

Resolution 2022-15 Petition to Appeal for an Increase Above the Maximum Levy  
Ordinance 2022-13 Bond Ordinance  
Ordinance 2022-12 Establishing Town Legislative Body Districts and Repealing Ordinance 2012-11

**PITTSBORO TOWN COUNCIL MEETING  
33 EAST MAIN STREET, PITTSBORO  
TUESDAY, OCTOBER 18, 2022 @ 7:00 PM**

**QUORUM:**

Jarod Baker  
Terry Northern  
Randy Price  
Jay Thompson  
William Majeske

Jim Buddenbaum, Attorney  
Shari L. Ping, Clerk Treasurer  
Asst Police Chief Carl Carson

OTHERS: Jason Love, Town Manager; Steve Maple, Building Commissioner; Robin Drew Swalley, Parks & Rec Superintendent; IMPA Representatives – Cordell Miller, Dirk Garriott, Chris Sanders; Linda Thompson, 7722 Quail Creek Trace; Jeanene Karn, 7722 Quail Creek Trace; Spring Deaton, 86 Woodview Drive

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

President Jarod Baker welcomed everyone and brought the Council Meeting to order by establishing a quorum. 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 September 20, 2022, meeting. There being none, Jarod Baker made a motion to approve the minutes, Bill Majeske seconded. All ayes, motion passes 5-0.

**PUBLIC HEARING: 2023 BUDGET**

President Jarod Baker opened the Public Hearing. Jarod received a call from Tim Griffith, Township Trustee, notifying him that the Town of Pittsboro would be eligible for an excess levy appeal due to our growth over the last three (3) years. Financial Solutions Group and Shari Ping, Clerk Treasurer, made sure the correct notices were filed on Gateway. We are requesting an excess property tax levy of \$175,000 (See attached Excess Levy Appeal Petition). President Jarod Baker asked for any public comment which will remain open until 7:10 pm. Jarod then asked for any Council Comment. Terry Northern asked if there was a percentage of the levy that will impact the residents. Steve Maple explained the county gets the excess levy now. Jarod found the percentage increase to the levy is 21.8% increase with an estimated impact to the tax rate of .04%. Jarod explained that this is something we will be applying for the next several years. Terry Northern asked about Hidden Hills and the Park Impact Fee address the parks needs due to that expansion? Jarod explained that the Park Impact Fee will assist with the parks needs. Jarod explained that the biggest deficit on the budget is the Parks Department and the Police Department. Steve Maple reminded everyone that the Park Impact Fee can only be used for new items in the parks. Jarod closed the Public Hearing at 7:10 pm. Jarod Baker introduced **Resolution 2022-15 Petition to Appeal for an Increase Above the Maximum Levy**. Jarod Baker made the motion to approve Resolution 2022-15, Randy Price seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0.

**PUBLIC HEARING: 2023 GO BOND**

President Jarod Baker opened the Public Hearing. Jarod explained that the bond amount would be for an amount not to exceed \$500,000 and the proceeds will be used to pay for police projects, street department projects and infrastructure improvements, including but not limited to police equipment and vehicles, street department capital improvements, and other equipment and maintenance items as determined by the Town. The bond will be paid back by using tax dollars received from Steel Dynamics. Jarod then asked for any public comments. Jarod then asked the Council for any comments. Jay Thompson asked about using Barnes & Thornburg as our Bond Council, did we get any other quotes from other bond issuing companies? Jim Buddenbaum explained you can use different council, Barnes & Thornburg, and Ice Miller. Kim Blanchett from Barnes & Thornburg seems the easiest to work with. Jay

