



## Town Council Meeting Minutes

May 11, 2021

Town Hall and Zoom– 7:00 p.m.

### **Roll Call**

- Council Members: Barry Wood, Tom Strayer, Branden Williams, and Greg Brewer
- Employees: Paul Casey, Tonya Galbraith, Mark Witsman, Ryan Crum
- Clerk-Treasurer Staci Starcher
- Town Attorney Ariel Schoen

### **Approval of Minutes**

- Motion by Mr. Williams to approve the minutes of April 13, 2021. Strayer. 4-0
- Motion by Mr. Strayer to approve the Retreat minutes of April 17, 2021. Brewer. 4-0

### **Clerk-Treasurer's Report**

- Posted online.

### **March Financial Report**

- Posted online.

### **CCMG Invoice**

- Motion by Mr. Williams to approve the Indiana Department of Transportation invoice for overpayment of Community Crossings Grant funds return for \$53961.17. Brewer. 4-0

### **Police Report**

- Police Activity Report posted online.
- Chief Casey would like to thank the RDC, Ms. Galbraith, and Mr. Longman for approving the Flock Cameras.
- Chief Casey stated Officer Case graduated from the Academy and working the road.
- The parking committee met by email after finding another jurisdiction educational tool. Chief Casey working on rewriting it.
- Officer Barnes returned on May 10, 2021 after being off for 11 months.

### **Resolution on selling Police Cars to Vernon Township**

- Motion by Mr. Brewer to read Resolution 051121 by title only. Strayer. 4-0
- Resolution 051121 was read by Ms. Schoen.
- Motion by Mr. Brewer to approve Resolution 051121. Strayer. 4-0

### **Ordinance Creating ARP Non-reverting Fund**

- Motion by Mr. Strayer to read Ordinance 051121 by title only. Williams. 4-0
- Ordinance 051121 was read by title by Ms. Schoen.



- Motion by Mr. Strayer approve Ordinance 051121 on first reading. Williams. 4-0
- Motion by Mr. Strayer to suspend the rules. Williams. 4-0
- Ordinance 051121 was read by Ms. Schoen.
- Motion by Mr. Strayer to approve Ordinance 051121. Williams. 4-0.

#### **Public Comment- Non-Agenda Item Only**

- None

#### **Liberty Ponds Annexation- 2<sup>nd</sup> Reading**

- Caitlin Dopher Entitlement Manager from Silverthorne Homes, sworn in by Ms. Schoen, made a brief presentation as a refresher. Changes from the last presentation included road improvements at intersections Georgia/96<sup>th</sup> Street and 500 W/96<sup>th</sup> Street by the City of Fishers in roughly 6 years. The lot count reduced to 251.
- Motion by Mr. Brewer to read Ordinance 041321 by title only. Williams. 4-0
- Ordinance 041321 was read by Ms. Schoen.
- Motion by Mr. Brewer to approve Ordinance 041321. Strayer. 4-0.

#### **Liberty Ponds PUD Ordinance**

- Mr. Crum went over the Staff report. Discussions with the Developer to open up the linear park to the public not just the HOA would continue.
- The developer had agreed to dedicate the 60' right of way on 96<sup>th</sup> street already. The developer agreed verbally tonight to dedicate additional footage for the right of way shown on the round-about drawing supplied by the City of Fishers.
- One Letter of Remonstrance was read at Plan Commission-attached.
- Motion by Mr. Strayer to read Ordinance 051121A by title only. Williams. 4-0
- Ordinance 051121A was read by title by Ms. Schoen.
- Motion by Mr. Strayer approve Ordinance 051121A on first reading. Williams. 4-0
- Motion by Mr. Strayer to suspend the rules. Williams. 4-0
- Ordinance 051121A was read by Ms. Schoen.
- Motion by Mr. Strayer to approve Ordinance 051121A. Brewer. 4-0.

#### **Formation Properties Informal Development Presentation**

- Briane House, an attorney with Pritzke and Davis, represented Formation Properties and made the presentation. Formation properties also had Wes Podell and Adam Basch available for questions. Formation would be a good partner with the Town and work to be safe and practical.
- 386000 square feet building for e-commerce logistical space, North of Southwark off 600 N.
- Formation would request tax abatement and keep trucks off 600 N.
- Council had concerns without knowing who the tenant would be.
- Projected estimate for the project would be \$30 million.



- Tim Kertis, resident, asked when the area to the south was zoned light industrial and if Council would change the zoning. Mr. Kertis asked what the residents in Woodhaven should do to fight this zoning. He thought a class action suit could be filed against the Council and the developer.

