

McCordsville

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INDIANA

Town Council Meeting Minutes

November 14, 2023

Town Hall– 7:00 p.m.

Roll Call

- Council Members Present: Greg Brewer, Larry Longman, Bryan Burney, Scott Jones, Branden Williams
- Employees: Paul Casey, Ron Crider, Ryan Crum, Tim Gropp, Eric Pullum, Mark Witsman
- Clerk-Treasurer: Stephanie Crider
- Town Attorney: Gregg Morelock

Approval of Minutes

- Motion by Mr. Jones to approve the October 10th meeting minutes as amended. Burney. 3-0
- Motion by Mr. Jones to take the executive session minutes off the table and enter into the record. Burney. 5-0

Clerk-Treasurer's Report

- Posted online.

Public Comments for non-agenda items

- None

Committee & Staff Reports

- **Finance Committee:** There were recommendations for bids on legal services and a favorable recommendation was made for Taft. There were discussions on the PTO policy as well as the Salary Ordinance.
- **Parks Board:** They passed several Resolutions regarding the Park District Bond and they set the dates for next year's meetings.
- **Redevelopment Commission:** Did not meet.
- **Vernon Township Fire Committee:** They discussed potential funding for new equipment down the road.
 - **Maintenance Bond Waiver Request:**
 - Mr. Witsman explained the request.
 - Motion by Mr. Burney to waive the maintenance bond. Jones. 5-0

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- **Public Works Committee:** They paid 4 invoices, and they reviewed an invoice that was 30% higher than expected. They discussed installing a stop sign in GWE and parking on collector roads. There was also discussion about the roundabout at 750 and 600.
- **Discussion on Parking Restrictions on Ancillary & Collector Roads:** Mr. Gropp stated that a particular situation brought this to light and that they are suggesting an Ordinance to be drafted. Mr. Jones referenced neighborhoods, and Mr. Burney stated that the specific roads should be listed in the Ordinance. Mr. Longman questioned the parking issue at the school and whether this was still an issue with traffic. Mr. Burney stated that this is no longer an issue. Mr. Brewer gave direction for the staff to proceed with having the Ordinance drafted.
- **Plan Commission:** It was a long agenda with an amendment to the Town Zoning Ordinance as well as a withdraw from Daniel's Vineyard for their rezone. They reviewed MI Homes request for approval with some changes coming to Town Council. They reviewed Culver's replat and worked out several issues as well as their development plan. There was a review of Qdoba's plan, as well as a public hearing with comments for MI Homes.
- **Architectural Review Committee:** They worked through Pyatt builders' anti-monotony review, Culver's architectural designs as well as Qdoba's designs. They also addressed a corner window lot review in Hampton Walk.
- **McCord Square Review Committee:** did not meet but will meet on the 29th of November.

Recess for McCordsville Municipal Utility Board Meeting

- Motion by Mr. Burney to recess the Council meeting and convene the Municipal Utility Board. Jones. 5-0
- Motion by Mr. Burney to recommend to the Town Council the vacation for the utility easement at Hampton Walk. Jones. 5-0
- Motion by Mr. Burney to recess the Municipal Utility Board and reopen the Town Council Meeting. Jones. 5-0

Consent Agenda

- Items G, H, and I were pulled from the consent agenda.
- The consent agenda included the Public Safety Report, Colonnade 3A & 3C sewer agreement, Enclave sewer agreement, Hampton Walk sewer agreement, Summerton sewer agreement, Vintner's sewer agreement, Villages at Brookside Common Area Access easement acceptance, 2024 Legal Services Contract, and Website Redesign recommendation.
- Motion by Mr. Jones to approve the consent agenda items A-F. Longman. 5-0



Old Business

Villages at Brookside Common Area Access Easement Acceptance

- Mr. Longman stated he saw no attachment, so he did not wish to approve it in the consent agenda.
- Mr. Witsman elaborated with an exhibit and stated there was some urgency to get this approved.
- Motion by Mr. Longman to approve the permanent easement access at Villages at Brookside subject to the correct legal description inserted. Burney. 5-0

