

WHITESTOWN



INDIANA

WHITESTOWN TOWN COUNCIL

Regular Meeting

October 11, 2023

MINUTES

1. OPENING THE MEETING

- A. Call to Order – **Eric** called the meeting to order at 7:00pm
- B. Pledge of Allegiance
- C. Roll Call – All Present
- D. Approval of the agenda – **Tanya m/m to move item C under the Consent Agenda to Item K in New Business. Eric 2nd, 5-0 approved. Eric m/m to approve the agenda as amended, Susan 2nd, 5-0 approved.**

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) – **Brian Alfred** – Spoke about speeding issues, and how the council has helped with this since the last time he spoke in June or July (Trailside neighborhood). He also talked about a D.R. Horton employee about muffler noise on a large vehicle in the neighborhood that was much louder than it should be.

Kevin Russell spoke about the UDO, and Brownsburg's UDO. He noticed there isn't a groundwater overlay in our UDO. The second thing he talked about the Ronald Reagan Parkway. He discussed the phases. He said the traffic on 750 cannot handle the kind of traffic which will be coming.

6. APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Minutes – 9/13/2023 Town Council Meeting Minutes
- B. Claims – September 2023 Expenses Town | September 2023 Revenues Town | September Utility Claims (Utility Operating)
- C. Consider Expenditure Exceeding \$5,000; NTE \$11,185 (Lexington Window Quote)
- D. Consider Expenditure Exceeding \$5,000; NTE \$17,000 (WWTP Odor Control Water Softener Project)
- E. Consider Expenditure Exceeding \$5,000; NTE \$11,000 (GCI Lift Station Canopy)
- F. Consider Expenditure Exceeding \$5,000; NTE \$17,000 (Extrication cutting tool replacement)
- G. Consider Service Agreement – Cleaning services for Fire Department Headquarters
- H. Consider Service Agreement – Annual Sprinkler Service Testing

- I. Consider Expenditure Exceeding \$5,000; NTE \$6,000 (IMPD Leadership Academy) – **Susan read the consent agenda and m/m to adopt, Clinton 2nd, 5-0 adopted.**

7. UNFINISHED BUSINESS

- A. Consider Ordinance 2023-19: Amending zoning maps PC23-29-ZA – **Todd Barker** stated the Plan Commission voted in favor of this. **Jeff** asked about the Comp Plan, and how it is zoned for this location. **Todd** said the Comp Plan does not specify zoning use; it was zoned for residential use. **Mark Gradison**, with Gradison Development (the petitioner), talked about the Windswept Farms development. They are requesting a rezone from R1/R2 to R3. **Susan** would like to see some commitment regarding the common space/barn. **Mark** stated they cannot make that commitment yet because they have not assessed the structural integrity of the barn yet but could commit to it being an open space. **Jeff** asked how many homes would fit on the same land if it remained R1/R2 versus R3. **Mark** said they did not look at that. **Tanya** mentioned how she would like to see more R1/R2 since almost all the development in the town has been R3. **Eric** asked if motion could be made if they get an additional commitment regarding the barn/open space. **Mark** said he could write it out tonight. This was delayed and picked up again after **Item K**. The additional commitment of leaving the area around the barn shall be common space, even if the barn is found to be beyond repair. **Jeff** wanted to clarify the comment about zoning. **Jeff** asked **Todd** what the difference is between R1, R2, and R3 in density. **Todd** said there is no correlation in the definition in the UDO and the Comp Plan definition (regarding low/medium/high). **Eric m/m to adopt with the additional commitment, Clinton 2nd, 4-1 adopted.**
- B. Consider Ordinance 2023-21: Amendments to Salary Ordinance – **Danny Powers** asked to see an increase from \$110,000 annually to \$120,000 annually. **Clinton m/m to amend the salary as requested, Eric 2nd, 5-0 amended. Eric m/m to suspend rules for 2nd read, Susan 2nd, 5-0 suspended. Eric did the 2nd reading, and m/m to adopt, Clinton 2nd, 5-0 adopted.**
- C. Public Hearing - Braun-Mico Super-Voluntary Annexation I Ordinance 2023-20 – **Eric** opened the public hearing at 7:45pm. **Clinton m/m close the public hearing, Susan 2nd, 5-0 closed at 7:45pm.**
- D. Consider Resolution 2023-32: Approving Braun-Mico Annexation Fiscal Plan – **Clinton m/m to adopt, Eric 2nd, 5-0 adopted.**
- E. Public Hearing – McCoy Super-Voluntary Annexation I Ordinance 2023 – 22 – **Eric opened the public hearing at 7:47pm. Clinton m/m to close the public hearing, Susan 2nd, 5-0 closed at 7:47pm**
- F. Consider Resolution 2023-33: Approving McCoy Annexation Fiscal Plan – **Eric** read the resolution and **m/m to adopt, Clinton 2nd, 5-0 adopted.**
- G. Consider Adoption of Budget Ordinance 2023 – 29 – **Eric m/m to adopt, Clinton 2nd, 5-0 adopted.**
- H. Consider Resolution 2023-34: Approving Excess Levy Appeal – **Eric m/m to adopt, Clinton 2nd, 5-0 adopted.**
- I. Public Hearing – Recommendation for Maintenance Facility Private Agreement – **Eric** opened the public hearing at 7:51pm. **Kevin Russell** said the current council should not be expending this kind of money this close to an election. He recommended this be tabled for the new council taking effect in January 2024 handle this. **Eric m/m to close the public hearing, Clinton 2nd, 5-0 closed at 7:52pm.**
- J. Consider Resolution 2023-35: Awarding Public-Private Agreement for Maintenance Facility – **Eric m/m to adopt, Clinton 2nd, 5-0 adopted.**
- K. Public Hearing – Recommendation for Aquatics Facility Public-Private Agreement Partner – **Eric** opened the public hearing at 7:54pm. **Kevin Russell** spoke again. He also did not like how this is due two weeks before the new council would take effect. He says it does not make sense to tie the new council's hands. **Clinton m/m to close the public hearing, Eric 2nd, 5-0 closed at 7:55pm.**

