

WHITELAND TOWN COUNCIL  
JULY 13, 2015

ROBERT ZEHR CALLED THE MEETING TO ORDER AT 7:00PM

PLEDGE TO THE FLAG

INVOCATION BY S. ED TICHENOR

PRESENT: ROBERT ZEHR, S. ED TICHENOR, KENT BEESON AND JAMES KLENNER

ABSENT: ROGER FORD

OTHERS PRESENT: MICHELLE R. RICHARDS- CLERK/TREASURER, NORM GABEHART-TOWN  
MANAGER/MS4 OPERATOR/STREET SUPT., NATHAN BILGER-PLANNING AND ZONING DIRECTOR, RICK  
SHIPP-TOWN MARSHAL

OTHERS ABSENT: RUSTY SNYDER-WWTP SUPT.

ROBERT ZEHR MADE THE MOTION TO APPROVE THE MINUTES FROM JUNE 8, 2015. KENT BEESON  
SECONDED THE MOTION AND PASSED 3-0-1 TICHENOR ABSTAINED.

KENT BEESON MADE THE MOTION TO APPROVE VOUCHER PACKET 15-7. ROBERT ZEHR SECONDED THE  
MOTION AND PASSED 3-0-1 TICHENOR ABSTAINED.

MICHELE R. RICHARDS REVIEWED THE FINANCIAL REPORTS FOR PERIOD ENDING JUNE 30, 2015. THE  
GENERAL FUND BALANCE IS \$209,028.72. THE WASTEWATER FUND BALANCE IS \$30,696.49. THE TOWN  
RECEIVED JUNE SETTLEMENT MONEY BETWEEN GENERAL, MVH, AND CCD FUNDS AS FOLLOWS:  
GENERAL PROPERTY TAX + LICENSE EXCISE = \$253,112.26, PHASE IN MONEY = \$22,280.49, WHITELAND  
TOWN CENTER 028 \$4,451.44, WHITELAND TOWN CENTER 048 \$103.61, FINANCIAL INSTITUTION  
\$1,091.61. MICHELLE ALSO PRESENTED MONEY RECEIVED FOR THE WHEEL TAX FROM JANUARY – JUNE  
2015 \$54,628.62.

NORM GABEHART PRESENTED PAY REQUEST FROM WESSLER ENGINEERING IN THE AMOUNT OF  
\$2236.97 FOR COUNCIL CONSIDERATION AND GAVE AN UPDATE ON THE PROJECT.

NORM STATED A SINK HOLE APPROX. 1' DEEP WAS DISCOVERED BESIDE THE NEW SPLITTER STRUCTURE.  
THE LINE WAS TELEVISED TO CHECK FOR FURTHER DAMAGE. GRAVES PLUMBING EXCAVATED, CUT,  
REPAIRED, AND BACKFILLED THE LINE. THIS WAS NOT A RELOCATION. KENT BEESON MADE THE  
MOTION TO PAY WESSLER ENGINEERING IN THE AMOUNT OF \$2,236.97. S. ED TICHENOR SECONDED  
THE MOTION AND PASSED 4-0.

NATHAN BILGER REVIEWED ORDINANCE 2015-01, AN ORDINANCE MODIFYING ANIMAL CONTROL  
REGULATIONS. THIS PASSED 1<sup>ST</sup> READING JUNE 8, 2015. NATHAN STATED SEVERAL SURROUNDING  
AREAS ARE AWAITING THIS APPROVAL FOR THEIR USE. KENT BEESON MADE THE MOTION TO APPROVE  
ORDINANCE 2015-01 IN 2<sup>ND</sup> READING BY TITLE ONLY. S. ED TICHENOR SECONDED THE MOTION AND  
PASSED 4-0. KENT BEESON MADE THE MOTION TO SUSPEND THE RULES AND APPROVE ORDINANCE  
2015-01 IN 3<sup>RD</sup> READING BY TITLE ONLY. S. ED TICHENOR SECONDED THE MOTION AND PASSED 4-0.

