

**WHITELAND TOWN COUNCIL**  
**September 14, 2021**

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

**Call to order**

- J. Sayler called the meeting to order at 7:00 pm

**Pledge**

**Invocation** - Conducted by K. McGinnis

**Roll Call** – All present

**Adoption of the Order of Business**

- Removal of RDC Vacancy. Candidates were unable to attend. Will be on next month’s meeting.

**Minutes** 8/10/ 2021, 9/02/2021

- D. Hawkins made a motion to approve the minutes 8/21/ 2021. L. Fleury seconded the motion.  
**Passed 5-0**
- D. Hawkins made a motion to approve the minutes from the Emergency Meeting on 9/02/2021. L. Fleury seconded the motion.  
**Passed 4-0-1** with B. Goedeker abstaining.

**Voucher Packet 9-14-2021**

- D. Hendrickson stated there were updates on a couple of items and gave new handouts
- L Fleury made a motion to approve Voucher Packet 9-14-2021. D. Hawkins seconded the motion.  
**Passed 5-0**

**Financial Report**

- Clerk Treasurer reported balances on all operating funds.
- A meeting has been scheduled with Baker Tilly on September 27 for advisement on ARPA funds.

**Old Business**

- RDC Vacancy – will be reposted.
- Discussion on the Law Concerning Electronic Participation in Council Meetings.
  - K. McGinnis stated the Town had obtained an estimate on getting new recording equipment of \$28,000 which would provide the ability for virtual meetings. Still looking for other ideas.
  - J. Sayler proposed to continue until better opportunities are found. B. Goedeker agreed.

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- Millstone Section 3 – Dedication and Acceptance of Asphalt Surface, Erosion Control, and Curbs and Association Maintenance Bonds.
  - J. Boshell would like to see a flat fee of 25% and a three-to-five-year bond.
  - Would like to update standards and codify them.
  - Working on a draft and present it next month.
  - J. Saylor would like to move it to next month for consideration.
  - D. Hawkins wants to make sure the asphalt grade is 76/22 by collecting the tickets so the Town has the same standards.
  - K. McGinnis stated the standards go back to 2013 & 2014 by INDOT standards.
  - B. Goedeker agrees with Dave, so would like to see if we could section off an area at a time to improve the standards.
  - S. Watson stated we would have to adopt an Ordinance in advance to give to developers
  - D. Hawkins made a motion to accept Millstone Sec. 3 Dedication and Acceptance of Asphalt and Maintenance Bond pending approval of the Town Attorney. B. Goedeker seconded the motion.

**Passed 5-0**
- Saddlebrook Section 1A & 1B – Dedication and Acceptance of Asphalt Surface and Maintenance Bonds.
  - B. Goedeker made a motion to accept Dedication and Acceptance of Asphalt Surface and Maintenance Bond. L. Fleury seconded the motion.

**Passed 5-0**

### **New Business**

- Ordinance 2021-11, 2022 Budget, 1<sup>st</sup> Reading, Public Hearing
  - D. Hendrickson stated the budget was approved by the DLGF and was stated it was fully funded.
  - Public Hearing opened at 7:46 pm. No comments. Closed at 7:47 pm.
  - D. Hawkins made a motion to approve Ord. 2021-11, 2022 Budget 1<sup>st</sup> Reading. B. Goedeker seconded the motion.

**Passed 5-0**
- Resolution 2021-19 – Fiscal Plan for Victory Baptist Church Annexation.
  - J. Boshell stated the property has 50% contiguity to the Town. The assessed value is \$206,000. There will be no significant costs to the Town. The zoning is R1.
  - S. Watson also stated the Fiscal Plan is required by statute. Annexing it will not have any material effect to the Town.
  - D. Hawkins made a motion to accept Ord. 2021-14 first reading. B. Goedeker seconded the motion.
- Ordinance 2021-14, Annexation of Victory Baptist Church, Public Hearing, 1<sup>st</sup> Reading
  - Public Hearing opened at 7:51 pm.
  - Pastor Mark Felber stated the church was annexed 15 years ago. The parcel next door made it possible for expansion. We would like for it to be annexed along with the original building. Public Hearing closed at 7:53 pm.
  - L. Fleury made a motion to accept Ord. 2021-14 first reading. D. Hawkins seconded the motion.

**Passed 5-0**
- Saddlebrook Section 2, Dedication and Acceptance of Street Signs, Asphalt base & binder, Surface, Water, Storm and Sewer and Maintenance Bonds.
  - J. Boshell all items have been inspected and passed. Three year and 25% bonds
  - B. Goedeker made a motion to approve Saddlebrook Section 2, Dedication and Acceptance of Street Signs, Asphalt base & binder, Surface, Water, Storm and Sewer and Maintenance Bonds. L. Fleury seconded the motion.

