

The Pendleton Town Council met in regular session at 6:00 PM on July 12, 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. Jones called for a moment of silence, and Steve Wills led the Pledge of Allegiance.

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 present.

Also representing the Town were Town Manager Tim McClintick, Judge George Gasparovic, Fire Chief Jeff Moore, Police Chief Marc Farrer, Deputy Clerk-Treasurer Dawn Speedy, and Attorney Alex Intermill. The minutes from the regular meeting of June 14, 2018, and the special meetings of June 4 and June 28 were approved.

PUBLIC INPUT

- Michelle Skeen, 157 Chateau Drive, witnessed an accident at SR 67 & Pendleton Ave, and will be doing research to find out how to get a traffic light installed. INDOT will be doing a traffic study after construction is complete.

MONTHLY CLAIMS

A MOTION TO APPROVE THE CLAIMS AS PRESENTED WAS MADE BY CHAD WOLFE AND SECONDED. MOTION CARRIED.

CLERK-TREASURER'S REPORT

MONTH ENDING JUNE 30 2018	
VIRGIL MABREY, CLERK TREASURER	
Total Claims for the month of June 2018	\$ 1,418,825.16
Electric Revenue Received	\$ 597,267.72
Water Revenue Received	\$ 84,234.07
General Fund Balance	\$ 708,620.20
Park Fund Balance	\$ 237,911.17
Cumulative Capital Fund Balance	\$ 109,859.14
Cumulative Capital Improvement Fund Balance	\$ 13,827.75

Motor Vehicle Highway Fund Balance	\$	505,721.48
Local Roads and Streets Fund Balance	\$	200,714.58

General Fund Comparison Balance For The End of June

General Fund 2016	General Fund 2017	General Fund 2018
\$ 631,568.07	\$ 593,949.48	\$ 708,620.20

A MOTION TO ACCEPT THE CLERK-TREASURER'S REPORT AS PRESENTED WAS MADE BY CHAD WOLFE AND SECONDED. MOTION CARRIED.

Discussion concerning marijuana with guest speaker

- Judge Gasparovic invited Rachel Ellis to talk about her personal experience with drugs.

OLD BUSINESS

Resolution R18-11 – a fiscal policy resolution

- This is a fiscal policy resolution for annexing contiguous territory to the town
- Additional revenues are expected to cover additional expenses

A MOTION TO ADOPT RESOLUTION R18-11 WAS MADE BY JESSICA SMITH AND SECONDED. MOTION CARRIED WITH A VOTE OF THREE TO ONE WITH CHAD WOLFE ABSTAINING.

Ordinance 2018-06 – an annexation ordinance

- This is the second reading on an annexation that includes three properties on Foster Branch Drive
- Lisa Floyd, 239 S Main Street, stated she is not speaking as an employee of the South Madison Community Foundation or its Board of Directors, only as her family's views as taxpaying residents. Floyd stated that although legal, this benefits a sitting member of the Town Council who intentionally purchased a house outside of Town. Floyd said this has been intentionally secretive and this is clearly a conflict of interest, and in the best interest of the Vice President. Floyd asked about Wolfe's intent with the house. Wolfe said he bought a house and now are in the middle of an annexation and we'll have to see where this goes. Floyd asked all members for their honest opinions of the matter. Floyd asked the Town Council to deny the matter with a roll call vote.

- Babb said he agreed with Floyd. This is a lack of transparency and was pushed through without any transparency, this is wrong, as is piece milling an annexation. Babb asked why is this happening right now?
- Jones said if approved what adverse effect does it have on anyone? Wolfe wants to continue to sit on the Town Council. Jones does not see a down side to approving this.
- Jones said some of the other owners in the neighborhood have also filed for an annexation.
- Julie Schnepf said that she had issue at how it was handled at the last meeting. This item was not on the agenda although there was enough time to include it. Also, it was said there were 3 residents but nobody offered information about the homeowners or addresses until they were specifically asked – then only addresses were stated. Names were not mentioned until Babb said that Wolfe was a part of the annexation. This is not transparency. If this was all explained up front then she would not have an issue.
- Jessica Smith said that if any other name was on the petition besides Wolfe, we wouldn't be having this discussion. This has turned political which is not in the best interest of the Town.
- Jessica Bastin said annexations have been redone to benefit the property owners, not the communities. Bastin said she probably would not have handled this the way Wolfe did, and perhaps we can use this as a learning opportunity. Bastin did not see any negatives by approving this.
- Steve Denny, 303 Pearl, said legal does not mean it is right. Annexation is not unique but it is when it involves an elected official. Town Council should never vote on issues that will benefit one of the board members. Many people are upset about this. A lot of good happens here, but then you take a step back by doing this, and this is what people are talking about. Asks Town Council to not vote for this tonight. Members' voting interest should for the Town, not for individual members. Asked Town Council not to vote for it.
- Marissa Skaggs, VP/secretary of Foster Branch Woods, said because of the history, she has been subtle about this subject. Skaggs said they do have some interested people but did not have a majority in April. They have since submitted an annexation.
- Garry Brammer, lot 12 Foster Branch Drive, said the neighborhood HOA president is part of this annexation and the rest of the neighbors never knew about it. Brammer said that when Mike Romack found out he wasn't in the right district, he resigned from the Town Council, which was honorable. Wolfe did the opposite by buying a house outside of Town and then try to find out how to get in. Brammer did say he appreciated the good things Wolfe has done for the Council. An adverse effect is the perception is you can just annex board members into town. Also, the Town pays for two annexations now instead of one. And with the super annexation, Wolfe can get this all done in time to hold his seat on the Council, so what is the hurry for the rest of us and how does it affect the rest of us? Brammer said he wants to be in Town. Brammer said they have been asking for transparency but are not getting it. With these three properties out of the

