

Ordinance 2019-20 Re-Establishing a Town Advisory Utility Board  
Resolution 2019-11 Approving Purchase of 3.75 acres for Water Treatment Plant  
2019-12 Approving Intervention in Panhandle Eastern Pipe Line Rate Case  
Resolution 2019-10 Additional Appropriation  
Ordinance 2019-21 Establishing 2020 Salaries for Officials and Employees

**PITTSBORO TOWN COUNCIL MEETING  
TUESDAY, DECEMBER 17, 2019 @ 7:00 PM**

**QUORUM:**

Shelby Smith  
Melodi Ingalls  
William Majeske  
Jim Hill

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

OTHERS: Jason Love, Town Manager; Steve Maple, Building Comm; Carl Carson, Police Officer; Eric Wathen, RQAW; Bill Zeunik, Chief, Fire Dept.; Andrew Newton, Park Board Rep; Cindy Griffith, Park Board Rep; William Nickrand, Park Board Rep; Landon Karst, Police Comm Rep; Jack Swalley, 128 S Maple St; Jay & Linda Thompson, 7722 Quail Creek Trace; Mike & Carrie VanDerGoore, 178 Warrington Dr

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:**

President Shelby Smith brought the Council Meeting to order by establishing a quorum. Four (4) of the five (5) members are present. Doug Joiner is absent. Shelby 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 November 19<sup>th</sup> meeting. Bill Majeske made a motion to approve the minutes, Jim Hill seconded. All ayes, motion carries.

**TOWN STAFF REPORTS**

**TOWN MANAGER:**

Jason Love, Town Manager, presented the Contractor's Application for Payment No. 5 from Sub-Surface of Indiana, Inc. in the amount of \$222,750.00. Shelby asked for a motion to approve said payment authorizing Jason to sign. Bill Majeske made the motion, Shelby seconded. All ayes, motion carries.

Our Gas company is having problems with the new homes in Jefferson Park 2. They are using our guys as their punch out list to check for completion prior to testing. They are finding the plumbers aren't fixing the leaks properly. Jason would like to start charging them for each trip out just like we do for re-inspections. Jim Buddenbaum said you would need to amend the gas ordinance to reflect this fee. Shelby asked to table until the January meeting. He asked Jason to bring hard numbers so we can revisit charging the builders.

**POLICE CHIEF:**

Scott King sent the attached report. He also reported that Christi applied for a grant and they were notified that the department received a grant of \$55,700 to redo the cameras in Scamahorn park.

**CLERK TREASURER:**

Shari Ping gave each one of the Council members a list of those that have a 60 and/or 90 day balance. The report has gone down considerably. Kate has been calling those on the list to inform them that they are scheduled for shut off if they don't pay their 60/90 day balance.

Shelby asked about the rental agreement with Dave Ratcliff. We received a rental agreement from the previous owners that Dave has an agreement until 12/31/20. Jason would like to notify Dave that his contract will not be extended past that date. Phi Beta Psi Sorority rents the other half of the building but does not have a contract. They will be asked to leave as well.

## **TOWN COMMITTEE REPORTS**

### **BUILDING MANAGER:**

Steve Maple reported that we received a request to annex 20 acres of the 100+ into the town.

The Adv Plan Commission cancelled their December meeting due to the holiday. We should receive an answer for the Next Level Trail grant in late February.

Arbor Homes has 45 permits of the 49 lots in Jefferson Park 2; 14 already have new owners living in them.

Section 3 has already started with the new roads in and Arbor wants to build a model home.

Steve also reminded the Council that we will need to start looking into future upgrades to our sewer plant in order to handle the expansion of the request to annex. Shelby informed the Council that he has been working with Jason on this and should have a report at the February meeting.

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

Larry Herring sent the attached report. Shelby wanted to go over Larry's comment regarding his concern to stay with our requirement of 15 foot setbacks to facilitate fire safety. Our requirements state 15 foot and if they want less the homeowner would need to go to the BZA for a variance.