Website Redesign Recommendation

- Mr. Longman questioned about the links to the municode and how user friendly it would be for a developer to find Ordinances and certain fees.
- Mr. Gropp stated that the new website will operate the way we want it to and that there will be only one website. He elaborated that it will be very user friendly.
- Mr. Burney stated he called one of their references and that there was a great review from the gentleman that he called.
- Mr. Burney questioned whether there were special modules for the Police Department and if they would like to integrate.
- Motion by Mr. Jones to approve the Revize Website Proposal. Burney. 5-0

2024 Legal Services Contact

- Mr. Longman had questions regarding the presence of legal counsel at RDC meetings as well as executive sessions.
- Beth Copeland, Taft Law, verified that she would be present at all meetings and possibly a colleague would be handling RDC meetings.
- Mr. Burney stated that from his standpoint, institutional memory is very important. He appreciated that they were here from inception, and he was only able to see the Morelock presentation.
- Mr. Morelock stated that he would be working with the new legal counsel to make sure they are up to speed.
- Mr. Brewer stated that they appreciate all that Brand & Morelock have done for the Town but that they are looking for lobbying efforts. He stated that this had nothing to do with performance of current legal counsel. All counsel thanked Gregg Morelock.

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- Motion by Mr. Jones to accept Taft's Legal Services contract. Longman. 4-1
 - Greg Brewer – Aye
 - Larry Longman – Aye
 - Branden Williams – Aye
 - Scott Jones – Aye
 - Bryan Burney – Nay

Ordinance 101023 Rockport PUD Rezone—Second Reading

- Jonathan Issacs, developer, explained that the rental language has been changed to appease the requests of the Council.
- Mr. Issacs elaborated on the explanation of BUG ratings and the language is now included in the PUD.
- Mr. Burney had questions regarding the rental language as well as some of the language regarding the roof and garages.
- Mr. Brewer stated that we already have several neighborhoods with the tacked-on 3rd car garages, so he is not opposed to this option.
- Mr. Jones agreed with Mr. Brewer.
- Mr. Williams questioned what Mr. Burney would like to see when it comes to the choice of a third car garage.
- Mr. Crum stated that there is no way that staff can regulate the options that a resident chooses.
- Discussion continued regarding the language.
- Mr. Longman stated some of his questions have already been answered.
- Ordinance 101023 was read by title only as amended by Mr. Morelock.
- Motion by Mr. Jones to approve Ordinance 101023 as amended on second reading. Burney. 5-0

Ordinance 101023A Helm's Mill PUD Rezone—Second Reading

- Mr. Burney brought up some of the remonstrance questions.
- Mr. Issacs explained the development and the rental language changes.
- Mr. Burney questioned leasing by HOAs.
- Mr. Longman questioned the sewer situation for this development and if it will be held in the same manner as Haven Pond.
- Mr. Witsman stated that eventually they will be constructing an additional lift station.
- Discussion continued regarding the language.
- Ordinance 101023A was read by title only as amended by Mr. Morelock.

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- Motion by Mr. Burney to approve Ordinance 101023A as amended on second reading. Jones. 5-0

Ordinance 101023B McCordsville 2023 Park Bond – Second Reading

- Dennis Otten, Bose McKinney & Evans, explained for the record the definition of defeasance. Defeasance means that you are setting aside monies to pay for that bond so that bond no longer has a claim on the revenues they they're secured by.
- Ordinance 101023B was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Ordinance 101023B on second reading. Williams. 5-0

Ordinance 101023D - Right-of-way Vacation of Ohio Street & Adjacent alleys – Second Reading

- Mr. Crum explains the purpose of this vacation.
- Mr. Brewer opened the Public Hearing for any comment.
- Mr. Longman asked if there were utilities running along the alleys and Mr. Witsman explained the location of the utilities.
- Joe Calderon explained there is no vacation of utilities when you vacate the alleys. He stated that they will work with the utility departments.
- Ordinance 101023D was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Ordinance 101023D on second reading. Burney. 5-0

