



Town Council Meeting Minutes

March 10, 2020

Town Hall – 7:00 p.m.

Roll Call & Pledge of Allegiance

- Council Members: Barry Wood, Tom Strayer, Branden Williams, Greg Brewer, Larry Longman arrived at 7:45pm
- Employees: Paul Casey, Tonya Galbraith, Ron Crider, Mark Witsman, Ryan Crum
- Clerk-Treasurer Staci Starcher
- Town Attorney Gregg Morelock

Approval of Minutes

- Motion by Mr. Strayer to approve the minutes of February 11, 2020. Brewer. 4-0.
- Motion by Mr. Strayer to approve the minutes of February 18, 2020. Brewer. 4-0.
- Motion by Mr. Strayer to approve the minutes of February 22, 2020. Williams. 4-0.

Clerk-Treasurer's Report

- Posted on-line.

January Financial Report

- Posted on-line.

Police Report

- Activity Report posted on-line. Chief Casey reposted January because of a calculation error with average miles per gallon
- Chief Casey reported we have about 60+ applications for the current hiring process. Currently two open positions.
- Mr. Mark Walker said the Metropolitan Board held elections for officers. Mr. Walker remained President. Mr. William Benson is Vice President and Mr. Claude Robinson is Secretary. Mr. Walker asked the Council to appoint their recommendation Mrs. Donna Price to fill the vacancy on the Board. Mrs. Price was chosen because of her longevity in the community and her work on different committees for the Town.
 - Motion by Mr. Brewer to approve Mrs. Price to the Metropolitan Police Board. Williams. 4-0

Public Comment- Non-Agenda Item Only

- None

WWTP Expansion Bond and Updates

- **Bond Ordinance**
 - Lisa Lee, Bond Counsel from Ice Miller, nothing had changed on the Ordinance since introduction last month. Ms. Lee asked if there were any questions.



- Motion by Mr. Strayer to read Ordinance 021120 by title only. Brewer. 4-0
- Ordinance 021120 was read by title by Mr. Morelock.
- Motion by Mr. Strayer to approve Ordinance 021120. Brewer. 4-0
- **Sewer Rate Ordinance**
 - Deen Rogers from Baker Tilly stated Aqua Indiana was added to the rate comparison graph on page 4. The Council may adopt a rate lower than advertised but not higher. Mr. Rogers discussed page 16 pointing out three different proposed rates. Mr. Rogers recommended Alternative #2 at \$52.99 for monthly sewer rate. The proposed rate is in the Rate Ordinance to be introduced.
 - Motion by Mr. Strayer to read Ordinance 031020 by title only. Williams. 4-0
 - Ordinance 031020 was read by title by Mr. Morelock.
 - Motion by Mr. Strayer to approve Ordinance 031020 on first reading. Brewer. 4-0
 - Public Hearing will be set for April 14, 2020

Noise Ordinance Amendment Draft

- Ms. Galbraith stated this would be a permit for an exceedance for the 64/66 decibels. This would be 90 decibels at the source.
- Mark Helle, resident, stated we do not have enough data to know if this is going to work. Why change the numbers if we don't know if they are right? Why are we changing it to the source? What happens if it is 90 at the source and over 66 at the line. It is too late to go to midnight.
- Bob Holzbach, resident, has a few questions. How does this improve the health, safety welfare of the residents? How was 90 reached? What is the definition of source, open to interpretation? How were the hours decided to be appropriate? It states 30 days to review the application, what are the criteria to approve or deny the permit? It says person applying will notify the residents by available means, which residents will be notified, what is available means, and how much notice will be given? Police may enter private party, when will this happen, randomly, when they apply for permit or by customer complaints? What are the penalties if they exceed the 90 decibels? Will you allow for community comment on the permit application? It talks about fees, what fees are we talking about? Police may shut down event, may is an ambiguous term. Should they automatically shut it down if they don't comply? Who has the authority? The officer at the scene? What are the criteria to shut down the event? I personally disagree with the amendment as written.
- Leah Borrmann, resident, my opinion this special permit is solely for the winery although some businesses in Town may take advantage of it. I don't think any business is going to have 10 events. In October there was a sound test request by the homeowners east of the winery and through the grapevine the homeowners did not want to sign off on the 74 decibels at the source. I can't find it the minutes. Who decided it was needed? Why was it decided it was needed? Who decided the sound should be 90 at the source? Why was the noise committee involved with these changes? It states the Town will allow 10 events per address, is the per week, per month, or per year? Normal residents will not have 10 parties a year. I want to know if every permit will be approved if the \$50 fee is paid. I would like to know if the winery does apply for this permit and exceeds the limits, will they have to pay the fines this time or will they be waived again? I thought this was put to bed but 90 decibels is too loud, 74 decibels is too



loud, midnight is too late but who am I? I'm just a resident who is very resentful my time has been wasted and the Council has already made a decision. If and when we sell our home, it is going to be a problem when we hear things about the winery and their special events. I'm disappointed even mentioning about selling our home, but if this permit stands with its ambiguity, we will have no choice but to move.