Thompson called SBOA to get some ideas around this option, but who he needed to talk to wasn't available. Jay asked what the cost was from the last GO Bond. Jason Love explained this one with FSG is cheaper than the last one through Baker Tilley. Terry Northern asked about the Appointment of Registrar and Paying Agent. The Clerk Treasurer is the paying entity. Jason Love explained that this bond is not an interest bond, we use tax revenue to pay back. Jim Buddenbaum said we are basically, borrowing against our receivables. Jarod Baker explained that in the future we may need to use a multi-year pay back for the Police Station. Jay Thompson asked how we are doing in paying back the last one. Jarod said good. Jarod closed the Public Hearing. Jason Love explained that this is a great way to purchase items that we never would have had money to purchase. Terry Northern asked why the timing is so critical. Jarod explained that we want to lock in an interest rate. Jim Buddenbaum explained that the notices have to be done before the end of the year. Jarod Baker asked to adopt on the first reading. Bill Majeske made a motion to introduce **Ordinance 2022-13 Bond Ordinance**, Jarod Baker seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0. Jarod Baker made the motion to suspend the rules and consider Ordinance 2022-13, Terry Northern seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0. Jarod Baker made the motion to adopt Ordinance 2022-13, Randy Price seconded the motion. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0

## **PUBLIC COMMENT:**

### **SPECIAL PRESENTATION: IMPA – SOLAR PARK DISCUSSION**

President Jarod Baker turned the meeting over to IMPA's representatives. Cordell Miller introduced Dirk Garriott and Chris Sanders. See attached power point. Jay Thompson asked about the efficiency of the panels. Chris Sanders said 23%. Steve Maple asked where are they manufactured at? Cordell said Georgia and South Korea. Cordell explained how they go about finding an area within the communities. Zoning and setbacks play a large part in where they put their solar parks. Terry Northern asked if they are paid back for their investment? Cordell explained that their sites benefit all their members. It's not being sold to other communities. Jason Love asked what the benefit would be to the town by putting in a solar park. Chris Sanders explained that they will need to pay property tax. Jarod Baker went over the slide showing the coal mixture of the IMPA's current resources. The ideal situation would be renewables. Terry Northern asked about the tangible benefit to the Town. Cordell Miller explained the tax benefit, economic development benefit, community education and involvement opportunities. Cordell Miller then explained the process for constructing a solar park. They will maintain the park with maintenance of the property. Jay Thompson asked if they have a lot of theft. Chris Sanders explained that during construction before they put the fence up, they can see theft. Jay Thompson asked about the noise level. Cordell Miller explained that the noise is very minimal. Cordell Miller opened discussion for questions. Linda Thompson asked what affect the electric field would have on the community since a park is planned in the other part of the field. Jay Thompson asked if they are underground or overhead? Chris Sanders explained they are mainly underground until they come up the pole to connect to our overhead distribution. Spring Deaton asked if Pittsboro puts one in or Ladoga expands, there is no real benefit to the Town. Chris Sanders explained there are no transmission costs involved. Cordell explained they keep the rates stable. Jason Love explained that there is no financial risk to the Town, the only thing is the property. Shari Ping asked about the infrastructure to put roads in since there are no entrances into it. Jarod Baker asked if IMPA is interested in purchasing or leasing the property along with an easement. Chris Sanders explained that most of the land is owned by IMPA. Further negotiating will occur later. Steve Maple explained that the previous time the neighbors located north, east, and west of the property were not crazy about what was going on the property. Jarod explained there would be public meetings held. Jarod Baker was glad the Council heard the presentation, and more discussion would need to be held. Randy Price asked about putting a solar park on top of box buildings. Chris Sanders explained they are all on the ground. Jason Love explained that the economic growth would not be in our service area. Dirk Garriott thanked everyone for all the input and questions. Invited the council to the next IMPA meeting on October 28<sup>th</sup>.

## **TOWN STAFF REPORTS**

### **TOWN MANAGER:**

Jason Love reported that they have approximately 400 meters left to be completely radio read.

Electric supplies are hard to find.

Almost finished with the inside framing of the new concession stand and the concrete is all poured.

Meeting with Eric to discuss the Community Crossing Grant, awards should be released next week.

Sewer update – Banning has been working on the upgrades, future flows north of the interstate. Still in the engineering phase of the plant upgrades.

Jay Thompson asked about the meters installed at SDI. Jason explained they have not been installed yet. SDI is still looking for paperwork on the wells. They did some measuring while they were there, and Gary Golay ordered the meters. They were very open to us installing the meters.

