

Ordinance 2019-02 Amending the water utility rates, charges and fees
Ordinance 2019-03 Regulating Parking in Jefferson Park

PITTSBORO TOWN COUNCIL MEETING
TUESDAY, MARCH 5, 2019 @ 7:00 PM

QUORUM:

Shelby Smith
Doug Joiner
William Majeske
Kimberly Carmean
Jim Hill

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

OTHERS: Jason Love, Town Manager; Steve Maple, Building Comm; Nate Peterman, Hylant; Larry Hart, 400 Karen Dr.; Kevin Hill, NFP; Amber Stinson, 388 Karen Dr.; Jeff & Stacey Lewis, 394 Karen Dr.; Troy Hardister, 784 Penny Lane; Dan Crum, 206 Deer Trace Court; Brendan Pickens, 528 Freedom Dr.; Jarod Baker, 822 Declaration Dr.; Dave & Linda Rutherford, 383 Karen Dr.; Shane Harrington, 406 Karen Dr.; Craig Barnard, 2566 Cardinal Dr.; Eric Wathen, RQAW

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

7:00 p.m. – President Shelby Smith brought the Council Meeting to order by establishing a quorum. All five (5) members present. Shelby welcomed Kimberly Carmean back to the Council and Jim Hill back from Florida. He 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 Shelby Smith asked if there were any additions or corrections to the minutes from the February 19th meeting. Bill Majeske made a motion to approve the minutes, Doug Joiner seconded. Three (3) ayes, two (2) abstained. Motion carries. He then asked if there were any additions or corrections to the minutes from the February 25th meeting. Shelby made a motion to approve the minutes, Bill Majeske seconded. Three (3) ayes, two (2) abstained.

PUBLIC COMMENTS:

Craig Barnard, 2566 Cardinal Dr., representing TWLL asked the Council if there was any ground available to put a building for indoor diamonds and batting cages. Sam's Hack Shack is moving from Brownsburg to the Tri-West area. Shelby told him he needs to come to Jason Love and Steve Maple

Amber Stinson, 388 Karen Dr., going through the packet and the realtor who gave the appraisals on the eminent domain is related to Steve Maple and she has a problem with that? Isn't that a conflict of interest? Steve Maple, Bldg. Comm., said he had no budget to work with and this realtor was doing it for free. This was only a preliminary appraisal for the grant application process. If and when we receive the grant, then a paid professional would be contacted to do the appraisals.

Larry Hart, 400 Karen Dr., was looking at the proposal and said they were originally told the trail would be 10'-12' wide and the Town is taking 25'. Why? Steve Maple explained it was necessary for the equipment to get to the trail to do the work. Doug Joiner said the inner urban trail was planned for that area all along. Amber Stinson said they did the measurement and the trail would be along the berm and the homeowners would lose the noise buffer from the train. Jason Love said that Duke does not have a plan to proceed with negotiations. This is a five (5) year plan to do the trails. No engineering has been done. Doug Joiner said that no council member had walked the property yet. Next Larry Hart said it was his original understanding that Arbor Homes is giving the Town \$200,000. Looks like the grant and money from Arbor Homes would be a no cost to the Town. Steve Maple said that the \$200,000 was for their portion of the trails around Jefferson Park and 475. He also understands the Park is giving \$40,000 to help with the trails. The grant is an 80/20 match program. Larry doesn't feel like they have been told the whole story. Shelby told Larry that he was way ahead of the Council in negotiations with Duke. The Town had to commit to put in the money in order to submit the application. Amber asked why they were not notified by certified

letter or in a public forum....it was all done behind closed doors. Put a notice on our statements. Shelby informed everyone that we will be putting together newsletters going forward with our new billing system. Jeff Lewis asked where is the money coming from? Taxpayer dollars?? He said our money would be better spent on sidewalks. We already have a trail system, they are called sidewalks. They can take you anywhere in town. Taxpayers would rather have their money spent on sidewalks and street lights. Dan Crum, 206 Deer Trace, walks everyday on the sidewalks why do you need the trail system? Shelby informed everyone that it has always been a part of the inner urban trail, always a possibility that something would be built on it. Jeff Lewis said to put sidewalks in at Jefferson Park. You put sidewalks in everywhere. Jason Love spoke up and said the Town has an ordinance in place that states if he was to tear out a sidewalk in front of a citizen's house, he has the right to knock on their door and ask the homeowner to pay for half of the sidewalk cost.

