

Resolution 2023-09 Approving Travel Expense and Reimbursement Policy
Ordinance 2023-06 Amending Section 91.08 of Code of Ordinances of the Town of Pittsboro, Indiana, Regulating
Chickens and Other Livestock Within the Town
Ordinance 2023-07 Establishing Stop Signs in Jefferson Park Subdivision

**PITTSBORO TOWN COUNCIL MEETING
33 EAST MAIN STREET, PITTSBORO
TUESDAY, AUGUST 15, 2023 @ 7:00 PM**

QUORUM:

Jarod Baker - ZOOM
Terry Northern
Randy Price
Jay Thompson
William Majeske

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

OTHERS: Jason Love, Town Manager; Steve Maple, Building Commissioner; Jack Swalley, Sr Building Inspector; Robin Swalley, Parks & Rec Superintendent; Eric Wathen, ELW Consulting; Bill Zeunik, Fire Chief; Larry Compton, 7758 Quail Creek Trace; Jeanene Karn & Linda Thompson, 7722 Quail Creek Trace; Sheila Hussey, 501 Woodland Place; Larry Herring, BZA; Scott Smith, Website Design; Dave Resley, Insurance Agent

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

President Jarod Baker welcomed everyone and brought the Council Meeting to order by establishing a quorum. Four (4) of the five (5) members are present, Jarod Baker joined via Zoom. 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 July 18, 2023, meeting. Terry Northern made a motion to approve the minutes as presented, Randy Price seconded. Roll call vote: Jarod-yes, Randy-yes, Terry-yes, Bill-yes, Jay-yes. All ayes, motion passes 5-0.

PUBLIC COMMENT:

President Jarod Baker asked if there were any public comments (other than topics on agenda). Linda Thompson, 7722 Quail Creek Trace, thanked the Fire Dept. for their professionalism while treating her mom. She is back home and here tonight.

PRESENTATION: INSURANCE RENEWAL

President Jarod Baker turned the meeting over to Dave Resley. Dave explained that he represents the Town in the MEWA plan of Anthem. The Town had the largest increase of all groups. Anthem doesn't put in writing the reason behind the increase, but after speaking to someone at Anthem our rate increase is based on 15% adverse claims experience and 7% based on negative change in demographics. Which means the insured group of employees got older. MEWA (Multiple Employer Welfare Association) will not be offering the schedule of benefits plan such as the HSA plan we currently have. Recommending to all our clients over the age of 65 switch over to a Medicare Plan G and Part D plan premiums would cost \$300-\$400 a month. By taking those over 65 out of our plan the age factor would be much better. He is recommending the 74QB plan would be \$1,500 to \$2,000 less each month. He also quoted the IU Health plan, but you would need to use the IU Hospitals and IU Doctors. United Healthcare quote doesn't save as much as the Anthem 74QB plan. Jarod Baker asked Dave about transitioning out of Anthem as far as timing issues. Terry Northern asked if the transitioning would be a qualifying event. Is there a 10% penalty? Robin Swalley asked about a certain date to make any changes. Dave explained that you would need Part B that will cost you money. Then you could get a Medicare Advantage Plan or a Part D. Dave is recommending Medicare Plan G as the best option. Jarod Baker is worried about the timing of the transition; he would like to poll the employees to see if they are using IU Health as their primary health provider. If there is a high number using IU hospitals or doctors, then it would be beneficial to switch over to IU Health. Dave offered to meet with the five (5) employees

who are over 65 and go over any questions they might have. Terry Northern asked about AIM coverage. Jarod replied that we did not get any success with them. Terry Northern concurs that after the information we received tonight it would not be beneficial to switch to the IU plan and switch over to the Anthem 74QB plan. Jay Thompson asked about opting out of B and going with an HSA. Dave explained that once you sign up for Part A you eliminate the ability to make contributions into an HSA. They can use the dollars if they have built up an HSA account. Robin Swalley asked about the HSA money they have in the account; do we have to give it back to the Town? No, you can use it for drugs and medical expenses. Jarod Baker recommends that we switch over to the Anthem 74QB plan and have Dave work with those needing to transition to Medicare. All were in favor. Steve Maple asked about covering the premiums for the new ones over 65, would they cover those already in the Medicare plan. Dave would be happy to review anything you have already in place. The Town will not have a plan with Medicare directly, they would be individual policies.

