

Ordinance 2021-04 Reestablishing Fire Protection Territory Equipment Replacement Fund
Ordinance 2021-01 Fisher-Hill Property Annexation
Ordinance 2021-05 Amending the Town Salary Manual for Officials and Employees
Resolution 2021-01 2020 Appropriation Transfer

**PITTSBORO TOWN COUNCIL MEETING
TUESDAY, FEBRUARY 16, 2021 @ 7:00 PM**

QUORUM:

Jarod Baker -
Melodi Ingalls – ZOOM
William Majeske
Jay Thompson – ZOOM
Randy Price – ZOOM

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

OTHERS: Jason Love; Town Manager; Troy Hanna, Tech Support; Rachel Miller, Parks & Rec
ZOOM attendees: Steve Maple, Building Comm; Bill Zeunik, Fire Chief; Jeff Sullivan, Hylant Group; Brian Tuohy, Attorney for M/I Homes; Tim Westerfield and Jon Isaacs, M/I Homes; Matt Brown, AF Engineering; Eric Wathen, RQAW; Adam Peaper, Rundell; Matt Brown; Tim Griffith, Township Trustee; Others listed on separate sheet

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

President Jarod Baker brought the Council Meeting to order by establishing a quorum. Roll call: Bill Majeske-here, Jarod-here; Melodi-here, Randy-here, Jay-here. All five (5) members are present. Jarod 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:

President Jarod Baker asked if there were any additions or corrections to the minutes from the January 19, 2021 meeting. There being none, Bill Majeske made a motion to approve the minutes, Randy Price seconded. Jarod took a roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0.

President Jarod Baker asked if there were any additions or corrections to the minutes from the February 2, 2021 meeting. There being none, Jarod Baker made a motion to approve the minutes, Jay Thompson seconded. Jarod took a roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0.

PUBLIC HEARING – Reestablishing the Pittsboro Fire Protection Territory Equipment Replacement Fund

President Jarod Baker turned the meeting over to Tim Griffith, Middle Twp Trustee. Tim went over the reason for the replacement fund. This is only reestablishing the rate. Tim explained that they need to raise this to the maximum rate in order to replace the fire equipment. Jarod wanted it on public record what the rate was. Tim explained it was .0262 and the new rate is .0333 per hundred dollars of taxable real and personal property. Jay then gave the math for a home with a net assessed value of \$150,000 to \$10.50 a year increase. The increase would be .0071. Jarod asked if any of the Council members had any questions. There being none, Jarod then asked if there was any questions from the public. Jay Thompson made a motion to close the Public Hearing. Jarod Baker seconded. Jarod closed the Public Hearing.

Jarod Baker then asked for a motion to approve **Ordinance 2021-04 Reestablishing Fire Protection Territory Equipment Replacement Fund**. Bill Majeske made a motion to approve said ordinance, Jay Thompson seconded. Jarod took a roll call vote – Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0.

CONTRACTED BUSINESS – HYLANT GROUP – INSURANCE PROPOSAL

President Jarod Baker turned the meeting over to Jeff Sullivan from the Hylant Group. Jeff apologized that Nate Peterman could not join us tonight. Jeff explained this is a good renewal as far as pricing since the increase was about 2 ½ %. He explained that we could increase the Cyber coverage from \$500,000 to \$1,000,000 for an additional cost of \$1457.00. The two (2) main areas of concern are the workers compensation performance and the overall increase was very good compared to how the insurance market is doing. Jeff then asked if there were any questions from the Council. Jay Thompson had several questions. He asked about the gas company being listed in two (2) different places, Page 5 & Page 27. Page 27 refers to the dollar amount paid to the town employees who are paid

