

Resolution 2022-07 Designating an Economic Revitalization Area and Approving Real Property Tax Deductions Abatement Benefits and Setting Public Hearing and Supporting Findings of Fact and Order
Ordinance 2022-10 Amending Ordinance 2009-09 as codified at Title V, Chapter 53, Section 53.41 of the Code of Ordinances for the Town of Pittsboro, Indiana for Sanitary Sewer Utility Rates and Charges (Current Ordinance)
Resolution 2022-10 Concerning Utility Receipts Tax (Gas)
Resolution 2022-11 Concerning Utility Receipts Tax (Electric)
Resolution 2022-12 Concerning Utility Receipts Tax (Water)

**PITTSBORO TOWN COUNCIL MEETING
33 EAST MAIN STREET, PITTSBORO
TUESDAY, JULY 19, 2022 @ 7:00 PM**

QUORUM:

Jarod Baker
Terry Northern
Randy Price
Jay Thompson
William Majeske

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

OTHERS: Steve Maple, Building Commissioner; Carl Carson, Asst. Police Chief; Robin Drew Swalley, Parks & Rec Superintendent; Eric Wathen, ELW Consulting; Linda Thompson, 7722 Quail Creek Trace; Bill Zeunik, Fire Chief; Keith Gurley, Freedom Celebration

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 June 21, 2022, meeting. There being no other corrections Jarod Baker made a motion to approve the minutes with noted edits, Randy Price seconded. All ayes, motion passes 5-0.

President Jarod Baker asked if there were any additions or corrections to the minutes from the July 5, 2022, meeting. There being none, Jarod Baker made a motion to approve the minutes, Bill Majeske seconded. All ayes, motion passes 5-0.

PUBLIC COMMENT:

Keith Gurley wanted to express his thanks to the following for their part in the Freedom Celebration: Town for use of Scamahorn Park, Police Department for keeping traffic at a minimum, Fire Department for being ready if needed, Parks Department for getting the park ready. Keith said next year will be the 10th year anniversary of him taking over the Freedom Celebration. Bill Majeske and Jarod Baker thanked Keith and his volunteers for all their hard work.

PUBLIC HEARING: RESOLUTON 2022-07 ARK PARK/BUILDING 1

President Jarod Baker opened the Public Hearing by going over the guidelines for a public hearing. The notice for the Public Hearing was published on June 30 in The Republican. **Resolution 2022-07 Designating an Economic Revitalization Area and Approving Real Property Tax Deductions Abatement Benefits and Setting Public Hearing and Supporting Findings of Fact and Order** was approved with a 4-1 vote on June 21, 2022. The area is known as 401 W Kam Street located in One West Business Park. The applicant's Statement of Benefits is approved with an eight (8) year abatement as follows: Year 1-3: 100%; Year 4: 80%; Year 5: 60%; Year 6: 40%; Year 7: 20%; and Year 8: 10%. With nothing else to add President Jarod Baker closed the Public Hearing. Jarod then asked if the Council had any comments/discussion? Jay Thompson brought up the total for parcel on the County site has four (4) lots now. Discussion followed. Jarod explained that the SB1 will need to be reviewed on an annual basis and adjust accordingly. Jim Buddenbaum recommends for future petitions that the Council should demand more professionalism in presenting, presenting by a CPA firm/accountant. Terry Northern recommends the cost benefit analysis along with the SB1 be included on the abatement form. Jim Buddenbaum also informed the Council that

the petitioner should prepare the Confirmatory Resolution by their legal counsel, not the Town's. Terry Northern asked Jay about what he came up with the impact on the Town because he came up with \$6912 at 100%, Jay come up with a little less at \$5000 at 100%. Jarod Baker made a motion to approve the tax abatement, Bill Majeske seconded. Roll call vote: Terry-yes, Randy-yes, Jarod-yes, Bill-yes, Jay-no. Motion passes 4-1.

PUBLIC HEARING: Proposed Rates & Charges Sewer Utility Services (Hose Meter)

