

Resolution 2022-014 Confirming Designation of an Economic Revitalization Area and Approving Tax Abatement Benefits and Supporting Findings of Fact and Order

**PITTSBORO TOWN COUNCIL MEETING
33 EAST MAIN STREET, PITTSBORO
TUESDAY, AUGUST 16, 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: Robin Drew Swalley, Parks & Rec Superintendent; Bill Zeunik, Fire Chief; Linda Thompson, 7722 Quail Creek Trace; Dan Keers, Ark Park; 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 July 19, 2022, meeting. There being none, Jarod Baker made a motion to approve the minutes, Bill Majeske seconded. All ayes, motion passes 5-0.

President Jarod Baker asked if there were any additions or corrections to the minutes from the August 2, 2022, meeting. Terry Northern noted the resolution number he referred to was incorrect, he referred to Resolution 2007-09 and it should have been 2007-04. Jarod Baker made a motion to approve the minutes, Terry Northern seconded. All ayes, motion passes 5-0.

PUBLIC COMMENT:

Linda Thompson, 7722 Quail Creek Trace, asked if the tax abatement died from a lack of a second at the last meeting? How can a Confirmatory Resolution be on the agenda if the Preliminary Resolution died due to the lack of a second and table it? Jim Buddenbaum asked what was the first motion that you are saying died from a lack of a second? Terry Northern understood Linda's question to be, did the first preliminary resolution die because the Confirmatory Resolution didn't pass due to a lack of a second? Terry Northern went back and read our by-laws, any resolution that doesn't pass can be brought up for consideration at the next meeting. Linda Thompson was good with that. Jay Thompson asked about the passing of a resolution by a majority. Jim Buddenbaum said it must be the majority of the entire council. Terry Northern disputed that by saying our code, Title 3, talks about ordinances and you must have two (2) readings of an ordinance, then the next thing it goes from ordinance to Section C Paragraph D says a unanimous vote should be defined as all members present and voting in the affirmative. Paragraph E resolutions and motions by the Town Council may be passed by a simple majority vote in the affirmative at the same meeting resolutions are introduced. Paragraph F Ordinances by the Town Council require a majority vote of the entire Council except in the case of ordinances considered in A1. Discussion followed. Jay Thompson asked if we should be rewriting this section to make it clearer?

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love not present

POLICE CHIEF: (report attached)

Scott King asked if there were any questions about his report. The Police Commission has been working on their policies and procedures. Scott wanted to give a shout out on record to Cherry Creek Farms and a distributor for donating one (1) 40-pound bag of dog food for the K9s each month. Bill Majeske asked about Riley and if her issues

were taken care of. Scott said yes after visiting the vet and found out she was on the wrong diet. Jay Thompson asked if the dogs were on the same food, Scott said they are now.

CLERK TREASURER:

Shari Ping went over the 30/60/90-day list. Randy Price asked about the customers on the 30-day list being so high. Larger home and high electric user. The other high user is a water leak, and they are finally working on getting it repaired. Jay Thompson asked about giving a credit for the wastewater. Shari said yes if they get the leak repaired and bring a receipt for the repairs. Jarod Baker suggested shutting off seven (7) homes for the next five (5) days. Jay Thompson asked about the last time we did shut offs if we had a 99% response rate? Shari said yes. We had a couple that came in the next day and paid. Jarod Baker asked if this list included all utilities. Shari said yes.

BUILDING COMMISSIONER:

Steve Maple was not here.

TOWN COMMITTEE REPORTS:

BOARD OF ZONING APPEALS:

No meeting

FIRE BOARD: (report attached)

Bill Zeunik went over the attached report. Jay Thompson said at the last meeting you said the runs were up substantially, has this caused in response time delays? Jay then asked about the AED for the Town buildings. Jarod Baker said they are still on the list of things to do.

PARK AND RECREATION: (report attached)

Robin Drew Swalley had nothing else to report.

ADVISORY PLAN COMMISSION:

Jarod Baker reported that the Advisory Plan Commission did not meet but have a meeting scheduled for next week.

POLICE COMMISSION: (report attached)

REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:

No meeting

Jarod Baker brought up the vacancy on the Economic Development Commission. Jarod does not see anything in the current Ordinance that needs to be changed. Terry Northern asked about the names being mentioned in the Ordinance 2018-08. He feels the names should be removed and let the minutes show the names appointed by the Council. Jarod Baker said we should go ahead and post this opening for the next 30 days. Shari Ping asked if the website and park sign would be sufficient. Jarod said yes.