ORDINANCE 2015-02 AMENDING TITLE VII, THE TRAFFIC CODE WAS PRESENTED BY NATHAN BILGER FOR  
1<sup>ST</sup> READING CONSIDERATION. FIRE CHIEF DAVE GABBARD REQUESTED NO PARKING ON STATE STREET  
FROM MAIN STREET TO THE ALLEY ON BOTH SIDES OF THE ROAD. THIS REQUEST IS FOR SAFETY  
REASONS. PARKING ON THE STREET COULD RESTRICT THE ABILITY OF THE APPARATUS TO PASS THIS  
AREA. THE COUNCIL DISCUSSED NO PARKING ON STATE STREET AS A WHOLE. THIS ORDINANCE  
APPLIES TO "ON STREET" PARKING ONLY. THIS WOULD NOT APPLY TO THE "OFF STREET" PARKING THE  
RESIDENTS HAVE IN PLACE CURRENTLY. NEITHER BUSINESS ON EACH SIDE OF THE STREET HAS A

PROBLEM WITH THE PROPOSED ORDINANCE. KENT BEESON MADE THE MOTION TO APPROVE ORDINANCE 2015-02 IN 1<sup>ST</sup> READING BY TITLE ONLY AND REVISE TO INCLUDE NO PARKING ON ALL OF SOUTH STATE STREET. THIS WILL NOT PROHIBIT RESIDENTS TO PARK IN THE "OFF STREET PARKING AREAS". S. ED TICHENOR SECONDED THE MOTION AND PASSED 4-0.

NORM GABEHART STATED THE INSURANCE COMMITTEE INTERVIEWED INSURANCE COMPANIES TO PROPOSE THE EMPLOYEE HEALTH INSURANCE FOR THE RENEWAL DATE OF SEPTEMBER 1, 2015. THE COMMITTEE PICKED A PLAN THAT WOULD HAVE BETTER BENEFITS AT A COMPARABLE RATE FROM 2014. NORM GABEHART ASKED THE COUNCIL TO APPROVE RENEWAL TO NOT EXCEED \$210,000.00 FOR THE INSURANCE YEAR. THIS NUMBER WILL INCLUDE HEALTH, LIFE, DENTAL, AND VISION INSURANCE. KENT BEESON MADE THE MOTION TO APPROVE THE INSURANCE AMOUNT NOT TO EXCEED \$210,000.00 AND INCLUDE HEALTH, LIFE, VISION, AND DENTAL INSURANCE. THE TOWN MANAGER WILL HAVE FINAL APPROVAL ON THE PLANS. S. ED TICHENOR SECONDED THE MOTION AND PASSED 4-0.

NORM GABEHART PROPOSED THE PURCHASE OF A GRAPPLING TRUCK IN THE AMOUNT OF \$34,000.00. THIS PURCHASE WILL ALLOW THE TOWN TO START A MONTHLY LIMB/STICK PICK UP PROGRAM YEAR ROUND. NORM SUGGESTED THE PROGRAM TO BEGIN THE FIRST MONDAY AND TUESDAY OF EVERY MONTH. THIS MACHINE WILL HAVE MANY USES INCLUDING TRANSPORTING HEAVY PARTS TO LOCATIONS, WILL USE ON WORKSITES FOR HEAVY LIFTING, ETC.

NORM STATED THE WATER SUPT., JASON CLAYMAN, RESIGNED AND WOULD LIKE TO REPLACE HIS POSITION WITH A FIELD SUPERVISOR INSTEAD OF A SUPERINTENDENT.

NORM ALSO PROPOSED THE PURCHASE OF A 14YD LEAF MACHINE IN THE AMOUNT OF \$42,800.00 TO START A LEAF PROGRAM. THIS WILL BE PURCHASED BY THE STORM WATER UTILITY AND WILL BE PRESENTED TO THE BOARD AT THE JULY 15<sup>TH</sup> MEETING.

THE COUNCIL DISCUSSED THE PROPOSED PROGRAMS WITH NORM. NORM STATED THE LEAF PROGRAM WILL LEAD TO A POSSIBLE COMPOSTING SITE AND COMMUNITY GARDEN. THIS IS PROPOSED TO BE LOCATED AT THE WHITELAND WASTE WATER TREATMENT PLANT.

KENT BEESON MADE THE MOTION TO PURCHASE THE GRAPPLING TRUCK IN THE AMOUNT OF \$34,000.00 ON A LEASE PURCHASE NOT TO EXCEED 2.75%. THE FIRST PAYMENT WILL BE PAID FROM THE STORM WATER UTILITY AND THE REMAINING PAYMENTS WILL BE DETERMINED IN THE BUDGET PROCESS. ROBERT ZEHR SECONDED THE MOTION AND PASSED 4-0.

