



December 11, 2018
Town Hall – 7:00 p.m.

Town Council Meeting Minutes

Roll Call & Pledge of Allegiance

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

Approval of Minutes

- Motion by Mr. Wood to approve the minutes from the November 13th Town Council Meeting. Burney. 5-0.

Clerk Treasurer's Report

- Posted on-line.

Police Report

- Departmental Report
 - Posted on-line.
 - Shop with a Cop Program: Held on December 1st at Meijer. Twenty-five children participated as well as several other fire and police groups.
 - The departmental holiday party was held in November at Town Hall.
- Metropolitan Board of Police Commissioners
 - None

Ordinance 121118 – 2019 Salary Ordinance

- Motion by Dr. Burney that we read Ordinance 121118 by title only. Strayer. 5-0.
- Ordinance 121118 was read by title by Mr. Morelock.
- Motion by Dr. Burney that we pass Ordinance 121118 on first reading. Strayer. 5-0.
- Motion by Dr. Burney that we suspend the rules. Strayer. 5-0.
- Motion by Dr. Burney that we approve Ordinance 121118. Strayer. 5-0.

Resolution 121118 – Transfer of Funds

- Motion by Dr. Burney that we read Resolution 121118 by title only. Williams. 5-0.
- Resolution 121118 was read by title by Mr. Morelock.
- Motion by Dr. Burney that we approve Transfer Resolution 121118. Strayer. 5-0.

Urban Land Institute Advisory Services Panel for Mt. Comfort Corridor – Ms. Galbraith

- Ms. Galbraith explained that this international advisory panel will be studying the Mt. Comfort Corridor and delivering its opinion by the end of December. There will be several businesses and county and local



governments contributing to the cost for the weeklong event. McCordsville's portion of the \$135,000 cost is \$10,000. NineStar will be contributing the major portion of the cost. She is seeking Council approval for commitment of Town dollars.

- Motion by Mr. Williams to approve a payment of \$10,000 to NineStar for the ULI contribution. Strayer. 4-1, Burney – nay.

Trash Service Amendment

- The proposed ordinance amendment was tabled until December 19th.
- The billing date will be changed to agree with the existing sewer and storm water billing date.
- The order of the distribution of a payment for services (trash, storm water, and sewer) will be modified.
- Charging the fee for trash pickup to renters will be permitted if the property owners sign off on it.

Ordinance 111318 Noise Ordinance Amendment

- The proposed ordinance amendment was tabled until December 19th.
- Two changes will be made:
 - Decibel levels will be measured from the complainer's property line (Item 5).
 - The fee portion will be changed to charge "per citation". (Article 93.99)
- Public Comments
 - Leah Borrmann, resident: In October 2017, the Town did not want to use decibels as a measurement. Several months later the Town accommodated the Cooks who wanted meters. Chief Rodgers was against using meters. She is concerned the Cooks will continue to do what they want. She asked for a repetition of fine amounts.
 - Doug Dinsmore, resident: He is concerned about the decibel level being set at 66. The ordinance is being changed for one entity and is leaving the homeowners out of it. How can the Council do that? The winery has never done what they said they would. He is concerned he will have to put up sound wall barriers because he is being forced to due to the lack of protection from the situation via the ordinance.
 - Mark Helle, resident: The neighbors would like the lower decibel level enforced when the noise is between and residential and commercial property use. The 30-minute window for turning it down means if the officer goes back and the noise is still up, they can be cited again.
 - Blair Borrmann, resident: He did not think it was ever the intention to approve outdoor concerts. However, they can still happen with regularity and the outside neighborhood peace will still be ruined. He suggested having a specific number of concerts per year (perhaps 4) or to hold all concerts inside.
 - Donna Price, resident: Mrs. Price asked why the Council abated the existing winery citations at the November 13th meeting. She asked if the Town was done waiving them now. She does not want the game played that way going forward.

Public Hearing on Additional Appropriation for the Special LOIT Fund

- Motion by Mr. Wood to recess the Town Council Meeting. Williams. 5-0.
- Public Hearing opened
 - Public Comments
 - None
 - Motion by Dr. Burney to close the Public Hearing and reconvene. Strayer. 5-0.



Resolution 121118A – Additional Appropriation for the Special LOIT Fund

- Motion by Dr. Burney to approve Resolution 121118A. Wood. 5-0.