Ordinance 101023E – Easement vacation in Hampton Walk - Second Reading

- Motion by Mr. Longman to approve Ordinance 101023E. Jones. 5-0

New Business

Ordinance 111423 – Amendment to the Villages at Brookside PUD – First Reading

- Brian Cross, BDC Realty Group, asked for the Ordinance to be amended and also stated that this was presented at the Plan Commission meeting.
- Mr. Longman asked about permitted uses and whether the health or day spa would include a massage parlor, which would not be to his liking. Mr. Longman also questioned the parking and the landscape barriers.
- Mr. Burney questioned the existing mounding.
- Mr. Longman asked about the curb cut locations and how this would affect the eventual 4 lane road.

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- Mr. Witsman explained that this was already in the access management plan.
- Mr. Crum followed up with the definition of the health or day spa and the fact that it does include a licensed massage therapist.
- Mr. Longman asked about signage.
- Further discussion ensued.
- Dave Cravens, developer, asked for support and approval of the Ordinance.
- Mr. Longman requested to see a larger space between the buildings.
- Motion by Mr. Burney to read Ordinance 111423 by title only. Jones. 5-0
- Ordinance 111423 was read by title only as amended by Mr. Morelock.
- Motion by Mr. Burney to approve Ordinance 111423 on first reading. Jones. 5-0
- Motion by Mr. Longman to suspend the rules. Williams. 5-0
- Ordinance 111423 was read by title only on second reading as amended by Mr. Morelock.
- Motion by Mr. Longman to approve Ordinance 111423 on second reading. Burney. 5-0

Ordinance 111423A – Employee Handbook Amendment

- Mr. Burney had some editorial changes to suggest.
- Motion by Mr. Jones to read Ordinance 111423A by title only. Longman. 5-0
- Ordinance 111423A was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Ordinance 111423A as amended by Dr. Burney on first reading. Longman. 5-0
- Motion by Mr. Jones to suspend the rules. Longman. 5-0
- Ordinance 111423A was read by title only by Mr. Morelock.
- Motion by Mr. Longman to approve Ordinance 111423A as amended on second reading. Williams. 5-0

Ordinance 111423B – Non-Reverting Grant Fund

- Motion by Mr. Jones to read Ordinance 111423B by title only. Williams. 5-0
- Ordinance 111423B was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Ordinance 111423B. Burney. 5-0
- Motion by Jones to suspend the rules. Longman. 5-0
- Ordinance 1114323B was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Ordinance 111423B. Longman. 5-0

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Ordinance 111423C – Right-of-way Vacation of Alley – First Reading

- Mr. Longman questioned the utilities in the right-of-way.
- Motion by Mr. Burney to read Ordinance 111423C by title only. Longman. 5-0
- Ordinance 111423C was read by title only by Mr. Morelock.
- Motion by Mr. Burney to approve Ordinance 111423C and to set the public hearing for December 12th. Williams. 5-0

Ordinance 111423D – 2023 Salary Ordinance Amendment

- Mr. Gropp explained that needs to be amended in order to conclude the program that was formally named a bonus. This will now be a one-time cost of living adjustment.
- Motion by Mr. Burney to read Ordinance 111423D by title only. Jones. 5-0
- Ordinance 111423D was read by title only by Mr. Morelock.
- Motion by Mr. Longman to approve. Williams. 5-0
- Motion by Mr. Longman to suspend the rules. Williams. 5-0
- Motion by Mr. Longman to approve Ordinance 111423D. Williams. 5-0

Ordinance 111423E – Amending the Zoning Ordinance – First Reading

- Mr. Crum explained several different language changes to the Ordinance and will only be a first reading. He elaborated on the section regarding solar panels.
- Mr. Burney discussed how the County has been working on solar panels for over a year now and he is supportive of this language in the zoning Ordinance.
- Mr. Crum further explained some of the language regarding permitted land use and exceptions.
- Mr. Pullum explained the fee structure changes and touched on some of the biggest changes.
- Mr. Crum suggested adding language regarding BUG rating systems in residential areas.
- Mr. Longman commented on some of the state standards in comparison to the new fee structure.
- Mr. Crum explained that there are site plan fees that are being charged that are not called ILPs.
- Mr. Longman also questioned if we are charging public utilities fees and also asked about the drainage review cost.
- Motion by Mr. Burney to read Ordinance 111423E with fee schedule attached by title only. Jones. 5-0
- Ordinance 111423E was read by title only by Mr. Morelock.

