

**PITTSBORO TOWN COUNCIL MEETING
TUESDAY, JUNE 16, 2020 @ 7:00 PM**

VIRTUAL QUORUM:

Jim Hill

Jarod Baker

Melodi Ingalls

William Majeske

Jay Thompson

Jim Buddenbaum, Attorney

Shari L. Ping, Clerk Treasurer

Police Chief Scott King

OTHERS: Jason Love, Town Manager; Steve Maple, Building Comm; Adam Peaper, Rundell Ernstberger; Bill Zeunik, Fire Chief; Rachel Miller, Parks & Rec Rep; Michael Andreoli, Attorney for Ark Park; Linda Thompson; Eric Wathen, RQAW

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

President Jim Hill brought the Council Meeting to order by establishing a quorum. Roll call – Jarod Baker-here, Bill Majeske-here, Melodi Ingalls-here, Jay Thompson-here. All five (5) members are present. Jim 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 Jim Hill asked if there were any additions or corrections to the minutes from the May 19, 2020 meeting. Bill Majeske made a motion to approve the minutes, Jim Hill seconded. Roll call vote: Jim-aye, Jarod-aye, Bill-aye, Mel-aye, Jay-aye. Motion carries 5-0.

TOWN STAFF REPORTS

TOWN MANAGER:

Jason Love reported on the meeting with IDEM at the new water plant. Everything looks good, they will go over their notes and respond in 6 – 8 weeks. The plant will support 1 million gallons a day.

Update on the bucket trucks sold at auction. Need to look to purchase a dump truck and a bulldozer.

Jason would like to purchase a new/used bulldozer for \$39,000. This will come out of all utilities. Jim Hill will table the motion to vote on the purchase until next month.

POLICE CHIEF:

Scott King had nothing else to add to the report. He gave an update on the SUV they have ordered through Bill Estes Ford. The plant is operating at 20% so the vehicle is being delayed.

CLERK TREASURER:

Shari Ping will report later on the delinquent accounts.

BUILDING MANAGER:

Jim Hill asked Steve Maple how many homes will Arbor Homes be projecting for the balance of this year. Steve said they have 2 homes in JP2, 18 permits in JP3, 20-30 permits in Oct-Nov in JP4 and should have more details for JP5 on July 27th.

TOWN COMMITTEE REPORTS:

BOARD OF ZONING APPEALS

No Report

FIRE BOARD

Bill Zeunik, Chief, went over the attached report. The ambulance will be out of service while repairs are being done. They do have a back up ambulance to use.

PARKS & RECREATION

Jim Hill asked about the speed limit signs for Scamahorn Park. Eric Wathen reported that 15 mph is the lowest speed available to a town road. Jason asked Rachel Miller how many signs they would need and she said three (3) speed signs and one (1) yield sign.

Scott King reported on the installation of the cameras in Scamahorn Park.

PLANNING COMMISSION

No meeting

POLICE COMMISSION

No meeting

REDEVELOPMENT & ECONOMIC DEVELOPMENT

No meeting

CONTRACTED BUSINESS:

Eric Wathen, RQAW, reported on the Pay Application #11 from Sub-Surface of Indiana. His company has looked it over and it looks good to pay as presented in the amount of \$328,284.00. Expect a report on the wastewater study at next month's meeting. Moving along with permits with the water plant. Jason Love reported that they are going to speak with SDI about putting a small sewer plant on their property to run their run off through and take a large amount from our current sewage plant. Jim Hill asked about putting a sewer plant on the north side of the interstate, Jason said not if we can put a small plant on SDI's property.

OLD BUSINESS

Board appointments – Jim Hill reported that there are positions open on the Utility Board and the Economic Development Commission. He asked Jay Thompson if he spoke with his contact in North Park-Jay said no but he thought he was going to talk with Jason. Jason said he has not spoken to them either. Shari Ping receive a resume from someone wanting to get involved but no response to her email.

Stop Signs at Intersections Ordinance – Jim Hill asked Eric Wathen if he did his study on the stop signs. Eric said that the neighborhood does not warrant stop signs at every cross street. Jarod Baker said that the intersection at Wayles needs a sign. Eric doesn't feel an ordinance is necessary. This can be done as the situation arises. Jason and Eric will take a look at this intersection.

Next Level Grant – Jim Hill asked Steve Maple for an update. Steve said probably off indefinitely and never come back. Eric Wathen said they will probably bring it back at some point. He is keeping a close watch on it.

Melodi Ingalls interrupted Jim at this point to say Rachel had a question regarding a 5K on August 15th. The Park Board is concerned about the liability. Jim Buddenbaum said Shari should reach out to our insurance. Shari said every participant would need to sign a waiver.

