

Ordinance 2022-05 to Vacate a Portion of a Public Right of Way in Town
Ordinance 2022-11 Amending and Replacing the Official Schedule of Fees of the Town's UDO
Ordinance 2022-12 Establishing Town Legislative Body Districts and Repealing Ordinance 2012-11.

PITTSBORO TOWN COUNCIL MEETING
33 EAST MAIN STREET, PITTSBORO
TUESDAY, SEPTEMBER 20, 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; Robin Drew Swalley, Parks & Rec Superintendent; Carl Carson, Asst. Police Chief; Bill Zeunik, Fire Chief; Eric Wathen, ELW Contracting; Linda Thompson, 7722 Quail Creek Trace; Jeanene Karn, 7722 Quail Creek Trace; Dan Keers, Ark Park; Spring Deaton, 86 Woodview Drive; Christy Davenport, 404 Wind Drift Court.; Stacy Stonebraker, 150 Stamford 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 August 16, 2022, meeting. There being none, Bill Majeske made a motion to approve the minutes, 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 September 6, 2022, meeting. Jay Thompson made a motion to approve the minutes, Jarod Baker seconded. All ayes, motion passes 5-0.

PUBLIC HEARING: 2023 BUDGET

President Jarod Baker opened the Public Hearing and explained the reason for the Public Hearing. There will be no decision made tonight. Shari Ping had copies of the Form 1 to hand out. The budget was posted on Gateway by September 8th and will be approved at next month's meeting. Jay Thompson asked about the health insurance and Jarod explained that we are still waiting on numbers, so we will be staying where we are for now. Jay Thompson asked about longevity pay for non-police department members. Jarod Baker told him not at this time, budget is so tight, no room to add something like that. Jarod Baker closed the Public Hearing.

PUBLIC COMMENT:

No comments

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love not present. Jarod Baker gave a report on the Steel Dynamics (SDI) issue regarding their wastewater charges. Jarod, Jason and Eric Wathen met with them, and we will be moving in the right direction by adding two (2) more meters to help monitor the usage. Jarod also explained that they have two (2) active wells on their property, and they are not allowed to have them. Eric Wathen added that the new meter will show the flow every 5 (five) minutes.

POLICE CHIEF: (report attached)

Scott King reported that we are losing an officer to Brownsburg. He was offered a very large pay increase. Scott and Carl Carson have been trying to brainstorm to attract a candidate. They would like to use the left-over salary to be used as a bonus in attracting a trained candidate. The Police Commission attorney Marksberry doesn't see any

problem in using the left-over salary. He did recommend that Scott get a consensus from the Council. Jim Buddenbaum feels we should amend the Salary Ordinance. Terry Northern asked about taking the length of time without an officer to use as a bonus. Scott doesn't see that we will offer the full amount as a bonus. Scott anticipates the officer leaving will be gone by the end of October. Discussion followed. Spring Deaton asked about putting a stipulation on the bonus as far as staying employed for a length of time. Scott King said we could have them sign an employment agreement. Jim Buddenbaum explained the use of a Promissory Note. Jarod Baker has no issue with allowing this. Bill Majeske asked about the end date of the bonus, do we need to amend the Salary Ordinance again next year removing the bonus? Terry Northern said in concept it's a good idea, include criteria of an officer. Scott King explained that it will be a lateral transfer with an experienced officer that has been through the academy. Scott King mentioned that National Night Out will be held on October 4th, from 5:30 to 7:30 pm. There will be bounce house, free food, two (2) helicopters land in the park as well as the hot air balloon from Remax. Jay Thompson asked about the car show. Scott said it will be held on September 24 at Venture Church from 8 am to 6 pm. Proceeds to be donated to the K9 unit.

CLERK TREASURER:

Shari Ping went over the 30/60/90-day list. Those with a 60- & 90-day balances made promises to pay, but we have not received anything. They will be disconnected tomorrow. Randy Price asked about the large amount in the 30 days for one (1) of the residents. Shari explained its like that every month. He has all utilities. Jarod Baker requested shut offs for the 30-day balances be split between several days.

BUILDING COMMISSIONER:

Steve Maple reported that a gentleman has requested to change the zoning from Ag to R1 on property located south of North Park.

C&J Well Drilling will be going to the BZA for signage.

The owner of the lot south of Love's wants to stop the illegal parking on the property. He is going to get rid of all the grass area, gravel the lot and add a fence to allow storage of semis that leased a spot from him. Steve feels this should go before the BZA for approval since we do not allow that in Town.