CONTRACTED BUSINESS:

Eric Wathen was not present. Jarod Baker reported he spoke with Eric earlier and he had nothing to report on.

OLD BUSINESS

Confirmatory Resolution 2022-014 – Abatement of Building 2 – President Jarod Baker reminded everyone that this Confirmatory Resolution pertains to Building 2 of Ark Park Development with an address of 301 W Kam Dr, Pittsboro, IN. He went on to explain that the Preliminary Resolution passed earlier in August with a 4-1 vote. We had a Public Hearing with no significant public comment. The Confirmatory Resolution was voted on with a 2-1 vote since only three (3) members of the council were present and was not a majority vote, it is being reconsidered tonight. Jarod Baker made the motion to reconsider **Resolution 2022-014 Confirming Designation of an Economic Revitalization Area and Approving Tax Abatement Benefits and Supporting Findings of Fact and Order**. Randy Price seconded. Jay Thompson asked about Exhibit A not having a physical address. Terry Northern thanked Mr. Keers and Ark Park from withstanding from doing any construction while we struggled through this process. Jarod Baker reported that this property has not been split out by the county. Jim Buddenbaum asked about the Plat. Jarod said Steve Maple would have them. Jim explained how this would be the legal description. Bill Majeske asked if the buildings will look the same, Dan said yes very similar. Bill asked how many tenants in the first building, Dan said three (3). Randy Price asked if they would be the same size, Dan said yes but flip flop the colors. Jarod Baker went

back to the motion on the floor and took a roll call vote. Terry-abstain, Randy-yes, Bill-yes, Jay-no, Jarod-yes. Motion passes 3 yes-1 no-1 abstain.

Jarod Baker made a motion to approve the Resolution 2022-014, Bill Majeske seconded. Roll call vote: Terry-abstain, Randy-yes, Bill-yes, Jay-no, Jarod-yes. Motion passes 3 yes-1 no-1 abstain. Jarod told Mr. Keers to talk to Steve Maple before moving forward with Building 2, 301 W Kam Drive.

Vacate Lee Drive – President Jarod Baker spoke with Jason Love and Jim Buddenbaum regarding this, we have done all that is required by the town. Waiting on the homeowner to complete survey of the property and dividing the land appropriately at their cost. Jay Thompson asked about the tree invoice from the Drafts & Claims regarding the tree falling on a resident's house/fence. That happened in a different area of town.

2023 GO Bond Update – President Jarod Baker explained that we will enter another GO Bond for 2023 utilizing the taxes from Steel Dynamics. We used funds from a GO Bond this year for purchasing equipment for the Police Department and for Jason Love to use for utility improvements. This year we will extend it to the Parks Department, Utilities, and the Police Department.

Jeff Porch and Robin Drew have been working on the following wish list: 1) \$30,000 for new playground equipment, including bike racks; 2) \$40,000 for paving the remaining gravel lot in Scamahorn Park; Jarod mentioned that Jason Love is working with FSG to use MVH or Cum Capital funds for this item; 3) \$70,000 to remodel the barn in Scamahorn Park to include restrooms to eliminate the use of portable units, batting cages for rent all year long. The total requested for the Parks Dept is \$140,000. Robin Swalley said they would also like to purchase a medium size tractor with a blade to push snow on the trails within Scamahorn Park. Terry Northern asked if Robin has a priority. Terry asked if the \$70,000 on the barn included making the structure sound enough. Robin noted that Jeff Porch is still waiting on the estimate for electric. Robin said that the remodel would give them a building with heat to use year-round. They would like to add insulated doors to the ends to use as a larger facility to rent out in the summer's months for parties. Playground equipment is a necessity and paving is a priority. Terry Northern figured after all fees are paid to process the GO Bond, it would leave approximately \$390,000 to split. He then gave a breakdown of percentages for each department.

Since Jason Love is not here tonight, Jarod Baker went over his wish list (see attached). Jason would like to purchase a wheel loader, tri-axle dump truck, 1 ton dump truck, 1 ton service truck, tag trailer 14,000 lbs, and miscellaneous attachments and tools. His total comes to \$321,000. He understands this is a wish list and he will not be able to purchase everything on his list.

