

Ordinance 2023-02 To Vacate a Portion of a Public Way in the Town of Pittsboro  
Ordinance 2022-14 To Establish Regulations for Mobile Food Vehicles

**PITTSBORO TOWN COUNCIL MEETING  
33 EAST MAIN STREET, PITTSBORO  
TUESDAY, FEBRUARY 21, 2023 @ 7:00 PM**

**QUORUM:**

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

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

**OTHERS:** Jason Love, Town Manager; Jack Swalley, Building Inspector; Robin Swalley, Parks & Rec Superintendent; Bill Zeunik, Fire Chief; Eric Wathen, ELW Consulting; Keith Gurley, Freedom Celebration; Zach Buchanan, 102 Burlington Drive; Linda Thompson, 7722 Quail Creek Trace; Jeanene Karn, 7722 Quail Creek Trace

**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 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 February 7, 2023, meeting. There being none, Jay Thompson made a motion to approve the minutes, Bill Majeske seconded. Roll Call Vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-yes, motion passes 5-0.

**PUBLIC COMMENT:**

**FREEDOM CELEBRATION UPDATE:** Keith Gurley informed the Council that the Freedom Celebration will be held on July 4<sup>th</sup> with a parade starting at 2:00 pm and fireworks at 10:00 pm. He also informed the Council that the parade route will be different this year. It will start in Sparks Addition and head west to Mitchell Ave. To avoid a traffic jam at Osborne and Meridian. Keith informed everyone that this is his 10<sup>th</sup> year, and his goal is to get the Hendricks County Symphony to perform around 7:00 pm. He is seeking grants to cover the costs. He is also looking for a stage/platform and tent. He is seeking permission from the Council to hold a 5k Color Me Free fundraiser to be held on May 21<sup>st</sup> at 2:00 pm. Terry Northern asked Keith what size tent he would need. Jay Thompson said that North Salem held the same kind of 5k, he will contact them to get more information. Jarod Baker doesn't see a problem with the date. Bill Zeunik asked about the time, Keith said it would be in the morning or late evening due to the heat.

**STAFF REPORTS:**

**TOWN MANAGER:**

**POLICE CHIEF:**

Police Chief Scott King gave a report for the February 7<sup>th</sup> meeting. Jay Thompson asked Scott about the camera status. Scott said they are ordered, as well as the body cameras and weapons. Jay also asked about the crash that Zach Buchanan had. Scott explained that we will receive \$35,000 from the insurance and the new Durango cost \$37,000. Jarod Baker read an email from Rachel Miller, regarding the Puppy Love contest (see attached email). Jay Thompson asked about withholding the uniform allowance from someone who is leaving. Scott said they are working on a new policy to cover this situation.

**CLERK TREASURER:**



Shari Ping went over the 30/60/90-day list. She explained that she sent out letters to those in the 60/90 columns and they have until the end of the month to pay. Shari explained that we can shut off water now since it is warming up.

**BUILDING COMMISSIONER:**

Jack Swalley had nothing to report at this time.

**TOWN COMMITTEE REPORTS:**

**BZA** – no meeting

**FIRE BOARD:**

Bill Zeunik went over the attached report. He also reported that they are adding three (3) new offices in their Administration Building. Rick Rusie, Fire Marshall, retired, so he and Keith Rinehart, Asst Chief, will be handling the Fire Marshall duties until the middle of the year. Jay Thompson asked about the sale of the medic 112. Bill said it is sold just waiting on the check and for them to pick it up. Jay also asked about the cardiac arrest run they had and used the Lucas device. Bill explained what happened.

**PARK & RECREATION:**

Robin Swalley went over the attached report. The new Concession Stand is moving along and on March 8<sup>th</sup> Galaxy will be sealing the floors. Robin thanked Eric Wathen for the donation of kitchen cabinets. The grant she received for the picnic tables covered the cost of materials and Jack Swalley built them. She also wanted to thank Jack Swalley, Rob Miller and Jason Love for all their help with the interior of the concession stand. Robin thanked the Tri-West Little League for their donation of vinyl to put over the top of the dugouts for shade.

**PLANNING COMMISSION:**

Jarod Baker reported that they discussed the new Park Impact Fee. February meeting was cancelled.

**POLICE COMMISSION:**

Police Chief Scott King gave a report for the February 7<sup>th</sup> meeting. He had nothing else to report.

**REDEVELOPMENT AND ECONOMIC DEVELOPMENT:**

No meeting

**CONTRACTED BUSINESS:**

Eric Wathen, ELW Consulting, reported that he has been inspecting the work being done at Hidden Hills. Community Crossing Grant should be ready to go. Sewer lift station-he and Jason will be meeting with the READI Grant people to discuss tomorrow. The PER for the Wastewater Treatment Plant should be done by April.