- John Price, resident, stated he has similar comments as Mrs. Borrmann, Is the per address a year, a day? 10 events need to be lowered. The hours need to be earlier than midnight.
- Mr. Wood stated let's table the amendment for now and revise

Capital Projects Plan

- Mr. Witsman and Mr. Crum went over the projects listed on the plan.
- Council advises staff to move forward on Design and Right of Way on 500 N.
- Motion by Mr. Strayer to approve the 2020 Capital Project Plan as proposed. Williams. 5-0.

Pine Vail Estates PUD Rezone

- Ron Pritzke, Lawyer representing Premier Land stated Todd Roberts owner of Premier Land, Richard Henderson an Engineer and Jonathan Issacs from M/I Homes are present with me tonight. We had informal presentation in January for the Town Council. The presentation went to Plan Commission in February and had a unanimous vote for recommendation to the Town Council. There will be 78 lots. Entrance will be off 700 W and connecting to Village at Brookside. The subdivision will have a tree conservation area.
- Motion by Mr. Longman to read Ordinance 031020A by title only. Strayer. 5-0
- Ordinance 031020A was read by title by Mr. Morelock.
- Motion by Mr. Longman to approve Ordinance 031020A on first reading. Strayer. 5-0.
- Motion by Mr. Longman to suspend the rules. Williams. 5-0
- Motion by Mr. Longman to approve Ordinance 031020A. Strayer. 5-0

McCord Pointe Sections 2 & 3 Plats

- Motion by Mr. Strayer to approve McCord Pointe Sections 2 & 3 Plats. Longman. 5-0

Animal Control Funding

- Discussion on letter sent from Mr. Morelock for the City of Greenfield. Table it until next March's meeting. Mr. Morelock will get 1 year of calls from Animal Management's paper files.

Old Business

- None

New Business

- A & F Engineering Scope
- Motion by Mr. Brewer to approve A & F Engineering quote for \$8850. Strayer. 5-0



Other Committee Reports

- **Redevelopment Commission:** Did not have quorum but Boy Scouts were there. Received an update from Veridus on next steps for Town Center and Mr. Crum gave an update of the Connectivity Study.
- **Plan Commission:** Pine Vail Estates PUD Ordinance
- **Architectural Committee:** Revised elevation for Woodhaven and Fischer Homes to amend PUD
- **Parks Board:** Did not meet.
- **Public Works Committee:** Introduced Capital Projects Plan.
Stormwater project in Bay Creek. Hendricks Pool was the lowest bid.
 - Motion by Mr. Strayer to approve bid for Hendricks Pool for \$9550 to repair Bay Creek stormwater. Williams. 5-0McCord Road Contract to find scope for the McCord Road from McCord Pointe to 900 N. A joint project with County.
 - Motion by Mr. Strayer to approve Crossroad Engineers quote for McCord Road \$8500 and authorize Mr. Wood to sign contract. Williams. 5-0
- **Vernon Township Fire Committee:** Did not meet. Did have correspondence with District 39 Senator pulled funding but trying to add it to HB 1065.

Town Manager's Report

- 2019 Annual Report thanks to Scott Swain.
- Coronavirus slides from Hancock Health.

Public Works Commissioner's Report

- Wilby Dotson has been cleaning handles
- Hired new employee from Pendleton
- Working with Township on hooking up Tornado sirens with Hancock County

Planning and Building Director's Report

- Vacancy on the Plan Commission and are recommending Scott Shipley to fill vacancy. Mr. Wood appointed Scott Shipley to the vacancy.
- Mike Cousins and Jack will have a contractor class on new residential code and the top 50 common issues.
- Welcome packet should be done by April 1st.

Public Comments

- None

Voucher Approval

- Motion by Mr. Brewer to approve the vouchers. Longman. 5-0.



Adjournment

- Motion by Mr. Brewer to adjourn. Longman. 9:47 pm

Minutes Approval

These minutes approved this _____ day of _____, 2020.

Barry A. Wood, Council President

Attest: _____
Staci A. Starcher, Clerk-Treasurer