



INDIANA

WHITESTOWN TOWN COUNCIL

Regular Meeting

November 16, 2020

MINUTES

1. OPENING THE MEETING

- A. Call to Order – **Clinton** called the meeting to order at 7:02pm.
- B. Pledge of Allegiance
- C. Roll Call – All Present
- D. **Susan m/m to adopt the agenda as presented, Clinton 2nd, 5-0 adopted.**

2. PRESENTATIONS - none

3. CLERK TREASURER REPORT

- A. **Town Management Report | WMU Management Reports (Sewer, Water)**

4. DEPARTMENT REPORTS – **DPW, Planning & Community Development, Building Department, Parks and Recreation, Public Relations, Police, Fire**

5. PUBLIC REQUEST TO SPEAK (Topics Not Related to an Agenda Item) - none

6. APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Minutes – 10/14/2020 Meeting Minutes
- B. Claims – October 2020 Expenses Town | October 2020 Revenues Town | October Utility Claims (Water Operating, Wastewater Operating)
- C. Vehicle Purchase for RDC and Utility | Exhibit A | Exhibit B
- D. Consider Expenditure Exceeding \$5,000; NTE \$15,000 (GIS equipment and Software) | Exhibit A
- E. Consider Sanitary Sewer Encroachment Agreement with BREMC | Exhibit A
- F. Consider Expenditure Exceeding \$5,000; NTE \$49,000 (Roller and New Dump Bed for Medium Duty Truck) | Exhibit A

- G. Consider Expenditure Exceeding \$5,000; NTE \$37,000 (Replacement radar signs) | Exhibit A
- H. Consider Contract with BREMC for Installing Light Pole with Fiber at Anson Acres | Exhibit A
- I. Consider Expenditure Exceeding \$5,000; NTE \$200,000 (WFD Construction Allowance Contingency) | Exhibit A
- J. Authorize Council President to approve Emergency Stay Home Pay pursuant to Ordinance 2020-29 until further notice – **Susan m/m to adopt the above Consent Agenda, Jeff 2nd, 5-0 adopted.**

7. UNFINISHED BUSINESS

8. NEW BUSINESS

- A. Approval of 2021 Boards and Commissions Meeting Dates – **Susan m/m to adopt, Eric 2nd, 5-0 adopted.**
- B. First Read: 2021 Salary Ordinance (Ordinance 2020-30) – **Clinton** did the first read. **Cheryl Hancock** asked about: if the Judge’s salary was an oversight, number 7, number 8, number 12, she asked about the H.R. position – if it was going to be filled or not, the new Planning salary, the Communications Manager position, the Public Works position, the last was about the Police Special Pays and the PSO Fire Fighters. **Clinton** answered regarding the number 7 and 8 saying the Manager gets to determine how those items are resolved. For the Planning position, **Clinton** said this is due to the Town’s growth, and this is a position which will coordinate the Planning and Building departments. The Communications Manager position was created last year, but never filled. The position will likely be filled in 2021.
- C. Public Hearing: Coke/GDI Abatement – **Clinton** called the public hearing to order at **7:20pm**. **Cheryl** asked if **Clinton** could discuss personal and real property tax, and how the rezone plans did not go through. **Clinton** said when bonds are taken out in a TIF area, they are paid by the area within the TIF area and not anyone else. **Steve Unger** said this is not on a TIF project, but a tax abatement. The Council had already approved real property abatement for the vast majority of the site. This expands the real property abatement for the project – the part which was recently annexed. **Susan m/m to close the public hearing, Clinton 2nd, 5-0 adopted at 7:26pm.**
- D. Consider a Confirmatory Resolution for Coke/GDI Abatement (Resolution 2020-21) – **Clinton read the resolution, and m/m to adopt, Susan 2nd, 5-0 adopted.**
- E. Consider Ordinance Approving Closing of Court Bank Account and Transferring Remaining Funds to Rainy Day Fund (Ordinance 2020-31) – **Clinton** did the first read. **Susan m/m to suspend rules for a 2nd reading, Clinton 2nd, 5-0 adopted. Clinton did the second read and m/m to adopt, Susan 2nd, 5-0 adopted.**
- F. Consider Legacy Core Allocation Area Amendment Resolution (Resolution 2020-23) – **Clinton read the resolution and m/m to adopt, Susan 2nd, 5-0 adopted.**
- G. Consider Resolution Approving New Fishback Creek TIF Area (Resolution 2020-25) – **Clinton** read the resolution. **Cheryl** said that since the petitioner withdrew the request is this still needed and can residential can pay into a TIF. **Clinton** said this is to set the Town up for any future projects. **Clinton m/m to adopt, Rob 2nd, 5-0 adopted.**