from the gas utility and Page 5 refers to the coverage for the gas utility. Jay then asked about the new water plant. Shari Ping explained that it has not been turned over to the Town yet. Page 8 mentions green & mold-Jeff explained what that is for. Page 11 shows the list of equipment is on file. Jeff explained that Shari keeps it updated. Page 17-Authorizing moonlighting should be changed to say off duty. Jay asked if the radar speed trailer is covered, Jeff and Scott King explained that it is was covered under the Police Equipment list. Jay then asked about the Town Hall contents coverage changing once Steve Maple and April Wrigley move to the new building. Jeff explained it would depend on what office supplies they take with them or if it all stays. 33 E Main Street will be increased once they take possession. Jarod asked about the actual baseball diamonds being covered under the Parks coverage. Jeff said he would need to check into it. Shari explained that the parks are listed on Page 6 shows the liability coverage for the parks. Jeff explained that there are two (2) options that we need to decide on – Terrorism coverage and increasing the Cyber coverage. Jarod asked if this was decided at this time or continue to the next meeting? It was unanimous that it is decided tonight. Jarod asked about the increase in Cyber coverage, what would it give us? Jeff explained breach of personal information after hacking our computers. The Town would have exposure from that. Bill Majeske asked how much have the claims been that he has seen? Jeff said well into the millions but it depends on the organization itself. Jarod Baker feels the \$500,000 is sufficient for the Town. We may need to increase in the future. Jarod then asked about the Terrorism Coverage. Jeff explained that we don't currently carry terrorism. Jay Thompson asked about the \$1000 deductible, could we increase to \$5,000 and have any cost savings. Jeff would need to get a quote for the \$5,000 increase. Jarod said he would like to stay at the \$1,000 and look into it for next year. Jarod asked the Council if they felt we should have terrorism coverage, all said no. Jim Buddenbaum asked if we should secure the utilities, he feels that is a better way to spend our money. President Jarod Baker asked for a motion to continue with Hylant Group with our current Cyber coverage and no Terrorism coverage, Randy Price seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill- yes and Jarod-yes. Motion passes 5-0.

Before we go onto our Staff Reports, President Jarod Baker read the attached information from UGM explaining the gas increase. Jarod asked our residents to continue with conserving the gas usage in their homes.

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love explained in more detail what the gas increase means. No where did we indicate that our Gas rate went up, purchase rate could go up. The town did not raise the gas rates. Since we are billed in arrears so we have no idea what the outcome will be. He asked that everyone keep their thermostats at 70 degrees or below. This is 100% weather related and a warm-up is in the near future.

Jason Love explained that he has a few commercial users requesting us to look at their consumption and get a commercial rate for them. USDI is looking into this but needs more data before coming to the town with a new rate for commercial users.

Bill Majeske thanked Jason for the gas information. Jarod Baker thanked Jason and his crew for the excellent snow removal today.

POLICE CHIEF:

Police Chief Scott King went over the attached report. Scott explained the incident that happened on January 1st. He is just notifying the Council that he will go ahead and pay for the damage to the tires of \$414.48 from the Police Department budget.

Scott explained that the department received a grant of \$5000 from the US Deputy Sheriff's Association. We are planning to use this money to purchase a used vehicle from Brownsburg Police Dept. There is a desperate need for a spare vehicle to use when they have to take the regular police cars in for repairs/service. This is the third grant we have been awarded since Christi Patterson took over that role.

Jarod asked the Council for any questions. Jay Thompson asked about recovering any costs from the suspects, Scott said yes they will ask for restitution from the prosecutor. Jay then asked about the Canine grant they were looking into it. Scott explained that they will apply for the \$10,000 Grant in the fall. Jay then asked for an update on the funding of the new police station. Scott explained that he had a ZOOM call with Jason and Shari and Baker Tilly and Barnes & Thornburg. Hopefully he will have some numbers to present at the March 16th meeting.

CLERK TREASURER:

Shari Ping presented the 60/90 list. She explained that there won't be any shut offs due to the weather. Jason Love explained to the Council that the water meters will not be read this month so those that aren't radio read will be

estimated. Jay Thompson asked Jason how many meters do we manually read? Jason explained we still have a fistful of meters that need to be replaced. Just waiting on the weather to improve. Jason then explained about the electric meters that have been switched over to radio read. They did a test on about a dozen of them. Should have the majority of the water, gas and electric meters as radio read.

