



September 10, 2019
Town Hall – 7:00 p.m.

Town Council Meeting Minutes

Roll Call & Pledge of Allegiance

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

Approval of Minutes

- Motion by Dr. Burney that we approve the minutes of August 13th. Longman. 5-0.

Clerk-Treasurer's Report

- Posted on-line.

Police Report

- Activity Report posted on-line.
- Chief Casey is working with McCordsville Elementary School regarding improving the drop off and pick up congestion.

Recess Council Meeting; Convene Sewer Board

- Motion by Dr. Burney to recess the Town Council Meeting and convene the Sewer Board. Longman. 5-0.
- Ben and Adrienne Johnson – request for sewer connection.
 - Property is outside town limits.
 - Mr. Johnson was sworn in.
 - Septic system requires significant repairs but since they are within 40 feet of a sewer connection, Hancock County will not permit the repairs.
 - Since they have no alternatives for their situation, the Council approves hooking the property up.
 - Motion by Mr. Longman that we extend sanitary sewer service to the Johnsons with the caveat that we have a waiver against remonstrance as well as a deed restriction. Burney. 5-0.
 - Motion by Dr. Burney to adjourn the Sewer Board and reconvene. Longman. 5-0.

Public Comments

- None

Voucher Approval

- Motion by Dr. Burney to approve the invoices. Longman. 5-0.



Noise Ordinance Amendment

- The amendment relates to new, future development and a different decibel level for that.
- Discussion included a process of having special event permits to allow for louder events.
- Public Comments:
 - Terry Dinsmore, 6593 W. Silverthorne Dr.
 - Will there be any noise changes? Council Response - No
 - He is concerned that the raised noise level on new property will affect property values on that property.
 - Daniels Vineyard is willing to make changes but have been saying it for two years. He said Daniels Vineyard has shamed and bullied neighbors on social media and stopped having concerts instead of making changes.
 - Sound barriers would help a lot.
 - David McCloud, 6838 W. Thornebush Dr.
 - Daniels Vineyard has been quiet for the last 14 months.
 - Decibel levels at 64 wouldn't bother you but at 74 it would.
 - By raising the decibels, what do you gain?
 - No one would want to live at 74 decibels.
 - Tay , 6628 W. May Apple Dr.
 - It's not the noise level, it's the continuous noise level so 74 decibels continuously would be extremely bothersome. Neighbors have to hear every concert. It shouldn't be allowed.
 - Bob Holzbach, 6876 W. Glory Maple Dr.
 - He wouldn't want level of 74 for multiple hours.
 - Decibel levels should be the same for all properties.
 - Wants to know if Council would allow this business, if it could decide again.
 - Mark Helle, 6831 W. Thornebush Dr.
 - Daniels Vineyard only had one concert this summer so there is not enough data.
 - Level of noise could be tolerated one concert a month.
 - He doesn't want to hear it all weekend like it has been before.
 - Vote "no"; it's supposed to be a vineyard, not a concert venue.
 - Scott Hines, 6419 Wooden Lane
 - He likes Daniels Vineyard.
 - He thinks the proposed change is reasonable.
 - He supports the change.
 - Kathy Collins, 6699 Cardinal Dr.
 - Thinks Daniels Vineyard is a benefit.
 - She supports keeping Daniels.
 - John Price, 6896 Cardinal Dr.
 - Gives town credit for trying to get to the root of the problem.
 - He is concerned about transparency of the amendment process.
 - He wants to know how it transpired?
 - He asked if building permits issued?
 - He asked why hasn't the stage been removed?
 - He wants a single standard for the whole town.
 - Brian Hall, 8656 Key Harbor Dr.



- Amendment makes sense.
- He thinks Daniels changed its business plan as they saw it would help them succeed.
- The Cooks are trying to make a commitment.
- Mr. Wood: He is leaning toward just trying to do something with that one parcel at this point. He wants future property owners to know what's there. They need to have something in place to let prospective property owners know.
- Mr. Strayer: He likes the event permit idea but wants to put plenty of thought into it first.
- Motion by Dr. Burney that the Council direct staff to develop language combining the amendment for the adjacent parcel with special permits during these next several months and have it ready for council by December. Staff can work with legal, public and other businesses. No second. Motion dies.
- Motion Mr. Williams that we direct staff to rework the amendment to include the Vail property and it be brought back next council. Burney. 4-1, Longman, nay.
- Dr. Burney wants work to begin on special event exception permits. Ms. Galbraith, Mr. Crum and Chief Casey will begin working on the idea to have ready, possibly by the end of this year.

Zoey's Place – Sargent Bridgette Foy

- Bridgette Foy was sworn in.
- A property for Zoey's Place has been located in Greenfield.
- Zoey's Place is a 501(c)(3)
- This will be a child-friendly location.
- Additional mental health services will be provided.
- Sargent Foy is requesting a donation of \$5,000.
- Chief Casey proposed \$2,000 from the General Fund and \$3,000 from the Public Safety Fund.
- Motion by Mr. Longman to allocate \$5,000 to Zoey's Place funded with \$2,000 from the General Fund and \$3,000 from Public Safety. Williams. 5-0.