8. NEW BUSINESS


- A. Consider Ordinance 2023-23: Retransferring Responsibility for Utility Billing and Collection – **Eric** did the first read and **m/m to suspend the rules for a 2nd reading, Susan 2nd, 5-0 suspended. Eric did the 2nd reading, and m/m to adopt, Susan 2nd, 5-0 adopted.**
- B. Consider Ordinance 2023-24: Transfer of Appropriations – **Eric** did the first read.

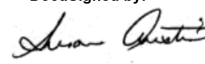
- C. Consider Ordinance 2023-25: Reserve Police Officers – **Eric** did the first read.
- D. Consider Ordinance 2023-28: Updating the Pre-Approved Claims Amount – **Eric** did the first read and **m/m to suspend the rules for a 2nd read, Clinton 2nd, 5-0 suspended. Eric did the 2nd read, and Susan m/m to adopt, Clinton 2nd, 5-0 adopted.**
- E. Consider Expenditure Exceeding \$5,000; NTE \$106,000 (Purchase of 10 Fine Bubble Diffusers for WWTP) – **Danny Powers** spoke about the need to purchase the diffusers. **Eric m/m to approve the expenditure, Susan 2nd, 5-0 adopted.**
- F. Consider Resolution 2023-31: Awarding Scoping Agreement for Aquatics Center – **Nathan Messer** discussed the resolution. **Clinton m/m to adopt, Susan 2nd, 5-0 adopted.**
- G. Consider Resolution 2023-29: Approving 65 Commerce Park West Economic Development Area – **Eric read the resolution and m/m to adopt, Clinton 2nd, 5-0 adopted.**
- H. Consider Resolution 2023-30: Approving Wally's Economic Development Area – **Susan** recused herself from this vote. **Eric read the resolution and m/m to adopt, Clinton 2nd, 4-0 adopted.**
- I. Consider Ordinance 2023-26: Approving issuance of Economic Development Revenue Bonds for 65 Commerce West Project – **Eric** did the first read.
- J. Consider Ordinance 2023-27: Approving issuance of Economic Development Revenue Bonds for Wally's Project – **Eric** did the first read. **Susan** recused herself again.
- K. Consider Expenditure Exceeding \$5,000; NTE \$23,532.49 (Land Acquisition for D.R. Horton) – **Dom** talked about the agreement from 2018 and that this is 23 acres of land. He explained the reasoning behind this expenditure. **Kevin Russell** spoke about the 2018 deal and about how when the council initially adopted the ability to put expenditures on the consent agenda, there was a dollar amount associated with it. He urged the council to be more transparent moving forward. **Eric m/m to approve, Susan 2nd, Clinton thanked Dom for his efforts on this, 5-0 approved.**


9. OTHER BUSINESS - none


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


The minutes from a Town Council meeting on October 11th, 2023, are approved on the 15th day of November, 2023, by the following Town Council Members:

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Clinton Bohm

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Susan Austin

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Tanya Sumner

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Jeff Wishek

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Eric Nichols, President

Attest: DocuSigned by:

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Matthew Sumner, Clerk-Treasurer