**OLD BUSINESS**

*Website/Social Media Proposal from Scott Smith* – Jarod Baker explained that we discussed at the last meeting and there were several questions. Jarod went to Scott, and he answered most of the questions. This would be an annual contract and any photos/videos used would become the property of the Town. The termination of the agreement would need to be 30 days' notice. Discussion regarding creating milestones. Jay Thompson informed everyone that his constituents had negative comments regarding this. Several Council members wanted to go with the lower cost plan, but Steve Maple recommended the higher priced web design and April Wrigley could take care of the Admin Building postings. Jay is not in favor of spending more money. Jarod Baker asked Jay how many constituents he heard from, Jay said there were five (5). Bill Majeske agreed with Jay as far as the proposal for less money was the better option and our current employees don't have enough time and we would be spending more money to have them do the work. Terry Northern supports the help on it and approves Scott's proposal. Jason Love added that the proposal shows an extra workload, Scott would be doing things that we don't have the time to do. We are not website designer nor do we have the time. Robin Swalley and Shari Ping both reported that they don't have the time to do it. Jarod Baker reported that we need to know when he is not available. Jason Love needs to know that he can pass items to be put on the website or social media and it gets done. Randy Price supports the proposal from Scott knowing our current employees don't have the time or the knowledge to do these things. Zach Buchanan reported that he and Ron Frazer and they are certified to do it. You don't want a lot of people doing it, one person should be responsible to do it. We are living in a digital age and everyone goes to social media to get their information. Jason went over the bullet points, so we need to hold him accountable. Jarod suggested that we need something outside the milestones,



we need a quarterly status update to provide the progress. Terry suggested that we need a 30-day update, include him in our Staff Reports.

Comment from Spring Deaton - she asked about who is holding him accountable to make sure we get what we are paying for? Jarod explained we would give him ample time to have something to report on.

Jarod Baker made the motion to approve the proposal from Scott Smith. Terry Northern seconded. Roll call vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-no. Motion passes 4-1. Jarod Baker asked the Council to give him the authority to sign the agreement. Terry Northern made the motion, Jarod Baker seconded. Roll call vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-no, motion passes 4-1.

*Vacate ROW/Ashton Park* – Jarod Baker explained that we were waiting on a legal description to define the area. Jarod thanked Terry Northern for getting the legal description together for us. Jarod Baker introduced **Ordinance 2023-02 To Vacate a Portion of a Public Way in the Town of Pittsboro**. Terry noted that the petitioner owns all the real estate in the ordinance, however ½ goes to Stonebraker and ½ goes to Arnot. Jim Buddenbaum made the changes. Jarod Baker made the motion to approve, Jay Thompson seconded. Roll call vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-yes, motion passes 5-0. Jason Love explained that Mr. Stonebraker has been mowing the right of way and would like to put up a fence. Jason asked the Council for their support if he tells them yes. If we need to take the fence down for utility repairs then we will take the fence down. Jim Buddenbaum said it is between the two (2) neighbors to do a quit claim deed.

*Mobile Food Ordinance 2022-14* – Jarod Baker went over the changes being made to the ordinance. We would need three (3) different applications – Single Day Fee, Event Fee and Annual Fee. Discussion followed. Terry thanked for adding in ( C ) (10) No mobile food vehicle shall be equipped with any external electronic sound when parked. Jay Thompson thinks this is very discriminatory and explained what Fleece Performance does for their employees. Jay doesn't understand why we are doing this ordinance to discourage food trucks. Discussion followed. Terry Northern reported that the General Contractor determines if they will allow food trucks during construction. This ordinance doesn't deter food trucks but keeps them accountable. Jarod Baker would approve a regular occurring event like Fleece does on paydays. Jason Love asked Jack Swalley about Brownsburg allows 40-50 trucks in their parking lot and if they are permitted. Jack said not at the time he was there. Jarod Baker made a motion to approve **Ordinance 2022-14 To Establish Regulations for Mobile Food Vehicles** with the suggested edits, Bill Majeske seconded. Roll call votes: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-no, motion passes 4-1.

