THE TOWN OF McCORDSVILLE

Town Council Meeting Minutes

Next Stop McCordsville

February 13, 2018

Town Hall 7:00 p.m.

Roll Call & Pledge of Allegiance

- Council Members: Larry Longman, Barry Wood, Bryan Burney, Tom Strayer, Branden Williams
- Employees: Tonya Galbraith, Harold Rodgers, Mark Witsman, Ryan Crum
- Clerk-Treasurer Cathy Gardner
- Town Attorney Gregg Morelock

Approval of Minutes

- **Motion by Dr. Burney to approve the minutes. 2nd by Mr. Williams. Passes 5-0.**

Clerk Treasurer's Report

- Posted on-line.

Public Safety

- Activity report posted on-line.
- Officer Watts finished the digital voice analysis training and will be going to investigative school next.
- A new officer has been hired.

Noise Ordinance – Revision

- Amendments proposed
  - 20' distance for noise limit to travel onto another property
  - Hours established
- Questions
  - Mr. Longman: How do we gauge the distance? Chief Rodgers: Pace it off.
  - Mr. Wood: This just adds to the current ordinance? Mr. Morelock: It just amends it.
  - There are no proposed changes in penalties.
- Public Comments:
  - Jessica Pontius, Daniel's Vineyard representative: Ms. Pontius read a statement from the vineyard. They are requesting a decibel limit and suggested the City of Fishers' rule of 115 decibels 10 feet from a property line.
  - Mr. Longman: Questioned what the "normal course of business" is for a winery.
  - Mr. Morelock: Looked at various ordinances. Some have decibel levels and some do not. Levels varied from ordinance to ordinance (80 to 115 range). There is an additional capital cost for meters to record the decibel level.
  - Scott Hamilton, Daniel's Vineyard representative: Mr. Hamilton said the winery wants a specific directive to go by.
  - Blair Borrmann, resident: Regardless of decibels, he does not want to hear it on his property. Likes the steps the vineyard is taking. He said that if you hear the noise, that makes it factual. He is concerned about the frequency and location of the noise.

- Doug Dinsmore, resident: When he is in his house with windows shut and the TV on he can still hear the music. He can hear it all the time in his backyard. He likes the vineyard but they should not have the right to impinge on others.
- Mark Helle, resident: Even after the vineyard was told about the noise, the noise did not lessen; it seemed louder. He said the ordinance is crucial. He said he does not know why times are listed in the ordinance because if he can here it on his property he should not be able to hear it. He will support the vineyard but does not want to hear it. (Mr. Morelock said he tried to balance the business's interest with the residents' interest.)
- Barbara Ellis, resident: She does not want to hear the music all the time but can hear the Lake House music a lot too. She does not want music outside all the time. She thinks the 20 foot measure is unrealistic and there needs to be a compromise.
- Leah Borrmann, resident: She was at the October meeting and had suggested a maximum decibel limit. She said the Council shot the idea down at that time and wants to know why the same idea is feasible now. She does not have a problem with the winery but they did not reach out to residents until the ordinance was brought up. She said the winery is not a good neighbor due to the music. She suggested building a barrier, moving the music inside and measuring and enforcing decibels. She added that she feels like a prisoner in her own home. (Mr. Strayer said that the Town still thinks the decibel level will be difficult to enforce.)
- Jack Horton, resident: Mr. Horton asked why the problem was such a challenge last year? Why did it continue so long? Has the amendment dealt with the problem? (Town response was that it has been addressed with by the addition of times and distance onto property.)
- John Price, resident: Need to take care in using the levels from other ordinances. Decibels are not a perfect measure.
- Councilman Woods: Council has to do something. Daniel's had their chance and they failed.
- Councilman Longman: The Council is here to take action.

- **Ordinance 021318**
  - **Motion by Mr. Wood to read Ordinance 021318 b title only. 2nd by Dr. Burney. Passes 5-0.**
  - **Ordinance 021318 read by title by Mr. Morelock.**
  - **Motion by Mr. Wood to pass Ordinance 021318 on first reading. 2nd by Dr. Burney. Passes 5-0.**
  - **Motion by Dr. Burney to suspend the rules. 2nd by Mr. Wood. Passes 5-0.**
  - **Motion by Mr. Wood to pass Ordinance 021318. 2nd by Dr. Burney. Passes 5-0.**