Linda Rutherford, 383 Karen Dr., asked how can it be safe for kids to be on a trail 10 feet from a train? The trains are going fast on those tracks all day long. Shelby reminded everyone of the meeting two weeks ago where there was discussion about putting up a fence or barrier of some kind along with lighting. Shelby said he sees people walking on the trails in Brownsburg all day long. They cross 267 and round-a-bouts.

Mrs. Boulanger, 405 Karen Dr., said she lives at the access point to this walking trail. Are they going to be walking through my property to get on the trail? Where will they park to get on the trail? Doug Joiner said he gets everyone's concerns and he isn't sold on the idea yet. There will be a lot of meetings/discussions before the final decisions on the trail will be done. Jeff Lewis said everyone on Karen Drive love living in this Town. Figure out a different way to put in the trail system, just not in our back yards.

Larry Hart asked that the Town will not take eminent domain as long as they can build on Duke easement. Shelby said he can't answer that question because they have not had any discussions with Duke at this time.

Shelby explained that everything is done in a meeting which are available on Facebook via our video. Shelby told everyone that he was glad they all come to the public meeting. He said he didn't want to spend all that time on the process and then receive a no we don't get the grant. The Town does not have the dollars to fund the trail system.

Jarod Baker, President of Jefferson Park HOA, introduced Brendon Pickens from Jefferson Park also, went over the street parking in Jefferson Park. They would like to see street parking allowed on one side of the street, opposite the mailboxes. They would need to move 10-15 mailboxes by the HOA. Jarod said it is difficult for the school buses or emergency vehicles to get through the streets if parking is allowed on both sides. Steve Maple informed everyone that there is a public hearing to amend the UDO for new subdivisions only at their next meeting. Doug Joiner said you will be opening up a big can of worms because no one wants parking in front of their homes...he says to leave it to the HOA. Shelby said the Town owns the streets not the HOA that's why the Town needs to handle this. Larry Hart asked if this is a problem now, why can't the new sections widen their streets? When he moved in 12 years ago, the developer told them they had to allow for four (4) cars in the driveway. You must follow the UDO and do each situation as it comes up. What about the ones with out HOA? Jim Hill said to make it an ordinance for those w/o an HOA. Doug Joiner said to bring in a petition the residents to see what they prefer. Shane Harrington, 406 Karen Dr., said to go to your neighbors and ask them to move their cars. I don't need anymore governing for my neighborhood.

Shelby Smith asked for a motion based on recommendation by the Jefferson Park HOA to be no parking on the street with the mailboxes except for the two (2) cul de sacs. Bill Majeske made the motion, Kimberly Carmean seconded. All ayes, motion carries. Signs will be posted by the Town. Steve Maple asked if the police can enforce it? Scott King said there should be an Ordinance needed. Jim Buddenbaum will get one ready for the next meeting.

CONTRACTED BUSINESS:

Shelby Smith closed the Public Comments and introduced Nate Peterman from Hylant. Nate informed everyone that two (2) years ago we went through a bidding process. Which is a good practice to do. Your current insurer won that bidding process. The Town had a large workers comp claim last year, so you might expect an increase but I'm happy to report a decrease. The situation was a little iffy and the insurer denied at first but after talking to Shari Ping about it, they decided to cover it. The insurer is upside down in premiums for workers comp due to stepping up and covering the claim. This year I am bringing you a decrease in premiums. You can reject the terrorism coverage and save

\$700. Cyber Liability Coverage would cost \$3400-\$4100. And in this day and age the increase in cyber ransom is up 42% per Troy Hardister, 784 Penny Lane, who works for an IT company.

After much discussion, Shelby said that loyalty is important and a long term relationship with the insurer matters. He is intrigued to see what Kevin Hill has since he doesn't have the long term relationship.

Kevin Hill, NFP, started off by thanking Jason Love and Shari Ping on meeting with him and having the information he needed. He also talked with Chief Christi Patterson and Scott King on police matters that Jason and Shari couldn't answer. Jason had some questions about the Waste Water Treatment Plant so he went out to talk to Chris York. Kevin went over the Executive Summary in detail. He explained the differences in property values and vacant lots not currently covered. Traveler's is the company he is recommending out of the five (5) different companies. Kevin then went over his company's qualities.

Shelby mentioned he was comparing the two (2) quotes and noticed the coverage was the same. They were comparing apples to apples. After further discussion, Shelby said loyalty matters and he recommends staying with Nate. He has always answered any questions Shari or I have. Doug Joiner made a motion for 2019-20 insurance to be Hylant in the cost of \$90,012 plus \$4100 for Cyber Liability, Shelby Smith seconded. All ayes, motion carries.