**POLICE CHIEF: (report attached)**

Carl Carson reported that Taylor Adamson left effective October 13<sup>th</sup>, so we are full steam ahead on the hiring process. The department will be promoting the position by word of mouth, on all social media and the ILEA website. Halloween will be on October 31<sup>st</sup> from 6-8 pm. Chase from Paw Patrol will be there as well.

**CLERK TREASURER:**

Shari Ping explained that she did not do a report for the 30, 60, 90-day report. Several meters were shut off this week, all of them have been paid and turned back on. The list is dwindling.

The Sorority's Boo Fest will be held in the Town Hall on October 31<sup>st</sup> from 6-8 pm. They will be serving hot dogs, water, Kool-Aid, candy, and homemade cookies.

Jay Thompson asked about the appropriations report and wanted to know if there were any red flags. Shari explained that she has not done any automatic transfers yet but will be doing it soon. She then explained that employees can be paid out for PTO left at beginning of November. So far four (4) or five (5) police officers have asked to be paid out. That money will be coming from the Deputy Police Salary line.

**BUILDING COMMISSIONER:**

Steve Maple reported at the last meeting the new fee schedule was approved but the ordinance was not signed. Just need to sign so we can advertise the new fees in order to begin charging the new fees.

**TOWN COMMITTEE REPORTS:**

**BOARD OF ZONING APPEALS:**

No meeting

**FIRE BOARD: (report attached)**

Bill Zeunik was not able to attend. Bill Majeske had nothing else to report. The next meeting will be held on November 10<sup>th</sup>.

**PARK AND RECREATION: (report attached)**

Robin Drew Swalley went over the attached report. Jarod Baker asked Robin if they have a plan to plant so many trees each year. Jason Love asked about a "Buy a Tree Program". Jim Buddenbaum explained how some landscaping companies have a program of buy 2 get 1 free. The last movie in the park will be this Saturday. Bill Majeske commented on moving dirt for the trees. Jason Love and Jack Swalley are putting up walls in the concession stand.

**ADVISORY PLAN COMMISSION:**

Jarod Baker reported there was no meeting in September. They will be meeting next week. Steve Maple explained that they are wanting to rezone 18.54 acres east side of Waters Way and South of Penny Lane. Jarod Baker read a letter announcing the Public Hearing on October 25<sup>th</sup>, rezoning from Open Space to R1. Jason Love explained that there is a digester located just east of the property and it smells at times. Jim Buddenbaum explained they will need to sign off on a commitment that goes with the land. Steve Maple said the plans are for two (2) homes on the acreage.

**POLICE COMMISSION:**

Carl Carson reported they are still working on updating their policies

**REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:**

No meeting

**CONTRACTED BUSINESS:**

**OLD BUSINESS:**

*Economic Development Commission (EDC) Appointment* – President Jarod Baker reported that he has received interest from Spring Deaton and Jack Swalley. Jay Thompson mentioned Erik Jones also expressed interest to him. Jarod Baker's personal opinion is he feels Spring Deaton would make a good candidate, Jay Thompson mentioned

she has attended several meetings in person over the last year and a half. Terry Northern feels she knows what's going on in the community. Jarod Baker made the motion to appoint Spring to the EDC, Terry Northern seconded. All ayes, motion carries 5-0. Jarod Baker mentioned that according to Financial Solutions Group, the EDC needs to meet at least once per calendar year.

*Vacate Ashton Park Stub Road* – President Jarod Baker asked Jim Buddenbaum about a legal description. Jim read the description he came up with. Steve Maple reported he has been working with the County to find when and where it is platted. Jarod suggested sending out the wording to the rest of the Council and table this until the November 15<sup>th</sup> meeting. Jarod Baker made the motion to continue this ordinance to vacate Ashton Park Stub Road to November 15<sup>th</sup> meeting, Bill Majeske seconded. All ayes, motion passes 5-0. Terry Northern asked Jason Love about the streets in Ashton Park being dedicated to the Town. Jason said they were. Terry has a concern about the liability of vehicles parking in that area, he is not opposed to this vacation but feels there needs to be restrictions regarding parking. Discussion followed. Spring Deaton commented that the homeowners may not be interested if they can't park there. Jim Buddenbaum asked about parking vehicles in their yards. Jason said if they are legal and plated.