BUILDING MANAGER:

Steve Maple explained that they had a busy month in terms of new houses under construction. We have about 10 footers and 10 foundations ready for inspections. We have about 20/30 permits for new houses.

BOARD OF ZONING APPEALS:

No meeting.

FIRE BOARD:

Bill Zeunik, Chief, sent the attached report. He then explained that they have applied for federal grant to purchase a new grass rig. The grant would be \$215,000. Asst. Chief Stewart is working on a safer grant to add eight (8) additional staff.

PARK AND RECREATION:

Rachel Miller went over the attached report. She asked the Council if they had any questions. Bill Majeske asked about the rental of the ball diamonds. Rachel said they are 90% booked so far for spring and fall. They have space available for the commercial kitchen space. They are planning on doing some updates before marketing the kitchen. Shari Ping asked if they have any leads on a superintendent or communications position? Rachel said they are looking for candidates to apply that has some park experience.

PLANNING COMMISSION:

Steve Maple explained that they had a Public Hearing with M/I Homes. Coming up next meeting will be another Public Hearing with Arbor Homes to rezone the annexation of the Fisher-Hill property. Will also be discussing three (3) areas of the UDO and will send them to the Council for approval.

POLICE COMMISSION:

Melodi Ingalls reported that the new officers are doing well. Officer Fennell is in his 3rd Phase of training and Officer Elliott is in Phase 2. Scott King reported that Officer Fennell started his 4th and final Phase. Melodi asked Scott for an update on Officer Gallico. Scott said he is an eleven (11) year veteran and is on his own. Scott said they are utilizing Gallico as a hybrid investigator. He has already recovered stolen property and got it back to the owner. Jay Thompson asked Scott when they will be on a 24/7 coverage? Scott reported that once the new officers are finished with their training they should be able to offer full coverage in April excluding vacations and sick days.

REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:

Jason Love explained that there are reports that need to be filed so they will be meeting soon.

CONTRACTED BUSINESS:

Eric Wathen, RQAW, reported the water plant is in the final testing and calibration. They still need to paint the inside. The weather is putting a hamper on a lot of the final steps to finish the plant.

OLD BUSINESS

Cares Act – Jarod Baker asked Shari Ping to give an update on what was covered. Shari reported they covered the cleaning and sanitizing of the Town Hall but will not cover the upgrade on the Police radios. They also covered the installation of the drive thru window and the AV equipment in the new building. Will not cover a re-occurring bill.

Fisher-Hill Property Annexation Update – Jarod Baker gave an explanation of the property to be annexed. It includes 159.121 acres that is located along east Wall Street to be annexed from the County into Town as agriculture. The Council needs to declare what voting district it should be in. Jarod has no objection to putting this into Ward 1. Jarod asked for any questions on the Fiscal Plan. Jarod-no, Bill-no, Randy-no, Jay-no and Melodi-no. The current net assessed value in its current state is \$479,100. Jarod made a motion to approve the **Ordinance 2021-01 Fisher-Hill Property Annexation** located in Ward 1. Bill Majeske seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0. Jay asked about this being the first reading and do we waive the right. Jim

Buddenbaum explained the Council needs to agree unanimously and to pass tonight would need to pass by $\frac{3}{4}$ which is 4 out of 5. Steve Maple asked Jim Buddenbaum about approving the Fiscal Plan prior to the Ordinance. Jarod Baker made a motion to approve the Fiscal Plan of the Fisher-Hill Property. Jay Thompson seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0. Jarod Baker made a motion to consider the **Ordinance 2021-01 Fisher Hill Property Annexation**, Bill Majeski seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0. Jarod Baker made a motion to approve said ordinance, Jay Thompson seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0.

