

COMMON COUNCIL MEETING  
APRIL 2, 2007  
TIME: 6:00 P.M.

Present: Mayor Frank Manus, Glenn Tebbe, Gary Herbert, Larry Bower, Ken Dornich and Helen Gardner.

Pledge of Allegiance was recited.

Minutes were approved with one correction.

Election was held for Council President. This election is normally held at the January meeting. Council member Gary Herbert questioned why this was not done in January. The Mayor stated that he had contacted IACT and their attorney had just now gotten back with him.

**Larry Bower made a motion to nominate Glenn Tebbe to continue as President and Ken Dornich seconded the motion.**

Gary Herbert asked for discussion and **made a motion to nominate Helen Gardner as President. Motion seconded by Glenn Tebbe.**

**Councilwoman Helen Gardner withdrew her name.**

**Gary Herbert nay, Glenn Tebbe abstained and Larry Bower, Ken Dornich and Helen Gardner ayes. So passed, President for Council for 2007, Glenn Tebbe.**

**Motion by Gary Herbert and seconded by Glenn Tebbe to approve the First Baptist Church School Children to use the playground at City Hall. So passed.**

**Motion by Larry Bower and seconded by Glenn Tebbe to pass on 2<sup>nd</sup> reading Ordinance 2007-6 rezoning from B-2 general business to R-2 one and two family dwelling district. So passed.**

**Motion by Ken Dornich and seconded by Helen Gardner to pass on 3<sup>rd</sup> reading zoning Ordinance 2007-6. So passed.**

Larry Bower gave the Plan Commission report. The Commission granted a one-year special exception Rick Acra and the Sandcreek Housing Plat preliminary phase I final approval will be next month.

Helen Gardner brought up that she understood that the developers were requesting a gate to keep out the through traffic. Larry Bower stated they have only talked about a concept. City Attorney Steve Taylor reported they are working with the State and it would not be for general public. This is concerning the Sandcreek Housing Development.

**Motion by Ken Dornich and seconded on Gary Herbert to pass on 3<sup>rd</sup> reading Post Storm Water Construction Ordinance 2007-5. So passed.**

Discussion was held pertaining to the Airport and City Attorney Steve Taylor cited the December minutes of the Decatur County Council, where the County Council had passed a motion and second to relinquish their involvement agreement with the City on the Airport if the Airport remains at the current site and the Commissioners had passed the same to relinquish their involvement.

Council members questioned if the County means only at the current site or if it means even at another site. City Attorney told Council as far he is aware the current site is the only site available. It was understood the County wants no part of anything that might have to use eminent domain. Question of would the County still be obligated with the budget and the feeling was for only the first quarter.

City Attorney Steve Taylor clarified that the Ordinance 2007-4 would remain in its original form on the appointments of the Airport Commission Board and would have staggered years for Board members with appointments by the Mayor.

**Motion by Glenn Tebbe and seconded by Ken Dornich to pass on 3<sup>rd</sup> reading Ordinance 2007-3 airport rescinding. So passed.**

**Motion by Ken Dornich and seconded by Helen Gardner to pass on 3<sup>rd</sup> new Airport Ordinance 2007-4. So passed.**

Mayor Manus swore in the following Airport Commission Board members and ending term dates; Don McCrary 12/31/07, Jim Pruett 12/31/08, Gerald Hall 12/31/09 and Jon Dooley and Bill Ernstes 12/31/2010.

Bob Rynard of the Holiday Inn was present to explain the difference in employees that they have compared to what they had made out on their original tax abatement form. They originally had planned having the Holiday Inn four stories instead of three and had planned on building a banquet hall.

Council thanked Mr. Rynard for coming and explaining.

**Motion by Larry Bower and seconded by Ken Dornich to pass renewal tax abatement for the Holiday Inn Express. So passed.**

**Motion by Ken Dornich and seconded by Glenn Tebbe to pass renewal tax abatement for Collection Associates. So passed.**

**Motion by Ken Dornich and seconded by Glenn Tebbe to pass renewal tax abatement for Jerman Housing. So passed.**

**Motion by Larry Bower and seconded by Glenn Tebbe to pass renewal tax abatement for Northgate. So passed.**

Rick Acra explained to the Council that he was asking for tax abatement for the Real Estate part of the old K-Mart building that he has purchased. Plans are to make it into a training center for Honda for a period of time and then after Honda exists the building he plans on moving his dealership and also have a food center. Approximately over 2000 people could be trained by Honda there.

