

**WHITELAND TOWN COUNCIL
September 08, 2020**

<u>Council members present</u>		<u>Other Town Officials</u>		<u>Other Town Officials</u>	
David Hawkins		Norm Gabehart		Stephen Watson	
President	<u> X </u>	Town Manager	<u> X </u>	Town Attorney	<u> X </u>
Scot Ford		Debra L. Hendrickson		Shaun Young	
Vice President	<u> X </u>	Clerk Treasurer	<u> X </u>	Public Works Supt.	<u> </u>
Laura Fleury		Rick Shipp			
Member	<u> X </u>	Town Marshal	<u> X </u>		<u> </u>
Joe Sayler		Eric Funkhouser			
Member	<u> X </u>	Fire Chief	<u> X </u>		<u> </u>
Brad Goedeker					
Member	<u> X </u>				

Call to order

- D. Hawkins called the meeting to order at 7:01 pm

Pledge of Allegiance

Roll Call - All Present. Others present: Carmen Parker, Nathan Vrab

Invocation - Norm Gabehart

Adoption of Order of the Business of the Day

Minutes

- **August 11, 2020** – S. Ford made a motion to approve the minutes as written. J. Sayler seconded the motion.
Passed 5-0

Voucher Packets 8-11-2020 #1 & #2

- D. Hawkins inquired about Voucher #23878 for Bargersville Utilities which the description was limited due to the amount of words the software prints. D. Hendrickson stated she would get the Voucher and email the information to the Council.
- J. Sayler made a motion to approve Voucher Packet #1 and #2. L. Fleury seconded the motion.
Passed 5-0

Financials

- D. Hendrickson read the Fund Reports on the General, Water, Sewer, Water Improvement Fund, and Sewer Improvement Fund.

Old Business

- **Ordinance 2020-07 – New Trash Rates (Final Reading).**
 - D. Hawkins inquired why the new was starting in October? N. Gabehart stated the actual new rates started August 1, 2020 and we only had enough in the operating balance to last until October 1, 2020. S. Ford made a motion to approve the Final Reading on Ordinance 2020-07, New Trash Rates. J. Sayler seconded the motion.

Passed 5-0

New Business

- **Resolution 2020-10, Howard Property Annexation Fiscal Plan, Introduction**
 - S. Watson stated a fiscal planned must be presented prior to the passing of an Ordinance for annexation. Since the property also includes residential homes on the property that requires a fiscal plan. Will be running along with the Ordinance 2020-10 at the October meeting.
 - N. Gabehart stated the property owner wanted to be in the Town of Whiteland and is currently in the County. The current County zoning will transfer to Whiteland as it is•
 - **Ordinance 2020-10, Howard Annexation, Introduction & Public Hearing**
 - Currently petitioners live on the property and is partially zoned I2 and R2 and has no intentions to do anything with the property. When added to the Town the zoning will go to I1 and R1 which equals the county's code. Plan Commission gave a favorable recommendation of approximately 72.11 acres.
 - Public hearing opened at 7:34pm. No public comments. Public hearing closed at 7:35pm. S. Ford made a motion to approve Res. 2020-10 for 1st Reading. L. Fleury seconded the motion.

Passed 5-0
- **Ordinance 2020-11, Parking on Oakville Blvd.**
 - S. Ford stated owner of Evolution Auto has been blocking traffic while offloading vehicles on semi-trucks. S. Watson stated section 4 adds Oakville Blvd in the current Parking Ordinance with no truck parking restrictions. Included is Hummingbird lane has exceptions for temporary service trucks for residents. Ordinance will be posted and published in order to process penalties. S. Ford made a motion to pass Ord. 2020-11 on 1st reading. B. Goedeker seconded the motion.

Passed 4-0-1 with L. Fleury abstaining.

S. Ford made a motion to suspend the rules. J. Sayler seconded the motion.

Passed 5-0

 - S. Ford made a motion to pass Ordinance 2020-11 for second reading. J. Sayler seconded the motion.

Passed 4-0-1 with L. Fleury abstains
- **Ordinance 2020-13, Rezoning for the Brightwell Properties**
 - C. Parker, Community Development Director stated the petitioner wanted their 10-acre property be zoned to I1. Rudy Schwartz representing ABC Cutting Contractors, LLC is relocating from Stop 11 and Emerson in Indianapolis to Whiteland. They need more room with easy access to the interstate. Entrance will be through Warrior Trail but looking to another entrance after future projects are finished. All commitments have been met for the zoning change has a favorable recommendation from the Plan Commission. Mr. Schwartz stated the kind of truck being used are Ford F550. J. Sayler made the motion to approve Ord. 2020-13 for rezoning for final reading. B. Goedeker seconded the motion.

Passed 5-0
- **Ordinance 2020-01, Yard Parking**

- N. Gabehart stated this ordinance parallels some of the nuisance issues the Town has and will allow administration to go out and look and help residents to transition to hard surface that is consistent with the area of the resident with the problem. J. Sayler inquired if it changes the flat “no parking” to everyone to a reasonable problem solving. N. Gabehart stated yes it does. S. Ford inquired if a permit would be needed and a variance. Gabehart stated yes to the permit and no to the variance. J. Sayler is conflicted with Section 3 subsection H. J. Sayler made a motion to approve the 1st reading of ORD 2020-11 with the modification of Section 3 subsection H be removed. L. Fleury seconded the motion.

