

# McCordsville

ESTD  1988

## INDIANA

Town Council Meeting Minutes

June 13<sup>th</sup>, 2023

Town Hall– 7:00 p.m.

### Roll Call

- Council Members Present: Greg Brewer, Bryan Burney, Scott Jones, Larry Longman (via zoom)
- Not Present: Branden Williams
- Employees: Paul Casey, Ryan Crum, Tim Gropp, Mark Witsman
- Clerk-Treasurer: Stephanie Crider
- Town Attorney: Rhonda Cook

### Approval of Minutes

- Motion by Mr. Burney to approve the May 9<sup>th</sup> meeting minutes as corrected. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Motion by Mr. Burney to approve the May 9<sup>th</sup> executive session as presented. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### Clerk-Treasurer's Report

- Posted online.

### Public Comments for non-agenda items

- Daniel Stock, resident of Champion Lake, questioned the planned break in the mound at Colonnade which causes a problem with headlights shining through the break in the mound to his home. Mr. Stock also mentioned that the dust has been a continuous problem.
- Mr. Brewer questioned what was presented at the Plan Commission meeting.
- Mr. Crum elaborated on the agenda item from the September meeting in question.
- Mr. Brewer stated that the Plan Commission would not approve something that is not presented.

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- Mr. Crum discussed the size of the mound in relation to the houses on Champion Lake.
- Mr. Burney compared the document in relation to the photo of the street view in Colonnade.
- Mr. Gropp reiterated that this was approved that night per plan and there is no leverage to go back and have them change the plans.
- Mr. Longman commented that it appears the picture is matching the design.
- Kevin Smith, resident of Champion Lake, wanted to bring attention to the dust problem at Colonnade. Pictures were presented as evidence of the problem along with a video.
- Mr. Witsman explained that they were dumping dirt to build the mound so that would cause a dustier condition.
- Mr. Smith elaborated on the issue they are all having as residents at Champion Lake which is creating a problem for residents to be outside.
- Mr. Brewer asked for a timeline of the Colonnade project.
- Mr. Witsman further explained the dust issue and when this occurred.
- Mr. Burney questioned who should be contacted when dust becomes an issue and Mr. Witsman stated that it is ultimately the developers' job to maintain the dust.
- Mr. Brewer questioned if they are actually using their dust control.
- Mr. Witsman explained that he has contacted the developer several times on this issue, but dust control is a subjective issue.
- Mr. Brewer suggested a letter being constructed and sent to the developer expressing concerns.
- Elizabeth Stock, resident of Champion Lake, reiterated the dust issue and the fact that the water trucks are not being utilized.

### **Vernon Township Fire Territory Budget Presentation**

- Mike Reuter, Financial Advisor for Vernon Township Fire Territory, elaborated on the Growth Appeal presented to the DLGF. Mr. Reuter explained that the appeal amount would be much greater than last year, and he asked the Fire Chief to construct two budgets, one being a base similar to last year.
- Mark Elder, Fire Chief, explained the document attached regarding the budget for the Fire Territory. Mr. Elder elaborated further on their budget process.
- Motion by Mr. Jones to approve the 2024 Fire Territory Budget as presented. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

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### Development Impacts- Police Department

- Mr. Casey explained the attached document regarding the growth and development impacts on budgeting for the Police Department.
- Mr. Brewer questioned sections of the feasibility study regarding office staff.
- Mr. Casey explained that in the new building they would require a lot more staffing in the future.
- Mr. Brewer and Mr. Burney asked questions regarding bringing on an officer from another police department and how that would change the training process.
- Mr. Burney questioned if there would be the possibility of a hybrid employee as a police officer and a firefighter.
- Mr. Burney asked Mr. Casey for specific information to populate into his spreadsheet.

### Committee & Staff Reports

- Parks Board: Did not meet.
- Redevelopment Commission: Mr. Longman stated that they discussed the demolition contracts and the appraisal of the Thomas property. They also discussed the roundabout at 600 W and 600 N with the Cityscape RDC Resolutions and pledging the TIF repayment to cover the costs.
- Vernon Township Fire Committee: Mr. Brewer said they discussed the Budget and a lot of long-term growth and development. He also stated that the ribbon cutting would be on August 17<sup>th</sup>.
- Public Works Committee/Commissioner's Report: Mr. Jones stated that they approved recommendations for two truck quotes as well as the Christopher Burke contract.
  - Champion Lake Sewer Memo: Mr. Burney stated that they discussed the options, and they came up with a plan. Mr. Burney elaborated on the plan that included specifics on costs and granting easements.
  - Mr. Brewer stated he wanted the project to be complete rather than piecemeal the project along.
  - Mr. Longman questioned if the Health Department would not approve the replacement of a septic system if they were within a specific distance from a sanitary sewer line. Mr. Groppe stated there was a change in legislation that residents could appeal that.
  - Mr. Burney stated that they will pay \$4500 up front to hook up later.
  - Gregory Chester, resident of Champion Lake, explained that certain residents might not be ready to spend the money for the connection fee.
  - Mr. Jones stated he thinks that the cost of residents to grant the easement would supercede the inflation cost to connect at a later date.

