

Approved Minutes for the Town of Rocky Ripple Board Meeting, Mar. 13, 2012

Attendees: Robert Tomey, Carla Gaff-Clark, Cathy Hurt

The meeting was called to order at 7:30pm. The Pledge of Allegiance was recited.

Treasurer's Report

As of February 29, we had \$70,064.73 total in checking and savings. Expenses were \$6,538.46 and income was \$3,314.88. Notable expense was \$529.00 for tires for the police car.

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.

Robert approved the bills from Gardens of Growth for road salting. We will use a different company for mowing and road salting in the future.

Cathy is in contact with the probation office to find out how payments from Ann Jansen will be distributed to us.

Meeting minutes

The minutes from the February meeting were read. Robert made a motion to accept the minutes with no change, Carla seconded.

Old Business

Jon Elrod, Rocky Ripple's lawyer, was present to discuss the vacation of Riverview Drive at the 4900 end. The land with the roadway that is currently in use was deeded to Rocky Ripple by Butler University.

Rocky Ripple was given control of the land that is platted for Riverview Drive under Unigov. This land currently goes through the Anderson's house.

A compromise between the Andersons, Jon Stohler, and the town was reached in March of 2010 regarding the vacation of the platted road. A turnaround would be in front of lots 58 & 59 ("Red's house"), and driveway access and an easement for river access for emergency use for the town would be established immediately south of those lots. The town would vacate the rest of the platted road, giving the land to the Andersons up to the existing fence. Riverview Drive would be officially moved to the existing roadway.

However, since then, the Andersons have withdrawn consent. (Mr. Elrod was not sure this was legally possible.)

The current road and turnaround are on Rocky Ripple property or right of way, so Rocky Ripple does not need to act to protect the existing roadway. The title company for the Anderson's house has liability for the house being in the platted roadway.

Typical vacation statutes split the property to be vacated 50/50, however this will not get the house entirely out of the roadway.

A further dispute regarding this land is the ownership of land between the existing fence and Jon Stohler's property. The fence is on property that is owned by Rocky Ripple. Mr. Elrod recommended that Rocky Ripple come to an agreement with Mr. Stohler, and that this land be treated as Mr. Stohler's property. This fence has been in place long enough that Mr. Stohler could claim the land under the rule of adverse possession if it applied to towns.

Robert asked about Rocky Ripple's liability for people doing court ordered community service in town. What if the person doing the service gets hurt? Mr. Elrod advised us to ask our insurance provider. It is probably covered in the same manner as volunteer labor. Cathy will contact the insurance company to find out.

Due to issues with billing with Gardens of Growth, we will not be using them for park mowing this summer. Robert was thinking that maybe we could use community service labor for mowing- he has had people ask him about working for the town in this capacity. He would like to limit service to people convicted of misdemeanors. Mr. Elrod said that we might not have a choice, and that we would have to ask the agency that provides the labor.

Marshal's Report

Marshal Kiefer responded to the following this month:

2/15, harassment

2/15, theft of a water heater. The water heater was sitting on the street and it is possible that it was mistaken for trash.

2/17, warrant arrest for burglary

2/27, domestic disturbance, 1 arrest

2/28, domestic disturbance (ongoing situation)

3/2, checked out empty residence with an open door

3/5, disturbance

3/13, harassment

Marshal Kiefer has ordered software for his laptop. He was able to upgrade the operating system for much less than \$500. He is able to do call in reports and write tickets. In the future, he will have the capacity to do e-citations.

Marshal Kiefer will follow the school bus around in the next few weeks to check for low hanging branches.

New Business

Robert was invited to a meeting with Citizens Water and Eli Lilly Company. Each year, Lilly has its employees volunteer for a day of community service. This year their theme is linking art and water, and they want to work on Canal Blvd. as part of this effort.

Citizens Water did get Brad's letter, and responded that they are assessing the problem with a team of engineers. One possibility is that Canal Blvd. may be restricted to pedestrian traffic except for the few houses that do not have any other access.

There was a meeting of the Butler Tarkington Neighborhood Assoc. (BTNA) on March 12. The BTNA is still pushing for a river wall instead of a canal wall. Butler University would prefer the river wall also.

David Sherman, our contact with the Indianapolis Dept. of Public Works (DPW), is resigning. He was the person who assured Rocky Ripple that the DPW would work with us, and who said that 6 to 11 million dollars would be set aside for that purpose.

The city of Indianapolis is now talking about either continuing with the canal wall or stopping the river wall currently in progress at the Riviera Club, putting a removable flood gate across Westfield Blvd, and continuing the wall up to about the intersection of 56th and Illinois. Broad Ripple development is contingent on flood protection, and there is a big push to get the protection in place now. Some portions of the flood wall that was built in the last few years are being re-done to meet post Katrina standards so that Broad Ripple will be able to move forward with the development plans. The Riviera Club is also pushing for the current plans to move forward, as they will get paid for land being used by the US Army Corps of Engineers (USAE).