Passed 5-0.

- **Briar Creek Sidewalk Performance Bond Release**

- C. Parker presented the request from Briar Creek Subdivision for Sidewalks Performance Bond of \$ 82,381.25 be released in exchange of a Maintenance Bond of \$16,476.25. The staff has been diligent is inspecting the work site and feels this would be appropriate. The Town has accepted the improvements.

Passed 4-1 with S. Ford voting no.

- **Ordinance 2020-08, 2021 Budget, (First Reading), (Public Hearing)**

- N. Gabehart summarized the budgets that were delivered previously. The highest percentage of expenditures were in the General fund and a 4% raise of the Deputy Marshal’s position passed on to everyone in the amount of \$2,280. With the unsurety of Covid 19 there will be a levy shift of \$85,000 to MVH for a buffer due to the losses to the Town’s revenues. The legal charges were re-evaluated and increased. The Town will ask for an additional appropriation to fund the Town’s portion of the Community Crossings Matching Grant Fund for road projects. Public hearing opened at 8:21pm. No comments. Hearing closed at 8:22pm. S. Ford made a motion to approve Ordinance 2020-08 for 1st reading. L. Fleury seconded the motion.

Passed 5-0

- **Ordinance 2020-09, 2021 Salary Ord. (Introduction)**

- N. Gabehart stated the summary of the Salaries in the Budget. S. Ford stated that the average of the Town Manager’s Salary with the size of our community, is above the salary in our Town Manager and in order to get qualified people down the road we need to be at the same level of other communities of our size which is over \$90,000. D. Hawkins agreed. N. Gabehart stated even though he appreciated the gesture he would like for that to be at a later date. L. Fleury agreed that the salary needs to be appealing for the next person but would like to see the comparison. S. Ford stated he would re-visit the website. S. Ford made a motion to approve Ordinance 2020-09 as drafted for 1st Reading. J. Sayler seconded the motion.

Passed 5-0

Code Enforcement Officer – Nathan Vrab

- Two properties have been investigating for some time.
 1. 305 Cardinal Drive.
 - There has been a drastic improvement on this property. One of her family members helped to improve the property. The Town stepped in and helped by removing limbs and rubbish.
 - The resident could not be in attendance.
 - It will be monitored regularly and the Town has declared it abated.
 2. 259 St. Charles Way – Originally opened by R. Snyder.
 - Clutter on property

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- Vehicles parked on sidewalks and right-a-ways
 - Habitat for vermin
 - Pictures were introduced to the Council
- There has been no possible visual of any improvement according to the Town.
- Residents were in attendance and requested to speak. He stated he has been working on the property but because of work he didn't have much time. He hasn't fixed the parking but was wanting input from the Town on what to use.
- N. Vrab stated he feels piles have just been moved around and not fixed and nothing will be accomplished
- N. Gabehart is willing to help and has reached out. He would like to give them one more week and if the Council agrees to the consideration, whatever is on the property needs to be removed and nothing else added. J. Sayler stated if this issue goes to mitigation the resident will accumulate a massive bill. D. Hawkins stated the issue has been going on far too long and wants to give the resident 6 days. J. Sayler stated it has been going on for two years and the Town has given grace so this is a chance for you to get help. Resident stated they could take care of the issue without the Town's help. S. Watson recommended that a determination be put on record the issue has not been solved and is a nuisance. If the issue has not been abated by September 14, 2020 the Town will be authorized to pursue abatement and issue fines and/or fees be issued.
- J. Sayler stated the address of 259 St. Charles was determine by Town Code a nuisance. S. Ford seconded the statement. **Passed 5-0.**
- J. Sayler stated the Town has the authorization to abate the nuisance by civil proceedings or whatever method the Town chooses, provided the nuisance has not been abated prior September 14, 2020. S. Ford seconded the motion. **Passed 5-0**

Town Manager Report


- S. Watson stated the Council needed to state the Briar Creek accepted the improvements for the Performance Bond. N. Gabehart stated that is correct. S. Ford made a motion to accept the approvemnts. L. Fleury seconded the motion. **Passed 5-0**
- The interest in Whiteland has been phenomenal. The residential side is peaking and we are blessed as a community. Thanks to the Council for all they do.

Council Comment - None


Public Comment - None

Meeting adjourned at 8:54 pm.

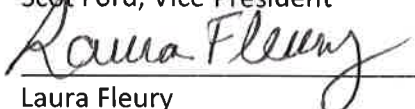
Passed by the Whiteland Town Council on this day 13 of October, 2020

Aye 
David Hawkins, President

Nay _____
David Hawkins, President



Scot Ford, Vice President



Laura Fleury

Scot Ford, Vice President

Laura Fleury

Brad Goedecker



Joe Sayler

Brad Goedecker

Joe Sayler

Attest: 

Debra L. Hendrickson, Clerk Treasurer