Jason Love gave an update on the Railroad Crossing. He has been in contact with the county and CSX. Repairs will be done.

Police Radio Encryption – Jim Hill said that it was decided to update the radios instead of purchasing new ones. This would take an additional appropriation to pay for the updates. Scott reported on a pursuit Zach Buchanan was involved in and was not able to communicate with other departments. Shari told Scott to go ahead and get them updated and the paperwork will be at the July meeting.

Eric Wathen asked Jim Hill if there was a vote to pay the Pay Application from Sub-Surface of Indiana. Jim Hill asked for a motion to pay \$328,284 to Sub-Surface of Indiana. Jay Thompson made the motion, Melodi Ingalls seconded. Roll call vote – Jim-yes, Jarod-yes, Bill-yes, Melodi-yes, Jay-yes. Motion carries 5-0

Police Department Comp Time Increase – Jim Hill explained that Scott King has requested to increase the Comp Time from 120 hours to 216 hours for this year only due to budget short fall his department has incurred. Jim Hill has no problem with the increase, Jarod Baker has no issues with the request, Bill Majeske has no problem with the request either, Melodi Ingalls had no problem with the increase due to special circumstances, Jay Thompson was good with it as well. Jim Hill asked for a roll call vote – Jim-yes, Jarod-yes, Bill-yes, Melodi-yes, Jay-yes. Motion carries 5-0.

Meter Deposits and Storm Water Fees – Jim Hill asked that we table until the Utility Board is established. Jim Hill asked Shari if we knew what the other towns charge. Shari said she has heard from a few towns but they only have one (1) utility where we have all three (3). Jim Hill asked if the deposit covers the replacement cost of a meter. Shari Ping said that the deposit does not cover the cost to replace the actual meter. Contact Baker Tilley and ask for their help in determining what the deposit should be.

NEW BUSINESS

Purchase 35' x 40' piece of property next to Cork N Cap - Jason Love brought a request from a homeowner to purchase a piece of property behind his house and next to the Cork N Cap liquor store. Jim Hill feels it would drastically reduce the value of our piece of property, Jarod Baker feels it will devalue the remainder of the lot, Bill Majeske said no to selling, keep the piece as a whole, Melodi Ingalls agrees, Jay Thompson said the Redevelopment Commission at one time was looking to purchase more property in the downtown area. Jim Hill informed Jason that it is a unanimous vote of no. Jim asked Jason to go back to the homeowner and tell him.

Hendricks County Economic Development – Jim Hill reported that there is a company looking to come to Pittsboro. The company name is Vinyl and they are an international food packaging company. Requesting information on Pittsboro. Jim asked Jason and Steve if they have received any information and Steve said they sent out information to them but no response yet. Jarod Baker asked how many acres are they looking at? That information is not available at this time.

Rezone of Approximately 7.5 acres owned by Ark Park from R-3 to R-5 – Jim Hill turned the meeting over to Michael Andreoli, Attorney for Ark Park/Dan Keers. This request comes before you as a Plan Commission unanimous recommendation. Seeking a rezoning to allow an apartment complex be built on the 7.5 acres. Not suitable for single family homes due to the size of the individual lots. Multi-family designation would provide transitional housing between the houses to the east and eventually industrial/commercial park to the west. There are 16 three (3) bedroom units. Majority will be one (1) and two (2) bedroom units. The units will be high end units and at a market rate rent. Would like to get this started to kick start the industrial park across from Love's. Mr. Keers is very interested in developing the industrial park but needs the roof tops to support it. Mr. Keers will donate \$50,000 to the town for sidewalks or road construction/repair. No restrictions on it. Not asking for special reduction of the Park Impact Fee. There is no tax abatement.

Adam Peaper, Rundell Ernstberger & Associates, explained that he is here to answer questions. He explained the process that would need to be followed including a technical advisory committee, traffic study would need to be done as well. Previous traffic study was done based on 72 units so that would need to be updated.

Jim Hill asked Jarod Baker if he had any questions for Mr. Andreoli or Adam Peaper. Jarod appreciates the information from both of them. Concerned with what Mr. Keers is willing to contribute as far as infrastructure. He spoke with the superintendent and he feels it will have a very low impact. Bill Majeske thanked them for all their work on this project. Melodi Ingalls thanked Mr. Andreoli and appreciate his explanation and his time. Jay Thompson spoke with the superintendent and he doesn't see an impact on the schools. He has spoken with several people who work with the schools and they are very concerned. Melodi responded by saying she works for the school and feels the number of kids coming from Jefferson Park and the apartments impacting our school system in a very big way. Mr. Andreoli corrected by say they changed the number to 25 children coming from the apartment.

Jim Hill read the attached introductory remarks and commitments.