Mr. Acra told the Council that at present he has approximately 35 employees and will be adding approximately 15 more.

Council members debated the length of years for the abatement.

**Motion by Larry Bower and seconded by Glenn Tebbe to pass Tax Abatement Resolution 2007-7 for R and C Realty LLC on Real Estate for seven years. So passed.**

Tina Hoeing of the CAC thanked the Council for passing the no smoking ordinance and introduced Executive Director Karla Sneegas, MPH of the ITPC, Indiana Tobacco Prevention and Cessation.

Karla Sneegas presented the Smoke Free Challenge Award for leadership provided by the City. There are 30 Cities that have passed some form of no smoking ordinances and Greensburg is one of six that has a strong ordinance.

Representatives from the American Legion, Janet Schreiner and the Moose, Jim Stuart were present and informed Council that they have learned that to switch their clubs to over 21 would mean a lose of their not for profit status and gambling license. They requested that Council either make them exempt or make the entire City a smoke-free place to level the field with the bars. Janet Schreiner told Council that it would not bother her for the whole City to be no smoking. Janet provided the Council with information about the Eagles revenue as well as the American Legion.

Some Council members felt more discussion was needed and if there is a way that private clubs would truly prove to be private that this would make them more like a residence.

**Gary Herbert made a motion to exclude private clubs from the no smoking ordinance. Mr. Herbert stated that while he is in favor of some kind of no smoking ordinance, he does not feel that private clubs should be included, but the bars should be included.**

**Mayor Manus entertained the motion and the motion died due to a lack of a second to it.**

Larry Bower stated that he did feel the American Legion was more of a private club than maybe the others.

Tim Filler remarked on the Shelbyville no smoking ordinance.

A concerned citizen did not feel the Ordinance was severe enough and approached the Council and requested them to ban all tobacco products.

He was told that state and federal laws do not allow that to be done and he would need to present his request to higher authority.

Council allowed other citizens, businesses and the private clubs to express their thoughts and feelings on the matter to see if some kind of resolution could be implemented.

Mr. Theodore Hansen and his wife approached the Council with a concern of how much chorine is used in the City water. They recently moved into Briarwood Apartments and she has a rash on her face from the water in the bathroom. They stated that they can smell the chorine.

They Mayor asked them to get a sample of the water and bring to him and he would have it tested.

Hugh Miller introduced Dave Weber the new chairman for the car show. Mr. Weber requested the permission of the City and Council to continue with the annual car show. The dates would be Friday evening July 27<sup>th</sup> and Saturday July 28<sup>th</sup>.

**Council gave their approval but told Mr. Weber to talk with the Fire and Police Chiefs and to contact the business owners about street closings.**

**Motion by Glenn Tebbe and seconded by Ken Dornich to approve transferring from general fund insurance monies \$937.57 and \$242.85 to Police department and Street/Sanitation department. Grant monies \$5000 from general fund to Fire department. So passed.**

City Attorney Steve Taylor informed Council that he made a couple of minor changes in the leasing of space in City Hall policy, stating not for profit that benefit citizens of Decatur County. The Habitat for Decatur County was requesting space in City Hall.

**Motion by Glenn Tebbe and seconded by Ken Dornich to approve the Habitat for Decatur County leasing space in City Hall. So passed.**

A resident in attendance questioned the second reading of Ordinance 2007-4 on March 5<sup>th</sup> and how it was stated in the minutes.

A council member explained that the ordinance was passed on second reading with the amendment stated in the minutes. City Attorney Steve Taylor explained that the ordinance was amended and passed with the amendment. Mr. Taylor requested the Clerk-Treasurer to add the wording on 2<sup>nd</sup> reading for clarification.

Meeting adjourned at 7:55 P.M.

PRESIDING OFFICER:

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Attest:

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Clerk-Treasurer