#### **Public Hearing for Al Neyer Annexation**

- Briane House, with Pritzke and Davis, represented Al Neyer Co.'s petition for annexation.
- Alexis Sowder from KSM Location Advisors made the presentation.
- The speculative building would over 1 million square feet. \$60.2 million investment.
- Developer asked for an alternative tax abatement schedule and set back variance reductions.
- John Bumgarner with Al Neyer stated they would be a good partner and help pay for Aurora Way to keep trucks off 600.
- Motion by Mr. Brewer to recess Town Council meeting and open the Public Hearing for Al Neyer Annexation . Williams. 4-0
- Public Comments- Sworn in by Ms. Schoen
  - Toni Castulik built second home in Town. Trees would not stop the sound. Everyone should get a 10-year tax abatement. Looks forward to Town center and the community here. Yes, to the annexation, no to the building.
  - Kelly Sterk, 9-year resident, loved the rural living and the night time sky. Does not want a monstrosity. Turning left onto 600 would be even more difficult.
  - Mika Clark moved 3 years ago, 4 kids and love the Town. The Town at the crossroads of identity, would like more business but not see the lights or hear the trucks.
  - Marie Ledford, 14-year resident, directly across street, there would be 3 shifts with lots of noise and trucks. Liked to see the old barn when she moved in. Would like to see a 6' berm and keep the 50' easements to help conceal the business.
  - Nick Olson would be open to compromise. Trucks would exceed noise ordinance. 600 N and 600 W would be a dangerous intersection. Fear should not be a motivator; we need to find common ground to protect Woodhaven.
  - Cory Shields moved in 2017. The County was not nice to the Town. The buildings keep coming. He was in an accident on 600, the roads are dangerous. Difficult to see this.
  - Laura Sommerville lived in Lawrence, saved 8 years to build home to live long term. Concerned about son starting to drive. If 60 homes would go up for sale, home values would drop, and it is heartbreaking. There are not many options for homeowners.
  - Mr. Brewer read email from Jim Maddox. Mr. Maddox stated he was concerned about all the projects going in. Council members have no regard for the residents, please listen to us. It is not just a community North of the tracks.
- Motion by Mr. Brewer to reconvene Town Council meeting and close the Public Hearing for Al Neyer Annexation. Strayer. 4-0
- Mr. Wood stated he would like more time to do research before voting on the project and would like all Council members to be present for the vote.
- Motion by Mr. Brewer to postpone vote on Annexation until the June Council meeting. Williams. 4-0



### **HSA Informal Development Presentation**

- Doug Jones with HAS Commercial made the presentation. Land under contract now.
- 500 N and East of Mt. Comfort Road, across from Walmart. 3 buildings possible.
- Develop first building about 350,000 square feet. Designed for multiple tenants.
- Walmart already scheduled to do road improvements on 500 N.
- Would ask for the standard abatement schedule.
- Developer would commit 35' for right of way for Aurora Way.

### **Old Business**

- Landscape screening request for 5505 N 600 W.
  - Mr. Crum stated Ms. Bollinger did receive bids but were not have competing bids.
  - Council felt asking for 45 plants was a little high and the distance was extensive.

### **New Business**

- Salary Ordinance Amendment
  - Motion by Mr. Williams to read Ordinance 051121B by title only. Strayer. 4-0
  - Ordinance 051121B was read by title by Ms. Schoen.
  - Motion by Mr. Williams approve Ordinance 051121B on first reading. Strayer. 4-0
  - Motion by Mr. Williams to suspend the rules. Strayer. 4-0
  - Ordinance 051121B was read by Ms. Schoen.
  - Motion by Mr. Williams to approve Ordinance 051121B. Williams. 4-0.

### **Other Committee Reports**

- Redevelopment Commission: We received an update on Town Center from Veridus. Appraisals for the Old Town property came back. Chief Casey had a presentation for the 2 cameras for 2 years the RDC approved. Set aside \$30000 from the Broadway TIF for the Building Improvement Fund and would work on the program over the next few months.
- Plan Commission: Discussed Villages of Brookside sections 14 & 15 changes and approved. Liberty Ponds and development plans for Leo's Market and Breedlove Dobbs.
- Architectural Review: Finished Meadows at Sagebrook. Plans for Leo's and Breedlove Dobbs.
- Parks Board: National Camp Out/Movie Night June 26, Town Clean Up July 10, 5k set for August 14, Yard Sale September 11. Liberty Ponds discussion for 26 acres dedicated to Park. Talked about bringing in Baker Tilly and discussing a tax rate to fund Park Department long term.
- Public Works Committee:
  - Motion by Mr. Brewer to accept bid from Calumet for 1200' of Aurora Way for \$1,072,000. Williams. 4-0
  - Motion by Mr. Brewer to sign the Notice of Award for Aurora Way. Williams. 4-0
  - Motion by Mr. Brewer to authorize Mr. Wood to sign agreement. Williams. 4-0
  - Motion by Mr. Strayer for Walsh Construction to upgrade water meter in WWTP for \$13445.56. Williams. 4-0



- Motion by Mr. Strayer for Crossroads agreement to conduct a drainage and scoping study on 800 N for \$15000 and authorize Mr. Wood to sign. Brewer. 4-0
- Mr. Brewer stated he had heard compliments on 650 N asphalt work.
- Mr. Strayer stated he had concerns about the lights at 900 N.
- Vernon Township Fire Committee: meeting moved to May 25, 2021.

#### **Town Manager's Report**

- Started working on 5K donations and raised \$5000 to date. Movie night will be June 26, 2021 and the movie would be Secret Life of Pets. Vendors signed up include Kona Ice, a face painter, and a few food trucks.
- Mr. Brewer led a discussion about questions he had on hiring Andrew Coates and the process involved.

#### **Public Works Commissioner's Report**

- Paving for the Community Crossing Grants in Austin Trace, Bay Creek, CR 650, and Highland Springs has been completed. Striping had not been completed on 650 N.

#### **Planning and Building Director's Report**

- Mr. Crum provided numbers to justify hiring a third inspector. New vehicle for new inspector to be bought and paid from Rainy Day to be paid back.
- Motion by Mr. Williams to direct Mr. Crum to hire a third inspector. Brewer. 4-0
- Comp plan update and 5-year Park & Recreation Plan update by January 15, 2022

#### **Public Comments**

- None

#### **Voucher Approval**

- Motion by Mr. Brewer to approve the vouchers. Strayer. 4-0.

#### **Adjournment**

- Motion by Mr. Williams to adjourn. Strayer. 4-0. 10:31 pm

#### **Minutes Approval**

These minutes approved this 8<sup>th</sup> day of June 2021.

\_\_\_\_\_  
Barry A. Wood, Council President

Attest: \_\_\_\_\_  
Staci A. Starcher, Clerk-Treasurer