

**WHITELAND TOWN COUNCIL**  
**April 8, 2025**

**Council members present**

Richard Hill President	<u>  X  </u>
Debra Hendrickson Vice President	<u>  X  </u>
Tim Brown Member	<u>  X  </u>
Brad Goedeker Member	<u>  X  </u>
Joe Sayler Member	<u>  X  </u>

**Other Town Officials**

Melissa Fraser Clerk Treasurer	<u>  X  </u>
Carmen Young Director of Administration	<u>  X  </u>
Shaun Young Director Of Operations	<u>  X  </u>
Stephen Watson Town Attorney	<u>  X  </u>

**Call to Order**

- D. Hendrickson called the meeting to order at 7:00pm

**Pledge**

**Roll Call** – Quorum requirements reached. R. Hill was absent but arrived at 8:12pm

**Invocation** – S. Young

**Review and Approval of Agenda**

**Conflict of Interest Disclosures**

- S. Watson reads through the 2 conflicts of interest disclosures.
  - J. Sayler make a motion to approve the conflict of interest disclosures as read by S. Watson. B. Goedeker seconded the motion.

**PASSED 3-0-1**

**Minutes 3-11-25**

- B. Goedeker made a motion to approve the 03-11-25 minutes. T. Brown seconded the motion.

**PASSED 4-0**

**Voucher Packet 4-8-25**

- B. Goedeker made a motion to approve the 04-08-25 voucher packet. J. Sayler seconded the motion.

**PASSED 4-0**

**Financial Report**

- M. Fraser reported on the balance of all funds.
- Adam Stone discussed the reconciliation efforts and status on the financials.

**Old Business**

- **Brightspeed – Follow-up on Proposal for Work in the Right of Way**
  - Jacob Bowman, Williams Barrett & Wilkowski, discussed the memo given to the council regarding the bonding for work in the right of way. He feels the Town's Bond Ordinance, drafted in 2008, is outdated.
  - He also discussed Brightspeed's insurance policy and what was covered.
  - His recommendation is to make modifications to the Ordinance and do something like a blanket bond of \$25,000 or 50,000 on all locations, noting that after inspection if there's an issue that issue would be fixed

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prior to moving on to the next location. Also, using the insurance as the backup to any property damages above and beyond what the bond will allow.

- D. Hendrickson asked how long the insurance policy is in effect. J. Bown stated it will cover the time period from which the injury takes place. This could potentially cover longer than the bond.
- Michelle Brzycki, Government Affairs Manager for Indiana for Brightspeed, asked if there were any questions for her.
- J. Sayler suggested we work with counsel to draft a new Ordinance that would take into account Jacob Bowman's recommendations and any of the Directors. C. Young stated they are currently working on that.
- Michelle Brzycki stated they would still proceed where they could.

## **New Business**

### **• Enforcement of 72.02 Parking on Town Streets and Rights-of-Way**

- J. Sayler discussed a meeting he became aware of that was held between the Council President, Richard Hill, and Chief of Police, Rick Shipp, in which the Chief was given directives, as well as a threat of discipline, regarding parking tickets. Upon receipt of the written summary of this meeting, J. Sayler became concerned because it seemed the meeting was on behalf of the council (and it wasn't authorized by him) and it's against the Town's ordinance 34.01 which prohibits a town council member from giving directives or orders regarding the day-to-day duties of any employee or official of the Town.
- J. Sayler stated that 36.574 gives the Police Chief specific duties and authorities, one of which is that he serves the legislative body, the same body that appoints him. If anyone is going to give the Chief a directive, it has to be this legislative body and no one else. No single member tells any police officer, much less the Town Marshal, what to do. It's illegal under state law, open door law, and the Town's ordinance. 36.573 states the Town Marshal has merit protections. The only discipline the Chief or any police officer should receive should come from the Merit Board.
- J. Sayler stated that if this continues by any member of the Town Council, he will seek standing to sue and have an injunction to prevent this from happening again.
- Chief Rick Shipp discussed the meeting he had with R. Hill and read through the handout he received. He passed out a copy to the Council. He stated that there hasn't been a major crime in over a year, yet they get accused of not being in the neighborhoods patrolling. Chief Shipp discussed the data he analyzes to determine areas of enforcement by his department. Crime comes first.
- Chief Shipp discusses the parking ordinance and frustrations regarding the enforcement of it. He's concerned about the officer's safety, their time, and the rapport they are trying to build with residents. His officers are out patrolling and protecting the community and keeping crime down. He feels the ordinance should be updated.
- R. Hill arrived at 8:12pm. Discussions continued between R. Hill and Chief Shipp regarding the details of the meeting and the parking ordinance. R. Hill apologized that his intent was misconstrued.
- S. Watson stated that the conversation could be continued in an executive session.
- J. Sayler asked to repeal Ordinance 72.02 which states no parking from 2am-5am. but leave the last sentence about specific streets- Main St./Whiteland Rd., North/Front St., Paul Hand Blvd, and S. Sawmill Rd. D. Hendrickson stated there might be roads to add to that.
- T. Brown stated we should have counsel review and rewrite the ordinance with input from the Chief and Director of Administration. J. Sayler will continue the ordinance revision until next month.

- **Town Hall Roof Replacement**

- S. Young discussed the handout comparing quotes received on the roof replacement for Town Hall. Basic Construction was lowest quote.
- The council requested S. Young to ask Basic Construction for a longer warranty.
- T. Brown made a motion to approve Basic Construction quote. J. Sayler seconded the motion.

