

WHITELAND TOWN COUNCIL
July 21, 2021

Council members present

Other Town Officials

Other Town Officials

Joe Saylor President	<u> X </u>	Kevin McGinnis Town Manager	<u> X </u>	Stephen Watson Town Attorney	<u> X </u>
Richard Hill Member	<u> X </u>	Debra L. Hendrickson Clerk Treasurer	<u> X </u>	Jessie Boshell Senior Planning Dir.	<u> X </u>
Laura Fleury Vice President	<u> X </u>	Rick Shipp Town Marshal	<u> X </u>	Shaun Young Public Works Sup.	<u> X </u>
Brad Goedeker Member	<u> X </u>	Eric Funkhouser Fire Chief	<u> </u>		<u> </u>
David Hawkins Member	<u> X </u>				

Call to order

- J. Saylor called the meeting to order at 7:23 pm

Pledge

Invocation - Conducted by K. McGinnis

Roll Call – All present

Adoption of the Order of Business

- Ordinance 2021-09 requested for continuance

Minutes – from June 08, 2021.

- B. Goedeker made a motion to approve the minutes June 08, 2021. D. Hawkins seconded the motion.
Passed 4-0-1 R. Hill abstains

Voucher Packet 7-21-2021

- B. Goedeker inquired about the “amount allowed” column was empty on one item. D. Hendrickson explained the amount allowed is just a space on the Voucher Packet in the software system. The amount of the Voucher Packet is what is actually approved.
- D. Hawkins made a motion to approve Voucher Packet 7-21-2021. L. Fleury seconded the motion.
Passed 5-0

Financial Report

- Clerk Treasurer reported balances on all operating funds are higher than a year ago.
- ARPA funds should be deposited into our bank account soon. Estimating around \$474,000 this year and the same for next year exactly 12 months later.

Old Business

- Resolution 2021-15, Final Approval of Tax Abatement for MOHR Logistics (Bright Property) – Public Hearing. Opened at 7:39 pm. No comments. Closed at 7:40 pm.
- Matt Price, attorney for Mohr Logistics. Summarized this is the phase 2 and inquired if there were any questions.

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- D. Hawkins made a motion to approve RES. 2021-15 final approval Mohr Logistics Tax Abatement. B. Goedecker seconded the motion.
Passed 5-0

New Business

- **Consideration of Probation for new Town Manager**
 - D. Hawkins made a motion to extend the probation to the end of the year. R. Hill seconded the motion. Failed 2-3 with L. Fleury, B. Goedecker, J. Sayler voting no.
 - B. Goedecker made a motion to eliminate the probation period and continue as the employment letter (dated 12-08-2020) stated in the terms. L. Fleury seconded the motion
Passed 3-2 with R. Hill and D. Hawkins voting no.
- **Eagle Scouts Project – Dog Park**
 - Connor Bolts – Troop 615 stated he wanted to fund raise to put benches in the East and West fence lines. Along the gazebo implementing a book exchange box along with flowers and shrubs. Approximate cost should be around \$500.
 - Justin Gick – Troop 264 stated he would like to fund raise to implement six flag poles, one each of the military branches plus one American flag. Also install lights with a sidewalk. Estimated cost is \$6,140.
- **Ken Kosky – Director of Tourism for Festival Country**
 - Passed out activity guides.
 - 2021 has a record amount of people in tourism this year.
 - Grants are also available for the Town.
- **Consideration of Bids and Award of Contract for 2021 Paving Program**
 - K. McGinnis stated the Town received four bids. Wallace Asphalt came in the lowest bid with \$986,127.87. INDOT awarded the Town through the Community Crossings Grant an amount of \$734,167.59. The Town's portion will be \$251,960.28..
 - J. Sayler inquired what the requirements of acceptance of the bids. S. Watson stated the Town is required to accept the lowest, responsible and responsive bid.
 - R. Hill inquired if there was a financial background was done and a list of prior projects. S. Watson stated Wallace Asphalt did fill out a form 96 and will have to provide a bid bond of 5% and a performance bond.
 - B. Goedecker made a motion to approve Wallace Asphalt for the bid. L. Fleury seconded the motion.
Passed 5-0
- **Saddlebrook Sec. 2 – Dedication and Acceptance of Improvements of the Performance Bonds**
 - J. Boshell, Senior Planner summarized the bonds along with staff recommendation.
 - S. Watson reviewed the bonds and there are some adjustments needed to be addressed.
 - Cheyenne, Representative of DR Horton stated most of the improvements are completed. Just received the As Builts and the neighborhood is ready to go.
 - B. Goedecker made a motion to accept the Performance Bonds subject to the Town Attorneys approval. R. Hill seconded the motion.
Passed 5-0
- **Briar Creek Sec. 3 – Dedication and Acceptance of Improvements and Maintenance Bonds**
 - J. Boshell stated Briar Creek received the approval from IDEM
 - B. Goedecker made a motion to approve Briar Creek Sec. 3 Maintenance Bonds and Dedication of the improvements on condition of final approval of the Town Attorney. L. Fleury seconded the motion.
Passed 5-0