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- Mr. Longman asked if the easements would have been granted anyway to service Champion Lake for their sanitary sewer line. Further discussion continued on the size of the easements and their use for a sanitary sewer line.
- Mr. Brewer stated he agrees with the terms set forward.
- Mr. Burney questioned what would have to be done legally to get this completed regarding the easements.
- Mr. Longman asked Mr. Witsman if there will be a grinder pump station and the cost to the resident for the connection. He also asked about the future of the sewer connection for the development to the east of Champion Lake.
- Motion by Mr. Jones to approve the Champion Lake Sanitary Sewer Service Low Pressure System, not to exceed \$200,000, contingent on getting easements from all applicable residents and locking in the \$4,500 hook up fee. Longman.
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Mr. Brewer asked for the timeline as well as how the project will be funded.
- Mr. Chester stated he is happy with the outcome, and he stated they should get signed easements sooner than later.
- **Architectural Review Committee:** Mr. Burney stated they approved DR Horton's submissions for additional Weaver's Landing elevations. They approved improvements to Shannon's Exclusive Daycare at Geist, and approved elevations for Silverthorne Homes at Haven Ponds. They also approved the Parkette D and E as an addition to the product line for Vintner's Park. Beazer Homes request for re-use of Section C elevations moving to Section D at Colonnade was approved to be continued until the July 2023 Architectural Review Committee meeting.
- **Plan Commission:** Mr. Burney stated the zoning ordinance for vape and smoke shops was approved with a favorable recommendation to the Council as well as a Park Impact Fee recommendation.
- Mr. Crum elaborated on what occurred at the Board of Zoning Appeals and the approval of Culvers.

### Consent Agenda

- The consent agenda included the Preserve at Brookside plat, Recommendation of Quote to replace DPW Truck #10 and #11, Christopher Burke General Service Contract, Hampton Cove re-plat of Lots 13 and 14, Vail Industrial Secondary plat, and the Public Safety Report.

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- Motion by Mr. Jones to approve the consent agenda as presented. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### **Taxpayer Agreement and Grant of Real Property Tax Lien**

- Mr. Gropp explained that this is in regard to the non-for-profit company that is trying to develop in the entrance of McCord Square. This outlines that this is owned by a for profit company that would be paying taxes. Mr. Gropp elaborated that this would be a deed restriction.
- Mr. Brewer explained that this would cover us if a non-for-profit company tried to purchase the property because they would not be allowed to do so without paying taxes, making us well protected.
- Motion by Mr. Burney to approve the Taxpayer Agreement and Grant of Real Property Tax Lien. Longman. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### **Old Business**

#### **Ordinance 041123D Zoning Amendment 2<sup>nd</sup> Reading**

- Motion by Mr. Burney to read Ordinance 041123D by title only. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Ordinance 041123D was read by title only by Ms. Cook.
- Motion by Mr. Burney to approve Ordinance 041123D on second reading. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay

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- Scott Jones-Yay
- Larry Longman-Yay

### Ordinance 041123C McCord Square PUD 2<sup>nd</sup> Reading

- Motion by Mr. Jones to read Ordinance 041123C by title only. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Ordinance 041123C was read by title only by Ms. Cook.
- Motion by Mr. Jones to approve Ordinance 041123C on second reading. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### New Business

### Resolution 061323 Appropriating Funds (PD Station General Fund)

- Motion by Mr. Burney to close the public hearing and reconvene the Council Meeting.
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Mr. Groppe explained the process of appropriating the funds to the appropriate line item.
- Motion by Mr. Jones to read Resolution 061323 by title only. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Resolution 061323 was read by title only by Ms. Cook.
- Motion by Mr. Jones to approve Resolution 061323 on its passage. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay

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- Scott Jones-Yay
- Larry Longman-Yay

### **Traffic Signal Covenant with INDOT-North Entrance of McCord Square**

- Mr. Witsman explained the project involving the out lots at McCord Square with the intersection and signal at Broadway.
- Mr. Burney questioned if an opticon would be used at this signal. Mr. Witsman stated that would be the intent once the signal is installed in 2028, or sooner if needed.
- Motion by Mr. Burney to authorize the Town Manager to sign the Traffic Signal Covenant between INDOT and the Town of McCordsville. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### **Recommendation for support of application to the IMPO for RAB at 900 N and 700 W**