PUBLIC COMMENT:

Jim Hill asked the public that before speaking they give complete name and address. This is not a Public Hearing but felt we had to allow for public comment. There will be no discussion, rude or interruptions will be stopped. All remarks should be made to the Town Council and not to an individual.

- 1) Mike Hacker, 797 Penny Court, a few issues with the apartments – timing after the outpouring of people the first time this was brought up. The timing is very disappointing since the people have not been able to come before the council non-digitally and take this up. Should have been put off until this virus is over. The other times it was standing room only. Money seems to be the primary concern-\$50,000 for the Town to do whatever they want sure sounds like a bribe to me. Issues with the wastewater treatment plant and putting one on SDI's property so they can take care of their own wastewater discharge won't be done prior to the apartments. In my previous jobs I installed satellite dishes and have been in a lot of apartment complexes and most of them stay nice for about 6 months.
- 2) Jamie Blanton, 801 Penny Court. He read a letter sent to the Council. Petition with 400 signatures of those opposed to the apartment complex. Imagine if those 400 people showed up to the council meeting and are all standing outside the Town Hall. Politicians on the state and federal levels do as they please since they are disconnected from their constituents. You are not, you live here. You have to live with your decisions, keep that in mind as you vote tonight.
- 3) Derek Scott, 7541 Waters Way. I live directly across from the parcel where the apartments are to be built. Would you want your 3 year old living across from a 100 unit apartment complex? I think if you answer it honestly you would say no. We play ball in our yard all the time. Is \$50,000 worth the life of a child. I really need to rethink where I'm living. Small children living in the neighborhood...Safety is of no concern to you then I will have to rethink living in this community. I would take a loss on my home if I was to sell. It's all about the dollar.
- 4) Kasey Hacker, 797 Penny Court. I just wanted to bring up a couple things. Repeat what others have said as far as property value will decrease. All of those homes are going in Jefferson Park with all those families and add apartments, we are going to overload the schools, fire and police. Are we going to hire more police, fire and teachers? This is going to overload our tiny town. She will sign the petition Jamie Blanton mentioned. She feels we can't handle all of these residents and it will overload this town. Please consider all of this when you vote.
- 5) Jason Day, 141 Woodland Hills Dr. Just recently became adept to what's going on. Lived here since 1976 and went to school with Jason Love. Brought his family back here to grow up in small town like Pittsboro. He is concerned as much as North Park. That's a lot of people at once and we don't want to become the next Avon or Brownsburg. Would you enjoy it? Small community is worth a lot more than money. They are a dying breed. I'd like to see it stay small and raise our kids in a small community. Brownsburg has been developed and will go downhill soon and drive property values down.
- 6) Craig Lyons, not there
- 7) Galaxy S10E – no connection
- 8) Christopher Yakubesan, 735 Abbey Road. Thank everyone for your time, council members and staff. I left Brownsburg because of its growth. I told my wife to find us our forever home. This is supposed to be my forever home and I'm considering moving. I see an older gentleman walking every day, can you imagine another 100 cars coming down this road? I get nervous. Safety is a big concern with an additional 100 cars going up and down the road. My son (who will be 3) and I like to walk since it is nice and quiet. But there are no sidewalks to walk on like everywhere else in town. If the Council allows this without thinking about our culture and allow the apartment complex then we will lose faith in our community and everything that makes this Town special and unique. Pittsboro is not like Brownsburg, Avon, Zionsville or Lebanon. Full of people who care and want to be here and who have faith in our community. By bringing these apartments in then you will lose everything that makes this town special and unique.
- 9) Galaxy S10E, Brian Andre, 779 Penny Lane. Joined the meeting tonight to let the council know how opposed I am to the apartment complex. I'm a licensed Clinical Social worker and working in housing for the last 10 years going into these types of facilities and I don't want to come home and have to look at the same thing across the street from where I live. There's heavy police presence, drug activity and prostitution and with our small police force they won't be able to keep up. The traffic issue is another concern. With an extra 150 extra cars coming out of the apartment complex every day on Waters Way which is curved passageway which means that the concerns the other residents have regarding their children or even adults can be injured or worse. That is the only access road out of North Park and if we are competing with 100-150 young

professionals who are not vested in this town and don't really have any other cares than themselves, there is the potential risk of a homeowner being injured or worse because we are thinking short term and want to see what kind of money the Town can get from Mr. Keers. I have visited Mr. Keers properties off of 136 and I wasn't impressed. Unfortunately, I do not want to live across from one of his properties. I know he is promising the Town of Pittsboro the world right now and is giving cash to the town as a gift but in the long run we are going to be paying the bill because we are going to be stuck with a 100 unit eyesore because it attracts crime instead of the young professionals as he is promising.