### **FIRE BOARD:**

Bill Zeunik, Fire Chief, sent the attached report. Bill had nothing else to report. Shelby asked Bill about the new engine. No issues with it, Bill Majeske said it was the best engine we've ever had.

### **PARK AND RECREATION:**

Shelby asked the new Park Board members to introduce themselves. Cindy Griffith has been on the board since February. William Nickrand has been on the board for about five (5) months.

Andrew Newton reported that they had a successful Christmas in the Park. He thanked the Kiwanis and William Nickrand for their contributions to the lights on the big tree. William organized the lights to the radio station/music. They are holding Family Game night on the 3<sup>rd</sup> Wednesday of each month. There are a couple of game masters who will be sharing their games for the Game Night. We had a Veterans' Memorial dedication and it was covered on two (2) TV stations. Andy thanked Shawn Brown for taking over the new position of Park Superintendent. She has decided to pursue other interests. The Board has decided to break out the position to three (3) new positions. Shelby asked about the budget concerns in regards to the budget. Andy explained that Shawn was going to go to full time with benefits. So they took that into effect and based the new positions pay to fit within the budget. The part-time positions will only work 20 hours/week. He met with one of the new employees and he questioned whether or not he could drive the Park truck. Yes he would be covered as long as Shari sends their information to the insurance company. Shelby asked about the Salary Manual and if the three (3) new positions are in it. Steve Maple said that it was.

### **PLANNING COMMISSION:**

Steve Maple reported above in the Building Manager's report

### **POLICE COMMISSION:**

Landon Karst welcomed Jim Hill as the new member to the Commission. Shelby asked about the overages of the Police budget. The additional appropriation for \$50,000 went to the Police budget. Shelby asked if the \$50,000 going to take care of all the overages. Shari informed the Council that a lot of the line items are over. Kevin and Shari will work on recoding some of the items to another line item. Shelby asked if at the end of the year, we will be okay in our budgeted items? Shelby asked to see a more detailed report of where the \$50,000 went and then getting a final report for the end of 2019. The Council needs to be informed of where the money is going.

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

Nothing to report at this time

## **CONTRACTED BUSINESS:**

Eric Wathen, RQAW, is not here

## **OLD BUSINESS:**

*Next Level Grant Update* – Shelby reported that they had a conference call with DNR last Friday. There were a few minor language terms needed updating. The width of a trail is different than our walking paths. As Steve reported earlier, we should hear something by the end of January or first of February. Shelby thanked Steve Maple for all his hard work with this project. We wouldn't be where we are today if it wasn't for all the time and effort Steve has put into it.

*Solar Energy Update* – Shelby reported that he and Jason met with a representative from IMPA rep for Solar Energy. Asked Emily to come to the February meeting to present a plan to use a portion of the parcel south of town to put in a small solar park. More information to come to our February meeting. Steve Maple mentioned that IMPA is currently installing a plant in Peru for \$15 million. Jason said there are four (4) solar parks currently under construction. More and more municipalities are doing this.

*Ordinance Re-Establishing Town Utility Board, 2<sup>nd</sup> reading* – Shelby reported that we received a resume from Jarod Baker with an interest to be on the board. Shelby said that Jarod has agreed to be on the board. Shelby asked for a motion to adopt **Ordinance 2019-20 Re-Establishing a Town Advisory Utility Board**. Jim Hill made the motion, Melodi Ingalls seconded. All ayes, motion carries.

*Board Appointments* – Shelby explained that this time of year we need to appoint members to our different boards.

*Advisory Plan Commission - Re-appoint Steve Maple for a term expiring 12/31/2022.* Bill Majeske made the motion, Shelby Smith seconded. All ayes, motion carries.

Shelby Smith asked Jack Swalley to introduce himself to the Council. He just moved into 128 S Maple St., he is already working with Steve Maple on several projects, he has 23 years of experience so he understands the process. Jim Hill mentioned that he worked with Jack when he lived in Brownsburg. Shelby Smith appointed Jack Swalley to take Matt Cooper's place on the APC for a term expiring 12/31/2022.

