

Ordinance 2022-18 to Amend the Official Zoning Map from OS to R-1 Residential District  
Ordinance 2022-10 Amending Ordinance 2002-09 as codified for Sanitary Sewer Utility Rates and Charges  
Ordinance 2022-16 No Parking on Jeff Gordon Blvd & Mitchell Avenue  
Resolution 2022-17 MOU between SDI and the Town

**PITTSBORO TOWN COUNCIL MEETING**  
**33 EAST MAIN STREET, PITTSBORO**  
**TUESDAY, NOVEMBER 15, 2022 @ 7:00 PM**

**QUORUM:**

Jarod Baker

Terry Northern

William Majeske

Jay Thompson

Jim Buddenbaum, Attorney

Shari L. Ping, Clerk Treasurer

Police Chief Scott King

Asst. Police Chief Carl Carson

**OTHERS:** Jason Love, Town Manager; Steve Maple, Building Commissioner; Robin Drew Swalley, Parks & Rec Superintendent; Eric Wathen, ELW Contracting; Linda Thompson, 7722 Quail Creek Trace; Jeanene Karn, 7722 Quail Creek Trace; Lindsey Nickrand, Aiden Nickrand, 198 Warrington Dr.; Laurie Christie, 1522 N Co Rd 200 E, Danville;

**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, Randy Price is absent. Jarod asked Aiden Nickrand to come forward to lead the Council, staff, and audience in 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 October 18, 2022, meeting. Jay Thompson reported that Shari already made the corrections he had, Terry Northern made a motion to approve the minutes, Bill Majeske seconded. All ayes, motion passes 4-0.

President Jarod Baker asked if there were any additions or corrections to the minutes from the November 1, 2022, meeting. There being none, Jay Thompson made a motion to approve the minutes, Jarod Baker seconded. All ayes, motion passes 4-0. Jay Thompson thanked Shari for all the details in the minutes.

**PUBLIC COMMENT:**

**REZONE OF 18.54 ACRES E OF WATERS WAY TO R-1 FROM OPEN SPACE:**

President Jarod Baker gave a brief description of the reason for this rezoning and there would only be two (2) lots for building homes. Steve Maple agreed. Terry Northern asked Steve about earlier discussion regarding a walking path along the property. Steve explained that it is no longer need since Keers did not get approval to build his apartment buildings. Jason Love showed on the map that there are several gas lines, water, and sewer easement on this property. Steve Maple explained that there are several steps to go before he can start building – engineering and TAC meetings. Terry Northern has no issue as long as we preserve the public way or easement for trails. Jason Love asked the Council if they wanted to mow nine (9) acres? He would recommend they keep planting crop but won't be able to do that if it is rezoned residential. Jarod Baker introduced **Ordinance 2022-18 to Amend the Official Zoning Map from OS to R-1 Residential District**. Bill Majeske made the motion to consider the ordinance, Jay Thompson seconded. Roll call vote: Bill-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 4-0.

*Next Level Trails* – President Jarod Baker explained that the cost has elevated since we turned in our application. Steve Maple has been speaking with DNR. Jarod presents a proposal from DLZ, an engineering firm to provide a rescope of the trails at a cost of \$7,000 to assist us with the rescoping. After presenting the new scope to the DNR, they could reject it and will remove the funding, partial or all of it. Then the Town will need to pay DLZ. Steve Maple explained that several errors made by RQAW in the plans to cross the railroad track at a cost of \$20,000 just to review our plans and could take up to two (2) years to get our answer. We are taking crossing the railroad tracks out of the plans. The bridge is going to cost up to the total dollar amount we received. Jarod explained that after all the time and effort that has been spent on this project it is worth the money to pay DLZ to see if 1) we can even afford

to continue the process and 2) can we provide a safe and secure trail system throughout the Town of Pittsboro. Jay Thompson asked what changes are being considered. Steve explained the trail would be moved to the north side of the park instead of the south side which will connect with Brixton Woods. Jarod explained that the complete loop around the Town will not be feasible, there will be some dead ends. Steve would like to see a trail connect to Quail Creek but will take a lot of money. Jarod said the Masonic Lodge is in agreement with the easement to connect Deer Meadows to Hidden Hills. Jay said it will help with Scamahorn Park trail and all the tree roots. More discussion followed. Jarod Baker asked for a motion to allow DLZ to proceed at a cost of \$7,000, Terry Northern made the motion, Bill Majeske seconded. Roll call vote: Bill-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 4-0. Jarod Baker made a motion to give Steve Maple authorization to sign the DZL proposal on behalf of the Town, Bill Majeske seconded. All ayes, motion passes 4-0.

