

Resolution 2023-10 A Resolution and Petition to Appeal for an Increase Above the Maximum Levy

**PITTSBORO TOWN COUNCIL MEETING
33 EAST MAIN STREET, PITTSBORO
TUESDAY, SEPTEMBER 19, 2023 @ 7:00 PM**

QUORUM:

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

Jim Buddenbaum, Attorney
Shari L. Ping, Clerk Treasurer
Police Chief Scott King
Jason Love, Town Manager

OTHERS: Steve Maple, Building Commissioner; Carl Carson, Asst. Police Chief; Bill Zeunik, Fire Chief; Dave Resley, Insurance Agent; Joe Ray, 119 E Main Street; Ryan Vlha, 131 E Main Street

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, Jay Thompson 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 August 15, 2023, meeting. Terry Northern made a motion to approve the minutes as presented, Randy Price seconded. Roll call vote: Jay-yes, Randy-yes, Terry-yes, Jarod-yes, Bill-yes. All ayes, motion passes 5-0.

PUBLIC HEARING: 2024 BUDGET – 1ST READING

President Jarod Baker opened the first public hearing and explained the process of the 1st reading of the 2024 Budget. Joe Ray, 119 E Main Street, asked how the public can make a comment on something they never received? Jarod explained that the budget is on Gateway for public review. There were no Council comments. Jarod closed the public hearing.

PUBLIC HEARING: AMENDMENT TO LEE DRIVE VACATION – ORDINANCE 2022-05

President Jarod Baker opened the second public hearing and explained where Lee Drive is located and the reason for the needed amendment. Jason Love explained that the road should have been vacated to the center line and not the entire road to Ryan Vlha. This also prevents Mr. Cain from accessing his property to the north. Terry Northern proposed that the north property line is just an offset on the GIS on Beacon. Terry asked Joe Ray if they had confirmed it with a legal description. Discussion followed. Joe Ray explained that the property description usually goes to the center line of a road. Jarod Baker suggested that we look at the legal description of the Cain property. There is no legal description for Lee Drive. Joe Ray gave a brief history of how this all came about. Ryan Vlha explained that he has paid taxes on this twice now and he has made some improvements to the property. Jarod Baker looked it up on the county website and shows that Mr. Vlha won't pay taxes until 2024. Jim Buddenbaum found there is a permanent easement along Cain's property which is Lot 1 & 2 of Eastwood Heights. Jarod asked that everyone work with us as we try to sort it out. Joe Ray asked where the source of the error was? Jarod and Jason answered that the petitioner was Ryan Vlha. Normally it comes from all adjacent property owners. Jason Love read the letter received on March 23, 2022, from Ryan Vlha requesting the vacation of Lee Drive. Terry Northern explained that the Council wants to make it right for all concerned property owners. Joe Ray explained that his perspective is concerned about Marty Cain getting his front yard back. Whatever happens to the rest of it is of no concern to him. Jarod Baker closed the public hearing.

PUBLIC COMMENT:

PRESENTATION: INSURANCE RENEWAL

President Jarod Baker turned the meeting over to Dave Resley and thanked him for coming in again. Jarod asked him if he was able to find any changes or insight into choosing a plan that was the most beneficial plan for the Town and its employees. Dave recommends that the Town move from an experience rated program back to an ACA (Affordable Care Act) program which will not take anything other than their age into consideration in figuring the rates. He recommends that those employees aged 65 or over, use the Medicare programs. A meeting was held the next week to discuss options for those over 65. All their questions were answered, and they understood why this would be better for them as well as the Town. The ball is in their court to sign up for Medicare part A & B then we could look at the Medi Gap and Part D drug plan. The Town will save money if they are not in the ACA plan since the age factor would go down. Dave will contact Shari Ping and have her follow up with them to see where they are in signing up for Medicare. Jarod Baker spoke with Financial Solutions Group (FSG) to see if they know of any other towns that pay for the Medicare premiums. FSG did not know of any towns that pay the premiums, but they do offer the contribution to their HSA. Jarod would like to survey the employees to see how many of them are using IU Health and if it is a large number, we could look into switching over. Jarod feels we should move to the Anthem 74QB plan, Bill feels we should go with the Anthem plan as well, Terry agrees with Anthem, but the transition for those over 65 can opt into Medicare without a penalty. Is this a qualifying event? Jarod asked Jim Buddenbaum if we can make it a policy to move to Medicare at the age of 65. Our insurance is renewed on October 1st. Randy Price agrees with switching to the Anthem 74QB plan. Jay Thompson-ran into audio issues. Jarod feels we should amend the handbook and issue notice to those over 65. Plan for those over 65 to move effective January 1, 2024. Dave explained how the premium will be high until we move those over 65 to Medicare and remove them from Anthem. Steve Maple reported that at the meeting held last month with those over 65 it was expressed that the Town will cover the Medicare fees. If they Town changes that, those in attendance need to be told that. Jarod explained that they will need to cover their monthly fees, but they will continue to receive their contribution to an HSA.

