

**Minutes of Greenville Town Council Meeting**  
**December 12, 2005**

President Dave Matthews called the regular monthly meeting to order. Councilpersons present were Hanzel Barclay, Janet Wright, David Moore, Talbotte Richardson and President Dave Matthews, along with Clerk Jack Travillian. Also attending the meeting was Town Attorney Rick Fox, Greenville Water Utility Superintendent Gary Getrost and other concerned citizens. Minutes were read and approved. T. Richardson made the motion and H. Barclay seconded. (Motion passed 5-0)

**Ordinances:**

Ordinance 2005-W-49: An Ordinance providing for an Increase in Water Utility Disconnect/Reconnect Fees was read and public comments were requested. Hearing none H. Barclay made the motion and D. Moore seconded. (Motion passed 5-0) The ordinance increases the disconnect/reconnect fee to \$50 from the present \$25. The effective date is January 1, 2006.

Resolution 2005-T-53 stating the services that will be provided for the proposed annexation property was read. Motion was made by T. Richardson and seconded by J. Wright. (Motion passed 5-0)

Ordinance 2005-T-53: Annexation for Daisy Lane Developers: Daisy Lane Developers has requested that the Town of Greenville annex all properties involved with a purchase of land and subdivision of that property located between Arthur Coffman Road and Clark Street. The ordinance was read for the final approval and public comment was asked for. Hearing no public comment motion was made by D. Moore and seconded by T. Richardson. Motion passed 5-0.

Attorney Greg Fifer requested the council grant a variance for lot 5 of annexed property allowing lack of 100-foot road frontage. Motion was made by T. Richardson and seconded by D. Moore. Variance granted by a 5-0 vote.

**Water Business:**

Water Contract: The contract with Indiana American Water Company is under review from Ramsey Water. Attorney Marcus Burgher IV has request different language regarding loss of clients for Ramsey Water.

Adjustments: The council reviewed the adjustments for November/December.

Review/Approval Checks and Expenditures: Clerk Travillian presented the forms for checks written from the utility and the town.

Pre-Trial: Heritage Springs has asked for an injunction to force Greenville Water Utility to provide water service for the development. Attorney Fox stated that the judge noted IDEM would need maps showing elevation and placement. Therefore attorney Fox pointed out that the development had not exhausted all administrative duties:

*remodified*

President Matthews recognized Jessica, James, and Lee who are students from North Harrison High School taking a government class. Attendance of a local council meeting is a requirement for the class.

**Old Business:**

**Greenville Comprehensive Plan:** The council revisited last month's decision to send the comprehensive plan to the Floyd County Commissioners. The plan was to be submitted in accordance with Indiana Code 36-7-4-(509-511). Larry Grindatti from the planning commission gave a presentation about the pros of having a fringe area. The area would have no new taxes and would simply come before town officials when requesting a permit, as it is now they must go to the county for the permit. Grindatti stated that 99.7 percent of the State of Indiana has zoning and we really need it for the protection of our community from becoming a target for unscrupulous builders.

Bill Burkhart also from the planning commission gave a presentation about the cons of a fringe area. First off it will increase the taxes for the town residents because building permits will need inspectors and someone to administer the permit process. The next problem would be that the town would be dictating to residents what they can do with their personal property. Burkhart feels this is taxation without representation since the fringe resident have no voice into who is on the zoning board. Burkhart feels that the town was based on the principle of taking care of your neighbor and he feels this is not the way he would want to be treated. Burkhart gave examples of the City of Seymour, which has a budget of \$192,000 and only brings in \$48,000 from the permits granted. There is a shortfall of \$144,000 that is passed on to taxpayers in the City.

Town Attorney Fox corrected Burkhart on a couple of minor points stating that the Floyd County Commissioners are the persons responsible for the two additional seat on the planning commission, pursuant IC 36-6-214 so the fringe residents do have a voice on the board. Also Fox pointed out that the Commissioners on the next step in the process must approve this proposal. Fox wants the comprehensive plan to be as clean of a transaction as possible so he suggested that the board revisit last month's vote to send the plan to the commissioners.

