** The levee is not just the hump of earth above ground level- you cannot build into the riverbank either. It is a danger to cut into any part of the levee- we need to keep the levee in good shape for flood protection. (Note: if your structure is floating and detachable it is a raft, not a dock.)

Some permits have been allowed in the past- those structures are causing erosion now. Work will be allowed on those structures to fix the levee back to the original specifications of the permit.

The structures built without a permit will have to be removed, and removed in such a way as to keep the levee intact. Holes must be filled and grass planted.

Robert made a motion that the two structures mentioned above be removed. Marshal Kiefer will issue a cease & desist order, and give the owners 30 days to comply. Angela seconded, and the motion was passed unanimously.

We will need to monitor the sites to ensure that the work is done properly and not removed in such a way as to make the situation worse. We may want to contact the DNR for advice.

It was noted that the town owns the levee to the east of the town hall.

If the structures are not removed, the town will hire someone to do it and charge the owners for the work.

It was suggested that the town send out a list of dos and don'ts for people who live on the river.

Now is the time to plant the native grass seed that is suggested for the levee. Angela will contact JF New to find out the type of grass seed to buy and check prices. Kandy Kendall offered to help. Angela would like to use some town money to buy grass seed and have it available for homeowners to use on the levee. Donations would be accepted.

Robert made a motion to allow up to \$300 to buy native grass seed to plant on the levee. All were in favor, and the motion passed.

It was asked whether the Butler students have finished the Fountain Park project. They have not started yet- this a long term project and they are still in the planning stage.

### **Marshal's Report**

One UTT was issued for failure to stop at a stop sign, and 2 traffic ordinance violations were issued. There was a report of assault on Canal Blvd. Metro police took a burglary report for the 700 block of 54<sup>th</sup> St. and Marshal Kiefer took a burglary report for the 300 block of Ripple Rd. There was a theft report for the 600 block of 54<sup>th</sup> St. There was a report of credit card fraud.

The burglaries were not forced entry- LOCK YOUR DOORS!

Marshal Kiefer issued notices regarding clearing the 2 foot easement next to the road to homes along 54<sup>th</sup> St. He was told by some people that the plantings in question are intentional and that the homeowners will not cooperate. The easement is defined as 25 feet from the center of the road on either side. The easement is there for the safety of pedestrians- there needs to be room for them to get off the road to get out of the way of traffic.

We need to ask Mr. Elrod about whether the town can remove the plantings if the homeowner will not cooperate. Marshall Kiefer will need to issue a citation first.

It was asked whether we can do something to get the school bus to slow down in the neighborhood. Several people said that they had not noticed a problem with the speed of the bus.

### **Community Association Report**

The Rocky Ripple festival is Sept. 26, from 11am to 6pm. This is our 10<sup>th</sup> festival. We have 51 artists this year. Ann Wickham brought some yard signs to give out.

### **Angela's report on the canal meeting**

The meeting was at Butler University. The water company wants to increase flow in the canal, and needs to stabilize the banks in order to do that. The project will not start until Spring now (originally they had wanted to start work this fall). Veolia is looking at the community impact and also the historical impact- the Central Canal is the oldest canal of its type. They are doing a lot of surveying right now.

The next public meeting with Veolia regarding the canal will be Monday Sept. 14 at Broad Ripple High School at 7:00 pm.

With no further business, Angela made a motion to adjourn the meeting at 9:00pm. Robert seconded.

Respectfully submitted,  
Cathy Hurt

Town of Rocky Ripple, 930 West 54<sup>th</sup> Street, Rocky Ripple, Indiana

Rocky Ripple Financial Summary

August 2009

	Checking + Savings	General Fund	Motor Vehicle Highway Fund	Local Roads & Streets Fund	Park water	Park toilet
<b>Starting balance:</b>	<b>\$ 10,177.71</b>	<b>\$ 5,623.97</b>	<b>\$ 1,167.98</b>	<b>\$ 1,080.72</b>	<b>\$ (0.48)</b>	<b>\$ (23.00)</b>
<b>Routine monthly expenses</b>						
<b>Utilities, except street lights:</b>	<b>\$ 299.88</b>	\$ 299.88				
IP&L park pavillion	\$ 12.59					
IP&L town hall	\$ 32.64					
IP&L vet's monument	\$ 14.84					
AT&T, phone & internet	\$ 82.44					
Citizens Gas, town hall	\$ 129.00					
Water, town hall	\$ 11.95					
Water, park	\$ 16.42				\$ 16.42	
<b>Street Lights:</b>	<b>\$ 736.29</b>		\$ 736.29			
<b>Town Marshal/ Street Commissiner:</b>	<b>\$ 2,431.68</b>					
Wages	\$ 2,111.94	\$ 1,055.97	\$ 1,055.97			
Gas for police car	\$ 200.00		\$ 200.00			
State taxes	\$ 119.74	\$ 119.74				
<b>Other:</b>	<b>\$ 94.78</b>	\$ 94.78				
bank fees	\$ 16.78					
park toilet rental	\$ 78.00					\$ 78.00
<b>Routine Quarterly expenses</b>	<b>\$ -</b>		\$ -			
legal services (Q4 2008 & Q1 2009)						
wages, town board						
federal payroll taxes						
<b>Non-routine Expenses</b>	<b>\$ -</b>	\$ -				
		\$ -				
		\$ -				
<b>Total Expenses:</b>	<b>\$ 3,562.63</b>	<b>\$ 1,570.37</b>	<b>\$ 1,992.26</b>	<b>\$ -</b>	<b>\$ 16.42</b>	<b>\$ 78.00</b>
<b>Income from State:</b>	<b>\$ 19,109.28</b>					
LRS	\$ 289.99			\$ 289.99		
MVH	\$ 3,819.29		\$ 3,819.29			
Cigarette tax		\$ -				
ABC gallonage		\$ -				
SBOA- partial settlement audit B34227	\$ 15,000.00	\$ 15,000.00				
<b>Income from County:</b>	<b>\$ 7,652.34</b>					
LOIT oper dist	\$ 169.17	\$ 169.17				
Public Safety dist.	\$ 579.83		\$ 579.83			
Court Costs to Municip		\$ -				
advance dist.		\$ -				
water pilot	\$ 1,511.67	\$ 1,511.67				
property dist.	\$ 5,391.67	\$ 5,391.67				
excise dist.		\$ -				
<b>Ordinance violations:</b>	<b>\$ 325.00</b>	\$ 325.00				
<b>Gun permits:</b>	<b>\$ -</b>	\$ -				
<b>Town Hall/ Park Pavilion Use:</b>	<b>\$ 100.00</b>	\$ 100.00				
Town Hall	\$ 50.00					
Pavilion	\$ 50.00					\$ 50.00
<b>Other:</b>	<b>\$ -</b>	\$ -				
Donations for park water		\$ -			\$ -	
<b>Interest:</b>	<b>\$ 2.81</b>	\$ 2.81				
<b>Total Income:</b>	<b>\$ 27,189.43</b>	<b>\$ 22,500.32</b>	<b>\$ 4,399.12</b>	<b>\$ 289.99</b>	<b>\$ -</b>	<b>\$ 50.00</b>
Outstanding checks paid	\$ 2,105.04					
Current outstanding checks	\$ 2,311.94					
<b>Ending balance:</b>	<b>\$ 34,011.41</b>	<b>\$ 26,553.92</b>	<b>\$ 3,574.84</b>	<b>\$ 1,370.71</b>	<b>\$ (16.90)</b>	<b>\$ (51.00)</b>