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love reported they opened the bids for Community Crossing Grant. Grady Brothers bid came in at \$176,053.50 for the low and Globe Asphalt was \$223,356.00 as the high. Jason let everyone know what roads will be paved which is both sides of the bridge over 74, Matlock and Hadley, and Jeff Gordon to Mitchell Ave around the railroad crossing. Shelby asked for a motion to approve the bid from Grady Brothers in the amount of \$176,053.50. Bill Majeske made the motion, Kimberly Carmean seconded. All ayes, motion carries.

Next, Jason told the Council that K&J Capital want out of their bond for final pavement in Whispering Fields. They will put \$83,000 in escrow with a 4% increase until completely built out.

POLICE CHIEF: (see report)

Major Scott King had no action items.

CLERK TREASURER:

Electronic Pay-Shelby Smith asked Shari Ping to report on the adding of electronic payment to our website. Jason Ellis from State Bank of Lizton brought a representative from AP Solutions to go over an electronic payment system. Start up costs would run just over \$1000 with no other fees to the Town. Next she said the current program can be added to our website with no cost to the Town. There is also an App you can add to your cell phone. After much discussion Shelby made a recommendation to go with PayGov.US. Everyone else agreed.

OLD BUSINESS

Street Parking/Downtown Parking – discussed earlier

SDI Follow up – Doug Joiner and Shelby Smith met with Dan Keown and Greg from SDI. They showed them what was left to do with the drainage issue. They should be able to complete it by the end of May. They will give monthly updates at the 2nd Town Council meeting. The question Doug and I have for Jason is something Herb Miller asked a long time ago, who's responsibility is it to keep the drain cleared which always gets covered with corn stalks. Jason said that SDI would be responsible for the drainage on 150. Now they are saying it is the County's responsibility. The county has plans to clean under 74 to take care of drainage from north side of 74.

NEW BUSINESS

Park Board Vacancy – Shelby asked if it has been posted and Shari said yes and received one (1) resume. Shelby explained what the job entails. Discussing the new 19 acres in Scamahorn Park, trails, contracts with the Little League. The Park Board would like to interview all candidates and give their recommendation to the Council. Doug Joiner explained it is one (1) meeting a month and you can get as involved as you want to be.

Rate Ordinance for Water Project – Shelby explained about the building of the water treatment plant and where the wells will be located. Jason Love mentioned for the record the last rate increase was in 2016 to include the 20%

from Citizens. The Town has been losing money paying for the increases before from Citizens but not passing the increase onto the consumers. Shelby said the Town has already invested 1.5 million dollars so far in engineering costs. We will join the SRF funding pool program for the bond. With no increase in infrastructure we should be set to pump water and sell water to last the entire length of the Bond. The rate is an increase of 37% in water only. Does not affect the Wastewater. Minimum charge for 2500 gallons of water will go from \$23.24 to \$31.91. The interest rate will be 3.5% for the bond. How does this effect the businesses? It is based on meter size. Shelby asked if we want to be controlled and keep receiving increases from Citizens. Doug Joiner said we need to be self-sufficient no matter if its our roads, electric, gas and water. Over time this is better for us. Stacey Lewis asked if we could include this information in our newsletter informing the community. A 37% increase is a shock. Shelby said that we advertise specifically to talk about the water at a public meeting. Put on the park sign that the water rate will be discussed. Public Hearing in two (2) weeks to notify the public. Shelby Smith asked for a motion to introduce **Ordinance 2019-02 Amending the water utility rates, charges and fees**. Bill Majeske made a motion, Shelby Smith seconded. All ayes, motion carries.

2019 Medical Insurance Benefit Analysis – tabled

ATTORNEY:

Jim Buddenbaum presented a draft **Ordinance 2019-03 Regulating Parking in Jefferson Park**. Bill Majeske made a motion to introduce, Kimberly Carmean seconded. All ayes, motion carries.

COUNCIL COMMENT:

REVIEW & APPROVE MARCH DRAFTS AND CLAIMS:

Shari Ping presented the drafts and claims for March 5, 2019. Kimberly Carmean made a motion to approve the March 5th drafts and claims, Jim Hill seconded. All ayes, motion carries. The drafts and claims were passed for Council signatures

ADJOURNMENT:

Doug Joiner made a motion to adjourn, Kimberly Carmean seconded the motion. All ayes, motion carries.

Respectfully submitted,

Shari L. Ping
Clerk Treasurer