NATHAN BILGER STATED THERE WERE 7 PERMITS ISSUED FOR THE MONTH OF JUNE: 1 RESIDENTIAL REMODEL, 2 ACCESSORY BUILDINGS, 1 FENCE, AND 3 MISC. PERMITS. 11 INSPECTIONS WERE COMPLETED (MOSTLY FROM THE SCHOOL). 8 NUISANCE VIOLATIONS: 5 TALL GRASS, 1 TALL GRASS + TRASH, 1 TRASH/JUNK, AND 1 ANIMAL COMPLAINT. THE ANIMAL COMPLAINT WAS RESOLVED BEFORE ANIMAL CONTROL ARRIVED.

NATHAN AND NORM SPOKE WITH A REPRESENTATIVE FROM GREG ALLEN ON THE "MR. D'S" PROPERTY. THE PURCHASE AGREEMENT WITH A NATIONAL SITE IS 80-90% COMPLETE. INDOT DOES NOT WANT TO APPROVE ACCESS OFF 31 TO THE PROPOSED SITE. THE TOWN WILL WORK TO RESOLVE THIS.

NATHAN STATED THAT THE 2013 MILEAGE CERTIFICATION FROM INDOT WAS 27.584 MILES OF ROAD IN THE TOWN OF WHITELAND. THE 2014 CERTIFICATION IS PROPOSED AT 27.384. NATHAN REVIEWED THE MAPS FROM INDOT AND FOUND ERRORS IN THE PROPOSED CERTIFICATION. NATHAN STATED THERE SHOULD BE 27.863 MILES OF ROAD. NATHAN IS WORKING ON GETTING THIS ERROR FIXED. THIS IS IMPORTANT TO CHANGE SINCE THE MONEY RECEIVED INTO THE LOCAL ROAD AND STREET MONEY IS A FORMULA FROM THESE NUMBERS.

THE INDOT RAILROAD DIVISION GRANT MONEY AWARDED IN EARLY 2014 IS STILL AVAILABLE TO UPGRADE RAILROAD CROSSING SIGNAGE. THIS MONEY IS IN THE AMOUNT OF \$673.50.

RICK SHIPP STATED THE POLICE DEPARTMENT HAD 294 RUNS FOR THE MONTH OF JUNE. THE ANNEXED AREA HAD 36 RUNS = 27 HRS. THE RESERVES WORKED 172 5 HOURS IN THE MONTH OF JUNE.

RICK ATTENDED THE POLICE CHIEFS MEETING.

BRIAN ROBERSON MADE 4 ARRESTS FOR THE CAR BREAK-INS. THESE BREAK-INS WERE FROM A GANG OUT OF INDIANAPOLIS. JOHNSON COUNTY MADE 2 ARRESTS

RICK STATED THERE WERE 29 CALLS ON FIREWORK COMPLAINTS. 24 WERE FROM THE PARKWAY AREA.

RICK IS IN CONTACT WITH THE STATE FIRE MARSHAL AND ATF. THEY PAID A VISIT TO 350 PARKWAY AND WERE ALLOWED INSIDE THE HOME BY THE HOMEOWNER. ALL THE FIREWORKS LOCATED ON THE PROPERTY WERE LEGAL. THE AFT IS INVESTIGATING THE VIDEO OF THE DRYER BEING BLOWN-UP AND SEVERAL OTHER VIDEOS. A SUSPICIOUS ARTICLE (HOMEMADE DEVICE) WAS FOUND. THE BOMB SQUAD TO X-RAY AND SENT IT TO THE STATE FOR FORENSIC PRINTS. THE ATF DID SPEAK WITH THE HOMEOWNER ABOUT SETTING OFF FIREWORKS

THE POLICE DEPARTMENT RECOVERED 2 STOLEN VEHICLES AT THE TRUCK STOP.

NORM GABEHART STATED RUSTY SNYDER IS ON VACATION THIS WEEK. THE WWTP TREATED 21,011,000 GALLONS. THE DAILY AVERAGE IS 700,400. RAIL FALL FOR JUNE WAS 9.83". THE NORMAL FOR JUNE IS 4.25"

NORM REMINDED THE COUNCIL OF THE REPUBLIC TRASH SERVICE INCREASE IN EFFECT ACCORDING TO THE CURRENT CONTRACT. NORM IS WORKING WITH OTHER COMMUNITIES IN JOHNSON COUNTY TO TRY TO COMBINE A CONTRACT TO REDUCE THE COST. THE RATE WILL INCREASE TO \$10.48 IN AUGUST.

PUBLIC COMMENTS:

ART REIFEIS, 320 PARKWAY STREET WELCOMED MR. KLENNER AS A TOWN COUNCIL MEMBER.