President Jarod Baker opened the public hearing by going over the rules and explaining the notice was published in The Republican on June 30th. **Ordinance 2022-10 Amending Ordinance 2009-09 as codified at Title V, Chapter 53, Section 53.41 of the Code of Ordinances for the Town of Pittsboro, Indiana for Sanitary Sewer Utility Rates and Charges (Current Ordinance)** was introduced in a previous meeting with changes to the fees being increased due to the cost of material and administration fees have increased. Section 1 (F) (2) Purchase of hose meter along with \$5.00 to cover administrative costs. Jarod asked for any Public Comments. There being none he closed the Public Hearing. Jarod asked if there were any Council comments. Jay Thompson asked about the billing periods being extended and continue to use the hose meter into October and get credit in the spring. Terry Northern reminded that we struck the part of the ordinance referring to bringing the meter in at the end of the cycle to confirm the readings however, people continue to use the meter into October. Discussion followed. We must follow our ordinance and only allow the usage between May 18 through September 17. Terry feels the usage period is inadequate for watering the yards. Jim Buddenbaum recommends that we do not approve this ordinance tonight and continue until the August 16th meeting. He recommends asking Financial Solutions Group to give an estimate of a rate study to the town. Jarod Baker made a motion to continue the public hearing until August 16, Bill Majeske seconded. Roll call vote: Terry-yes, Randy-yes, Jarod-yes, Bill-yes, Jay-yes. Motion passes 5-0.

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love not present

POLICE CHIEF: (report attached)

Scott King had nothing else to report. Terry Northern asked about the K9 stats and if we are proceeding with charging the individual with carrying illegal firearm or drugs in the vehicles. Chief Scott King said yes. If they are carrying illegally, then they are charged. Our K9s are only trained for narcotics not firearms. Jay Thompson asked about the new vehicles. Scott said they are all on the road.

CLERK TREASURER:

Shari Ping went over the 60/90-day list. After much discussion, Jarod Baker said to shut all of them off. Jay Thompson asked about our policy to shut off after 30 days. After much discussion, it was agreed to include those with a 30-day balance. Jay asked if he could talk to someone on the list, and Jim Buddenbaum recommended that he should not do that.

Shari went over the invoice from Ray's for the heavy trash service for April 16, 2022. They are charging \$6 per house regardless of whether they put any trash out. We need to look at a different source of getting rid of the heavy trash for next year.

BUILDING COMMISSIONER:

Steve Maple reported that Hidden Hills will start in August with moving dirt. Phase 1 will begin as soon as possible and then Phase 2 will start after Phase 1 is complete.

Jay Thompson asked for an update on the trails. Steve said he had a meeting today via ZOOM and should receive information soon.

TOWN COMMITTEE REPORTS:

BOARD OF ZONING APPEALS:

No meeting

FIRE BOARD: (report attached)

Bill Zeunik went over the attached report. Another full-time paramedic was hired in June. Also, Bill said they had 116 runs in June which is the most they have ever done in a month. Jay Thompson thanked the EMTs for taking care of his neighbor, Bill Majeske.

PARK AND RECREATION: (report attached)

Robin Drew Swalley reported the July meeting was cancelled due to not enough to have a quorum.

Jay Thompson asked about permanent restrooms in Scamahorn Park. She informed him that the new concession stand will have restrooms.

ADVISORY PLAN COMMISSION:

Steve Maple reported that Pyatt Builders submitted the plans for Section 2 of Hidden Hills, and they made the changes recommended by the TAC meeting. It passed the Plan Commission and can start as soon as they are ready

Jay Thompson asked about the bridge across the creek, Steve said they are only coming in from Wall Street.

POLICE COMMISSION:

REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:

No meeting

CONTRACTED BUSINESS:

Eric Wathen reported that he is working on closing out the Community Crossing Project. He asked Shari for a copy of the cancelled check from the payment to Midwest Paving. As soon as this one is closed out, he will begin working on the next one which is due by the end of August.

Update on WWTP and Lift Station-the lift station is under design and working on the PER that is required for SRF for the wastewater upgrade. The Stormwater requires more testing and permitting.

Jay Thompson asked about the money to cover the grant and Shari didn't think she received it, but she had.

OLD BUSINESS

Website Update – President Jarod Baker gave an update on the progress of the new website. Should go into more detail next week. Hopefully by August 2nd we will have more information to share.

Vacate Lee Drive – No update currently

NEW BUSINESS

Financial Solutions Group – 2023 GO Bond Update – President Jarod Baker explained that we established a GO Bond for 2022 using TIF dollars from SDI. The money was used to purchase needs for the Police Department and for Jason Love to purchase some new vehicles/equipment. Jarod does not see that a GO Bond will be available to build a new police station. He asked Jason, Scott, and Robin to come up with a wish list to use the next GO Bond on. Jason's list is attached. More updates next month.

Jarod gave an update on the new Police Station – Jason, Eric and Jarod met with a firm and will be meeting with another one next week. More updates to come at the August meeting.

Daily Fine System – Commercial & Residential C of O's – President Jarod Baker turned this discussion over to Steve Maple. Steve explained that we have no ability to charge a builder for putting a tenant in without a C of O. We would need to create an Ordinance to cover this type of fine. He would like to fine \$1500 a day for commercial and \$750 for residential. Discussion followed. Steve informed the Council that Cindy from Rundell Ernstberger is looking into other charges so we could include all in the same ordinance.