White Oak Update – Jarod Baker opened up the discussion for the 124.17 acres from agriculture to PUD to allow construction of proposed development of 373 homes. On January 26th the Advisory Plan Commission made a motion to send an unfavorable recommendation of the change in zoning request to the Town Council. Jarod Baker explained the process that the Town Council has 90 days from the date to either vote in favor or against to the PUD. The Town Council decided there will be no vote tonight this evening. A conversation between M/I Homes representative, the landowner and the Town Council. M/I Homes has invested a lot of money already and should have the time to discuss this situation in detail. Brian Touhy, representative of M/I Homes, along with Keith Byas, Jon Isaacs, and Tim Westerfield, request this decision be tabled to allow a meeting with the planning commission and Town Council members. Brian explained how the acres would be split between 20 acres of low density homes and 104 acres for medium density homes. In the beginning, the plan would include over 400 homes and now after meeting with the planning people they have reduced that to 350/360 homes which is less than 3 homes per acre. M/I Homes would like to meet again to come up with a plan that meets the hopes of the Town Council, neighbors and the Plan Commission. The lots are wider to the east, eliminated vinyl siding and increased the lots from 15' to 20' lot separation. M/I Homes representatives would like to meet with interested stakeholders to come up with a plan to be approved by the Town Council. They look at the current conditions of the property, surrounded by duplexes on the west and single family residences to the east. The value of the homes would be \$225,000 to \$300,000 which goes along with the current homes in Pittsboro. Jarod Baker thanked Brian for his explanation. Jarod then turned it over to the Town Council members to discuss. Bill Majeske asked about the footage between the homes-Brian said they would be 20' on the single family residences and 18' between the villas. Bill then asked about other options other than vinyl. Brian explained the different options available such as brick and hardy plank or upgraded vinyl. Jarod Baker then asked about the traffic flow and the entrances to the housing development. Brian turned to Matt Brown from AF Engineering. Matt explained that left and right hand turn lanes on 136 would be installed. He sees no issue with moving traffic in and out. Jarod asked about putting a signal on 136-Matt said he does not speak for INDOT, but he feels a traffic light would not be needed. Jarod asked Jason Love about connecting stub roads to Smith and Walnut. Jason said we would need to do revamping of the streets but not going to say it is possible for sure.

Melodi Ingalls asked about the 60', 70' 90' lot sizes? Brian is open to suggestions from the Town Council. Jon Isaacs explained that the market is looking for smaller lots with smaller homes. The younger generation doesn't want to spend all weekend doing yard work. Jon then explained the setback on the side yards would be determined by the lot size. He feels this would be an unnecessary burden to the community with extra streets, extra utilities and maintaining the roads with a wider lot size.

Jay Thompson didn't know of any agreement with not voting tonight. He is prepared to vote tonight and feels the Woodland Hills residents feel the same way. But if M/I Homes can come back with changes to the PUD then he's okay with waiting. He told the other Council members that it's the residents dictate to me in Ward 1 how I'm voting. It's not us cramming things down their throats.

Randy Price would welcome a new plan with less dense houses and different styles of homes to choose from. The value of the homes in this area are a little less than what he feels we need in this community. The need and want to move here is there but he's not sure the current plan that is presented with as many low density homes in the area depicts where we want to go with the future here in Pittsboro for the growth.

Jarod Baker added comments of the traffic study is the major concern. The Town Council has a lot of concerns with the density and how it affects the traffic. The current plan needs an overhaul. Need separation of homes and upgraded levels of home and different floor plans. Pittsboro is a desirable area that more people are wanting to move here with more attractive homes. Homes are too close together and the add-ons that people want.

More discussion followed and can be found and heard on the Pittsboro Indiana Town Council Facebook page.

Jay Thompson doesn't feel the Plan Commission should be allowed to suspend the rules. He moves to vote now.