**PASSED 5-0**

- **Request to dispose of Town Assets**

- C. Young discussed items to be disposed of from the Fire Dept. including 3 vehicles.
- J. Sayler made a motion to approve the disposal of assets as stated. T. Brown seconded the motion.

**PASSED 5-0**

- **Review of Tax Abatement Statement of Compliance from ABC, LLC**

- S. Watson discussed abatement from ABC and found them compliant.
- B. Goedeker made a motion to accept and find ABC, LLC in compliance. J. Sayler seconded the motion.

**PASSED 5-0**

- **Dedication and Acceptance of Maintenance Bonds – Redwood Sanitary Sewer**

- C. Young discussed the dedication and acceptance of the maintenance bonds.
- J. Sayler made a motion to approve the dedication and acceptance of the bonds subject to legal counsel's review. T. Brown seconded the motion.

**PASSED 5-0**

**Director of Administration and/or Director of Operations Report**

- C. Young discussed the upcoming sewer treatment plant project.
- C. Young discussed the bills at the Statehouse that will affect local municipalities.
- C. Young asked the Council to review the HR assessment and discussed the main areas that needed addressed.

**Department Head Reports**

- **Police Dept – Chief Shipp**

- Chief Shipp discussed issues with the new phone system.
- Chief Shipp discussed issues with getting fuel at the street garage (since the tornado).

- **Fire Dept – Colin Yocum**

- Colin Yocum, Deputy Fire Chief, discussed the need to replace the fire department's primary fire engine. He and E. Funkhouser, Fire Chief, researched what was available and handed out packets explaining the equipment they would like to purchase.
- C. Yocum discussed details of stock unit they are looking at from Spencer Manufacturing – Spencer Pumper – Stock Build 1660. Total price, including upgrades, equipment, fire hoses & nozzles is \$847,043.00.
- He spoke with Spencer Manufacturing today and they have other trucks on the line but not with features they prefer and those are a year out.
- Their goal is to put the current primary engine (presently in the shop) on reserve status and try to get another 5-7 yrs out of it. They need to have 2 engines at all times.
- C. Yocum also discussed 3 new staff vehicles they'd like to purchase from Kelley Chevrolet that were included in the packet handout. They'd like to have a back up squad car when one goes down or for staff to take to classes.

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- T. Brown asked about mileage on the vehicles and what would be done with the ones that are being replaced.
  - T. Brown discussed the maintenance on the vehicles and the need to have a preventative maintenance schedule. S. Young stated that he's reached out to E. Funkhouser to meet to discuss a maintenance plan, and it's never happened. T. Brown stated that we all need to work together and come to an agreement about this. All agreed.
- D. Hendrickson asked about the funding using a General Obligation Bond. She asked Adam Stone to speak on the matter.
  - Adam Stone discussed the 2 options for this purchase. A GO Bond – which the Fire Dept could qualify for 2.5 million. After soft costs, the Fire Department would be looking at about 70% of that limit. The benefit of the new bond is that with the current state law, the Town would get a new debt levy that would create a new dedicated revenue source for the Fire Department to repay that equipment.
  - Option 2 is a Lease – more like a vehicle loan in structure. The difference is with it being a lease versus a bond issuance you don't get that mechanism of the new debt levy, so you have to pay the lease out of your pocket. The GO Bond creates its own dedicated revenue to pay for the loan payment.
- J. Saylor stated it was his understanding this would not result in an increase in the property tax rate. Adam Stone stated it would not.
- Adam Stone also stated that when the Capital Asset Plan was discussed, a ladder truck was on the list. One of scenarios to consider is to term the bond in such a way that ends so that the same resource could be used to purchase the ladder truck also.
- R. Hill asked if the Town's safety is in jeopardy if we take more time to review the decision. C. Yocum stated that the 2 engines they currently have are on the brink of not operating correctly.
- C. Yocum stated that with this specific truck, if approved, they'd like to lock it in. If not, they are looking at a year before we can get a usable fire apparatus.
- R. Hill asked about seeing the financial analysis. Adam Stone stated he can verbally talk through it, otherwise he would need time to prepare something.
- C. Young stated one of the top 3 needs on the capital improvement list is a ladder truck. They are running on 20yr old equipment, and it would be nice to be able to make this commitment.
- R. Hill asked about any risk for the Town. Adam Stone discussed the advantages to the bond and stated the risk is low.
- D. Hendrickson stated that what C. Yocum would like today is a yes or no to the contract for the fire truck. C. Yocum stated that yes, he would like to lock in this truck.
- R. Hill asked if we could ensure a maintenance plan will be implemented. C. Yocum stated they will work with S. Young on developing a plan.
- J. Saylor made a motion to approve the signing of the contract for the Spencer Pumper – Stock Build 1660 , subject to approval by legal counsel and conditioned upon satisfactory financing be secured. B. Goedeker seconded the motion.

**PASSED 5-0**

**Counsel Comment**

**Council Comment**

**Public Comment**

R. Hill made a motion to adjourn the meeting at 10:00pm.

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Passed by the Whiteland Town Council on this day 13<sup>TH</sup> of MAY, 2025.

Aye

Nay



Richard Hill, President

Richard Hill, President



Debra Hendrickson, Vice President

Debra Hendrickson, Vice President



Tim Brown

Tim Brown



Brad Goedeker

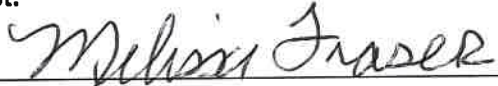
Brad Goedeker



Joseph Sayler

Joseph Sayler

Attest:



Melissa Fraser, Clerk Treasurer