



# WHITESTOWN

INDIANA

## TOWN COUNCIL MEETING MINUTES

August 13, 2025

| Whitestown Town Council Members                 |                   |                   |                   |                   |
|---|-------------------|-------------------|-------------------|-------------------|
| Elected to a 4-year term: 01/01/2024-12/31/2027 |                   |                   |                   |                   |
| <u>District 1</u>                               | <u>District 2</u> | <u>District 3</u> | <u>District 4</u> | <u>District 5</u> |
| Cheryl Hancock                                  | Dan Patterson     | Courtenay Smock   | Tobe Thomas       | Eric Nichols      |

### AGENDA

#### 1. OPENING THE MEETING

A. Call to Order – **Dan** called the meeting to order at 6:00pm

B. Roll Call

- Councilwoman Hancock
- Councilman Nichols – absent at the beginning of the meeting – **Eric** joined during Dept Reports
- Councilman Patterson
- Councilman Smock
- Councilman Thomas

C. Pledge of Allegiance

2. APPROVAL OF AGENDA – Cheryl, m/m to approve the agenda as presented, Courtenay 2<sup>nd</sup>, 4-0 approved.

#### 3. PRESENTATIONS -

#### 4. CLERK-TREASURER REPORT

A. Town Management Report | WMU Management Reports | Sewer | Water | - **Ken Kingshill**, a resident, questioned about the Town Other Services and Charges portion of the budget. He made accusations about Taft, the Clerk-Treasurer, and the Council President of conspiring to fund legal for the rest of the year.

5. TOWN MANAGER REPORT – **Katie** called up Water employees to give them thanks for going above and beyond to fix a water main break after hours.

#### 6. DEPARTMENT REPORTS

A. DPW, Building, Planning, Parks and Recreation, Public Relations, WFD, WMPD – **Dan** mentioned that **Eric Nichols** has joined the meeting online at this point.

**7. PUBLIC COMMENT** (Topics Not Related to An Agenda Item) – **Kevin Russell**, a resident, spoke about the utility billing, and the comments he’s seen online. He also spoke about how the Clerk-Treasurer employees are also Town employees, but they are just under the purview of the Clerk-Treasurer. **Dan** talked about how the use of the term “town” is nuanced at different times when they are discussing items. **Eric** mentioned how there is a distinction between the Clerk-Treasurer employees and Town employees in state statute.

**8. APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Minutes – July 9th, 2025, Town Council Meeting Minutes
- B. Approval of Meeting Minutes – July 8th, 2025, Town Council Special Meeting Minutes
- C. Approval of Meeting Minutes – July 22nd, 2025, Town Council Special Meeting Minutes
- D. Claims – July 2025 Expenses Town | July 2025 Revenue Claims | July 2025 Utility Claims – **Cheryl m/m to approve the consent agenda as presented, Tobe 2<sup>nd</sup>, 5-0 approved.**

**9. UNFINISHED BUSINESS**

- A. Second Reading of Ordinance 2025-15 An Ordinance of the Town Council of the Town of Whitestown, Indiana Providing for the Disposition of the Waterworks Utility of the Town – **Dan** did the 2<sup>nd</sup> read. **Dan** opened public discussion. **Tim Cramer**, a resident, presented an “affidavit” regarding residents’ common law actions regarding the sale of the water utility. He asked the council to cease and desist the sale of the water utility and asked the council to hold a referendum for the people to decide. **Kevin Russell**, a resident, said he believes this is on an accelerated path to passage. He believes this is being sold on a “what-if” and not as a “promise”. **Dan** asked if anyone else would like to speak, and no one did. Council discussion ensued. **Cheryl** brought up section 7.08, where there could be potential loopholes she has issues with. **Cheryl** mentioned several other aspects she was also not completely satisfied with. Discussion ensued. The council engaged in discussion with Citizens Energy Group over some of **Cheryl’s** comments and other general questions and concerns. **Dan Cutshaw** also helped answer council questions. **Courtenay** reiterated **Cheryl’s** point that the public has only had access to the purchase agreement for a little over 48 hours. Discussion ensued. **Cheryl** said she only saw the purchase agreement on Friday, so she has not had a lot of time to read through this document. **Cheryl m/m to table until another special session or regular session can be scheduled, Courtenay 2<sup>nd</sup>, 2-3 defeated. Eric m/m to approve, Tobe 2<sup>nd</sup>, 4-1 approved. (Cheryl was the “no” vote)**
- B. Second Reading of Ordinance No. 2025-12 An Ordinance of the Town Council of the Town of Whitestown, Indiana Amending Ordinance No. 2020-05 Establishing Regional Sewer Improvement Charges for New Development and Methods for Calculating Equivalent Dwelling Units – **Dan** did the 2<sup>nd</sup> read. **Cheryl m/m to approve, Eric 2<sup>nd</sup>, 5-0 approved.**
- C. Second Reading of Ordinance No. 2025-13 An Ordinance of the Town Council of the Town of Whitestown, Indiana Establishing and Adopting Water & Wastewater Standard Specifications & Details – **Dan** did the 2<sup>nd</sup> read. **Cheryl m/m to approve, Tobe 2<sup>nd</sup>, 5-0 approved.**
- D. Second Reading of Ordinance No. 2025-14 An Ordinance of the Town Council of the Town of Whitestown, Indiana Establishing and Adopting Stormwater & Transportation Standard Specifications & Details – **Dan** did the 2<sup>nd</sup> read. **Cheryl m/m to approve, Courtenay 2<sup>nd</sup>, 5-0 approved.**