President Matthews reminded everyone present that what is in the best interest of the town should be motive for all proceedings.

Motion was made by T. Richardson and seconded by D. Moore to rescind November vote on approval for the comprehensive plan. Motion carried 3-2.

Motion was made by H. Barclay and seconded by D. Matthews to accept the comprehensive plan as purposed by the planning commission. Motion failed 2-3.

Attorney Fox has negotiated with D. Voyles from the Greenville Township Fireboard for a formula for annual firefighting contract, setting the rate at the same as the township

rate, the only change is deletion of last line with minimum amount the same as present rate. Motion was made by D. Moore and seconded by J. Wright. (Motion passed 5-0).

**Property Ordinance Violations:** Councilman T. Richardson presented the council with an update about property violation stating that every property should be cleaned up and that neighbors will be helping each other with this process.

**Greenville Town Marshal position:** Councilman Barclay has been reviewing the applications and will be giving a recommendation to the council soon.

**Drainage:** Councilman Moore has been accepting bids for a swell correcting the drainage problem on East 2<sup>nd</sup> Street south of Highway 150. Moore will be asking for additional bids (at least three needed).

**New Business:**

**Chaplain for Town Council:** Pastor Mark Avery made a request to be recognized as the Town Council Chaplain with a proposal to open meetings with a prayer. Motion was made by T. Richardson and seconded by H. Barclay. Motion passed 5-0.

**Committee Reports:**

**Planning and Zoning committee report:** The next meeting will be on December 19, 2005 at 7:00 PM at town hall on Clark Street.

**Streets and Roads:** Snow Removal contract has been activated and begun the first snow of the year last week. The steep grade at Parkland Heights and Highway 150 was done properly and completely.


**Election of Officers for 2006:**

Nomination of Talbotte Richardson for President of the Council was made by D. Moore and seconded by T. Richardson. A second nomination of David Matthews was made by H. Barclay and seconded by D. Matthews. Ballots were passed out and a vote was cast. T. Richardson was elected the new council president for 2006.

No further business coming before the council, the meeting was adjourned.

  
Presiding Officer

ATTEST:

  
Clerk of the Council

Adjustments History Transactions by Type  
Date From 11/15/2005 through 12/31/2005

Date: 12/12/2005 Time: 10:32:28

BOOK # 2

Acct #	Audit #	Type	Date	Description	Amount	Operator
				Debit DIDNT RECEIVE FROM BANK		
23056	HUNT, MICHAEL	Water Adjusted	11/21/2005		\$0.00	
		Water Tax Adjusted			\$0.00	
		Water Penalty Adjusted			\$-2.04	
<b>Total</b>					<b>\$-2.04</b>	<b>Operator AMY</b>

Operator AMY Balance \$64.54

BOOK # 2

Acct #	Audit #	Type	Date	Description	Amount	Operator
				Debit RETURN CHECK		
23830	HOUGLAND, CARMON	Water Adjusted	12/08/2005		\$35.53	
		Water Tax Adjusted			\$2.13	
		Water Penalty Adjusted			\$0.00	
<b>Total</b>					<b>\$37.66</b>	<b>Operator AMY</b>

Operator AMY Balance \$64.38

BOOK # 2

Acct #	Audit #	Type	Date	Description	Amount	Operator
				Debit LEAK		
24620	REGAN, DAN	Water Adjusted	12/05/2005		\$-30.95	
		Water Tax Adjusted			\$-1.97	
		Water Penalty Adjusted			\$0.00	
<b>Total</b>					<b>\$-32.92</b>	<b>Balance</b>

Balance \$79.45

BOOK # 2

Water Adjusted	\$4.58
Water Tax Adjusted	\$0.16
Water Penalty Adjusted	\$-2.04
0.00000	0.00000
<b>Total</b>	<b>\$2.70</b>