STAFF REPORTS:

TOWN MANAGER:

Jason Love had nothing to report on at this time.

POLICE CHIEF:

Chief Scott King had nothing to report at this time.

CLERK TREASURER:

Shari Ping went over the 30/60/90-day report. Shut offs will be done tomorrow.

BUILDING COMMISSIONER: (see attached report)

Steve Maple reported that he sent in the attached report. Steve reported that they send out nuisance notices and several have been corrected. Jason Love explained that notices were sent to One West Business Park regarding the construction equipment sitting on the property per our ordinance does not allow it. Jason explained 100% does not belong to the landowner or the construction project. So those items are piling up penalties. Jason was told that there is some documentation to where they are permissible since they are a utility company, but he has not received any documentation. Terry Northern asked if this was from when it was leased. Jason said it is still being leased. Jim Buddenbaum explained that utility operations are exempt from zoning and land use laws. An example was given by Jim Buddenbaum. Steve Maple said there are 56 items at \$100/day per item for a month and a half. Jim Buddenbaum asked if they had been given notice. Steve replied they had received nothing. Jason has promises on three (3) items but still no action. Other items include lighting at storage buildings and landscaping at One West Business Park and he has built buildings 1, 2, 3, and 4. Jarod Baker spoke up regarding the landscaping and we should give them a little bit of leeway due to the weather. But no C of O should be given until the landscaping is done. Jarod feels we need to move across the interstate and send Fleece Performance a letter regarding the dead trees. If we don't have a letter in hand by Friday, then on Monday we move forward with legal. Steve Maple reported that Fleece has taken care of the dead trees and will plant new ones once the weather permits. Terry Northern feels we should execute the penalties and follow up with dollar amount owed. Bill Majeske agrees. Jay Thompson stated we have policies and procedures in place, and we don't need to discuss this individually set variety of standards we are going to enforce. Randy Price stated the longer it goes on your setting a precedence too.

WEB DEVELOPMENT UPDATE: (see attached report)

Scott Smith went over the attached report. He set up a meeting with CivicPlus for tomorrow to go over upgrading the website. He is not in any position to make decisions but will report back to the Council next month.

TOWN COMMITTEE REPORTS:

BZA:

Larry Herring, President, reported on the meeting. Thanked Rachel Cardis and Steve Maple for keeping the board straight. There have been two (2) requests made to the BZA board. 1) garage set back on Poplar Drive, which was approved, 2) request for the 4 acres located on Jeff Gordon Blvd and Progress Drive, the owners are requesting to put a temporary trailer on a gravel parking lot for a period of 24 months to provide a truck driving school. Steve Maple reported there will be something else on that lot after the 24 month period. Jarod Baker thanked Larry for his work on the BZA.

Salary Manual Revisions – President Jarod Baker thanked Melanie Raleigh for her help with update the job descriptions into Word documents. He also thanked Steve Maple for all of his help. He feels it is ready to send to Erin at the County for her review. Jarod explained there were several positions that need to be removed still. He is looking for approval to send over to Erin for her review. Jarod Baker made a motion to move forward in sending to Erin to review, Jay Thompson seconded. Roll call vote: Jarod-yes, Randy-yes, Terry-yes, Bill-yes, Jay-yes. Motion passes 5-0.

