

ORIGINAL



WHITESTOWN TOWN COUNCIL
Regular Meeting
July 11, 2018

Minutes

1. OPENING THE MEETING

- A. Call to Order – Eric called the meeting to order at 7:03pm
- B. Roll Call – All Present
- C. Pledge of Allegiance

2. PRESENTATIONS

- A. Boone EDC – Molly Whitehead presented and talked about eleven projects in Boone County year to date, and there were 14 last year, so within six months, there have been almost the same amount as the whole of last year. There have been 80 leads year to date, which is about the same as last year. Kevin said to clarify, the local income tax coming in, when the Council gives tax breaks, we still collect a lot of local income tax. Molly said that is correct, and the local income tax could be resident or non-resident. Clinton thanked Molly for coming in and talking, and how about 9 of the eleven are new companies.
- B. Susan m/m to add New Business A-1 Res. 2018-38, Ord 8B is actually 2018-21 (correction); Clinton 2nd, 5-0 adopted.

3. CLERK TREASURER REPORT

- A. June Town Management Report | June WMU Management Reports (Sewer, Water) ** - Susan said she has noticed the fuel lines have been expended more than expected due to the fuel cost, and that should be noted during the budget process. Clinton said that was a good point.

- 4. DEPARTMENT REPORTS – DPW (Water Monitoring, Street Dept., WMU), Planning and Community Development, Building Department, Police (Operations, Stats, Drug Stats), Fire** - Eric thanked the Parks Dept. for the Fireworks show, and Susan also thanked the P.R. Dept for doing a Facebook Live for the show as well. Kevin asked if it would be beneficial to close the offices for the day to help Nathan set up for the fireworks show on the 3rd. Dax doesn't think it would be necessary. Kevin asked Chief Anderson that the PD is not having as many reserve hours. Chief Anderson said we have had a harder time**

getting reserve officers. **Clinton** asked **Chief Westrich** to talk about the situation with the fire apparatus and finalizing the figures. **Chief** said they have completed the RFP Process for the Quint.

5. APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Minutes – **6/13/2018 Meeting Minutes ****
- B. Claims – **June 2018 Expenses Town | June 2018 Revenues Town | June 2018 Utility Claims (Water Operating, Wastewater Operating) ** - Susan m/m to approve the above consent agenda, Clinton 2nd, 5-0 adopted.**

6. UNFINISHED BUSINESS

- A. **PUBLIC HEARING:** An Ordinance Approving an Additional Appropriation (2018 AA #3) (**Ordinance 2018-15**) – **Susan m/m to close the public hearing, Clinton 2nd, 5-0 closed.**
- B. Consider an Ordinance Approving and Additional Appropriation (2018 AA #3) (**Ordinance 2018-15 Second Read**) – **Susan did the 2nd read and m/m to adopt, Clinton 2nd, 5-0 adopted.**
- C. Consider an Ordinance Approving (i) an Amendment to a Municipal Facilities Lease Between the Town of Whitestown and the Town of Whitestown Redevelopment Authority (ii) an Amendment to a Financing Lease Between the Town of Whitestown Redevelopment Commission and the Town of Whitestown Redevelopment Authority, and (iii) the Pledge of Certain Local Income Tax Revenues to the Town of Whitestown Redevelopment Commission and Repealing all Ordinances Inconsistent Therewith (Police Station/Municipal Complex Improvement Bonds) (**Ordinance 2018-17, Second Read**) – **Clinton did 2nd read, and m/m to adopt, Susan 2nd, 5-0 adopted.**

7. NEW BUSINESS

- A. **Resolution 2018-28 – Eric read the resolution. Susan m/m to adopt, Clinton 2nd, – 5-0 adopted.**
- B. Consider an Ordinance Adopting Amendments to the I-65 PUD (**Ordinance 2018-18, 1st Read Only**) – **Eric** asked if anyone wants to speak in opposition please step forward – no one did. **Eric** then asked for anyone in favor to come forward to speak. **Craig Anderson** spoke about how he supports it. **Karen Padgett** spoke in favor of the ordinance, as land owner. **Sheila Scott** supports the ordinance. **Floyd Paul** lives at 450 south next to the **Drakes**. His family is in favor of getting everyone out of the PUD who wants out of it. **Brian Tuohy** represents several people who strongly support the amendment to the I-65 PUD. **Clinton did first read and m/m to adopt, Susan 2nd, Kevin** wanted to clarify this ordinance does exactly what it sounds like and **Steve Unger** said it did with the intent to make it crystal clear. **Kevin pointed out this passed the Plan Commission 5-0; 5-0 adopted.**