Eric Wathen had a question regarding IDEM approval of the lift stations.

## **TOWN STAFF REPORTS**

### **TOWN MANAGER:**

Jason Love reported that the snowplows are ready, salt has been ordered and the Christmas wreaths will go up next week. Jason reported that he purchased a pull behind sweeper to be pulled with a gator off EBAY for \$1600. He called a manufacturer and a new one would cost \$16,000. Jay Thompson asked Jason about an update on SDI. Jason did not have one. Jay then thanked Jason and his crew for the work done on Sunday when a fuse had blown. Jason explained that they had to change out the entire transformer.

### **POLICE CHIEF:**

Chief Scott King had nothing to report

### **CLERK TREASURER:**

Shari Ping went over the 30/60/90 day list. She reported that our part time person has been calling the ones on the list and they almost always come up with the payment.

Shari reported that she had a request for a refund of a golf cart permit. Our ordinance does not allow for a refund so she told the person she would take the request to the Council. After some discussion, it was decided there will be no refund.

Jason Love had an invoice from Hendricks County Paving for work done on the alley behind the dentist. It was lost in Jason's email for a month, and he is requesting payment of the invoice. Jarod Baker made a motion to pay the invoice not to exceed \$12,500, Jay Thompson seconded. All ayes, motion passes 4-0.

### **BUILDING COMMISSIONER:**

Steve Maple reported they have been slow until Hidden Hills starts requesting permits. They have all been helping where needed.

Jason Love reported that Jefferson Park has not dedicated any of the roads in the new sections to the Town. The snow plowing will only be done in Section 1. Steve Maple reported they should have everything done by the 17<sup>th</sup> or 18<sup>th</sup>. Eric Wathen asked if we received any money from Jefferson Park to make repairs to Wall Street. No, we haven't. Jarod Baker reported that the letter has never been sent. Jim Buddenbaum said to go ahead and send out Eric's letter along with a cover letter. Jarod Baker suggested getting an update MOU to include bike racks.

## **TOWN COMMITTEE REPORTS:**

### **BOARD OF ZONING APPEALS:**

No meeting

### **FIRE BOARD: (report attached)**

Bill Majeske reported that the report covers everything they discussed.

### **PARK AND RECREATION: (report attached)**

Robin Drew Swalley went over the attached report. She invited everyone to come out on December 3<sup>rd</sup> for the Christmas in the Park. The new concession stand is moving along, exterior lights have been installed.

### **ADVISORY PLAN COMMISSION:**

Steve Maple reported that the October meeting was for the rezoning of 18.54 acres. The November meeting is cancelled.

### **POLICE COMMISSION:**

Chief Scott King reported that the meeting was cancelled.

### **REDEVELOPMENT & ECONOMIC DEVELOPMENT COMMISSIONS:**

No meeting

### **CONTRACTED BUSINESS:**

Eric Wathen, ELW Consulting, gave an update on the Park Impact Fee. Eric asked Jim Buddenbaum about the Town getting money from the Township through tax dollars. Jim will investigate it and get back with Eric.

Community Crossing Grant update – Eric reported that he rode along with Jason to do the Asset Management Plan, it was approved, plans to award the in October or November, still no word. He would like to start working on a design and be ready to send out for bid in January for the better pricing.

Ready Grant is progressing slowly, had to provide some information today and there will be a ZOOM call on Thursday.

He is still working on a PER for the Wastewater Treatment Plant. Money out there to be used.

### **OLD BUSINESS:**

*Hose Meter Ordinance 2022-10* – President Jarod Baker reported that FSG has not called. Terry Northern said he did talk with FSG, and they were providing a letter reflecting their opinion that it is fair, equitable and reasonable to extend the hose meter season by one (1) month in the fall. Jarod said since they are still waiting on the letter, he would like to make a motion to continue **Ordinance 2022-10 Amending Ordinance 2002-09 as codified for Sanitary Sewer Utility Rates and Charges** to the December 6<sup>th</sup> meeting, Bill Majeske seconded. All ayes, motion passes 4-0. Jason Love asked if we were still going to validate the meters in the ordinance. Terry explained that we haven't made any changes to the ordinance to cover that. Jarod explained it is two-fold – 1) extension, 2) validation phase and 3) add in language to be able to increase the cost of the meter as our costs go up. Steve Maple asked about the inground meters for sprinklers. That is a separate issue and ordinance. Jason Love asked about the irrigation meters and not having a timeline on using them. Jim Buddenbaum said its not legal to be using irrigation meters. Jason asked if we need to put an ordinance in place to cover them. Jim said yes.

