



October 8, 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 Ariel Schoen

### Approval of Minutes

- Motion by Mr. Wood to approve the minutes for the September 30<sup>th</sup> Executive Session. Burney. 5-0.
- Motion by Mr. Longman to approve the September 10<sup>th</sup> minutes as written. Burney. 5-0.

### Clerk-Treasurer's Report

- Posted on-line.

### Police Report

- Activity Report posted on-line.

### Metropolitan Board of Police Commissioners

- No meeting was held.

### Drainage Board

- Motion by Mr. Williams to recess the Council Meeting and convene the Drainage Board. Longman. 5-0
- Request for the reduction of an easement area at 6351 W. Waterview Court.
- Motion by Dr. Burney to reduce the easement at 6351 W. Waterview Court up to 20' as determined by discussions between the town engineer and the property owner's engineer. Longman. 5-0.
- Motion by Dr. Burney to adjourn the Drainage Board and reconvene the Council Meeting. Wood. 5-0.

### Underwood PUD

- Petitioner has requested the withdrawal of the petition.
- Motion by Mr. Wood to accept the petitioner's withdrawal request. Burney. 5-0.



### **Cell Tower Agreement**

- A revised agreement has been received. It has been reviewed by the Town but there are still a few items that were not addressed. It is not yet ready for action.

### **Drummond Property**

- Mr. Crum presented a document listing the findings (attached).
- As of October 8<sup>th</sup>, one item had been made 100% secure and safe.
- No fines have been assessed yet. Per Ms. Schoen, fines should be assessed prior to the Town going onto the property and securing it.
- The Drummonds have a 30 day extension but, on the 31<sup>st</sup> day, fines will begin and the normal enforcement proceedings will begin as described in the ordinance.

### **2020 Budget Ordinance on Passage – Ordinance 100819**

- Motion by Dr. Burney to read Ordinance 100819 by title only. Wood. 5-0.
- Ordinance 100819 was read by title by Ms. Schoen.
- Motion by Dr. Burney to pass Ordinance 100819 on first reading. Wood. 5-0.
- Motion by Dr. Burney to suspend the rules. Longman. 5-0.
- Motion by Dr. Burney to approve Ordinance 100819. Longman. 5-0.

### **Resolution 100819 – Rainy Day Transfer**

- Motion by Dr. Burney to approve Resolution 100819. Longman. 5-0.

### **Creekside Trail**

- Motion by Mr. Longman to authorize President Strayer to sign the jurisdictional approval letter. Burney. 5-0.
- Motion by Mr. Longman to approve the imminent domain letter. Burney. 5-0.

### **Old Business**

- Noise Ordinance Amendment
  - Another sound test has been requested by the property owners to the east of Daniel's Vineyard. They are requesting the amendment be continued until November to accommodate this.
  - Motion by Mr. Wood to table. Burney. 5-0.
  - Staff has begun exploring the details of creating a special events permit.



### **New Business**

- None

### **Other Committee Reports**

- RDC: Considering new funding options for the RDC's operating expenses. Continued discussions regarding changes to the Economic Development Plan which will come before the Council in November.
- Plan Commission: Did not meet.
- Architectural Review Committee: Did not meet.
- Parks Board: Will meet on September 28<sup>th</sup>.
- Public Works Committee:
  - Discussed the potential CR 600W bridge project.
  - Round-a-bout at CR 600W and CR 600N: The Indianapolis MPO has selected this location as a "high crash" intersection which means it has been designated for correction. The MPOI has safety related funding which will be used for this purpose. Town staff will bring information back to the November council meeting and will be asking the Council for funding support, along with Hancock County RDC support, to help fund this project. This is a five-year design-construction schedule (2025).
  - Town Center Drainage RFP: Staff requested funding from the McCordsville RDC.
  - Stansbury Ditch Project Road Realignment:
    - The cost to realign the road, instead of moving the ditch itself, is just about double (\$600,000).

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

- Continuing to work on the Town Economic Development Plan.
- Hancock Economic Development Council has a focus group for strategic planning to which Ms. Galbraith has become a member.
- The Women Helping Women Event is October 24<sup>th</sup>.

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

- The new backhoe has been delivered.

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

- The first Planning Department newsletter was put out last week.



### Public Comments

- Leah Borrmann, resident: Mrs. Borrmann read a statement about the effect of noise. She does not want the current ordinance amended or different decibel levels assigned. She could here Daniel's Vineyard's last event inside her home even though her home was closed up. She said Daniel's has not done the things they said they would do to contain the noise. She wants the Council to understand the location of the vineyard is in the wrong place as it disturbs the environment.
- Blair Borrmann, resident: He said it sounds like the amendment might apply only to the Vail property which he finds a little more acceptable. The original agreement called for four to six events per season. He does not think Daniel's was ever approved to be an outside concert venue. Regarding a special events permit, if Daniel's were to have four to six events per season, he thinks a lot of the homeowners could live with that because they would know in advance when they would be. He said anything else Daniel's hosts could be done inside their facility.
- John Price, resident: Mr. Price asked about the status of the sidewalk that is supposed to be installed in front of Daniel's. Mr. Crum said it is scheduled to be part of the Creekside Trail project which was discussed earlier in the meeting. He asked about the status of the removal of the shipping containers being used for storage on the property since they are still there and there is no current enforcement action. The response was that issue was suspended when the Council began to try to work all this out.
- Lyn Holzbach, resident: Ms. Holzbach asked if the distillery was still being planned. The response was that plan has been dropped.

### Voucher Approval

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

### Adjournment

- Motion by Mr. Wood to adjourn. Williams. 8:44 p.m.

### Minutes Approval

These minutes approved this 12<sup>th</sup> day of November 2019.

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Thomas R. Strayer, Council President

Attest:

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Catherine C. Gardner, Clerk-Treasurer