- **Briar Creek Sec. 4 – Dedication and Acceptance of Improvements and Maintenance Bonds**
 - J. Boshell stated there are Performance and Maintenance Bonds. All have been completed and are good for three years. B. Goedecker made a motion to approve Briar Creek Sec. 3 Maintenance Bonds and Dedication of the improvements on condition of final approval of the Town Attorney. R. Hill seconded the motion.
Passed 5-0
 - J. Boshell stated there are two items outstanding so once they are complete then they would go to maintenance bonds. D. Hawkins made a motion to approve dedication and improvements on condition of the Town Attorney approval. B. Goedecker seconded the motion.
Passed 5-0
- **Ordinance 2021-10, Rezoning of Axis Property on Graham Rd.**
 - J. Boshell stated zoning from R1 to I1 to construct buildings on the site. It follows the Comp Plan. There will be two buildings total with paved parking. 22,000 sq. ft total for both buildings. L. Fleury made a motion to approve Ordinance 2021-10. B. Goedecker seconded the motion.
Passed 5-0
- **Tax Abatement for Cooper Tire in Compliance with Statement of Benefits (CF-1)**
 - Matt Price, representative of Mohr Logistics stated this was the first building built. The initial assessment came in a little low due to partial assessment most likely.
 - B. Goedecker made a motion to find they are in substantial compliance. R. Hill seconded the motion.
Passed 5-0
- **Tax Abatement in Compliance with Statement of Benefits (Form CF-1), Whiteland Logistics**
 - Cam Starnes, representative of Jones Development stated his client really loves Whiteland. The projects have gone very well. J. Sayler inquired if the forms appeared to be in proper order. S. Watson stated yes. It does not affect the Town.
- **Resolution 2021-16, Waiving Noncompliance with Abatement filing Timing Requirements (WLC building 1) Public Hearing**
 - Public hearing opened at 8:28 pm. No comments. Closed at 8:29 pm. B. Goedecker made a motion to accept RES 2021-16. R. Hill seconded the motion.
Passed 5-0
 - L. Fleury made a motion to find WLC Building 1 was in compliance. B. Goedecker seconded the motion.
Passed 5-0
- **Resolution 2021-17, Waiving Noncompliance with Abatement filing Timing Requirements (WLC Building 2) Public Hearing**
 - Public hearing opened at 8:32 pm. No comments. Closed at 8:32 pm. B. Goedecker made a motion to approve RES 2021-17. L. Fleury seconded the motion.
Passed 5-0
 - B. Goedecker made a motion to find WLC Building 2 was in compliance. R. Hill seconded the motion.
Passed 5-0
- **Request to amend Whiteland Logistic Center Tax Abatement Project Agreement**
 - Cam Starnes, representative for WLC.
 - After conferring with S. Watson, Town Attorney, the construction costs and dedication of the projects Jones Developments did for the Town in lieu of Tax Abatement, would fall short according to the estimates after the ten-year abatement was complete. The findings where Jones Development would be undercompensated

- There is now a perspective buyer for the first three buildings and after looking at the Tax payment agreement, seeing that potential pilot has an impairment on the title of the property of the first three building. The agreement applies to the entire park currently.
- WLC proposes to amend the existing agreement to apply the collateral specifically apply to Building #5 now under construction (\$33,000,000 investment) and release it to the other buildings.
- There will be no cost to the Town. The administrative and legal expenses will be covered. For go other preferential treatment for future abatements.
- J. Saylor inquired what the amount the Town was repaying Jones Development. 2.1 million dollars approximately Mr. Starnes stated.
- R. Hill inquired if the same thing could happen to Building #5. Mr. Starnes stated it was possible but not anticipated.
- B. Goedeker inquired with S. Watson if he had any concerns and was, he comfortable with the agreement amended. S. Watson stated the offer does not see anything he is worried about. The original deal was a very good deal for the Town pertaining to infrastructure which would have had to be bonded for more than \$2,000,000.
- B. Goedeker made a motion to approve request for Jones Development on behalf of WDP. LLC and authorize the Town Attorney and Town Manager to negotiate and execute upon final approval. R. Hill seconded the motion.

Passed 5-0

- Discussion of New Law Concerning Electronic Participation in Council Meetings
 - S. Watson stated this new law relates to Covid. During the emergencies there was encouragement to meeting electronically. Now there is an option to adopt the new law by ordinance. After the emergency is over, dealing with Covid there will not be the option to meet electronically. The Town of Trafalgar has adopted this ordinance.
 - B. Goedeker stated he thought it would be a good idea in order to use at a later date. Would like to see the example.
 - S. Watson stated he would send out the IC statute to the Council.
 - David Hawkins excused himself from the meeting for the night at 8:59 pm.
- Health Insurance Renewal for Town employees
 - D. Hendrickson stated Chief Shipp, Kevin McGinnis, Jaylen Withem and herself met to discuss the new proposals. The Town will have to stay with United Health Care. Summarized the cost will increase 9.5%.
 - J. Saylor stated it is important for the employees to have good healthcare.
 - B. Goedeker would like to see increased benefits and not taking things away.
 - L. Fleury made a motion to approve the renewal insurance. R. Hill seconded the motion.

Passed 3-0-1 with B. Goedeker abstains
- Appointment of RDC member (Redevelopment Commission Board)
 - S. Watson stated the position is a Council appointment. There are five members and a sixth one whom is a non-voting from the School Board.
 - The consensus of the Town Council is to advertise on the Town website and Facebook page to see if anyone would like to apply through providing a letter of interest. The applicant must be a resident of the Town and has to qualify for a fiduciary bond.

Town Manager Report

- Nothing new to report

Council Comments


- None

Public Comments – None

Meeting adjourned at 9:25 pm.

Passed by the Whiteland Town Council on this day August 10 of August, 2021

Aye




Joe Sayler, President




Laura Fleury



Brad Goedecker



Richard Hill



David Hawkins

Nay

Joe Sayler, President

Laura Fleury

Brad Goedecker

Richard Hill

David Hawkins

Attest:



Debra L. Hendrickson, Clerk Treasurer