*Mobile Food Ordinance 2022-14* – President Jarod Baker explained that amendments have been suggested. He would like to continue discussion to our meeting on December 6<sup>th</sup>. Jarod made a motion to continue, Jay Thompson seconded. All ayes, motion passes 4-0.

*Vacate Ashton Park Stub Road* – President Jarod Baker reported that he met with Mr. Stonebraker along with Jason Love. Mr. Stonebraker has no intentions to build on the property. He is going to purchase the rest of the property from his neighbor Mr. Arnot and put up a fence. He has no interest in the stub road at all. Jason asked if Jim could write a legal description, Jim said no he would prefer a surveyor do that. Discussion followed. Jay Thompson asked about the sidewalk, follow the curve or jog. Jason said it will follow the jog.

*Insurance Rate* – President Jarod Baker explained the reason for looking into the rates. He took the questions from the last meeting to Exact Insure – 1) Is it possible to get a multi-year rate lock? No, 2) Our local providers within the County covered as in network? Yes, all providers were covered under all three (3) plans. Jarod asked the Council for their comments. Jay Thompson said we should be asking Steve Ping, Scott King, and Carl Carson since they would be directly affected. Scott asked why Anthem is so much higher. Jarod gave his opinion. Shari Ping spoke up about Anthem being so high is due to our loss ratio being high. She has concerns with changing and all employees are familiar with Anthem and using the doctors in the plan. She is the only one to do all the paperwork and it is a headache. Discussion followed. Jarod asked the council for their comments. Bill Majeske said if it was a significant decrease he could see switching. Terry Northern made a comment about not being a huge savings, Jay Thompson recommends not putting the burden on Shari at the end of the year and look at again after the new year. Jarod feels it is a small savings and not worth it. Jarod recommends not proceeding currently but look at later.

*Ordinance 2022-16 No Parking on Jeff Gordon Blvd & Mitchell Avenue* – President Jarod Baker reported that this ordinance was introduced at the last meeting. Council has any comments. Terry Northern asked if this would impair the area being fenced in? No, it will not. Jarod Baker made a motion to approve Ordinance 2022-16 as written, Bill Majeske seconded. Roll call vote: Bill-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 4-0.

*Solar Park* – President Jarod Baker reported on the discussion from IMPA at our last meeting. Do we want to continue talks with IMPA? Bill Majeske not in favor; Terry Northern not in favor as presented, if it had a benefit to the Town he might be interested; Jay Thompson not in favor due to no offer on the land, he would like to see the land sold and not leased, would like some benefit to the rates; Jarod Baker reported for Randy Price, he doesn't feel it benefits the Town, not ideal to pursue, maybe on our own. Jason Love reported that our contract goes to 2050 and we can't self-generate power, we must purchase from IMPA. Jim Buddenbaum explained how to shave off the peak to amend the contract. It is a process and must be negotiated. Terry Northern asked if Jason was our representative, Jason said he is but Terry could take it over if interested. Jason reported several communities with several solar parks, and it would be hard for them to pull away and go on their own. Jarod will contact IMPA representatives and decline to pursue. Would discuss further if there ever became a benefit to the Town.

*MOU between SDI and Town of Pittsboro – Officer Salary Contribution* – President Jarod Baker explained SDI asked that the language around the eighth officer be put back into the MOU. Jarod asked if there are any objections to Jim making the changes and authorizing Jarod to sign off on it. Jarod made the motion to approve **Resolution 2022-17 MOU between SDI and the Town**, Terry Northern seconded as amended. Roll call vote: Bill-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 4-0.

*Resolution Providing for the Additional Appropriation of the GO Bond Proceeds* – President Jarod Baker explained that the bidding has come in and we need to provide for additional appropriations not to exceed \$500,000. Jarod Baker made the motion to approve, Bill Majeske seconded. Roll call vote: Bill-yes, Terry-yes, Jay-yes, Jarod-yes. Motion passes 4-0.