- 10) Kurt Roadruck, 789 Penny Lane. I wanted to raise my kids in a small town like Pittsboro. I gravitate to a small town like this. The whole process seems unplanned. There was a master plan published a few years ago and I think it was thrown away because there is a development opportunity that doesn't seem to fit what maybe someone thought they wanted or needed. I haven't heard anything positive in the community, all I've heard is there is no desire for this type of complex. I heard today that the \$25-50,000 would be used to enhance the sidewalks. Like some level of commitment of the \$25-\$50,000 would be used to help out the people being affected and not just thrown at the Town. I don't really hear anyone wanting it.
- 11) Craig Lyon, 7543 Waters Way. I want to thank the council for making this available for an open forum as a way for people to express their concerns. I know I have been a loud voice in opposition. Concern for the road being so narrow, water line on one side and sidewalk on the other. I don't know if the Town is able to widen the road. The thought of young professionals coming out to Pittsboro isn't going to happen. They want to be close to a Starbucks, night life and Pittsboro doesn't offer these things. I would de-value our property. Properties that go up along main roads like Brownsburg, houses are torn down or go up for sale. There is the concern for the safety of our children and families. Sewer is an issue apparently. Nothing positive on building a complex on a dead end road in Pittsboro.
- 12) Nicole Lyon, 7543 Waters Way. I had never heard of Pittsboro before I met my husband and I moved here. I grew up in Carmel and graduated from Carmel High School. Honestly I would have been happy moving to Carmel and raise our family there. But after living here and getting to know the Town I'm quite happy we decided to stay in Pittsboro and not move. Pittsboro is a small town, a small community and I think the residents here have mentioned over and over again. I would like to ask you-when you wake up in the morning when you open your front door, what do you want to see across the road from you? Do you want to see apartments that are de-valuing your property? I didn't move here to have this kind of development come here. Frustrating that this is done during a Pandemic and you can't come in person. It's been 10 years that there has been an empty property and there has been no development. No one wants this here and I appreciate giving us this forum to speak. I hope you listen to the people you represent and vote accordingly.

Jim Hill thanked everyone for their comments. He then asked for a motion to amend Unified Development Ordinance 2015-02 Official Zoning Map of property known as 7540 Waters Way, Pittsboro, IN changing from an R3 to an R5 subject to the statement of commitments from the Advisory Plan Commission and the Town Council. Jarod Baker made the motion, Jim Hill seconded. Roll call vote – Jim-yes, Jarod-yes, Bill-no, Melodi-no, Jay-no. Motion was declined. 2-3 vote failed.

PUBLIC COMMENT: None

COUNCIL COMMENT:

Jay Thompson mentioned that Tom Caldwell is retiring on Friday. Jay thanked him for his years of service and asked Jason about filling his position. Jason said we are working on filling his spot and we will be having a luncheon for Tom on Friday at noon. Jay spoke with Chris York and she said we have summer employees. Jason said we have two (2) from Tri-West and one (1) from Carmel. They are cleaning storm drains and weed eating around downtown. Jay informed Scott King that a resident on Wall Street stopped him and said the construction traffic coming in and out of Jefferson Park are speeding. Can we put a radar sign on Wall Street to show their speeds? Scott said he would look into placing it along Wall Street.

Bill Majeske asked Jarod about the stop signs at Wayles and Albermarle since it is a bus stop as well. Jarod confirmed that it is a bus stop as well.

ATTORNEY:

Jim Hill asked Jim Buddenbaum about the ½ acre parcel in Brixton. If we acquire it now we will have to maintain it. Steve Maple explained that the parcel is necessary if we want to connect the trail in Brixton. Jim Hill asked Jim Buddenbaum if he would keep working on it.

ACKNOWLEDGEMENT OF CORRESPONDENCE:**REVIEW & APPROVE JUNE DRAFTS AND CLAIMS:**

Shari Ping presented the drafts and claims for June 16, 2020. Jim Hill asked for a motion to approve the drafts and claims, Bill Majeske made the motion, Jarod Baker seconded. Roll call vote-Jim-yes, Jarod-yes, Bill-yes, Melodi-yes, Jay-yes. Motion carries 5-0

Shari Ping let everyone know that the doors are open again. Please come in to sign all the paperwork from tonight's meeting as well as last meeting.

Adam Peaper asked about the motion for the rezoning. The motion was made and seconded but then failed. Does the opposite motion need to be made? Jim Buddenbaum said no.

ADJOURNMENT:

Jim asked for a motion to adjourn. Melodi Ingalls made the motion, Jim Hill seconded. Roll call vote – Jim-yes, Jarod-yes, Bill-yes, Melodi-yes, Jay-yes. Motion carries 5-0.

Respectfully submitted,

Shari L. Ping
Clerk Treasurer