There have been two (2) different real estate companies talking about the land north of 74. And another one coming to talk to Jason and himself on Thursday.

TOWN COMMITTEE REPORTS:

BOARD OF ZONING APPEALS:

No meeting

FIRE BOARD: (report attached)

Bill Zeunik went over the attached report. They did over 100 runs last month, ahead of last years amount. He presented his 2023 budget to the board. They are looking to hire five (5) to six (6) new fire fighters, a fire marshall and a part time EMS next year. Bill said the lateral transfers work well and is less expensive and no PERF physicals are required.

PARK AND RECREATION: (report attached)

Robin Drew Swalley had nothing else to report. Randy Price asked about the staffing of the Concession Stand. Robin told him it is still under construction.

ADVISORY PLAN COMMISSION:

Steve Maple reported new Fee Schedule was passed by the Commission. It is now up to the Town Council to approve and pass tonight. Steve reported that the September meeting is cancelled.

POLICE COMMISSION:

Scott King reported the meeting was cancelled.

REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:

No meeting

CONTRACTED BUSINESS:

Eric Wathen reported the Community Crossing project for 2021 has been closed. The new application for 2022 has been filed. Areas to be done will be Ashton Park, South Maple, 375 E and 150 E.

Wastewater – finalizing the water shed for the sizing of the pumps on the north side of the interstate. Waiting on PER for the plant upgrades. He has been helping Steve Maple with the Next Level Trails. He has started working on the Park Impact Fee for the meeting in October. He is also trying to close out Jefferson Park. Jarod Baker would like a copy of the current list of what is left to do.

OLD BUSINESS:

Tax Abatement/Tax Increment Forms – Jarod Baker explained that we needed to look at the fee schedule and the applications to make sure they match. Terry Northern said he was wrong on the Ordinance number and the fees were not part of it. Jim Buddenbaum said we are okay with the current forms.

Proposed Rates & Charges Sewer Utility Services (Hose Meter) – Jarod Baker explained the potential changes to the ordinance. Current ordinances ask that all owners bring in the meter to the Town Hall to verify the ending number. This needs to be removed all together. Next the billing cycle length was discussed and the cost of the meter. In order to expand to include another month a rate study would need to be done. That cost would be \$750-\$1000 for Financial Solutions Group (FSG) to do this rate study. Discussion followed. Shari Ping explained the process of getting the cards ready every year and we send out 400 cards and only 100-200 cards get returned each month. Jarod explained that any extension of the program, would require a rate study. Jay Thompson asked if the rate study could be done in house. Shari Ping explained that our current software has the capability to do a Summer Sprinkling Allowance at no extra cost. More discussion followed. Jarod Baker gave several options and wanted the other members opinions. Randy Price agrees with doing away with since it is not a sustainable model to go forward. Terry Northern feels we should do a rate study and keep the hose meter program even though it's a small percentage utilizing the program. Jay Thompson read an email from Brian Estes, he would like to see the program extended an extra month in the spring and an extra month in the fall. He thinks a savings amount on the statements would be a good idea. Jarod Baker suggests offering a period for the current users to bring their hose meters in to be checked in the fall and again in the spring. They would receive their cards in the spring if they were accountable for their readings. Jarod would like to reach out to FSG to get more detail regarding the rate study. Jim Buddenbaum sees the irrigation system as an issue and the ordinance needs to be changed to reflect this. Eric Wathen explained that going forward every home will have a double meter pit. Discussion tabled until a later time.

Economic Development Commission Appointment – Jarod Baker explained that we need to post something on the website. He read a blurb from his email to include in the post on the website. Regarding the ordinance tied to the EDC, 1) the original members are listed – is this, okay? Jim Buddenbaum said yes you can leave the original names in the ordinance. 2) Should we set a term for the EDC? Jim Buddenbaum said that the statute doesn't contemplate a term limit, but you can set one. Terry Northern agrees with a four (4) year term limit, Jay agrees with four, Randy agrees with four, and Bill agrees with four as well. Terry Northern feels we should remove the names from the ordinance. Currently we have three (3) members on the commission. Steve Maple feels we should scatter the terms and not all expire on the same year. Current members will expire December 2025 and the new member will start January 2023 and expire December 2026. Jay Thompson asked Jim Buddenbaum about Section 3 of the ordinance stating any officer of the town, what is considered as an officer? Jim feels we need to amend that section. Jarod Baker feels we should amend Section 2 & 3 and create a term limit. Tabled until next month.