*Proposed Rates & Charges Sewer Utility Services (Hose Meter)* – Terry Northern reported that a resident asked him about extending the credit period one (1) more month in the fall. Terry did some figuring by using Shari's spreadsheet, we have approximately 400 "active" meters, only 287 are using them on a regular basis. The average of the 287 meters the consumption is 9,484 gallons a year. That equates to 2,371 gallons average per month per meter. If we extend our program by 1 one month, that would be 680,000 gallons of consumption, but we have over 1,071,000 that is not being used. If everybody was using the meters, we would be giving a credit for 3,793,000 gallons a year. Right now, we are crediting 2,722,000 gallons a year. If we extend it in the fall, we that's 400,000 gallons to the good. Jason Love explained that we will always be to the good in water, the only credit is to the wastewater. Jarod Baker asked Jim Buddenbaum what defines a rate study. Jim explained that a rate study can range from low to high in cost. Jim said after hearing Terry's information tonight, he feels adding a month will not hurt. Terry Northern said the rates will remain the same. Jarod Baker feels we should add a month to the end since Spring is still wet, and October is usually warmer. Steve Maple asked about the ones with a double meter pit and using irrigation. Jarod explained that this ordinance pertains strictly to hose meters. Jason explained that all new building in town will have a double meter pit. Jarod Baker recommends that we pay a small fee to Financial Solutions Group to validate the numbers Terry shared tonight and would that be considered a rate study. Jarod feels we should validate the meters at the end of the calendar year. Also validate in the spring with a week allowed for homeowners to bring the meters in to be validated, then they will receive their hose meter cards.

*Amend 2022 Salary Ordinance* – Jarod Baker explained this is no longer necessary after talking with Chief Scott King and looking at their current budget and the negative balances. Jarod said we might revisit it again in December.

#### **NEW BUSINESS:**

*Redistricting* – President Jarod Baker explained that **Ordinance 2022-12 Establishing Town Legislative Body Districts and Repealing Ordinance 2012-11** was introduced at last month's meeting. Jarod Baker made a motion to approve Ordinance 2022-12 as written, Terry Northern seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0.

*Mobile Food Vehicle* – President Jarod Baker explained the reason for this ordinance. The health department handles the health aspect of this, we need to establish an additional layer of protection for the Town. Discussion followed. Jarod asked for an ordinance number, Shari gave him Ordinance 2022-14. Jim Buddenbaum explained that we need to find out if the "food truck" is working out of an approved commissary. Jarod explained that we need to verify that they are staying up to date with all health department guidelines. Table for further discussion.

#### **COUNCIL COMMENT:**

Jarod Baker gave an update on his conversation with SDI's General Manager Chad Bickford, pertaining to the current expiring MOU with Steel Dynamics (SDI) and the Police Department will expire at the end of this year. Currently they are paying \$4,000/month to help pay for an officer's salary. They are willing to commit to \$2,000/month for two (2) years. Jarod feels this is better than nothing. Jim Buddenbaum is working on updating the language in the MOU. Table to the November meeting.

Jarod Baker explained that Steve Maple is working on the Next Level Trails. The outline plans have increased in cost. The DNR wants our new proposed plan and cost. The DLZ wants authorization to do the new plans and if DNR doesn't approve the plans, we will still owe DLZ money. Need to come up with a not to exceed amount. Table until we receive a not to exceed amount from DLZ.

Steve Maple asked about no parking on Mitchell and Jeff Gordon Blvd. Jarod Baker explained we will need to discuss at the next meeting.

Terry Northern asked Jarod if during his conversation with SDI and the MOU, did he address the ongoing sewer and water concerns. Jarod said no, only regarding the officer salary.