**Passed 5-0**

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- Mohr Logistics Center – Acceptance of Improvements Agreements and Performance Bond for Lot 9
  - J. Boshell stated Bonds are 125% of costs and asks for acceptance subject to the Town Attorney’s approval. L. Fleury made a motion to approve the bonds on condition of the Town Attorney’s approval. B. Goedeker seconded the motion.
  - Passed 5-0**
- Mohr Logistics Center – Acceptance of Improvements Agreements and Performance Bond for Lot 6
  - J. Boshell stated this lot is the same as Lot 9.
  - L. Fleury made a motion to approve the bonds on condition of the Town Attorney’s approval. B. Goedeker seconded the motion.
  - Passed 5-0**
- Chief Rick Shipp - Cares Act
  - In October 2020 the Town applied for reimbursement for payroll during Covid. The Town received 143,336.
  - The money will be added back into the General Fund and expended in 2022.
  - The list explains what the intentions are for the money.

**Town Manager Report**

- Springhill Subdivision paving update.
  - There was an unexpected condition with the road and the rain added to the situation. Slide show with pictures.
  - Thus, there is a change order for additional work unanticipated with an extension from the 90-day timeline contracted.
- Community Day will be on September 18 summarization.
- Project Sparrow 5-year Personal Property Tax Abatement
  - Competing with another County in Indiana and Ohio.
  - The talk in Ohio is now at a 10-year abatement.
  - L. Fleury would like to talk to a representative at the next meeting to hear more.
  - Would the Town consider a 10-year abatement now?
  - B. Goedeker would like to hear more and others agree.

**Council Comments**

- ARPA Discussion (American Recovery Plan Act)
  - B. Goedeker brought up JC Fiber as a project and would like to throw it in the hat on spending some of the money.
  - A meeting will occur on September 27 with Baker Tilly for more information.

**Public Comments**

- Dee Appleton, New Whiteland, would like to do a Christmas Lighting & Decoration Contest. Twenty-three homes have signed up. Would like to set up a table at the Annual Community Day Event this year.
- Kim Devore, Needham. Driving in the west bound lane on Whiteland Rd and east of the Roundabout. Trying to avoid a semi-truck, had to move over and hit a damaged part of the road. It damaged 2 tires on the right side of her car. She made a call to the Town and spoke to Debby Sallee. She was told to it would be turned into the insurance company but would have to pay for it up front and then get reimbursed if insurance would pay. The insurance company stated the claim had been denied due to the Town’s lack of knowledge of the road condition. The road was fixed a week later but should have been fixed sooner stated Ms. Devore.
  - Slide showed the condition of the road.

- B. Goedecker inquired if there were any other calls about this issue? K. McGinnis stated no.
- B. Goedecker inquired if she filed it with her own insurance. She stated no.
- R. Hill stated he knew Ms. Devore and his concern is how anyone would know if the road was damaged unless something happened. He would do the same thing Ms. Devore is doing.
- S. Watson stated when there is a tort claim and if the Town does not know of the situation, then the Town cannot be held liable. Secondly there should be a consideration if you make a payment to this claim it could set a precedent for the future.
- The Council stated they would take it under consideration until the next meeting. D. Hawkins made a motion to table the situation until October 12, 2021 meeting. L. Fleury seconded the motion.

**Passed 5-0**


- Russell Snyder, 190 Margate – thanked Roger Huff for the work on the roads in Springhill Subdivision. Mr. Snyder stated the previous administration, in 2017 and 2018, had discussions on how to approach projects with drainage problems. The roads were not milled until the curbs were removed one side at a time so the 60,000-pound trucks could still drive on the pavement. Personally, does not think the planning had occurred. Also, you should not mill five streets at a time.
- Roger Huff, representative of Wallace Construction.
  - Has been in asphalt and concrete for 50 years.
  - The substantial amount of rain caused the problem. Has milled more than 2 streets at a time in the Town.
  - Core samples were taken.
  - The pot life of concrete is 28 years and the streets were done in the 70's.
  - Talked to K. McGinnis every day with inspectors on the job.
  - J. Sayler stated the change order would not have been issued if the Council thought Wallace Construction was not doing their job.
- Julia Meece – Community Day
  - We are being Covid proactive as much as we can.
  - Shutting off some streets to help with the social distancing.
  - Hope to see you there.

Meeting adjourned at 9:02 pm.

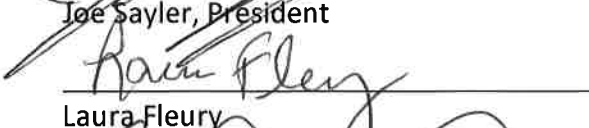
Passed by the Whiteland Town Council on this day 12 of October, 2021

**Aye**

**Nay**

  
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Joe Sayler, President

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Joe Sayler, President

  
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Laura Fleury

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Laura Fleury

  
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Brad Goedecker

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Brad Goedecker

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Richard Hill

Richard Hill



David Hawkins

David Hawkins

**Attest:** 

Debra L. Hendrickson, Clerk Treasurer

