

Ordinance 2021-11 Regulating the Use of Off Road Vehicles on Streets Within the Town

**PITTSBORO TOWN COUNCIL MEETING  
TUESDAY, JUNE 15, 2021 @ 7:00 PM**

**QUORUM:**

Melodi Ingalls  
William Majeske  
Randy Price  
Jay Thompson – ZOOM

Jim Buddenbaum, Attorney – ZOOM  
Shari L. Ping, Clerk Treasurer  
Police Chief Scott King – ZOOM

**OTHERS:** Jason Love, Town Manager (Joined via ZOOM at 7:30pm); Steve Maple, Building Commissioner; Robin Swalley, Parks & Rec Superintendent; Todd Payne, Park Board appointee; Keith Gurley, Young Marines  
**ZOOM attendees:** Carl Carson, Asst. Police Chief; Bill Zeunik, Fire Chief; Eric Wathen, RQAW; Mark Ball; Marie Bass; Tom Caldwell; Spring Deaton, Brian Estes; Brian & Jennifer Gilley; Kristy Graebner; James McDaniel; Margaret Osmon; David Price; Linda Thompson; Ben Wolfe

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:**

Vice President Bill Majeske brought the Council Meeting to order by establishing a quorum. Four (4) members are present. In person: Melodi Ingalls, William Majeske, Randy Price. Via ZOOM: Jay Thompson. Jarod Baker, President, is absent. Bill Majeske, Vice President will handle the meeting. Bill then asked the Council, staff and audience to stand for the Pledge of Allegiance and to follow with a Moment of Silence.

**APPROVAL OF MINUTES:**

Vice President Bill Majeske asked if there were any additions or corrections to the minutes from the May 18, 2021, meeting. There being none, Randy Price made a motion to approve the minutes as amended, Bill Majeske seconded. Bill took a roll call vote: Randy-yes, Melodi-yes, Bill-yes, Jay-yes. Motion passes 4-0.

**TOWN STAFF REPORTS**

**TOWN MANAGER:**

Jason Love gave the following report when he joined at 7:30 pm:  
Water Plant update – IDEM did a walk through and asked about the generator which was taken out of the project from SSI. He is looking into a contract with Sunbelt which would provide a generator within four (4) hours in the event we would need one. Jason reported that a transfer switch would need to be added. He is in the process of getting several quotes and will report next month.

**POLICE CHIEF:**

Chief Scott King had nothing else to report (see attached report).

**CLERK TREASURER:**

Shari Ping presented the 60/90 list. Shari put notes on some of the bigger accounts. She will make phone calls again to those in the 90-day column, if no payment is received by a certain day, we will shut off the water.

**BUILDING MANAGER:**

Steve Maple went over the attached report. Bill Majeske asked Steve about the dollar amount for the 155 permits. Steve explained the permits ranged in dollar amount of \$30 to \$10,000. Depends on what the permit is for.

**PARK AND RECREATION:**

Robin Swalley sent the attached report to the Council Members. Robin said the Park Board would like to nominate Todd Payne. Bill Majeske read the Certificate of Appointment for Todd which was done by President Jarod Baker prior to him going out of town. Todd's term will begin immediately and expire on December 31, 2023. Robin gave updates to her report – marking of the parking lot will be done on Thursday as well as remarking the handicap space which is short by 6".



Robin has a renter for the kitchen shelter. The ladies will be baking cakes and freezing them to use at parties they cater in the future. Hope to get them to rent the Legion or Scout Building for their parties as well.

The concrete for the new shelters has been ordered, they are about three (3) weeks out. A Scout Troop will be building and donating four (4) picnic tables for the new shelters.

Pickleball courts are still planned for early July.

Concession stand pricing is still coming in.

Keith Gurley, Young Marines & Freedom Celebration Coordinator, gave an update on the Freedom Celebration on July 3<sup>rd</sup>. SDI gave a generous donation to the fireworks, two (2) bands will perform starting at 6 pm. Pittsboro Christian Church is holding a Fish Fry. There will be no parking in the park except for the vendors. Fireworks will go off at 10 pm.

Keith informed the Council that he is retiring from the Young Marines. A retired veteran will take over and continue meeting on Mondays in the Scout Building. Keith is setting up a 501C3 7-1 Foundation in order to run the Freedom Celebration, Veteran's dinner in November as well as the Veteran's Memorial.

Keith gave an update on the Veteran's Memorial. Jason Love has put in the power to the new section of the park. Indy Electric will be here on the 21<sup>st</sup> to get power to the flag poles. Keith needs to go to Lowe's to purchase the pavers. Keith is working with Shari and Jason on best method to do that. If the lights get installed as planned, Keith plans on lighting the poles during the Freedom Celebration. Keith asked Shari for the Pittsboro Flag. Jay Thompson thanked Keith for all he does for the Freedom Celebration.