Jay Thompson mentioned that during the review of the Town of Plainfield's budget, and they are taking 10% of the Council's salary and charging the County since they deal with the 911 communication center. Jay wants to discuss with the SBOA to see if we can take a portion of the Council's salary from utilities since we deal with utilities at our meetings. We recently changed the percentages of Jason and Shari's salaries for 2023 budget. This would help reduce the strain on the general budget.

Jason Love mentioned the ARPA ordinance is not on the agenda. The generator has been installed at the water plant and the electrician has paid for everything. SRF is slow balling us with reports we can't provide. Jason recommends paying the generator from the Sewer Account and reimbursing with the ARPA funds. Jason reported that we hired our own electrician and didn't provide SRF with Davis Bacon wages and the EEO I and EEO II reports. Jarod asked about the dollar amount being listed separately. Jim Buddenbaum explained that it is included in the Water, Sewer and Broadband Infrastructure. Shari Ping will need to keep accurate records. Jarod Baker made a motion to give Shari Ping authorization to take \$146,700 from the sewer account and pay our vendor for the generator. Bill Majeske seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0. Jarod Baker then introduced Ordinance 2022-15 on American Rescue Plan Proposed Spending Summary. Jason asked the Council to advise Shari to contact SRF to withdraw the last two (2) pay apps and do not process.

#### **ATTORNEY:**

Jim Buddenbaum had nothing at this time

#### **ACKNOWLEDGMENT OF CORRESPONDENCE:**

Jarod Baker read the attached letter from Hendricks County Emergency Management Agency regarding the county-wide siren communications system.

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

President Jarod Baker asked Shari Ping to present the drafts and claims for October 18, 2022, which includes all payments made since our September 20<sup>th</sup> meeting. Jay Thompson asked Shari about payments to Sozo for website monitoring, Shari explained they took TRG's place. Jay also asked about the traffic impact study from Jones Development, Shari said yes, and they are paying us back. Jarod Baker made a motion to approve drafts and claims as presented by Shari, Jay Thompson seconded. All ayes, motion passes 5-0.

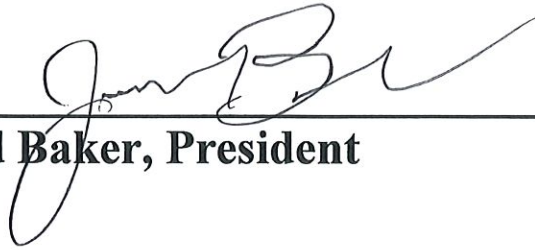
#### **ADJOURNMENT**

President Jarod Baker reported the next meeting will be on November 1<sup>st</sup> to adopt the 2023 Budget due to the Excess Levy Appeal, insurance rates, food truck and parking on Mitchell and Jeff Gordon Blvd. Jarod then asked for a motion to adjourn. Bill Majeske made the motion, Randy Price seconded. All ayes, motion passes 5-0.

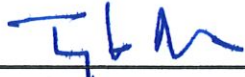
Jason Love reported that he received a question from Brian Estes regarding the location of the solar park.

Respectfully submitted,

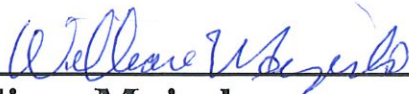
Shari L. Ping  
Clerk Treasurer



**Jarod Baker, President**

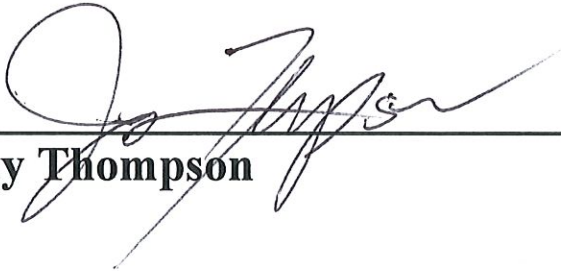


**Terry Northern**



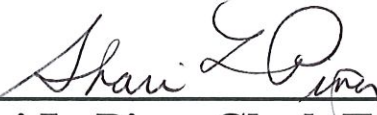
**William Majeske**

**Randy Price**



**Jay Thompson**

**Attest:**



**Shari L. Ping, Clerk Treasurer**