## **NEW BUSINESS**

*Merit Increases* – Jarod Baker turned the floor over to Jason Love. Jason went over the sanitation issue at hand. He has found a new truck to purchase. It is a smaller truck and does not require a CDL driver. The new truck would cost \$180,000 to purchase. We would pay 10% down and the 1<sup>st</sup> payment wouldn't be due for a year. Jason went over the two (2) options for financing. He would like to promote from within a Sanitation Manager taking him from \$20/hour to \$25/hour. We would need create a job description to hire a laborer at up to \$18/hour. Jay Thompson asked about whether Waste Management (WM) if they own the landfill, Jason said yes. Jarod Baker likes option 2 and he would like to send out letters to our residents stating that we will take over the trash collection on May 1<sup>st</sup> and routes need to be set. Terry Northern would like to see a business plan outlining fuel costs, revenue and truck costs. He would like to see us get two (2) trucks to decrease the number of trash setting around the Town. Jarod would like to set geographical boundaries and asked Jason to bring a business plan to the next meeting in two (2) weeks. Jarod Baker asked about Heavy Trash and Shred dates for 2023, we will not be doing either for 2023. Jim Buddenbaum asked Jason about a contract with the landfill, Jason said no. Jarod Baker said let's discuss the business plan in two (2) weeks. Jay Thompson asked about how this will affect our budget and insurance, Jason said there is no effect on our budget and Shari said the insurance will go up by \$1300/year. Jarod Baker made a motion to create a Sanitation Manager position at \$25/hour under tier 7 and a laborer position at \$18/hour under tier 4, Bill Majeske seconded. Roll call vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-yes, motion passes 5-0.

*Interim Building Commissioner:* Jason Love explained that Steve Maple has been sick since November. Jack Swalley is filling the role and April Wrigley is filling in where needed. Jason would like to move the Building Commissioner salary over to Jack Swalley and Building Inspector wages to Steve Maple. Our compliance with MS4 inspections needs to be moved into this office. Jack is in compliance with MS4 inspections as well. Terry Northern asked if Chris York is MS4, Jason said yes. He would need to report back to Chris for her signature on all reports. Terry Northern commented that he is glad we have Jack, and he is willing to step in. Jarod Baker made a motion to



move Jack to the Building Commissioner at Tier 8, Bill Majeske seconded. Roll call vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-yes, motion passes 5-0.

**COUNCIL COMMENT:**

Jay Thompson - asked about how we are handling on our calls for service since we have several employees out-Steve Ping and Steve Maple. Jason said we are fine.

- asked Jason about the SDI flow meter. Jason said they have never circled back. Jay thinks we should back bill them. Jason said we never back billed them.
- asked Shari about the insurance renewal. Shari reported that the applications have been submitted.
- Medical Insurance status – Jarod has a reminder to send out a request from Exact Insurance and our current agent, John Resley
- Commented that Larry Compton said he would be sworn in at the County for his reappointment to the Police Commission, which he didn't do.
- We had our 2<sup>nd</sup> cancer death in Deer Meadows.

Jason Love read comments from Town Hall Streams.

Brian Estes asked about the cost of trash service. Jason said it will not increase.

Spring Deaton commented that this could be Scott's first post on our website – no heavy trash and shred it

Jarod Baker – reminder that our next meeting will have a presentation from Brian Bilger, Hendricks

- County Economic Development and Givinus overview and educational information regarding Tax Abatements and TIF
- Introduce a resolution regarding the regulations around chickens in Town

Terry Northern – should we evaluate our attorney's contract at the beginning of the year with rates. Jim said no

- rate increase for 2023. He will get one for the next meeting.
- He would like to complement Jim Buddenbaum for having the information to us prior to the meeting, Jim tries to get them out by Friday before the meeting.

**CORRESPONDENCE:**

**APPROVAL OF DRAFTS & CLAIMS:**

Shari Ping presented the drafts & claims for February 21, 2023, which includes all payments since our February 7<sup>th</sup> meeting. Jarod Baker made the motion to approve, Jay Thompson seconded. Roll call vote: Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-yes, motion passes 5-0.

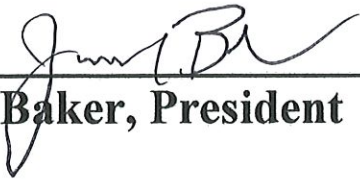
Zach Buchanan asked about the use of the "constituent" term. Is this a protected term? If someone has a comment, they need to be here and sign in to ask their questions or comments. Discussion followed. Jim Buddenbaum explained that any comments become public record whether written or verbal.

**ADJOURNMENT:**

Jarod Baker reminded everyone that the next meeting will be March 7<sup>th</sup> at 7:00 pm. Jarod made the motion to adjourn, Jay Thompson seconded. Randy-yes, Terry-yes, Jarod-yes, Bill-yes, Jay-yes, motion passes 5-0.

Respectfully submitted,

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**