Underwood PUD

- Moved to October Council Meeting.

McCord Pointe PUD Amendment – Ordinance 091019

- Ty Rinehart was sworn in.
- The amendment is to change to lot coverage ration from 45% to 55% in Section A of the ranch homes.
- Ordinance 091019
 - Motion by Dr. Burney to read Ordinance 091019 by title only. Longman. 5-0.
 - Ordinance 091019 was read by title by Mr. Morelock.
 - Motion by Dr. Burney to pass Ordinance on first reading. Williams. 5-0.
 - Motion by Dr. Burney to suspend the rules. Williams. 5-0.
 - Motion by Dr. Burney to approve Ordinance 091019. Williams. 5-0.



Larry Trittipio Burn Request

- This is an annual request and there are no changes from last year.
- Motion by Dr. Burney to approve with the stipulation that the fire chief be notified when he plans to burn so that Vernon Township is aware. Longman. 5-0.

Cell Tower Agreement

- No update.

Resolution Adopting New EDA and Amending Existing EDA – Resolution 091019

- This resolution creates a new economic development area.
- Motion by Dr. Burney that we read Resolution 091019 by title only. Longman. 5-0.
- Resolution 091019 was read by title by Mr. Morelock.
- Motion by Dr. Burney that we approve Resolution 091019. Longman. 5-0.

Creekside Trail Property Acquisition and Appraisal Authorization

- The trail will parallel CR 900N.
- Motion by Dr. Burney to authorize Tom Strayer, Council President, to sign a letter committing to imminent domain to acquire needed land or easement for the trail as long as it is the last resort. Longman. 5-0.
- Motion by Dr. Burney to approve expenditure of not more than \$10,000 for properties for the trails. Longman. 5-0.
- Three proposals from engineering firms were received
 - Staff like RQAW with a not to exceed of \$10,000. RQAW has done similar projects and their proposal includes a landscape architect on their staff. The scope of the contract covers grant assistance, initial work and cost estimates and red flag investigation. The Town can use some existing land as part of the grant match.
 - Motion by Mr. Longman to approve the proposal from RQAW for not to exceed \$10,000. Burney. 5-0.
 - Motion by Mr. Longman to authorize Tonya to sign the agreement once it is sanctioned by Gregg. Burney. 5-0.

Recess Town Council Meeting; Convene Public Hearing for the 2020 Budget

- Motion by Dr. Burney to recess the Council. Longman. 5-0.
- Public Hearing convened.
- Public Comments
 - None
- Motion by Dr. Burney to close the public hearing and reconvene the Council. Longman. 5-0.



Old Business

- None

New Business

- Smoke Free Air Resolution 091019A
- Motion by Mr. Longman to read Resolution 091019A by title only. Burney. 5-0.
- Resolution 091019A was read by title by Mr. Morelock.
- Motion by Mr. Longman that we approve Resolution 091019A. Burney. 3-2, Williams and Wood, nay.

Other Committee Reports

- Redevelopment Commission: Alex Jordan was sworn in as the new member of the commission. The EDP was discussed along with the amendment. The meetings have been moved permanently to Tuesdays on the first Tuesday of the month at 6:30 p.m.
- Plan Commission: Covered earlier in these minutes.
- Architectural Committee: A Geist Woods Estates home was approved.
- Parks Board: Did not meet.
- Public Works Committee:
 - Discussed the Creekside Trail.
 - Several invoices were approved.

Town Manager's Report

- AIM Award: The Government Collaboration Award was given to the combined efforts of McCordsville, Cumberland, and New Palestine.
- Vernon Township Fire Station grand opening was held. McCordsville had a booth which received a lot of attention by attendees.

Public Works Commissioner's Report

- LED Light Grant
 - One bid was received out of the four that were requested.
 - R U Electric's bid was \$29,225.55.
 - It was decided that the lights will be changed out to LED as maintenance is required.
 - Motion by Dr. Burney to do LED changes over time as needed instead of all at one time. Longman. 5-0.



Planning and Building Director's Report

- R U Electric Invoice for pedestrian crossing signals
 - Motion by Mr. Longman to approve payment to R U Electric of \$10,223.66. Burney. 5-0.

Public Comments

- None

Voucher Approval

- Motion by Dr. Burney to approve the vouchers. Longman. 5-0.

Adjournment

- Motion by Mr. Wood to adjourn. Longman. 9:44 p.m.

Minutes Approval

These minutes approved this 10th day of September 2019.

Thomas R. Strayer, Council President

Attest: _____
Catherine C. Gardner, Clerk-Treasurer