Vacate Right-of-Way in Deer Meadows – President Jarod Baker gave an update on the vacation of the right-of-way. Steve Maple reported that he spoke with the homeowners and gave suggestions for a surveyor. Sheila Hussey reported that they have maintained the property for the last 30 years and they would be interested in maintaining it for the future. But they have no interest in spending \$1,000 on a survey. Jay Thompson asked Jim Buddenbaum about the description he sent over. Jim explained that is not good enough to sell the land in the future. Jay Thompson read 36-7-3-12 paragraph C, “that the legislative body shall hold a hearing within 30 days after it is received”. Since the request was received at our last meeting, are we in violation? Jim said we are probably in violation. Jim explained that we don’t have to acknowledge it is received until it is complete, we can’t give legal notice without a legal description. Discussion followed. Lee Drive was mentioned again. Jason Love explained the way it went with the pastor of the Baptist Church, and he did not show an interest in the trees. Jay Thompson asked why Terry Northern helped with Stamford Drive and he feels there is some bias or prejudice shown to this homeowner. Terry explained there is no bias intended, and explained we had more information to work with, we don’t have a starting point for this right-of-way. Jarod Baker asked if we have a rough description but not a legal description and if we move forward with a public hearing, the purpose of holding a public hearing and paying the fees and taking time to discuss and we don’t have anything formal with a legal description to benefit both homeowners to complete, why do we need to hold a hearing at that point, it is going to result in nothing because it is incomplete. The homeowners don’t want to spend the money for surveyor fees, and we don’t have a recorded plat with a description. What are we doing here by holding a public hearing for something that is incomplete? Jason Love asked Sheila Hussey if she had the number for Dan Muhlenbein? She does not. Shari Ping has his number at the office. Jason Love asked Sheila if she would like to retract her request? She said it has already been submitted and she can’t speak for her neighbor who is not present. Jay Thompson asked if we should table this until next month’s meeting. Terry Northern asked if Ms. Hussey has a mortgage survey or original lot, she has the same thing the Town has.

NEW BUSINESS:

New UDO Amendment - Chickens – President Jarod Baker went over the changes being made to the UDO. See attached Exhibit A. Terry Northern gave his opinion and applauds the work that’s gone into it and doesn’t disagree with the content, but it is not consistent with the UDO Section 7.4. Discussion followed. Jarod Baker made a motion to approve **Ordinance 2023-06 Amending Section 91.08 of Code of Ordinances of the Town of Pittsboro, Indiana, Regulating Chickens and Other Livestock Within the Town**. There is not a second, so the motion dies from lack of a second.

Create Ordinance – Four (4) Way Stop at Ambassador Dr in Jefferson Park – President Jarod Baker made a motion to introduce **Ordinance 2023-07 Establishing Stop Signs in Jefferson Park Subdivision**, Terry Northern seconded. Jarod Baker made a motion to consider the same ordinance, Terry Northern seconded. Roll call vote: Jarod-yes, Randy-yes, Terry-yes, Bill-yes, Jay- asked if the HOA was in agreement - yes. Motion passes 5-0. Jarod Baker made a motion to approve ordinance as written, Randy Price seconded. Roll call vote: Jarod-yes, Randy-yes, Terry-yes, Bill-yes, Jay-, Jarod said it is not their decision since it is a town owned street-yes. Motion passes 5-0.

2024 GO Bond – President Jarod Baker has asked Jason Love, Scott King and Robin Swalley to come up with a wish list and have it ready to present in September in order to formalize a plan on what they want to spend the money on. Jarod explained that we might need to trim their lists in order to allow for costs associated with the new Police Station.