- C. Consider an Ordinance Adopting Amendments to the Unified Development Ordinance (**Ordinance 2018-19**) - Clinton read and m/m to adopt, Susan 2nd, 5-0 adopted.
- D. Consider an Ordinance Amending Ordinance 2017-44 and Ordinance 2018-01 (2018 Salary Ordinance) (**Ordinance 2018-20, First Read**) – Clinton read the ordinance. Susan m/m to suspend the rules for 2nd reading, Clinton 2nd, 5-0 suspended. Clinton did 2nd read and m/m to adopt, Kevin 2nd, 5-0 adopted.
- E. **PUBLIC HEARING:** Fishback Creek ERA Expansion (**Town Council Resolution 2018-34**) – Clinton m/m to close the public hearing, Susan 2nd, 5-0 adopted.
- F. Consider a Confirmatory Resolution (Fishback Creek ERA Expansion) (**Town Council Resolution 2018-34**) - Susan read the resolution and m/m to adopt, Clinton 2nd, 5-0 adopted.
- G. Consider a Resolution Approving Application for Real Property Tax Deduction (Tri-Form) (**Town Council Resolution 2018-35**) – Susan read the resolution and m/m to adopt, Clinton 2nd, 5-0 adopted.
- H. Consider a Resolution Approving Real Property Tax Deduction (Timpte Trailers) (**Town Council Resolution 2018-36**) – Susan read the resolution and m/m to adopt, Clinton 2nd, 5-0 adopted.
- I. Consider a Resolution Concerning the Purchase and Distribution of Town Promotional Materials (**Town Council Resolution 2018-37**) – Susan read the resolution and m/m to adopt, Clinton 2nd, 5-0 adopted.
- J. Consider Low Bid for Summer Paving Program (NTE \$725,000 – MVH Capital Outlay and Contractual Services) **Bid Tabulation Sheet I Engineer’s Recommendation Letter** – Dax said the bid opened yesterday, Susan m/m to accept the bid NTE \$725,000, Clinton 2nd, 5-0 adopted.
- K. Consider an Expenditure Exceeding \$5,000 (Professional Services Contract – M/N Main Street Park CM – NTE \$) – Nathan said it was put out on RFP. He said there have been two proposal and he said the up-front fixed fee is \$12,500 and the construction service fee is 4% of contract price. He is just asking for approval per contract. Susan m/m to accept the M/N contract as presented, Clinton 2nd, 5-0 adopted.

- L. Consider an Expenditure Exceeding \$5,000 (Professional Services Contract NTE \$96,000 Parks Infrastructure – BF&S Anson Park Design) - **Susan m/m to adopt NTE \$96,000 for Parks Infrastructure by BF&S Anson Park Design subject to review and approval by legal, Kevin** asked if we have to authorize someone to sign these after legal review – **Clinton 2nd, 5-0 adopted.**

- M. Discuss Maurer Commons Land Purchase Environmental Remediation Cost Assessment – **Dax** said we as a town are concerned about this piece of ground and the Town asked the owners of the property to take down the sign and fence back in 2015 and were met with some resistance. **Sarah Young** from Senior Environmental talked about the cost model. **Clinton** asked about more data being included if the cost range would get more accurate. There were limited remediations done about 18 years ago, but in the past 10 years there have been a few ground water tests. **Clinton** asked if **Sarah** could give a dollar range on the 95% confidence limit, which would be approximately \$5.17million. There is a lot of soil management included with this site and this is a major part which can vary. **Sarah** said the full range would be \$2.2 to \$6.5million. **Dax** said it seems the seller wants to put all the liability on the Town. Part of this site is where the Town would like to put a fire station. **Dax** said they are to the point of a unified offer letter. **Steve** said before moving forward on eminent domain, you must make a uniform offer, and a condemnation lawsuit possibly. **Dax** said we would not like to get caught up in a condemnation lawsuit. There are two options where it could be done all at once, or you could try to split parcels out. **Kevin** asked if the offer could be made in escrow. **Steve** said it could be part of the offer. **Jeff** said he understands the offers have been fair considering the condition of the land. Discussion ensued. **Kevin m/m to make uniform offers on the 3-acre and 30-acre areas the Town needs immediately and continue investigating on the purchase of the remaining land – modified his motion to follow Steve’s advice – regarding moving forward on the condemnation process after 30 days, Susan 2nd, 5-0 adopted.**

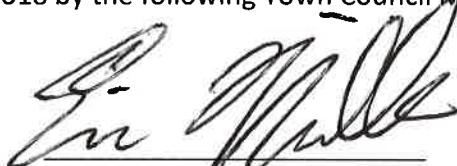
- N. Appointments to Park Impact Fee Assessment Committee (3 from Town Government Staff, 2 Developers) – **Susan m/m to appoint to the Park Impact Fee Study Committee as Town Representatives, Nathan Messer, Savannah Solgere, and Brittany Garriott; and from the Building community Dave Compton of Pulte Homes, and Christopher McKinney from Westport Homes - Kevin 2nd, 5-0 adopted.**

- O. **Eric** talked about the neighborhood ordinance to see if any new communities needed to be added to the ordinance. **Kevin** said he would like to see language to add new neighborhoods as they develop.


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8. **TOWN ADMINISTRATION REPORT** – Dax said he would like to have the budget ready for the August meeting by having a meeting at the end of July. **Eric m/m for the 26th, Clinton 2nd, 5-0 adopted. There will be a council meeting the 26th of July at 7:00pm. Dax talked about the connector and the roundabout getting closer to completion. Dax talked about the median project. Nathan gave an update about connecting the trails. Chief Anderson gave an update about National Night Out.**
9. **ADJOURN** - Susan m/m to adjourn, Clinton 2nd, 5-0 in favor. Adjourned at 8:44pm.

The minutes from a Regular Town Council meeting on July 11th, 2018 are approved on the 8th day of August 2018 by the following Town Council Members:


Eric Miller, President


Susan Austin


Clinton Bohm


Jeff Wishek


Kevin Russell

Attest: 
Matthew Sumner, Clerk-Treasurer