- Mr. Groppe stated that even though this is not our intersection they would all like to see this intersection improved, with Lawrence taking the lead.
- Mr. Witsman stated they would like to draft a support letter to send in with an amount.
- Mr. Brewer questioned why we would pay for design fees and other items that we would not have any say in with this project.
- Mr. Jones stated he had problems with this project and taking land away from homeowners.
- Mr. Brewer said the traffic warrants this type of project.
- Mr. Longman stated this would help that area and the proper processes would be followed.
- Mr. Burney stated that there is a visibility issue at this intersection and wanted to know if there was a traffic study done at this intersection.
- Mr. Crum stated that our traffic study showed that a roundabout would be a good solution for this intersection.
- Mr. Longman suggested that this would be an improvement for entrances to neighborhoods on 700 W and 900 N.
- Motion by Mr. Longman to authorize a letter of support for up to \$450,000 for ROW costs within the Town of McCordsville limits and Construction of the roundabout. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay

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- Scott Jones-Yay
- Larry Longman-Yay

### Park Impact Fee Update and Ordinance 061323

- Chuck Lehman, Lehman and Lehman, described the process for the Park Impact Fee Study, see attached documents.
- Mr. Brewer stated he appreciated the fact that the fees can be used for different options.
- Mr. Burney explained that this is an exemplary way to define future costs of all the services the Town provides. Mr. Burney also questioned some of the verbiage in the Ordinance regarding when the permits are issued.
- Mr. Crum elaborated on how the process works when applying for a permit and further discussion ensued. Mr. Crum stated how he would like that Ordinance to read, not stating constructed.
- Motion by Mr. Burney to read Ordinance 061323 by title only. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Ordinance 061323 was read by title only by Ms. Cook.
- Motion by Mr. Burney to approve Ordinance 061323 on first reading. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Motion by Mr. Burney to approve Ordinance 061323 as amended by legal counsel. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Motion by Mr. Burney to approve Ordinance 061323 as amended. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay

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- Larry Longman-Yay
- Motion by Mr. Burney to suspend the rules. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Motion by Mr. Burney to approve Ordinance 061323 on second reading. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### Approval to post “Legal Services RFP” for 2024

- Mr. Gropp stated that they drafted a document with a lengthy timeline to have enough time to get this completed by January 1.
- Motion by Mr. Jones to authorize the Town Manager to send out an RFP for Legal Services. Burney. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### Recess to Drainage Board

- Motion by Mr. Burney to recess the Council Meeting and convene the Drainage Board. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Mr. Gropp explained the issue with a pavilion at McCord Square and the result was a fine of \$1000.

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- Mr. Burney questioned if there are permits posted on site to inform developers of the boundaries of the project.
- Mr. Witsman stated that the developers should be aware of the boundaries, however there can be some gray area. Ultimately, Mr. Witsman stated they should have known.
- Mr. Brewer stated there was no malicious intent and this was an action that was operated in good faith.
- Motion by Mr. Burney to have the Drainage Board accept the letter to fine JC Partners. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay
- Motion by Mr. Burney to recess Drainage Board and reconvene Council Meeting. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### **Assistant Town Manager's Report:**

- Mr. Crum stated they are doing a fee update and listed the comparable communities fee schedules.
- Mr. Brewer said that this should be vetted by the Finance Committee. He also stated that this would be a great way to use the information from Mr. Burney.
- Mr. Burney explained that he is very much in favor of this project in relation to his project.
- Mr. Longman stated that if you are in line with your neighboring communities, then the fee increase is justified.
- Mr. Crum explained that this is most important for the commercial side of inspections.
- Mr. Crum stated that they need a MSRB Appointment and Mr. Brewer stated he would be appointed.

### **Town Manager's Report:**

- Mr. Gropp explained that they would take a month off from completing the development impact reports.

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- Town Hall will be closed on July 4<sup>th</sup> resulting in some changes to meetings in July and staffing will be short on July 3<sup>rd</sup>.
- Mr. Burney asked about the MOU and Mr. Gropp stated they are waiting on redlines.
- Mr. Brewer stated it is a slow process.

### Voucher Approval

- Motion by Mr. Burney to approve the vouchers. Jones. 4-0
  - Greg Brewer-Yay
  - Bryan Burney-Yay
  - Scott Jones-Yay
  - Larry Longman-Yay

### Adjournment

- Motion by Mr. Burney to adjourn. Jones. 4-0 10:21 p.m.

### Minutes Approval

These minutes approved this 11<sup>th</sup> day of July 2023.

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\_\_\_\_\_  
Greg Brewer, Council President

Attest: \_\_\_\_\_  
\_\_\_\_\_  
Stephanie Crider, Clerk-Treasurer