

The Pendleton Town Council met in special session at 5:45 PM on June 28, 2018, at Pendleton Town Hall, 100 West State Street, Pendleton, Indiana. All documents presented are on file in the Clerk-Treasurer's office and may be reviewed upon request. Town Council President Robert Jones called the meeting of the Pendleton Town Council to order.

Council Members present were President Robert Jones, Vice President Chad Wolfe, Chet Babb, Jessica Smith and Jessica Bastin. A quorum was established with five of five members present. Clerk-Treasurer Virgil Mabrey was absent.

Also representing the Town were Town Manager Tim McClintick, Deputy Clerk-Treasurer Dawn Speedy, and Attorney Alex Intermill.

NEW BUSINESS

6221 – 6271 Foster Branch Drive Annexation

A MOTION TO CLOSE THE PUBLIC MEETING AND OPEN THE PUBLIC HEARING WAS MADE BY CHAD WOLFE AND SECONDED. MOTION CARRIED.

- A 100% voluntary (super) annexation was filed with the Town
- Annexation consists of three properties
- The Town is required to follow these steps:
 - Introduce ordinance
 - Publish in paper
 - Hold public hearing
 - Resolution with fiscal plan
 - Ordinance second reading
- If denied the property owners can file a petition with Madison County courts to appeal

Public Input

Gary Brammer

- owns property on Foster Branch Drive
- Questioned why all property owners were not contacted before the annexation was filed. Jones said the Town is not legally allowed to contact homeowners about a voluntary annexation. When the Town receives an application, the Town is obligated to follow the procedure (stated above). The Town did receive another annexation application earlier today from other property owners in the neighborhood.

- Questioned if his property was contiguous and if he could be added to this annexation. Intermill said he could not be added to this annexation because the required timeline was already in motion.
- Asked if Town will be providing trash service for the three properties, stating the difference in price for in-Town vs. out-Town. Also asked about snow removal. Intermill said the Town is required to provide services to annexed properties within a year of recording.
- Asked why the rush for the three properties. Was referred to the required timeline.
- Stated his disappointment that all the properties were not given this opportunity, and talked about the privileges of being in-Town such as voting and running for office.
- Asked about the expected recording. Intermill said if all goes smooth it would be August 15, 2018. The new application would be February 2019 – since it is not a super annexation the timeline is longer.

Carla Flores

- Owns property on Foster Branch Drive
- At one time the HOA discussed annexation and it was thought it would need to be all or none. Could owners create a super annexation with random lots? Intermill said he could not provide legal advice to Flores. McClintick said this could be possible but would have to wait until the original annexation is recorded - if the three properties are required to be contiguous.

Chet Babb said this annexation was pushed through and there were reasons. McClintick said the Town followed the statute. Jones stated it is the property owners' right to file for annexation.

ADJOURNMENT

- There being no other business brought before this Town Council, the public hearing adjourned at 6:21pm.

Prepared by _____
Dawn Speedy
Deputy Clerk-Treasurer

Approved by _____
Robert Jones
Council President