*Police Commission – Appoint Jim Hill to take Melodi's place for a term expiring 12/31/2020.* Bill Majeske made the motion, Melodi Ingalls seconded. Three (3) ayes, one (1) abstains, motion carries.

*Dustin Danai – Melodi Ingalls made the motion to reappoint Dustin to a term of three (3) years expiring 12/31/2022.* Bill Majeske seconded. All ayes, motion carries.

*Landon Karst – Jim Hill made a motion to reappoint Landon to a term of three (3) years expiring 12/31/2022.* Bill Majeske seconded. All ayes, motion carries. Steve Maple commented that his term doesn't expire until 12/31/2020. Steve feels it is Larry Compton's position expired 12/31/2019. Shari will look into this and get back to the council next month.

*Park Board – Shelby made a motion to re-appoint Andrew Newton for a term expiring 12/31/2023*

*Redevelopment Commission – Shelby Smith re-appoints Larry Woods for a term expiring 12/31/2020.*

Shelby Smith re-appoints Joyce Compton for a term expiring 12/31/2020.

Shelby Smith asked for a motion to re-appoint Dan Devlin for a term expiring 12/31/2020. Bill Majeske made the motion, Shelby Smith seconded. All ayes, motion carries.

Shelby Smith asked for a motion to re-appoint Steve Haley for a term expiring 12/31/2020. Jim Hill made the motion, Melodi Ingalls seconded. All ayes, motion carries.

*Advisory Utility Board – Shelby Smith received a resume from Jarod Baker. He works with Jarod on the Jefferson Park HOA, he is very active in the community. Shelby asked for a motion to appoint Jarod to the Advisory Utility Board for a term expiring on 12/31/2023.* Jim Hill made the motion, Shelby seconded. All ayes, motion carries

Bill Majeske made a comment that he would like to represent the Council on the Advisory Utility Board. Melodi Ingalls made the motion, Jim Hill seconded. Three (3) ayes, one (1) abstained, motion carries.

*Water Treatment Facility update* – Jason Love reported that a purchase agreement was agreed upon for the purchase of the land. Jason is asking for the Council to approve **Resolution 2019-11 Approving the Purchase of 3.75 Acres for Water Treatment Plant** in the amount of \$75,000 plus closing costs. Also authorizing Shelby Smith or Jason Love to sign the agreement. Bill Majeske made the motion, Jim Hill seconded. All ayes, motion carries.

## **NEW BUSINESS:**

*Panhandle Eastern Pipe Line Company* – Jim Buddenbaum explained what Panhandle Eastern is trying to do with their rates. They provide the natural gas and want to increase rates by 400% to transport the natural gas. Jim is intervening on behalf of the Town. Shelby Smith introduced Resolution **2019-12 Approving Intervention in Panhandle Eastern Pipe Line Rate Case**. Shelby made the motion to approve, Bill Majeske seconded. All ayes, motion carries.

*Recreational Vehicles* – Shelby moved this item up on the agenda. He then introduced Michael & Carrie VanDerGoore, 178 Warrington Dr., Shelby explained the VanDerGoore's situation regarding the neighbors Recreational Vehicle parked between their houses for over a year and a half. According to the UDO they are not in violation. See attached photos. After much discussion it was suggested that we should update our UDO section pertaining to Recreational Vehicles to include they must be parked on a concrete pad. Shelby asked Melodi if she would like to read over the UDO/RV section and come up with a better way to handle this situation. Bring to the January meeting.

*Dates for 2020 Meetings* – Shari Ping gave the Council the schedule for the next year. The first Tuesday is only if needed. Bill Majeske made a motion to approve the dates, Shelby seconded. All ayes, motion carries.

*Heavy Trash Dates* – Shari Ping gave the Council the schedule for the next year. We will continue to have three (3) heavy trash pick up dates. Jim Hill made the motion to approve the schedule, Bill Majeske seconded. All ayes, motion carries.