Rocky Ripple can try to go after the city of Indianapolis, based on their liability to Rocky Ripple for bad permitting practices (allowing buildings to be built into/ on the levee). Also, we pay floodway taxes and that money has never been used to help us.

Protection for our section of the canal under historic preservation is not viable as the canal is not registered as a historic entity. It has undergone too many changes to be a candidate for the registry.

It was asked what residents can do. Residents can write letters! The DPW is the project sponsor.

It was asked if we can get the media involved to help us on the river wall issue. We have before. Robert stated that he is not afraid to do that if he thinks it will help.

Robert made a motion to adjourn at 8:55pm. Carla seconded.

Respectfully submitted,
Cathy Hurt

Town of Rocky Ripple, 930 West 54th Street, Rocky Ripple, Indiana

Rocky Ripple Financial Summary									
Feb. 2012									
		Checking + Savings	General Fund	Motor Vehicle Highway Fund	Local Roads & Streets Fund	Funds under General fund			
						Police car	Police Training	Park water	Park toilet
Starting balance:		\$ 72,038.85	\$ 27,195.46	\$ 18,104.85	\$ 26,425.18	\$ 12,025.00	\$ 1,898.35	\$ 12.67	\$ (840.50)
expenses	Routine expenses								
	Utilities, except street lights:	\$ 309.30	\$ 309.30						
	IP&L park pavilion	\$ 11.38							
	IP&L town hall	\$ 115.97							
	IP&L vet's monument	\$ 17.08							
	AT&T, phone & internet	\$ 102.70							
	Citizens Gas, town hall	\$ 51.00							
	Water, town hall	\$ 10.30							
	Water, park	\$ 0.87						\$ 0.87	
	park toilet rental								\$ -
	Payroll	\$ 4,149.33							
	Marshal wages	\$ 3,418.29	\$ 3,418.29						
	Street commish wages			\$ -					
	Trustee wages		\$ -						
	Clerk-Treasurer wages		\$ -						
	Federal payroll taxes	\$ 589.86	\$ 589.86						
	State payroll taxes	\$ 141.18	\$ 141.18						
	Workforce Development		\$ -						
	Other	\$ 1,465.80							
	Bank fees	\$ 17.01	\$ 17.01						
	Street lights	\$ 736.29		\$ 736.29					
	Police car gas	\$ 250.00		\$ 250.00					
	Legal services		\$ -						
	Cleaning service	\$ 75.00	\$ 75.00						
	Mowing service	\$ 387.50	\$ 387.50						
Non-routine Expenses	\$ 614.03								
Office supplies	\$ 35.03	\$ 35.03							
Police supplies		\$ -							
Police training		\$ -				\$ -			
Legal ads		\$ -							
Insurance		\$ -							
Town hall repair & maintenance		\$ -							
Pavilion repair & maintenance		\$ -							
Refunds for town hall use		\$ -							
clerk-treasurer school/ ILMCT dues	\$ 50.00	\$ 50.00							
snow plowing			\$ -						
snow plow gas			\$ -						
snow plow repair				\$ -					
vehicle maintenance (police car tires)	\$ 529.00		\$ 529.00						
street repair materials			\$ -						
Road salt service			\$ -						
Stormwater Fees		\$ -							
Total Expenses:		\$ 6,538.46	\$ 5,023.17	\$ 1,515.29	\$ -	\$ -	\$ -	\$ 0.87	\$ -
Income	Income from State:	\$ 2,551.02							
	LRS	\$ 1,056.90			\$ 1,056.90				
	MVH	\$ 1,494.12		\$ 1,494.12					
	Accelerated MVH1			\$ -					
	Accelerated MVH2			\$ -					
	Cigarette tax		\$ -						
	ABC Gallonage		\$ -						
	Income from County:	\$ 515.82							
	LOIT	\$ 180.00	\$ 180.00						
	LOIT special distribution		\$ -						
	Public Safety dist.	\$ 335.82	\$ 335.82						
	Court Costs to Municip		\$ -						
	advance dist.		\$ -	\$ -					
	water PILOT								
	river boat								
	property dist.								
	excise dist.								
	Other:	\$ 248.04							
	Donations		\$ -						\$ -
	Repayment, A Jansen		\$ -						
	Town hall use	\$ 40.00	\$ 40.00						
	Pavilion use		\$ -						\$ -
	Ordinance violations	\$ 200.00	\$ 200.00				\$ 200.00		
	Gun permits		\$ -					\$ -	
	Interest	\$ 8.04	\$ 8.04						
Refunds		\$ -							
Total Income:		\$ 3,314.88	\$ 763.86	\$ 1,494.12	\$ 1,056.90	\$ 200.00	\$ -	\$ -	\$ -
Outstanding checks paid	\$ 250.00					Total of positive balance funds: \$14,135.15			
Current outstanding checks	\$ 1,562.82					Unrestricted in General Fund: \$ 8,801.00			
Old outstanding checks	\$ 63.36								
Ending bank balance:		\$ 70,064.73	\$ 22,936.15	\$ 18,083.68	\$ 27,482.08	\$ 12,225.00	\$ 1,898.35	\$ 11.80	\$ (840.50)