Utility Receipts Tax – Electric, Gas, Water – President Jarod Baker read the resolution repealing the URT. The savings is very minimal per resident per year. Jim Buddenbaum reminded the Council it is mandatory to remove the URT. If we increase the rate for water that would require a public hearing. It is a state statute to stop all together. Financial Solutions Group does not want us to change our rates. Discussion followed. Financial Solutions Group feels our rate reports they just did will support why we are doing this. Jarod Baker made a motion to approve **Resolution 2022-10 Concerning Utility Receipts Tax (Gas)**, Randy Price seconded. Roll call vote: Terry-no, Randy-yes, Jarod-yes, Bill-yes, Jay-no. Motion passes 3-2. Jarod Baker made a motion to approve **Resolution 2022-11 Concerning Utility Receipts Tax (Electric)**, Bill Majeske seconded. Roll call vote: Terry-no, Randy-yes, Jarod-yes, Bill-yes, Jay-no. Motion passes 3-2. Jarod Baker made a motion to approve **Resolution 2022-12 Concerning Utility Receipts Tax (Water)**, Randy seconded. Roll call vote: Terry-no, Randy-yes, Jarod-yes, Bill-yes, Jay-no. Motion passes 3-2.

COUNCIL COMMENT:

Jarod Baker read an email forwarded to him from Ben Evans regarding a Make a Wish Foundation request. His first request was to visit Hawaii, but that was not fulfilled due to COVID. His second request was to have a pool. Family Promise set up the pool on July 19th at 28 Walnut Street. They are looking for someone to donate water to fill the pool. Water would be donated by the Fire Department. Council is in support of this request.

Bill Majeske asked Steve Maple about the meetings with Pyatt Builders and if there was any discussion regarding damage to Wall Street. Steve said there was nothing specific discussed. They are adding a couple more lanes so traffic can travel around construction. Steve does not feel there is an MOU with those requests. Steve also reported that Arbor Homes will put \$75,000 toward any damages done to Wall Street. Jay Thompson feels Jason reported last meeting that there is a way to recoup our money. Bill Majeske then asked about the entrance to Hidden Hills. Steve reported they had to move it due to gas lines.

Jay Thompson received a text message from Kyle Martin asking about the public being able to make comments when no one is watching Town Hall Streams for any messages. How does that affect our Public Hearing? Jarod Baker explained that Town Hall Streams is for recording purposes only.

Jay Thompson asked Scott King about an open house for the new police station. Scott nothing currently planned. Jay Thompson asked Scott about hiring a Code Enforcement Officer to help with the violations/ordinances. Scott reported he needs more police officers before he needs a code enforcement officer. There's no money for that.

Jay Thompson reported that we paid Melodi Ingalls for Police Commission meetings. She should not have been paid according to our ordinance.

Jay Thompson questioned Shari about drafts & claims. Jarod asked Jay to wait on those questions.

Terry Northern thanked Robin Drew Swalley for hosting the Bluegrass Festival. It was a great event. Jay Thompson asked Shari if the Bluegrass band moved to their farm. Shari said no.

Terry Northern mentioned Brian Estes would like the hose meters have the same eligibility as the irrigation meters. Terry Northern asked about the Jones Development project being withdrawn from the recently annexed property with the financials of the Jones Development. Would that carry over to the next developer? Steve Maple said that depends on the next developer and what they want to bring in. Jim Buddenbaum said you can dis-annex the property if you want to. Terry Northern said the proposed developer agreed to put \$15,000,000 of infrastructure. Is this going to be put on the town now? Jay Thompson asked Jason if they are planning on putting in the sewer line and forced main. Jason said we should wait to see if it gets developed. Steve Maple informed Terry that the developer will be responsible for putting in utilities and infrastructure. Their plans can be rejected at the TAC meetings.

ATTORNEY:

Jim Buddenbaum had nothing at this time

ACKNOWLEDGMENT OF CORRESPONDENCE:

No correspondence

APPROVAL OF DRAFTS & CLAIMS

President Jarod Baker asked Shari Ping to present the drafts and claims for July 19, 2022, which includes all payments made since our June 21st meeting. Jay Thompson asked about a payment to Structure Point payment. Shari informed the Council that Jones Development paid us then we paid the invoice. Bill Majeske made a motion to approve drafts and claims as presented by Shari, Jarod Baker seconded. All ayes, motion passes 5-0.

ADJOURNMENT

President Jarod Baker reported the next meeting will be on August 2nd. He also reminded everyone that the department head meeting to go over the budget for 2023 will be held on August 3rd at 1:30 pm. Jarod then asked for a motion to adjourn. Jay Thompson made the motion, Terry Northern 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