*2020 Salary Ordinance* – **Ordinance 2019-21 Establishing 2020 Salaries for Officials and Employees** was introduced. In order to adopt on the first reading, all members of the Council must be present. Doug Joiner was asked to join us for five (5) minutes. Shelby Smith made a motion to add the three (3) new positions for the Parks Department to the Salary Manual, Melodi Ingalls seconded. All ayes, motion carries. Doug arrived at 9:06 pm. Shelby asked for a motion to introduce and approve the Salary Ordinance in the first reading. Jim Hill made a motion to introduce Ordinance 2019-21, Shelby Smith seconded. All ayes, motion carries. Bill Majeske made a motion to adopt said ordinance, Jim Hill seconded. All ayes, motion carries.

Jim Buddenbaum asked the Council about the raises for the Town Manager, Clerk Treasurer and Police Chief. Shelby asked for a motion to approve the salaries as presented during the 2020 budget workshops. Jim Hill made the motion, Bill Majeske seconded. All ayes, motion carries

*Technology/Use of Email* – Shelby would like for all Council member to have a town email address to use for town emails. Jay Thompson had several questions regarding who does our hosting for emails. Have we ever looked into getting a .gov website? Are the emails backed up? If so, how often? Shari informed everyone that we use two (2) companies to handle our website (TRG Designs) and emails, server and our computers (Techno Advantage). Shari was told the emails would cost \$5 to maintain. Shelby would like for all town employees and council/boards to have a town email address. Andrew Newton spoke for the Park Board and said their budget is already tight and he doesn't feel they can pay for all emails for the parks. Shelby would like to schedule a meeting with the two (2) companies and get more information from them. Shari will set up the meeting and they will give a report at the January meeting. Shelby handed out information regarding retention of internal communications according to the State Board of Accounts (SBOA). He asked everyone to read the hand out and discuss at the January meeting.

*Brixton Trailhead* – Shelby Smith explained the attached Hendricks Co. Board of Commissioners meeting in which the Town is requesting a Tax Sale Certificate for a portion of the trail in Brixton Woods. It will be included in our second grant application. The trail would be accessible by Brixton Woods residents to the Scamahorn Park. Updates to follow.

*Jefferson Park Thoroughfare* – Shelby explained that section two (2) of Jefferson Park has a long street now and people are speeding. Is there anything the Town can do to put up stop signs or speed limits. Jason Love said it will be a problem at all intersections, should make them a 3-way or 4-way stops. Jim Buddenbaum will work on an ordinance to take care of this. Table till January.

**PUBLIC COMMENT:**

Jay Thompson reported on the Hendricks County Communication Advisory Board. IU West has formed their own Police Department and are asking the HCC to dispatch for them.

**COUNCIL COMMENT:**

Shelby Smith explained the Rural Development Hubs handout (see attached) which is a strategically and proactive way to plan for the next five (5) years down the road for growth. Shelby asked the other Council members to read over and be prepared to discuss at the January meeting.

**ATTORNEY:**

**ACKNOWLEDGEMENT OF CORRESPONDENCE:** None

**REVIEW & APPROVE NOVEMBER DRAFTS AND CLAIMS:**

Shari Ping presented the drafts and claims for December 17, 2019. Bill Majeske made a motion to approve the presented drafts and claims, Jim Hill seconded. All ayes, motion carries.

**ADJOURNMENT:**

Shelby Smith reminded everyone that the January 7th meeting is cancelled  
He reminded everyone that the next meeting will be on January 21<sup>st</sup>. Shelby reminded everyone that the first order of business will be election of President and Vice President. There will be an update on the Comprehensive Plan and Dan Keers will be here to go over his plans for the parcel across from North Park. Shelby wanted it on public record that he was not in favor of his plans the last time. He asks the Council to listen to his plans and highly consider his plans. Jim Hill asked why they weren't approved before and Shelby said the Council objected to more apartments in Town.

Shelby Smith asked for a motion to adjourn. Jim Hill made the motion, Shelby Smith seconded. All ayes, motion carries.

Respectfully submitted,

Shari L. Ping  
Clerk Treasurer