President Jarod Baker turned to Scott King, Police Chief, to go over his wish list (see attached). Scott explained what the Flock License Plate Reader Camera is used for. It will read every license plate that drives past it. It can be used for BOLOs, hit & run accidents. As soon as a plate drives past it, it will notify our officers. He would like to purchase five (5) cameras and locate them at the interstate, south Maple, east and west Main Streets, and Wall Street. Terry Northern asked if we would need one exiting Love's Truck Stop, Scott didn't think we would since the camera can record traffic coming and going. Scott went over the next items on his list: ruggedized computers for the cars to prevent switching them out so often, handguns, and drones. Scott explained that the County came out and demonstrated how the drones are used. He then went over the reason for the purchase of the Glock 17 Handguns with MOS (Modular Optical System) system. Terry Northern asked if they carry Glock 17s now? Scott explained that all their weapons have the light on the front of them. Jay Thompson asked about the Crime Scene/Crash Investigation Recording System. Scott explained how this is used. Jay Thompson asked about the monthly fees for the body cameras. Scott explained how the cameras are used. Terry Northern asked about Scott's priority from the list. He would like to see the Flock License Plate Cameras. Terry asked him about approaching Love's about adding cameras to their building. Scott said they have asked previously but corporate is not interested.

Jarod Baker gave the split for the departments - \$110,000 Police Department, \$100,000 Parks and \$180,000 for utilities. Jay Thompson is more in favor of giving more to the public safety over public works.

Police BOT – President Jarod Baker opened the discussion around a new police station. We received one (1) RFP from one (1) company and then a secondary company had a conversation with us. Discussions have been held with both companies about scoping of the project and found it is out of our price range. We need to close it and not move forward with the BOT. Our vision is a smaller building with the capability of expanding in the future. We need a

building with a larger garage bay like the Administrative Building using the 2024 GO Bond. Jarod would like to get the plans for the Paoli Police Department to see if we could use the blueprints and shop it around. Terry Northern supports closing the BOT and build something that will function for our needs. Scott agrees 100%. This has been blown up larger than we need. He would like to see something that will function for us now and ability to expand in future when we need to grow. We can't remodel what we have due to being landlocked no room to expand in the future. Randy Price said the building costs were inflated and now the costs are going back down. Jamestown has a nice building, and we don't need a Brownsburg. Jay asked Scott where the ideal location would be, build back here. Scott would like to be more visible than what this area allows. Jarod said it was unanimous to close the RFP and stop the proceedings of the BOT.

Proposed Rates & Charges Sewer Utility Services (Hose Meter) – President Jarod Baker opened the discussion by reporting on the cost of a rate study from Financial Solutions Group (FSG) with the cost of \$750 - \$1,000. Jim Buddenbaum shared with Jarod what Citizen Energy does. They use a monthly average of usage from December to March for the May through November for their wastewater charges. Jarod would like to do away with the hose meters and convert to an average. Shari Ping explained that Keystone can already do that service at an additional cost. She would like to do away with the hose meters. Kate Corn and I spend a lot of time on processing the cards every year and mailing them out, educating the new homeowners on the use of them. Terry Northern asked about irrigation meters. The irrigation users would pay for exactly what they use each month. Terry thinks this is penalizing the irrigation users. Jarod would like to reach out to Keystone and get costs involved and reach out to other towns in the area. Terry asked if the rate study would be for water and sewer? Jarod said yes both. Terry does not want to raise our rates when we expand our plant. He would like to keep that in mind when we go further in our discussions. Spring Deaton asked Shari how many hose meters do we have that are active? Shari said 300 actives, but over 400 meters out there. Continue discussion later.

NEW BUSINESS

Review and Redistrict Wards/Districts due to Updated Census Information – President Jarod Baker turned the discussion over to Jim Buddenbaum to explain. Jim explained that redistricting will need to be done by the end of the year. He was able to get to census blocks on the map but couldn't print or extract. The shapes of the districts have to be contiguous, no jagged edges with equal populations. Districts cannot cross precincts. Jim suggests creating a committee to work on it. Jim will help the committee as needed. Jarod asked for volunteers for the committee. Terry Northern offered to be on it, as well as Jarod Baker and Jay Thompson. Jim reminded them that you can't have more than two (2) Council members on it, nor can you have phone calls or emails about this. Jim reminded Shari that she needs to make sure that we pick up the entire town. Terry asked Jay if he would like to be on the committee, Jay said he would, so Terry removed his name from the committee.