- H. Consider an Ordinance Approving UDO Text Amendments (Ordinance 2020-32) – **Clinton** did the first read of the ordinance, then asked **Steve** if this could be one reading or require two readings. **Steve** said it only required one reading. **Clinton m/m to adopt, Rob 2nd, Eric** asked what the vote of the Plan Commission was, **Jason** said it was 7-0, **Brittany** said it was unanimous in favor; **5-0 adopted.**
- I. Consider a Resolution Amending Comprehensive Plan to Adopt Updated Thoroughfare Plan (Resolution 2020 -22) – **Clinton** read the resolution. **Susan m/m to adopt, Clinton 2nd. Cheryl** said Perry Worth, 575, and 300 are major collectors and arteries and said there would be no way to get four lanes out of those roads without tearing down houses and possibly a fire station. **5-0 adopted.**
- J. Consider a Resolution Approving Police Equipment/Fleet Lease (Resolution 2020-24) – **Clinton read the resolution and m/m to adopt, Susan 2nd, 5-0 adopted.**
- K. Braun Property Development Mixed Use Zone Amendment (Ordinance 2020-34) – **Clinton** did the first read. The petitioner spoke first. Attorney **Brian Sheward** presented a slide show on behalf of Braun Property Development. **Jeff** asked about commercial going all the way to Pierce but was not sure. On the East side of the drawings, it does show it going all the way to Pierce. **Eric and Nicole Lothian** commented on the 265 acres east of 700, they are against the proposed rezoning due to Mr. Braun not committing to certain developments, but it does not prevent him from being able to build a gas station. They would like to see Whitestown not pass an open-ended zoning. **Cheryl Hancock** spoke again. She spoke on the West portion of the properties and that they are not yet annexed into town. She feels like this is being rushed and said **Councilwoman Austin** said there would need to be new lift stations and other sewer needs. She said she would be ok with rural residential zoning, as the Comp Plan calls for after the area is annexed into Town. **David Marlow** said he has to jump through more hoops in this town regarding making changes at an eight acre residential lot, but cannot understand why a 400 acre plus lot can get a rezone without specifics, and would like to pump the brakes a bit and let the plan flush out a bit more. **Clinton** thanked everyone who has spoken so far and let the petitioner respond. **Brian Tuohy** said **Mr. Braun** would have to go through the same process as anyone else to build a home, etc. **Mike Andreoli**, representing several Whitestown residents on the East side of the project and a few on the west side of 575, spoke about the Plan Commission proposal. **Brian Tuohy** said this was a “false card”. **Clinton m/m top approve while not allowing a gas station in the area, Rob 2nd, Jeff** spoke about this and thanked everyone for their input. He would like to see Whitestown hold developers to a higher standard at an earlier period of the planning. **Susan** thanked everyone for all the e-mails and phone calls and would like to request additional berming. **Eric** would like the motion to include an additional berm first. **Clinton** changed his motion to include the berm and screening, he asked **Rob** if he wanted to keep his 2nd, **Rob** said he would. **5-0 adopted.**
- L. Consider Ordinance Approving Jackson Run North Zoning Amendment (Ordinance 2020-33) – **Clinton** did the first read and m/m to adopt, **Rob 2nd, 5-0 adopted.**

9. OTHER BUSINESS - none

10. ADJOURN – Jeff m/m to adjourn, Eric 2nd, 5-0 adopted at 8:27pm.

The minutes from a Town Council meeting on November 16th, 2020 are approved on the 9th day of December 9th, 2020 by the following Town Council Members:

Clinton Bohm, President

Susan Austin

Eric Miller

Jeff Wishek

Rob Worl

Attest:

Matthew Sumner, Clerk-Treasurer