Amend Salary Ordinance – Jarod Baker explained the reason for amending the ordinance for 2023. Discussion during the budget planning meetings changed the percentages for the Clerk Treasurer and Town Manager salaries. Jim Buddenbaum asked the percentages – Jarod said the Clerk Treasurer will be 40% from General and 60% from utilities (12% each utility) and Town Manager will be 20% from General, 10% from MVH and 70% from utilities (14% each utility).

Vacate Lee Drive – President Jarod Baker explained the reason for vacating Lee Drive and why it is being discussed tonight. Jarod made a motion to approve **Ordinance 2022-05 to Vacate a Portion of a Public Right of Way in Town**, Randy Price seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0.

Vacate Ashton Park Stub Road – Jarod Baker asked Jim Buddenbaum for an ordinance. He said yes but there is no legal description to include with the ordinance. Jarod asked about a plat book number. Jarod Baker explained that

the two (2) homeowners land is between the town and the county. Jarod said we could suggest that they annex all the property into the Town. We can not mandate that they do that. Jay Thompson explained that we would gain tax money if it were annexed. Jarod suggested sending letters to all homeowners and encourage them to annex. Steve Maple said they will all say no. Eric Wathen asked about the Town right of way. Jarod explained. Jarod Baker said we will need to table this until we can find a plat book, Jim said we need a better way to describe it.

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. After several meetings with Scott King and Jason Love, they are wanting to do a lot more than we need and can pay for. Terry Northern suggests that we terminate the BOT and investigate a different type of structure more suited to the Police Departments needs. He feels the land next to the Admin Bldg. or the land behind the Morgan property next to the Fire Station would be great locations. Terry feels we need to move away from the BOT and pursue other options. Bill Majeske agrees with Terry. Scott King explained that it will take at least 3-5 years to plan. Most logical place is here next to the admin building since we have utilities here and already owned by the Town. Randy Price agrees with Terry and Bill. Steve Maple asked how many acres they are looking for. Scott thought 2-3 acres would be enough. Jay Thompson asked about expanding the current fire station to include a Public Safety office building and expand one (1) building. Jarod agrees and makes a motion to terminate the RFP, Bill Majeske seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0.

NEW BUSINESS:

Fee Schedule Changes from Adv Plan Commission – Jarod Baker asked if there were any questions regarding the proposed fee schedule. Jay Thompson asked about the difference between tents and pop-up tents. Steve Maple explained the difference. Some of the fees say and up. Steve explained that Jarod wanted that in there to include a base fee plus inspections. Jay asked about the use of an extension ladder to gain access to a basement. Steve explained the reason for this is if you arrive to do an inspection and there is no ladder, you have to leave and go get one and come back. So, a \$50 fee means they will always have a ladder there. Terry Northern asked about the patio permit fee includes a \$30 fee. Steve Maple explained the difference between a concrete patio with footers and a concrete slab on the ground. With footers will include inspections. Jarod made a motion to approve **Ordinance 2022-11 Amending and Replacing the Official Schedule of Fees of the Town's UDO**, Terry Northern seconded. Roll call vote: Bill-yes, Randy-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 5-0.

Park Impact Committee – Jarod Baker handed this over to Robin Swalley to explain the reason for the committee. Robin explained that the committee will look into the impact on the parks as we grow, and new homes are built, and more people use the parks. Steve Maple explained what the money from the new homes can and cannot be used for. Terry Northern asked about a benchmark, Eric Wathen explained. Steve Maple explained how we don't get any money from the population living in Middle Township and not in Town even though they use our parks. Hendricks County voted no since the Park Department couldn't support any new structures in the parks. Jarod Baker announced the names for the committee: Lisa Hill, Lisa Abbott, Nancy Weddle, Greg Conwell, Lori Redman, Eric Wathen, Greg Guerrataz from FSG. Steve Maple went over the timeline and the new amount will not be effective until 6 months later. The current fee expires in November 2023.