Jarod Baker made a motion to continue until March 16th and asking M/I Homes to send their revisions to the Town Council by March 9th to allow the Town Council time to review. Bill Majeske seconded. Roll call vote: Melodi-yes, Jay-no, Randy-yes, Bill-yes, Jarod-yes. Motion passes 4-1.

NEW BUSINESS

Construction Standards Manual – Tabled to the March 16th meeting

Salary Manual Update – Jim Buddenbaum explained that the ordinance can be introduced tonight and approved at the next meeting or if it's unanimous consent you can vote on it tonight. Jarod Baker explained the reason for the **Ordinance 2021-05 Amending the Town Salary Manual for Officials and Employees**. Jarod asked for any questions from the Council. Jay Thompson asked about the section for the gas and electric rates being included in the Salary Manual. Jason Love explained that we just included operating agreements for the gas and electric utilities. Jason also explained how time had passed by and raises had been given over the past three (3) years and employees moved tiers so we needed make the Salary Manual match. Bill Majeske made a motion to consider Ordinance 2021-05, Jarod Baker seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0. Jarod Baker made a motion to approve Ordinance 2021-05, Bill Majeske seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0.

Year End Balance Report – **Resolution 2021-01 2020 Appropriation Transfer** was presented by Shari Ping and explained the reason for the transfers. Jarod Baker asked for a motion to approve Resolution 2021-01 as presented. Jay Thompson made a motion to approve, Jarod Baker seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0

PUBLIC COMMENT

Jarod Baker read comments from Zoom/Facebook. See attached list of comments.

COUNCIL COMMENT

Jay Thompson asked if the insurance can be put out to bid for next year. If we start early and get multiple bids. Jarod Baker agrees.

ATTORNEY

Jim Buddenbaum gave an update on the ½ acre in Brixton. He will get a hold of Greg Steuerwald and ask that this subject be added to the agenda for the county meeting.

Jay Thompson brought it up at the last meeting regarding the expenses for the Pipeline lawsuit. Jim Buddenbaum said that they are going forward with the litigation. He will ask if Ron Regan can come to a meeting and tell us what the lawyers are saying. Jason said he would see if Ron or Darrin could join in the next meeting.

Steve Maple asked Jarod Baker that the applications being opened up the Next Level Trails program.

Jay Thompson asked about Endeavor. Jason Love explained that this is the internet at the new water plant and new phones in the Town Hall, Police Departments and Wastewater Treatment Plant.

ACKNOWLEDGMENT OF CORRESPONDENCE

None

APPROVAL OF DRAFTS & CLAIMS

Jarod Baker asked Shari Ping to present the drafts and claims for February 10, 2021 and February 16, 2021. Bill Majeske made a motion to approve, Jarod Baker seconded. Roll call vote: Melodi-yes, Jay-yes, Bill-yes, Randy-yes, Jarod-yes. Motion carries 5-0.

ADJOURNMENT

Jarod Baker asked for a motion to adjourn the meeting. Bill Majeske made the motion, Jarod Baker seconded. Roll call vote: Melodi-yes, Jay-yes, Randy-yes, Bill-yes, Jarod-yes. Motion passes 5-0.

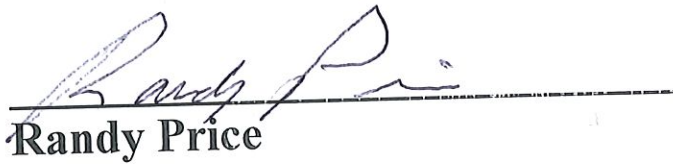
Respectfully submitted,

Shari L. Ping
Clerk Treasurer

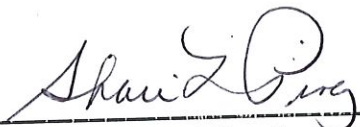

Jarod Baker, President


Melodi Ingalls


William Majeske


Randy Price


Jay Thompson

Attest: 
Shari L. Ping, Clerk Treasurer