COUNCIL COMMENT:

Jarod Baker reported he talked with Marjorie Pike from Hendricks County to see how much we will be expected to pay the County to run the 2023 elections. We will have the three (3) districts and clerk treasurer up for election. In 2019 the costs for election were \$900. Jarod asked for projection costs for 2023 and she said they wouldn't know until after this election year. Jarod sent an email to Shari and Greg Guerrettaz suggesting we put \$1000 in the budget for 2023.

Jarod Baker reported on completing an application for the Greater Brownsburg Chamber of Commerce. The Town will be joining the chamber at the cost of \$125. The current chamber members think of Pittsboro as a growing community and would help us grow. They hold monthly meetings on Wednesday at West Chase Golf Course and anyone from the Town can attend. Jim Buddenbaum reminded Jarod that you can not discuss Town business while at the meetings. Terry Northern thinks it is a great opportunity for the Town and will be able to exchange information. Jay Thompson said at our last meeting we discussed getting an alternate admin for Town Hall Streams.

Jay Thompson reported that TDS fiber is coming into Quail Creek and the locates must be costing the Town. Jay wanted to know if we ever get reimbursed for these locates. Shari said we received some of the money back. Jim Buddenbaum thinks we should pass an ordinance to allow in the Town, you don't want to hinder it, but fees to the contractor for locates can be built in.

Jay Thompson said he would like to see a better breakdown of invoices, as far as the attorney, give more detail.

Jay Thompson would like to thank Jason Love and his guys for repairing the sink hole on Fawn Court.

Jay Thompson would like to thank Steve Ping for his part in turning off a valve during a malfunction at WWTP.

Jay Thompson would like to thank Gary Golay for responding to his neighbor with a cracked meter cover.

Jay Thompson would like to thank Kate Corn for spending time with Bob and his water issue.

ATTORNEY:

Jim Buddenbaum had nothing at this time

ACKNOWLEDGMENT OF CORRESPONDENCE:

Jarod Baker read a letter received from Todd Rokita regarding opioids and addiction.

Jarod Baker read a letter from Michael Neal, Pipeline Safety Division, regarding areas of concern.

Jarod Baker read a letter from Hendricks County Emergency Management Agency regarding the use of ARPA funds to update the severe weather sirens.

Office of Senator Braun will be holding staff mobile hours in our Admin Building on September 7, 2022, from 9:30 – 11:30 am. We need to promote the hours.

Jarod Baker read the office notice from Travis Stonebraker requesting to vacate the stub road in Ashton Park. We will hold a public hearing on September 6th.

APPROVAL OF DRAFTS & CLAIMS

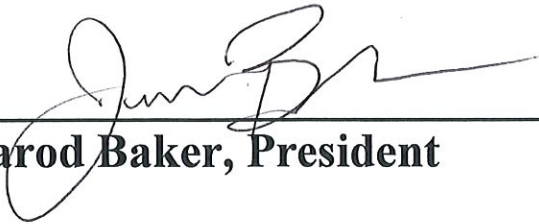
President Jarod Baker asked Shari Ping to present the drafts and claims for August 16, 2022, which includes all payments made since our July 19th meeting. Jarod Baker made a motion to approve drafts and claims as presented by Shari, Bill Majeske seconded. All ayes, motion passes 5-0.

ADJOURNMENT

President Jarod Baker reported the next meeting will be on September 6th for a Public Hearing and our regular meeting on September 20th. Jarod then asked for a motion to adjourn. Jarod Baker made the motion, Randy Price seconded. All ayes, motion passes 5-0.

Respectfully submitted,

Shari L. Ping
Clerk Treasurer



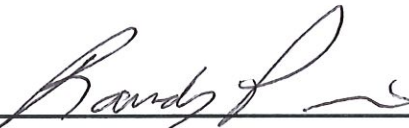
Jarod Baker, President



Terry Northern



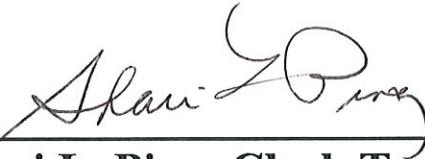
William Majeske



Randy Price



Jay Thompson

Attest: 

Shari L. Ping, Clerk Treasurer