Solar Field/Park – Jarod Baker explained that several years ago, IMPA was interested in putting in a solar park on South Maple however, the Council was not interested in leasing the property to them. They are interested in purchasing 5-6 acres from the property on South Maple if not they would consider leasing the property and encourage them to do more structured curb work. Jarod would also like to offer this same offer to Hendricks Power and Duke. Jarod asked if the Council is interested in pursuing this. Jay Thompson was around for the first time they approached the Town and there was no interest in pursuing since there was no benefit to the Town. Terry Northern asked about the zoning for this property. Steve Maple said it is zoned PPW. Terry feels it is worth exploring. Jim Buddenbaum asked if there is a revenue source for the Town. Jarod the option is there but we are still in the discussion stage. Terry feels we should partner with IMPA and trade land as an option for the Police Station. Steve explained that this was going to be a quiet park with walking trails, shelter houses and picnic areas. Randy Price feels it is worth exploring, Bill Majeske said it is a no brainer. Jarod will ask IMPA to make a presentation at a future meeting.

Halloween Trick or Treat – Jarod Baker explained that he has over 40 people ask him if the hours will be on Monday due to it being a school night. Everyone agreed to keep it on Monday.

COUNCIL COMMENT:

Jarod Baker commented on another road closure on Jeff Gordon Blvd. Construction has begun.

Jarod Baker reminded everyone that the new website will be launching on Friday.

Jarod Baker read a letter from Waste Management. They purchased Ray's Trash Service and will be our new provider of trash service effective August 31. Waste Management agreed to assume all contracts with Ray's. Jarod asked if the Council is okay with the transfer of contracts and authorize Shari Ping to sign the letter. Terry Northern would like to be able to send out to bid. We did that last year and we received one (1) bid. Shari informed everyone that if we send it out to bid, Waste Management will require everyone to use the totes so that the truck with arms can pick them up. There will be no more bodies riding on the back of the truck. Roll call vote: Bill-yes, Randy-yes, Jarod-yes, Terry-yes, Jay-yes. Motion passes 5-0.

Terry Northern received an email that Town Hall Streams is not being monitored. Jarod Baker explained that we are not required to field questions from Town Hall Streams. Terry Northern likes to have people here in attendance. He has mixed emotions regarding it. Jay Thompson is all in favor of it. Zoom we could see who was on watching the meeting. Randy Price feels it is a nice thing to have available. Bill Majeske agrees. Steve Maple is logged in but doesn't know where to look for the questions. Discussion followed.

Jay Thompson asked Jim Buddenbaum regarding Title 3 Administrative Rules regarding the majority of Town Council. After further review, he found 30.05 which conflicts the majority previously discussed. Amend to match.

Jay Thompson thanked Chris York for purchasing a pump that she has been renting for under \$5,000.

Jay Thompson thanked Dan for painting the fire hydrants.

Jay Thompson didn't know Randy Warthen retired. Wishes him well.

Jay Thompson thanked Chase for attending the DAR

Jay Thompson asked Shari Ping about the 911 information on phones being 80 N Meridian St. Since the bill comes to the Town Hall all addresses are the same.

Jay Thompson asked about Jason Love missing his 4th meeting. Jarod explained it is his wife's birthday and they were having a party for her.

Jarod Baker introduced **Ordinance 2022-12 Establishing Town Legislative Body Districts and Repealing Ordinance 2012-11**. Hopefully we can get all districts as equal as possible.

ATTORNEY:

Jim Buddenbaum had nothing at this time

ACKNOWLEDGMENT OF CORRESPONDENCE:

Jarod Baker read a letter from Frilot LLC Attorneys at Law. See attached

APPROVAL OF DRAFTS & CLAIMS

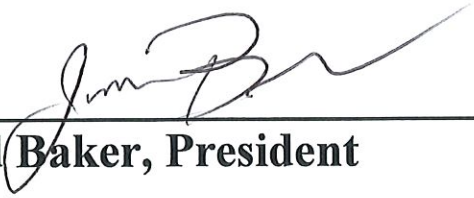
President Jarod Baker asked Shari Ping to present the drafts and claims for September 20, 2022, which includes all payments made since our August 16th meeting. Jarod Baker made a motion to approve drafts and claims as presented by Shari, Bill Majeske seconded. All ayes, motion passes 5-0.

ADJOURNMENT

President Jarod Baker reported the next meeting will be on October 18th. 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



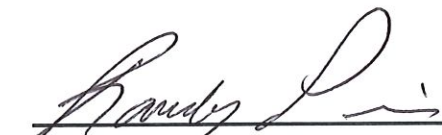
Jarod Baker, President



Terry Northern



William Majeske



Randy Price



Jay Thompson

Attest: 

Shari L. Ping, Clerk Treasurer