STAFF REPORTS:**TOWN MANAGER:**

Jason Love had nothing to report on at this time.

POLICE CHIEF:

Chief Scott King had nothing to report on at this time.

CLERK TREASURER:

Shari Ping had nothing to report on at this time.

BUILDING COMMISSIONER: (see attached report)

Steve Maple reported they did not have an Advisory Plan Commission meeting. He sent in the attached report.

WEB DEVELOPMENT UPDATE: (see attached report)

Scott Smith was not able to attend but sent the attached report.

TOWN COMMITTEE REPORTS:**BZA:**

No meeting

FIRE BOARD: (see attached report)

Bill Zeunik sent the attached report.

PARK & RECREATION: (see attached report)

Robin Drew Swalley sent the attached report. Jarod Baker reported that the restrooms are being vandalized. He proposes that we impose a \$1000 fine and post signage around the parks that states cameras are in use. Jarod asked Jim Buddenbaum if we could establish an ordinance regarding vandalism. Jim recommends sitting an extra police car in the park. Terry Northern is in favor of establishing a minimum fine. Enough is enough, let's establish an ordinance and notify the police. Jarod wants to include all town owned property.

ADVISORY PLANNING COMMISSION:

Steve Maple reported there was no meeting.

POLICE COMMISSION:

Scott King reported the meeting was cancelled.

REDEVELOPMENT AND ECONOMIC DEVELOPMENT COMMISSIONS:

Jarod Baker reported that they will be meeting this Thursday at 5:30 at the Admin Building.

CONTRACTED BUSINESS:

Eric Wathen, ELW Consulting, was not here to give a report.

OLD BUSINESS:

2024 GO Bond – President Jarod Baker went over the attached lists from our Police Department and the Parks Department. Jason Love reported his list includes equipment including plow trucks, a loader, and a dump truck at approximately \$190,000. Terry Northern asked Scott about the Mobile Data Terminals. Scott explained they would replace their laptops with these terminals to be used in the cars as well. Jarod explained that with a \$400,000 budget we could give utilities \$190,000, Police \$110,000 and Parks \$100,000. Everyone agrees with the figures and Jarod will send them to FSG.

NEW BUSINESS:

2023 Pay 2024 Excess Levy Appeal – President Jarod Baker explained the reason for this. We have a possibility of receiving \$320,000, however the DLGF can subtract what we received this year. Jarod made a motion to approve **Resolution 2023-10 A Resolution and Petition to Appeal for an Increase Above the Maximum Levy**, for an amount not to exceed \$320,000. Bill Majeske seconded the motion. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-abstain. Motion passes 4-0-1 abstain.

Hidden Hills – Turn Lane onto Jeff Gordon Blvd – President Jarod Baker went over the traffic study from Pyatt Builders which recommends adding a turn lane onto Jeff Gordon Blvd. Pyatt Builders wishes to put the money into an account to be used for such turn lane. They had a proposal made and they wish to give \$27,660 to us to be used solely for the turn lane. Jarod Baker made a motion to proceed with the bid and accept a check from Pyatt Builders in the amount of \$27,660, Bill Majeske seconded. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-yes, motion passes 5-0.

Introducing Bond Ordinance for Fleece Performance – tabled

Police Department – INPRS Retirement Shortfall – President Jarod Baker explained the reason for this shortfall in the amounts of \$28,857.11 (Town) and \$7,305.96 (officers). FSG recommends using excess levy appeal money or CCD money and LIT money. The Town should cover the employees' shortfall as well. Jarod would like a motion to approve the covering of the officer's shortfall (\$7,305.96). Terry Northern made a motion to approve the covering of the officer's shortfall, Randy Price seconded. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-yes. All ayes, motion passes 5-0.