Common Violations Procedure – President Jarod Baker explained the reason for this discussion. We are having many violations within the Town. We need to make sure we are being uniform across the board in regard to the violations we are seeing. Jarod gave several examples of the different violations. He would also like to discuss the process for filing a nuisance complaint and requiring the form to be signed. He feels the signature needs to be removed from the form. Jim Buddenbaum gave his semi-legal opinion which is the Town has the authority to send out inspectors to find violations. You don’t need a complaining party to find a violation, he doesn’t know why you require them to

sign the form. Jay Thompson feels there was a Commission member who requested the signature be removed. Steve Maple explained that the member did not want to sign her name and then have the violator find out who turned them in. Jack Swalley explained the process with the violation being submitted. This allows the Town to go out and inspect the violation and act on it. The person who submitted the violation is not acting upon it. Jack also explained that he did a general drive-by to look for violations. We received a good grade. Discussion followed. Jarod Baker explained this is just a form to bring it to our attention. Terry Northern stated the signature is a deterrent. Jason Love asked Jim Buddenbaum about taking the signature from it, someone submits a complaint, the inspector goes out and verifies it is an infraction against the UDO, can we get rid of the paper? Jim Buddenbaum explained that it has become a public record. More discussion followed. It was the consensus of the Council to remove the signature from the Nuisance Complaint form. The Advisory Plan Commission will need to change the Ordinance to make an amendment to the Nuisance Complaint form and bring it to the Council for their final approval.

COUNCIL COMMENT:

Jay Thompson – Thanked the new two (2) officers we got and hope they have a long and boring career since we don't see a lot of crime.

Thanked Jason Love and his guys for taking care of the streetlight on Fawn Court

He noticed curbs were being painted. Jason explained they are summer help and have gone back to school now. He also noticed there was a female on the trash truck. Jason explained that is Grace Jacobs and she is on the payroll and will remain on the trash truck. Mayson will float between maintenance and trash. Jay also asked Jason about the cash flow positive in the sanitation fund. Jason said he is still digging into the numbers before he purchases another truck.

Curb work being done in Deer Meadows, are we still waiting on a concrete guy? Jason said no, but my concrete guy moved to Florida, so we are looking for a new one.

Noticed the USDI bill was high this month, is this due to Hidden Hills? Jason explained that they have been doing meter change outs to be more cost effective. Hidden Hills has not hit our books yet but will be soon.

Mentioned that the Hendricks Communication Center met and approved the new budget for next year, 6.6 million dollars-about \$700,000 more than this year. Half of that or more is for raises for the dispatchers.

Our EMA director left and went to FEMA.

ATTORNEY ITEMS:

APPROVAL OF DRAFTS & CLAIMS:

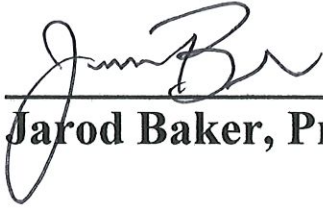
Shari Ping presented the drafts & claims for August 15, 2023, which includes all payments since our July 17th meeting. Bill Majeske made the motion to approve drafts and claims, Jay Thompson seconded. Roll call vote: Jarod-yes, Randy-yes, Terry-yes, Bill-yes, Jay-yes. Motion passes 5-0.

ADJOURNMENT:

Jarod Baker announced our next meeting will be held on September 19th which will include the first reading of the 2024 Budget. Jarod Baker made the motion to adjourn, Bill Majeske seconded. All ayes, motion passes 5-0.

Respectfully submitted,

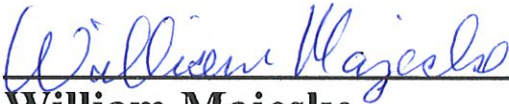
Shari L. Ping
Clerk Treasurer



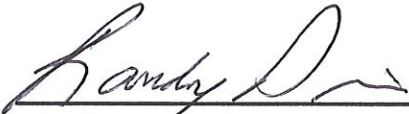
Jarod Baker, President



Terry Northern



William Majeske

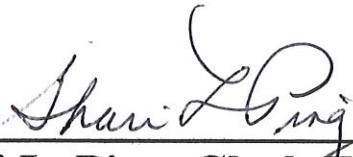


Randy Price



Jay Thompson

Attest:



Shari L. Ping, Clerk Treasurer