<u>Establishment of the Metropolitan Board of Police Commissioners</u>

- Establishing the board is the first step that needs to be taken to participate in the Police and Fire PERF.
- Per Dr. Burney, the civilian side of the building has a board/committee for a lot of things. The police currently have a committee that includes people from other agencies so departmental ideas cannot be vetted well. This board would enable the police department to operate like the civilian side. He also likes the idea of officers being vetted by an agency that does it professionally. He added that the retirement is a tremendous plan as is the disability. All the other agencies seem to be going with this plan.
- Mr. Strayer thinks the program has a lot of positives but is concerned about the loss of direct control.
- Mr. Longman asked if there was a council person on the board. The response was that there is but it is a non-voting position. The board will start with three members but can be increased.
- **Ordinance 021318A**
  - **Motion by Mr. Wood to read Ordinance 021318A by title only. 2nd by Mr. Williams. Passes 5-0.**
  - **Ordinance 021318A was read by title by Mr. Morelock.**
  - **Motion by Mr. Wood to pass Ordinance 021318A on first reading. 2nd by Dr. Burney. Passes 5-0.**
  - **Motion by Dr. Burney to suspend the rules. 2nd by Mr. Wood. Passes 5-0.**
  - **Motion by Dr. Burney to approve Ordinance 021318A. 2nd by Mr. Williams. Passes 5-0.**

Police Department – L3 Camera Purchase

- **Motion by Dr. Burney to give Chief Rodgers said cameras that were budgeted for this year. 2nd by Mr. Strayer. Passes 5-0.**

Capital Projects Plan – Mr. Witsman

- **Motion by Mr. Strayer to approve the 2018 Capital Projects Plan. 2nd by Mr. Williams. Passes 5-0.**
- **Motion by Mr. Strayer to approve the Seven Year Capital Projects Plan. 2nd by Mr. Williams. Passes 5-0.**

Cyber Risk Assessment – Mr. Witsman

- Handout provided to Council.
- To be addressed at a later meeting.

Thoroughfare Options – Mr. Longman

- Mr. Longman met with Commissioner Armstrong on January 31st to discuss the bridge at the original plan.
- Mr. Armstrong said he did not see a problem with the F1 alternative plan.
- Hancock County Engineer Gary Pool was given two alternative plans by Mr. Crum and Mr. Witsman. Mr. Pool said he would have United Consulting go through and update the cost numbers for the F1 alternative. Mr. Pool prefers the original location for the roundabout.

Old Business

- Cell Tower on Town Hall Property: The cell tower company has resisted putting in language for the public safety equipment. They also had strong comments about not letting E-911 people access the compound to fix the E-911 equipment; they are not letting anyone but their own people into the compound to fix equipment.

New Business

- Chief Rodgers submitted his annual report.

Other Committee Reports

- Redevelopment Commission:
  - Donnetta Gee-Wiler has applied for the vacancy on the commission
    - **Motion by Dr. Burney that we appoint Donnetta Gee-Wiler to the McCordsville Redevelopment Commission. 2nd by Mr. Longman. Passes 5-0.**
  - Visioning Principles were discussed.
- Plan Commission: Did not meet.
- Architectural Review: Approved two new homes in Geist Woods Estates. Approved the fee schedule for 2018.
- Parks Board: Discussed 2018 events and park impact fees.
- Hancock Solid Waste Committee: Had an advisory board meeting on February 12th. They are revising the agency recycling guide.
- Public Safety Committee: Did not meet.
- Public Works Committee:

- Interlocal agreement between McCordsville and Greenfield and Hancock County Drainage Board for a storm water ordinance update. The total cost is $18,000 for work by Christopher B. Burke Engineering; McCordsville's portion would be $4,000.
    - **Motion by Mr. Wood to approve the Interlocal Agreement for the Storm Water Ordinance Update. 2nd by Mr. Williams. Passes 5-0.**
- There is a vacancy on the committee that has been filled by Patrick Bragg.
- Road Salt Invoice
    - **Motion by Mr. Strayer to approve payment for the salt invoice for $16,100.59. 2nd by Dr. Burney. Passes 5-0.**
- Champion Lakes Sewer Extension Agreement:
    - **Motion by Mr. Strayer to approve the Champion Lakes Sewer Extension contract for Harvey Construction Company for $108,112.00. 2nd by Mr. Williams. Passes 5-0.**

Town Manager's Report

- Ms. Galbraith submitted the 2017 annual report.
- The Town received a $7,500.00 check from the Vectren Foundation for the trails plan.

Planning & Building Director's Report

- A new building inspector has been hired. He will begin on March 5th.

Public Comments

- None

Voucher Approval

- **Motion by Dr. Burney to approve the invoices. 2nd by Mr. Wood. Passes 5-0.**

Adjourn

- **Motion by Mr. Wood to adjourn. 2nd by Mr. Strayer. The meeting adjourned at 9:58 p.m.**

Minutes Approval

These minutes approved this _____ day of _____, 2018.

_____
Larry J. Longman, Council President

Attest: _____
Catherine C. Gardner, Clerk-Treasurer