Police Station Update – President Jarod Baker asked Jason or Scott to give an update. Jason is looking for an agreement soon for the construction portion. We will be incurring soft costs with the BOT agreement soon. Jason is looking for approval to go seek a BAN (Bank Anticipation Note) to cover the soft costs and then the GO Bond for 2025 will cover the building. Terry Northern suggest we budget \$300,000 for soft costs. Jason said the hard costs could begin in January of 2024. Jarod Baker made a motion to give Jason authorization to speak with FSG and State Bank to seek out a BAN schedule. Bill Majeske seconded. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-yes. All ayes, motion passes 5-0.

Town of Pittsboro/CIRDA Membership – President Jarod Baker explained that Brian Bilger had reached out to him to sit in a meeting with CIRDA to see if it will benefit the Town. This covers READI 2.0. Marion County and the surrounding counties and municipalities. It is free to join. Population under 7500 does not have a vote, they would fall under the county. Table until October. Discussion followed.

Trash Service – Snowbirds and Opt Out of the Service – President Jarod Baker opened the discussion for an opt out option of trash service. Shari Ping explained the reason why snowbirds would opt out only if they have their water shut off for the time they are away. Council comments – Bill no, Terry-no, Jay-yes, Randy-no, no other company allows it. Jarod Baker made the motion to not allow snowbirds to opt out of trash service, Terry Northern seconded. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-no. Motion passes 4-1.

Jason Love explained that we had a truck breakdown due to a driver's error. He would like to find a used decent truck to park as a backup prior to January 1st. All the numbers he has run show the trash service is very successful and there is no reason we can't afford another truck to have as a backup.

Jason asked Jim Buddenbaum about the State Right of Way Interlocal Agreement as soon as possible. Jim explained he sent his approval earlier.

Terry Northern asked Jason to get him some numbers on the trash service. He has been a proponent of more than one truck. Can we get a bigger truck and limit the number of trips to the dump? Jason said if we had a bigger truck, we would be entering into the commercial world sooner. Now is not the time to change routes. We haven't dealt with the weather changes. Jason reported he has no CDL drivers.

COUNCIL COMMENT:

Jay Thompson – emailed Jim about the INDOT indemnity on damages. Jason said once they build it, it is ours. Under 2.3d no responsibility on their part.

- 7870 Waters Way payment on drafts & claims. Jason explained that they were put on town water and we had to cap it to make IDEM happy.
- Keers violation mentioned at last meeting. Jarod explained he gave them an additional 6 months. to clear out the equipment or it will be fined.
- Panhandle bill for \$34, ask Jim to give an update. Shari Ping explained it is divided by the number of of towns involved.

Jarod Baker – was contacted by Waste Management regarding the cancellation of recycling in Town, he asked if they will be sending letters to current customers. They responded that they are working on a formal notice.

- Hendricks County Election Resolution 2023-05 stated that in Danville, Pittsboro, and Plainfield there will be no elections held on November 7th.

ATTORNEY ITEMS:

APPROVAL OF DRAFTS & CLAIMS:

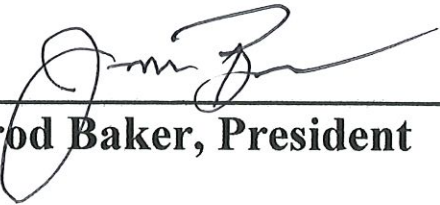
Shari Ping presented the drafts & claims for September 17, 2023, which includes all payments since our August 15th meeting. Bill Majeske made the motion to approve drafts and claims, Jarod Baker seconded. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-yes. Motion passes 5-0.

ADJOURNMENT:

Jarod Baker announced our next meeting will be held on October 17th which will include the second reading of the 2024 Budget. Jarod Baker made the motion to adjourn, Bill Majeske seconded. Roll call vote: Bill-yes, Jarod-yes, Terry-yes, Randy-yes, Jay-yes. Motion passes 5-0.

Respectfully submitted,

Shari L. Ping
Clerk Treasurer



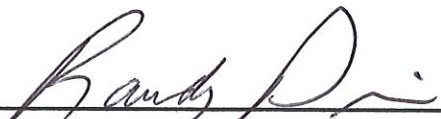
Jarod Baker, President



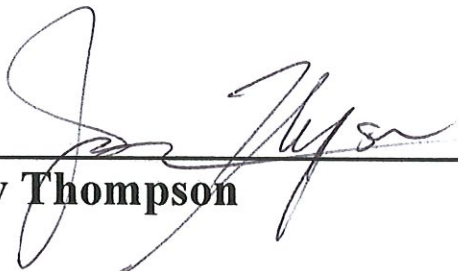
Terry Northern



William Majeske



Randy Price



Jay Thompson

Attest: 

Shari L. Ping, Clerk Treasurer