**10. PUBLIC HEARINGS - none**

## 11. NEW BUSINESS

- A. Consider Expenditure Exceeding \$25,000; NTE \$299,004 (Utility Reimbursable Agreement with Duke Energy for Peters & Hull Road Reconstruction project) – **Sri** discussed the need for this expenditure. Discussion ensued. **Tobe m/m to approve with a NTE of \$299,004, Cheryl 2<sup>nd</sup>, 5-0 approved.**
- B. Consider approval of out of state travel for DPW Director and Town Engineer to attend the 2025 PWX Public Works Expo in Chicago, IL from August 17–19, 2025 – **Sri** explained the need for this expenditure. **Cheryl m/m to approve, Dan 2<sup>nd</sup>, 5-0 approved.**
- C. First Reading of Ordinance No. 2025-18, An Ordinance Amending the Whitestown Unified Development Ordinance: Parking and Loading Standards. – **Dan did the first read. Todd Barker** discussed this ordinance.
- D. First Reading of Ordinance No. 2025-19, An Ordinance Amending the Whitestown Unified Development Ordinance: Definitions – **Dan** did the first read. **Todd Barker** discussed the ordinance.
- E. Consider approval of Resolution No. 2025-18 of the Town Council of the Town of Whitestown, Indiana, approving a taxpayer agreement and second amendment to taxpayer agreement in connection with the Town of Whitestown, Indiana Economic Development Revenue Bonds, Series 2022 (Patch Whitestown Project) – **Todd Barker** talked about how this is effectively the tax-payer piece for this parcel. **Courtenay m/m to approve, Cheryl 2<sup>nd</sup>, 5-0 approved.**
- F. Consider Expenditure Exceeding \$25,000; NTE \$63,197 for Asphalt Patcher – **Jason Forsythe** discussed the need for this request. **Cheryl m/m to approve with a NTE of \$63,197, Eric 2<sup>nd</sup>, 5-0 approved.**
- G. Consider Adoption of Agreement for Professional Services with CDS Engineers, Inc. for Engineering Services Related to Legacy Core Lift Station Forcemain Reroute and Wastewater Treatment Plant Phase 1 Expansion – **Sri** requested council eliminate this agenda item. **Cheryl m/m to remove this item, Courtenay 2<sup>nd</sup>, 5-0 approved (removed from agenda).**
- H. Consider Expenditure Exceeding \$25,000; NTE \$257,000 (Adoption of Agreement for Professional Services between the Town of Whitestown and CDS Engineers, Inc. for Legacy Core Lift Station Forcemain Reroute Project) – **Sri** explained the need for this request. **Cheryl m/m to approve with a NTE of \$257,000, Courtenay 2<sup>nd</sup>, 5-0 approved.**
- I. Consider Expenditure Exceeding \$25,000; NTE \$598,000 (Adoption of Agreement for Professional Services between the Town of Whitestown and CDS Engineers, Inc. for WWTP Phase 1 Expansion Construction Services) – **Sri** discussed this item as well. **Eric m/m to approve with a NTE of \$598,000, Cheryl 2<sup>nd</sup>, 5-0 approved.**
- J. Consider Adoption of Resolution 2025-19 A Resolution of the Town Council of the Town of Whitestown, Indiana, adopting a Capital Improvement Plan and Program for the Town – **Sri** discussed this resolution. Discussion ensued. **Courtenay m/m to approve, Cheryl 2<sup>nd</sup>, 5-0 approved.**
- K. First Reading of Ordinance 2025-16, An Ordinance of the Town Council of the Town of Whitestown, Indiana, Amending Chapter 8.25 of the Whitestown Town Code (Abandoned and Unregistered Vehicles) - **Eric** dropped out of the meeting before the vote on this item. **Ashley Ulbricht**, the town attorney, discussed this item. Discussion ensued. This was a first read only.
- L. First Reading of Ordinance 2025-17, An Ordinance of the Town Council of the Town of Whitestown, Indiana, Amending Chapter 5.10 of the Whitestown Town Code (Solicitors) – **Dan** did the first read. **Ashley** discussed this ordinance. Discussion ensued and **Chief Rolston** answered some questions.
- M. Consider Expenditure Exceeding \$25,000; NTE \$125,000 (Authorization of Utility Engineering Review Services – CDS/GES Town Engineering Support) – **Sri** explained that this is a new contract. It is “as needed”. **Cheryl m/m to approve with a NTE of \$125,000, Courtenay 2<sup>nd</sup>, 4-0 approved.**

- N. Consider Expenditure Exceeding \$25,000; NTE \$80,000 (Authorization of Sanitary Sewer Master Plan Update – CDS Engineers) – **Sri** explained that this is also a new contract. **Courtenay m/m to approve with a NTE of \$80,000, Tobe 2<sup>nd</sup>, 4-0 approved.**
- O. Acknowledgement of Tourism Commission Board appointee Megan Lingerfeldt to serve remainder of vacated term until 1/1/26 (Executive Appointment) – **Dan** talked about this item, and how this is to replace **Greg Ballard**'s seat on the board.

**12. OTHER BUSINESS – Cheryl made a statement regarding her vote on the sale of the water utility clarifying that she supports the sale and only had reservations about certain language in the current agreement.**

**13. ADJOURN – Courtenay m/m to adjourn, Cheryl 2<sup>nd</sup>, 4-0 adjourned at 7:53pm.**

The minutes from the Town Council meeting on August 13, 2025, are approved on the 10th day of September 2025, by the following Town Council Members:

\_\_\_\_\_  
Cheryl Hancock

\_\_\_\_\_  
Dan Patterson

\_\_\_\_\_  
Courtenay Smock

\_\_\_\_\_  
Tobe Thomas

\_\_\_\_\_  
Eric Nichols

Attest:

\_\_\_\_\_  
Matthew Sumner, Clerk-Treasurer