#### **NEW BUSINESS:**

*2023 Salary Ordinance* – President Jarod Baker explained the reason for the discussion around the ordinance. We will restructure how our Clerk Treasurer and Town Manager are paid out of the General Fund and five (5) utilities. The Clerk Treasurer 40% from General and 60% from utilities (12% each utility) and Town Manager 20% from General, 10% from MVH and 70% from utilities (12% each utility). Jarod introduced an idea of taking money from the utilities for the Council salaries. Discussion followed. Terry would like to base it off the revenue from the utilities. It was recommended 40% from General and 60% from utilities (30% sewer, 10% water, 10% electric, 5% gas and 5% stormwater). Same for the Clerk Treasurer. Jarod will check with FSG to make sure this is legit. Jarod Baker would like to see at the beginning of the year to use the left-over money from not having the ninth officer to give a sign on bonus or adding language to our salary ordinance that if we have left over money in the first quarter to use it as a bonus or to entice to bring on board.

*Advisory Plan Commission Appointment* – President Jarod Baker reported that they received a resignation letter from Samantha Crouse from the Plan Commission and BZA. Jarod as President of the Council would like to appoint Zach Buchanan to the Advisory Plan Commission.

*Board of Zoning Appointment* – President Jarod Baker appoints Lisa Abbott to the BZA.

*Employee HSA Contribution* – President Jarod Baker reported that the current contribution is \$3,000 for single and \$4500 for family. The same for those who opt out from our insurance. Jarod recommends \$2,000 for single and \$3,000 for family. Jarod asked for Council comments. Terry Northern recommends leaving the same and revisit when we investigate insurance costs, Bill Majeske recommends leave it alone, Jay Thompson same. All agree to leaving alone. Table to a later meeting. Scott King would prefer to take the HSA lower as opposed to making employees pay for insurance.

**COUNCIL COMMENT:**

Jay Thompson - asked Jason about the gas tracker. Gas supplier cost is up but not alarm.  
asked about the pipeline mailing. Jason said we must do these mailings to stay in compliance  
thanked vets for work  
asked Scott about the pickup truck pulled over for drunk driving  
asked Jason about the second well. Jason reported the drought affected the wells; filters changed every 3-4 days.  
asked about trash cans on wheels, some HOAs won't allow them to sit outside, behind L shaped fence with no permit fee. Ray's transfer may affect this.  
spoke with guys working in Hidden Hills and they smell the WWTP, can we put a waiver on the PUD, Steve reported they changed the design of the houses along Wall Street.  
asked about the mowers that damage our antennas on the water meters. We repair at no cost  
reported that Steve Ping and Mark Mophew appreciate the increase in clothing allowance  
has a question on the APVs.

**ATTORNEY:**

Jim Buddenbaum had nothing at this time

**ACKNOWLEDGMENT OF CORRESPONDENCE:**

Jarod Baker read an email received from Zoe Smith regarding adding to our website a link for assistance for our deaf students.

Also, Karen Kish would like handicap assistance with her trash during the winter months.

**APPROVAL OF DRAFTS & CLAIMS**

President Jarod Baker asked Shari Ping to present the drafts and claims for November 15, 2022, which includes all payments made since our October 18<sup>th</sup> meeting. Bill Majeske made a motion to approve drafts and claims as presented by Shari, Jarod Baker seconded. All ayes, motion passes 4-0.

**ADJOURNMENT**

President Jarod Baker reported the next meeting will be on December 6<sup>th</sup>. Jarod then asked for a motion to adjourn. Jay Thompson made the motion, Bill Majeske seconded. All ayes, motion passes 4-0.

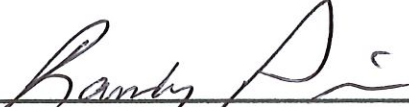
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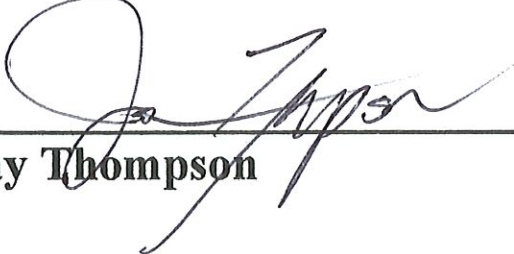
Shari L. Ping  
Clerk Treasurer

  
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**Jarod Baker, President**

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**Terry Northern**

  
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**William Majeske**

  
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**Randy Price**

  
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**Jay Thompson**

**Attest:**   
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**Shari L. Ping, Clerk Treasurer**