Old Business

- None

New Business

- Ordinance Violation Bureau Moving Violation Citations: Mr. Morelock will contact the State Board of Accounts again to set up a meeting to clarify positions.
- Hoback Case
 - The 2016 storm water fees and the land annexation are being challenged by Mr. Hoback and Ms. Daw. Mr. Morelock would like Council approval to hire an outside legal firm to represent the Town.
 - Motion by Dr. Burney that we approve Larry Longman to sign a retainer agreement with Barnes & Thornburg to represent us in this matter with the Tax Board. Strayer. 5-0.
- Street Lighting along Broadway
 - There might be flexibility to duplicate the lights on Broadway on the Meijer side for the north side of Broadway as well.
- Cumulative Capital Development Fund
 - Mr. Longman recommended the Town Council look at establishing a CCD rate in 2019.

Other Committee Reports

- RDC: The annual TIF meeting for associated taxing units will be held December 12th at 6:00 p.m.
- Plan Commission: Did not meet.
- Architectural Review: Did not meet.
- Parks Board: A kids' business market will be held in June for the first time. Jump Start Sports will partner with the Town from April 6th through May 18th for T-Ball for ages 3-5; the sessions will be held on Saturdays. Additional sessions are being planned. April 20th the Easter Egg Hunt will be held.
- Hancock County Solid Waste Committee: Did not meet.
- Public Works Committee
 - The snow removal policy was updated.
 - Several invoices were approved.
 - Hancock County Surveyor's Office Invoice for the storm water ordinance update
 - Motion by Mr. Strayer to recommend the Hancock County Surveyor's invoice payment of \$6,000. Burney. 5-0.
 - Truck Plow Quote: This plow is for the new truck that has been purchased.
 - Motion by Mr. Strayer to recommend we pay Mid State Truck Equipment \$6,336 for the plow and installation. Burney. 5-0.



Town Manager's Report

- 2019 Holiday Schedule: 12 holidays
 - Motion by Mr. Wood to approve the 2019 Holiday Calendar as presented. Williams. 5-0.
- 2019 Town Council Meeting Schedule
 - Motion by Mr. Wood to approve the 2019 Town Council Schedule. Williams. 5-0.
- Ms. Galbraith has hired a part-time assistant.

Public Works Commissioner's Report

- New flooring will be installed in the town hall lobby this week.
- A copy of the new snow removal policy was distributed the council members.

Planning & Building Director's Report

- State contracts that are part of the Community Crossings Grant Match
 - Motion by Mr. Strayer to approve Larry Longman to sign the Local Roads and Bridges Matching Grant Fund commitment for 600 North.
 - Motion by Mr. Wood to approve Larry signing the Local Roads and Bridges Matching Grant Fund commitment for 600 West.
- Zoning Ordinance Proposed Updates
 - Mr. Crum showed a Power Point presentation of the proposed zoning updates.

Public Comments

- Mindy Herman, resident: She does not want any zoning change to the land being considered by Westport Homes for development. She asked the Council to stick to the comprehensive plan. She thanked the staff and Council for their service.
- Elizabeth Stock, resident: She attended the Westport meeting. She thinks there are too many homes for the space. It will stress the school and increase traffic in an already congested area. Westport is proposing 232 homes. She thinks the value of the proposed homes is too low for the area and surrounding properties. She asked the Council to do their due diligence regarding Westport and the class action suit that has been filed against them.
- Ryan Crum: Mr. Crum explained the current situation on this proposed development that has not yet been to the Council for an informal presentation.
- Sean Conboy, resident: Champion Lakes residents were given only four days' notice by Westport of the meeting. He would like to see a similar community for the development as is Champion Lakes.
- Deborah Riddick, resident: Her biggest concern is traffic. The area is not ready for a big neighborhood.
- Daniel Stock, resident: The R-1 zoning is important for the traffic flow. Westport will turn CR 750N into a problem that will be just as bad as CR 700N will be. The production homes are not built well and could cause physical and psychological problems to homeowners due to the problems with construction and materials used.
- Beth Miller, resident: Her main concern besides the houses is traffic. She gave the Council a picture of the current traffic issues at McCordsville Elementary during pickup and drop off times.



Voucher Approval

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

Adjournment

- Motion by Mr. Wood to adjourn. Strayer. Adjournment at 9:24p.m.

Minutes Approval

These minutes approved this ____ day of _____, 2019.

Council President

Attest: _____
Catherine C. Gardner, Clerk-Treasurer