#### **BOARD OF ZONING APPEALS:**

No meeting

#### **FIRE BOARD:**

Fire Chief Bill Zeunik went over the attached report. Nothing to add except they are keeping busy with runs and training. Bill asked if they Council had any questions for him? Jay Thompson asked about the Medic 111 going to Lizton for a run and asked how long is the medic out of service? Bill explained that they could be out of service for an hour to an hour and 15 minutes. However, the engine is staffed with four (4) people and paramedic. We have EMS coverage while the ambulance is out of service.

#### **ADVISORY PLANNING COMMISSION:**

Steve Maple reported that the May meeting was cancelled.

#### **POLICE COMMISSION:**

Scott King reported on the plans to obtain a K9 unit to the force. It is being donated to us as far as the actual K9 and equipment. Will need to add this to our insurance. Scott reported that Landon Karst had to resign his position due to moving to Brownsburg. Bill Majeske read the Certificate of Appointment of Brian Gilley to the Police Commission. Jay Thompson made the motion to appoint Brian to the Police Commission, Randy Price seconded. Bill took a roll call vote: Randy-yes, Melodi-yes, Bill-yes, Jay-yes. Motion passes 4-0. Steve Maple and Shari Ping said Brian will need to come in to be sworn in. Jay Thompson said that he read it in the IC that the Police Commission members must be sworn in by the Clerk of Court.

#### **REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:**

No meeting

#### **CONTRACTED BUSINESS:**

Eric Wathen, RQAW, gave an update on the Construction Standards Manual. Should have it to the Council soon so they can discuss at the next meeting.

Eric announced there are several grants available through the SRF. Jason Love will be working with Eric to submit an application to use the money for new wells and mains as well as an expansion of the Wastewater Treatment Plant. It was announced that the Community Crossing Grant opens up on July 1<sup>st</sup>. Plans to use this grant to pave/repair 150 E, pave Whispering Fields and several other areas that need repaired. Eric reported that Gary Golay, Water Superintendent, submitted the attached report on the new Water Plant. Eric asked if there were any questions.



## OLD BUSINESS

*Bereavement Policy* – Bill Majeske asked for a Resolution for the Bereavement Policy. Shari Ping said she did not receive a clean version from Jim Buddenbaum. Jim Buddenbaum said he sent one on May 24<sup>th</sup>. Shari went back to her computer to look for it. Jason Love received it and forwarded it to Shari. It's still showing the red lines within the document.

*Construction Standards Manual* – table until July meeting

*Amend current Resolution for Town operating under COVID-19* – Jim Buddenbaum explained about the Executive Order being in place. Jim said we could keep doing meetings the way we are, or go full live, or some other method. He asked the Council what their thoughts were? Bill Majeske wants to keep doing the meetings the same as we are now. Not opening up to the public as long as we are still in this conference room. Bill asked Jason about the new building being open to use. Jason explained how the Fire Department red tagged our entry doors. Jay Thompson asked Jason what was wrong with the doors. The doors that came with the pole barn package had the hinges on the outside of the building as well as the screws in the windows. Jason had the builder flip the doors and now they are not compliant. Jason has ordered new doors to be installed. We are in the middle of ordering furniture. Just waiting on ship date.

Jim Buddenbaum explained the new statute requires that at least 50% of board members be present in person. Council would need three (3) members, the Advisory Plan Commission would need four (4) present. In addition, you can attend two (2) virtual meetings and then one (1) in person.

Jay Thompson asked Jason about the vacant lot on East Main. Jason is still waiting on the surveyor. He received a call from the neighbor that another tree has fallen on his property, so Jason may need to take a crew to the lot and take care of some trees.

Jay Thompson asked about occupancy number for the new Admin Building. Jason said the Fire Marshall gave them the number of 76.

Table until July.

*ARP Funds* – Shari Ping reported that Jason, Scott, and she met with Dan Hedden and Kevin Watson with Baker Tilly on Friday, 06.11.21, they still don't have enough information from the State to know what it can be used for. They are still working on getting more information and as soon as they do, they will let me know. Table until July

*Brownsburg Library Discount* – Bill Majeske asked the Council if they had any ideas about going to the Library and request a discount for the town residents. Jay Thompson said he hasn't heard from his contact regarding this issue but he is willing to talk with Brownsburg Library on behalf of the Council. Steve Maple reported that the Clayton Library membership is less expensive, and it can be used at Brownsburg Library. Shari Ping feels it is not a Council issue and it should be left up to the residents to decide to join the library of their choice. The four (4) Council members present agreed.

## NEW BUSINESS

*UTVs on Town Roads* – Bill Majeske introduced the **Ordinance 2021-11 Regulating the Use of Off Road Vehicles on Streets Within the Town**. Bill asked for a motion to introduce Ordinance 2021-11. Melodi Ingalls made the motion, Randy Price seconded. Bill took a roll call vote: Randy-yes, Melodi-yes, Bill-yes, Jay-yes. Motion passes 4-0.