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- Motion by Mr. Burney to approve Ordinance 111423E and attached fee schedule on first reading. Jones. 5-0

Resolution 111423 – Biannual Audit

- Mr. Brewer stated that this is to make sure we are being audited in the years that we are not being audited by SBOA.
- Motion by Mr. Jones to read Resolution 111423 by title only. Longman. 5-0
- Resolution 111423 was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Resolution 111423. Longman. 5-0

Contract for Engineering – USI Agreement

- Mr. Witsman explained a lot of the cost on page 27 of the document and the not to exceed amounts.
- Mr. Jones asked what their initial anticipated cost was supposed to be.
- Mr. Witsman explained that they did not anticipate some of the bridge repairs.
- Mr. Burney questioned if the roundabout location could be moved in order to avoid the cemetery and the bridges.
- Mr. Brewer asked how many other engineering firms were contacted.
- Mr. Witsman stated that they did reach out to A&F as well as Crossroads Engineering, but they did not receive any quotes.
- Mr. Brewer explained that the money needs to be spent or sent back.
- Mr. Jones questioned right of way acquisition.
- Mr. Witsman elaborated on the process.
- Motion by Mr. Longman to approve the USI agreement. Burney. 5-0

Resolution 111423A – Donation Agreement Acceptance

- Mr. Gropp explained the donation agreement involving the Volunteer Fire Department being developed into a community center.
- Mr. Burney asked if there were any inspections of the property.
- Mr. Morelock stated that an inspection is listed in the agreement.
- Motion by Mr. Jones to read Resolution 111423A by title only. Longman. 5-0
- Resolution 111423A was read by title only by Mr. Morelock.
- Motion by Mr. Jones to approve Resolution 111423A. Burney. 5-0

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Support for Senior Tax Credits

- Motion by Mr. Burney to authorize President Brewer to sign a letter to Hancock County Council. Jones. 5-0

Assistant Town Manager's Report

- **Fee Waiver for Mia Lane:** Mr. Crum explained the request for a waiver of permit fees to rebuild the home that was damaged in a fire.
 - Motion by Mr. Jones to waive the permit fees. Burney. 5-0
- **Discussion on Acquisition of Haven Ponds Parkland:** Mr. Crum explained the reasoning behind the acquisition of this property. Mr. Jones asked whether there would be any parking for those residents who would like to travel to the trail to use it. Mr. Longman questioned whether we could get an MOU with Wabash Power. Mr. Brewer stated that they like the concept and staff should move forward.
- **Burn Request:** Motion by Mr. Burney to approve the burn request. Longman. 5-0

Town Manager's Report

- Mr. Gropp stated that there was a positive health insurance meeting with a 1.9% decrease.
- The Christmas tree lighting will be held at Town Hall on December 1st.
- Mr. Gropp explained that the 2024 Meeting Dates and times would need to be adjusted.

Town Councilor's Comments

- Mr. Burney stated he has reviewed the zoning ordinance and all the amendments. He explained that he has done work to try to make the document more user friendly. He stated that it took over 40 hours to work on and that it will need to be added to the retreat agenda in 2024.

Voucher Approval

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

Adjournment

- Motion by Mr. Longman to adjourn. Jones. 10:45 p.m.

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Minutes Approval

These minutes approved this 12th day of December 2023.

Greg Brewer, Council President

Attest: _____
Stephanie Crider, Clerk-Treasurer