SUMMARY

Water Adjusted	\$4.58
Water Tax Adjusted	\$0.16
Water Penalty Adjusted	\$-2.04
0.00000	0.00000
<b>Total</b>	<b>\$2.70</b>

*Dave Hansen*

*Robert Lawrence*

**From: Mr. & Mrs. W. Smith**  
**5555 Buttontown Rd.**  
**Greenville, IN 47124**

November 18, 2005

**To: Town of Greenville**  
**P.O. Box 188, Greenville, Indiana 47124**

**Subject: Petition to Request Annexation of Property into Greenville**

Sirs,

1. Pursuant to Indiana Code 36-4-3-5.1 regarding annexation of property contiguous to the town limits of Greenville, Indiana, we request that you annex the below mentioned property into the town limits of Greenville.
2. Legal description of this property is stated as:  
Being a part of the east half of Section 5, Township 2 South, Range 5 East in Floyd County, Indiana, and being part of the property conveyed to George P. Snerd, by affidavit, described as follows: Commencing at an iron pin at the northeast corner of Section 5, thence South.....U.S. Highway 150 South 62 degrees, 10 minutes, 10 seconds.....containing 10.2356 acres more or less. Subject to any and all easements and/or restrictions of public record that may apply to said real estate.
3. Map of property in question for petition for annexation is included as Exhibit A.
4. Wherefore, the undersigned petitioners request an ordinance annexing the above-described real estate.

\_\_\_\_\_  
William P. Smith

\_\_\_\_\_  
Gertrude P. Smith

**From: Mr. & Mrs. W. Smith**  
**5555 Buttontown Rd.**  
**Greenville, IN 47124**

November 18, 2005

**Mr. & Mrs. Q. Jones**  
**5554 Buttontown Rd.**  
**Greenville, IN 47124**

**To: Town of Greenville**  
**P.O. Box 188**  
**Greenville, Indiana 47124**

**Subject: Petition to Request Alleyway Closure in Greenville**

1. Pursuant to Indiana Code 36-1 regarding general powers of the municipality of Greenville, Indiana, we request that you approve closure of alleyway property as described in the legal description below and as agreed upon by owners of the properties both sides of alley. It is fully understood that if they alleyway is closed, its property will be evenly divided between the separate property owners adjacent to the alleyway and that they will assume tax liabilities for the respective property.

2. Legal description of both properties either side of the alleyway is stated as:

Being a part of the east half of Section 5, Township 2 South, Range 5 East in Floyd County, Indiana, and being part of the property conveyed to George P. Snerd, by affidavit, described as follows: Commencing at an iron pin at the northeast corner of Section 5, thence South.....U.S. Highway 150 South 62 degrees, 10 minutes, 10 seconds.....containing 1.2356 acres more or less. Subject to any and all easements and/or restrictions of public record that may apply to said real estate.

Being a part of the east half of Section 5, Township 2 South, Range 5 East in Floyd County, Indiana, and being part of the property conveyed to Sam P. Snerd, by affidavit, described as follows: Commencing at an iron pin at the northeast corner of Section 5, thence South.....U.S. Highway 150 South 62 degrees, 10 minutes, 10 seconds.....containing 1.2356 acres more or less. Subject to any and all easements and/or restrictions of public record that may apply to said real estate.

3. Map of property in question for petition for annexation is included as Exhibit A.

4. Wherefore, the undersigned petitioners request an ordinance closing the alleyway and granting such property to the adjacent property owners.

\_\_\_\_\_  
William P. Smith

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Gertrude P. Smith

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Quincy P. Jones

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Gertrude P. Jones

**From: Mr. & Mrs. W. Smith**  
**5555 Buttontown Rd.**  
**Greenville, IN 47124**

November 18, 2005

**To: Town of Greenville -or- Greenville Water Company**  
**P.O. Box 188**  
**Greenville, Indiana 47124**

**Subject: Request for..... from Greenville Town Council**

Sirs,

My wife and I request.....

Sincerely yours,

\_\_\_\_\_  
William P. Smith

\_\_\_\_\_  
Gertrude P. Smith