MR. REIFEIS WANTED TO KNOW WHY THE SIRENS DID NOT GO OFF IN THIS AFTERNOONS STORM. IT WAS EXPLAINED THE COUNTY CONTROLS THE SIRENS AND HAS A SYSTEM IN PLACE.

MR. REIFEIS WANTED TO KNOW IF THE SCHOOL RECEIVED A WAIVER FOR THEIR PERMITS. NORM GABEHART STATED THE SCHOOL DID RECEIVE SOME WAIVERS FOR BUILDING PERMITS.

MR. REIFIES STATED HE COMPOSED A FIREWORKS ORDINANCE TO BAN ALL FIREWORKS IN THE TOWN OF WHITELAND AND WANTS THE COUNCIL TO APPROVE THIS ORDINANCE.

JAMES KLENNER WAS SURPRISED THE TORNADO SIRENS DID NOT GO OFF.

CHERYL HENSON, PARKWAY STREET, STATED THE FIREWORKS ARE NOT ONLY AN ISSUE ON PARKWAY STREET AND WANTS A TOTAL BAN ON FIREWORKS IN THE TOWN OF WHITELAND.

JAMES KLENNER STATED A TOTAL BAN WILL NOT HELP.

A RESIDENT AT 319 PARKWAY DOES NOT HAVE A PROBLEM WITH NORMAL FIREWORKS BUT HAS A PROBLEM WITH LOUD FIREWORKS.

SEVERAL PEOPLE IN THE AUDIENCE WERE TALKING ALL AT ONCE AT THIS POINT AND DID NOT STATE THEIR NAMES OR ADDRESSES.

KENT BEESON SAID A COMPLETE BAN ON FIREWORKS WILL DISCIPLINE THE PEOPLE THAT DO NOT ABUSE THE FIREWORKS.

RICK SHIPP ASSURED THE PUBLIC AND THE COUNCIL THAT THERE IS AN INVESTIGATION AND THE PUBLIC NEEDS TO GIVE TIME FOR DUE PROCESS. THE PUBLIC NEEDS TO STEP BACK AND NOT INTERFERE WITH

THE SYSTEM AND INVESTIGATION. RICK UNDERSTANDS THE PROBLEM AND THE EFFECT ON THE COMMUNITY BUT DOES NOT WANT THE PUBLIC OR HIS OFFICERS IN DANGER. HE IS WORKING WITH THE HIGHEST PEOPLE POSSIBLE TO GET THIS PROBLEM RESOLVED. A NEW OR REVISED ORDINANCE WILL NOT BE INTRODUCED DURING THE TIME OF THIS INVESTIGATION. RICK AND NORM ARE WORKING WITH A JUDGE AND THE ATTORNEY TO GET THE BEST POSSIBLE WORKING ORDINANCE IN PLACE WITH THE ABILITY TO IMPOSE GREATER FINES WITHIN THE LAW. RICK AND NORM ASSURE THE PUBLIC THIS WILL NOT BE PUSHED ASIDE AND THEY WILL FOLLOW THROUGH TO THE END. COMMENTS FROM UNKNOWN MEMBERS OF THE AUDIENCE STATE THEY STILL WANT A STRICTER ORDINANCE. RICK SAID THE STATE OF INDIANA ALLOWS THIS TYPE OF FIREWORKS TO BE PURCHASED AND USED BY THE PUBLIC. HE SUGGESTS TALKING WITH YOUR STATE REPRESENTATIVE TO GET THIS CHANGED. AT THIS POINT DURING THE MEETING EVERYONE WAS TALKING OVER EACH OTHER MAKING THE DISCUSSION INCOMPREHENSIBLE. RICK SHIPP WAS REPEATEDLY TRYING TO EXPLAIN THE PROCESS AND OTHERS WERE TALKING OVER HIM. THE REST OF THE PUBLIC COMMENT WAS INAUDIBLE. THE TOWN COUNCIL ENCOURAGED THE RESIDENTS TO LET RICK SHIPP DO HIS JOB.

THE MEETING ADJOURNED AT 9:17PM.

PASSED BY THE TOWN OF WHITELAND TOWN COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

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ROBERT ZEHR

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ROBERT ZEHR

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KENT BEESON

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KENT BEESON

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S. ED TICHENOR

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ROGER FORD

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ROGER FORD

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JAMES KLENNER

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JAMES KLENNER

ATTEST:

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MICHELLE R. RICHARDS, IAMC, CMC