Jay Thompson reported that he has two (2) people against it and two (2) people for it. He reached out to Scott King and Bill Zeunik. Scott doesn't see any difference between this ordinance and the golf cart ordinance. The UTVs are little safer than a golf cart. They will enforce the ordinance as needed. Bill agrees with Scott and is not a big proponent on this. He feels they don't meet the safety standards that most vehicles have traveling on the roads, they don't have airbags or side impact detection or anything like that. Scott agreed 100%.

*Golf Cart Ordinance 2010-01* – Bill Majeske asked if there is any other discussion. It was suggested to change the fee to \$50 for three (3) years instead of \$25 per year.

Kristy Graebner made a comment: we love riding our golf cart please don't change anything. Shari explained that we aren't changing anything except for the fees. You still need to get a permit and obey all the rules of the roads, stay off the highway (136) and be inspected annually. Just changing the term of the permit from annually to every three (3) years.



*Trail Grant* – Steve Maple explained that the Town did not receive the second set of Trail Grants. Jarod Baker asked him to submit the third and final application this fall. He is looking at more community involvement and sell off naming rights to the trails from businesses. Bill, Randy, Melodi and Jay were all in favor of submitting the application. Steve asked Eric Wathen, RQAW, if he could give a rough cost to finalize the application. Eric asked if there would be any changes, Steve said no just adding in community participation. Eric feels it wouldn't cost very much, he even said they might cover the cost. He would check with Caleb at his office and let Steve know.

*122 S Maple Street* – Bill Majeske asked Jason Love to give an update on the purchase of the property. Jason received two (2) appraisals - \$139,000 and \$131,000 (one year ago it appraised at \$122,000). There is the increase in the housing market. Jason asked Jim Buddenbaum if we could go at \$130,000. He said yes if that is the mid-point and you can't pay more than the average of the appraisals. Jason said he would work with Shari and see how much is in our EDIT Fund. Bill Majeske made a motion to purchase the property and not to exceed \$135,000, Randy Price seconded. Bill took a roll call vote: Randy-yes, Melodi-yes, Bill-yes, Jay-yes. Motion passes 4-0.

#### **PUBLIC COMMENT**

Todd Payne commented that he is not in favor of riding ATVs on the Town Streets. They are dangerous and keep our paramedics busy. Melodi Ingalls asked about a Sling Shot-Todd said it is a licensed vehicle. Eric Wathen spoke up as an owner of an ATV and rides all over the County roads since they passed an ordinance. They are legal in half of the county and they have to obey the rules of the road. Bill Majeske thanked everyone for their input.

#### **COUNCIL COMMENT**

Jay Thompson – Jay Thompson reported that it is nice to see the new names as attendees on Zoom. He hears comments all over the Town when he is riding his bike that it is so quiet here. He hopes we can continue the quiet as the Town grows.

#### **ATTORNEY**

Jim Buddenbaum reported that the County approved the transfer of the ½ acre lot in Brixton to the Town. Jim said as soon as he receives the resolution, he will notify Crosman Community. Which will be returned since they are no longer in business.

#### **ACKNOWLEDGMENT OF CORRESPONDENCE**

Shari Ping reported that she forwarded the letter from IDEM regarding Steel Dynamics approval.

#### **APPROVAL OF DRAFTS & CLAIMS**

Bill Majeske asked Shari Ping to present the drafts and claims for June 15, 2021, which includes all payments made since our last meeting in May. Melodi Ingalls made a motion to approve, Randy Price seconded. Bill took a roll call vote: Randy-yes, Melodi-yes, Bill-yes, Jay-yes. Motion passes 4-0.

#### **ADJOURNMENT**

Bill Majeske went over the items for the July meeting. Bill reminded everyone that the July 6 meeting is cancelled. Bill Majeske asked for a motion to adjourn the meeting. Melodi Ingalls made the motion, Randy Price seconded. Bill took a roll call vote: Randy-yes, Melodi-yes, Bill-yes, Jay-yes. Motion passes 4-0.

Respectfully submitted,

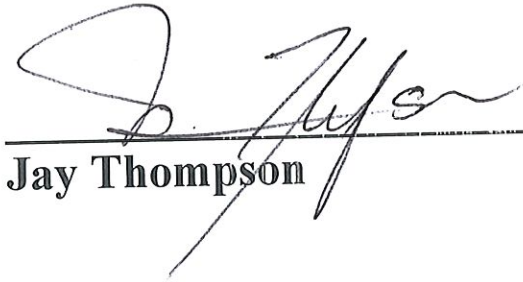
Shari L. Ping  
Clerk Treasurer

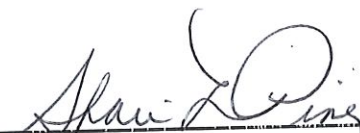
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Jarod Baker, President

  
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Melodi Ingalls

  
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William Majeske

  
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Randy Price

  
\_\_\_\_\_  
Jay Thompson

Attest:   
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Shari L. Ping, Clerk Treasurer