neighborhood annexation, who knows when it another annexation could happen. Brammer asked Wolfe to remove his name from the petition.

- Intermill said similar situations happened before with voluntary annexations. One was with an elected official, Tim Ryan's property and another was the new Town water plant. Ryan was not a voting member. Marc Farrer said that Tim Ryan's annexation was only for his farm property next to his residence; Ryan's residence was always in Town.
- Brammer wants the whole neighborhood to have the chance to come in together. Brammer asked someone on the Town Council to table the matter, so the neighborhood can come together and annex the right way. Babb said I will table it right now. If there will be a special meeting because of this, I will need to know ahead of time because I'm out of town.
- Bastin said she did not know how tabling the matter would help.
- Wolfe said he wants to be here and wants his taxes to go to the Town and will not apologize for understanding municipal law, understanding annexation law, and not going door to door about this - because it's not allowed. He said he lives in Town, the law is simple and he said he followed it. Wolfe said he will hang his hat on the great items that he works hard on.

A MOTION TO ADOPT ORDINANCE 2018-06 ON SECOND READING WAS MADE BY JESSICA SMITH AND SECONDED. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

BASTIN	YES
SMITH	YES
BABB	NO
JONES	YES
WOLFE	ABSTAINED

Brammer said that Babb tabled this earlier, so why the vote? Jones said when you table an issue, the conversation dies. Intermill said we've already voted, but he heard Babb say that he could table the matter, but then kept talking about it and the discussion continued. Babb said conversation continued for 27 minutes after he asked for it to be tabled. Intermill said he didn't hear him ask for it to be tabled, and the Chair has to recognize that. Babb said nothing would change the vote anyway so move on.

NEW BUSINESS

Ordinance 2018-08 – an ordinance amending the zoning map

A MOTION TO ADOPT ORDINANCE 2018-08 WAS MADE BY CHET BABB AND SECONDED. MOTION CARRIED.

A MOTION TO MOVE THE AGENDA ITEMS WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED.

Discussion concerning Klipsch Card Wellness Center

- Representatives gave a presentation on a 118,000 square foot state of the art sports & wellness facility
- Community Hospital has naming rights and will have medical office and services
- Indoor facilities will include gymnastics, indoor tennis, basketball and a coffee café. Phase 2 will have outdoor tennis, soccer, baseball, basketball, walking trails, etc.
- Redevelopment Commission approved an incentive package and is recommending approval to the Town Council
- Incentive package was available to Town Council on google drive

A MOTION TO APPROVE THE INCENTIVE PACKAGE AS PRESENTED WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED.

Comprehensive Plan update

- Resolution R18-12
- Plan Commission adopted this and now Town Council needs to approve

A MOTION TO APPROVE RESOLUTION R18-12 WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED.

OTHER BUSINESS

Discussion concerning fire truck

- Fire Chief Moore said one bid was received from Hoosier Fire
- Delivery in 300 days
- Mabrey said four banks were interested in the financing which will include the truck, tanker, and air tanks

Ordinance 2018-09 – an ordinance amending its code of ordinances

- The fees have been adjusted by State law so this update is to be consistent with ordinance violation fees.

A MOTION TO ADOPT ORDINANCE 2018-09 ON FIRST READING WAS MADE BY JESSICA SMITH AND SECONDED. MOTION CARRIED.

A MOTION TO SUSPEND THE RULES AND HAVE A SECOND READING WAS MADE BY CHAD WOLFE AND SECONDED. MOTION CARRIED.

A MOTION TO ADOPT ORDINANCE 2018-09 ON SECOND READING WAS MADE BY JESSICA SMITH AND SECONDED. MOTION CARRIED.

Tabling

- Jones said that currently any member can table a matter by stating it, and suggested the rule be changed so an item can only be tabled with a motion second and majority rules. Babb did not agree with this change.

A MOTION TO AMMEND THE PROCEDURE TO TABLE AN ITEM AS PRESENTED WAS MADE BY CHAD WOLFE AND SECONDED. MOTION CARRIED.

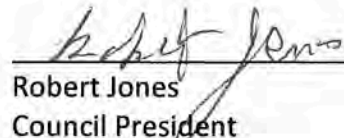
ADJOURNMENT

- There being no other business brought before this Town Council, the public meeting adjourned at 9:42pm.

Prepared by


Dawn Speedy
Deputy Clerk-Treasurer

Approved by


Robert Jones
Council President