

Pendleton Town Council

February 11, 2021

The Pendleton Town Council met in regular session at 6:00 PM on February 11, 2021 at the 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, Chet Babb, called the meeting to order.

Council Members present were President Chet Babb, Vice President Shane Davis, Robert Jones, Steve Denny, and Marissa Skaggs. A quorum was established with all members present. Clerk-Treasurer Willie Boles was absent.

Also representing the Town were Town Manager Scott Reske, Planning Director Rachel Christenson, Deputy Clerk-Treasurer Karen Parkison, Judge George Gasparovic (via Zoom), Fire Chief Chris Nodine, Town Marshall Marc Farrer, Park Director Aaron Burris and Town Attorney Jeff Graham. A moment of silence was held followed by the Pledge of Allegiance. The minutes from the January meeting had a correction of the spelling of the name of Edward Wolenty from the Pendleton Development LLC.

Motion to approve the minutes from the January meeting was made by Robert Jones and 2nd by Shane Davis. Roll call vote taken and approved 5-0.

Clerk-Treasurer's Report

Deputy Clerk-Treasurer presented Claims and the treasurer's report for January 2021.

Total Claims for the month of January 2021	\$ 2,016,954.43
Electric Revenue Received	\$ 804,633.50
Water Revenue Received	\$ 93,942.65
General Fund Balance	\$ 618,648.19
Park Fund Balance	\$ 287,688.64
Cumulative Capital Fund Balance	\$ 160,900.20
Cumulative Capital Improvement Fund Balance	\$ 17,321.76
Motor Vehicle Highway Fund Balance	\$ 300,902.06
Motor Vehicle Highway Restricted Fund Balance	\$ 27,334.05
Local Roads and Streets Fund Balance	\$ 399,467.38

General Fund Comparison Balance For The End of January

General Fund 2019	General Fund 2020	General Fund 2021
\$ 652,670.51	\$ 607,098.22	\$ 618,648.19

A motion to approve the Claims and the Clerk-Treasurer's Report was made by Shane Davis and 2nd by Robert Jones. Motion carried with a roll call vote of 5-0.

Department Reports

Fire Department – Fire Chief Chris Nodine presented his report

- Nodine said that Jeff Moore was going to start visiting businesses to find out who owns the building/business. This will benefit both the business owners and the fire department if they need access to the building in case of any fires.
- Jeff Moore was in attendance and was presented a plaque from the Town of Pendleton commemorating his years of service.

Police Department – Town Marshall Marc Farrer presented his report

- Farrer presented his report and stated that they are using their Facebook page to push out real time information for the community concerning any emergency situations.

Town Court – Judge George Gasparovic present his report

- Court will be on a cross platform starting in February. They will have a physical court, along with a Zoom session.

Park Department – Aaron Burris presented his report

- Burris stated that town employees and council members can have a free membership at the Fall Creek golf course this year.
- Tree removal west of the park office will be completed soon

Town Manager – Scott Reske presented his report

- Reske commended all departments in helping with the snow/ice removal .

New Business

Ordinance 21-01 Storm Water Management Rates and Charges

This Ordinance will replace Ordinance 2014-03. A representative from Baker-Tilly, John Seever, was online to answer any questions about the financial analysis of the Storm Water rates. Babb asked if there had been any questions from the Storm Water Board's public meeting. There were not any questions but several responses were used to help identify the projects that needed the most help. Town Manager Reske stated that the Storm Water fees will be prorated to be on this year's property tax bills. Council member Steve Denny asked for a basic timeline to be placed on the town's website.

Babb asked if there were any public comments at 6:34 - none

Motion to approve Ordinance 21-01 was made by Steve Denny and 2nd by Shane Davis. Roll call vote was taken and approved with a vote of 5-0.

Motion was made to unanimously consent to suspend the rules on Ordinance 21-01 for a second vote. Shane Dave made the motion and Robert Jones 2nd. Roll call vote was taken and motion passed 5-0.

Motion to approve 21-01 was made by Robert Jones and 2nd by Shane Davis. Roll call vote was taken and Ordinance 21-01 passed with a 5-0 vote.

Ordinance 21-02 amending the Pendleton Traffic Code

This ordinance is to add stop signs in the Pendle Pointe addition and a portable two way stop at 327 East Street. After a brief discussion regarding the portable stop sign, it was decided to omit the portable sign only from the Ordinance.

Babb asked if there were any public comments at 6:40 - none

Motion to approve Ordinance 21-02 was made by Marissa Skaggs and 2nd by Shane Davis. Roll call vote was taken motion carried with a 5-0 vote.

Motion was made to unanimously consent to suspend the rules for Ordinance 21-02 by Robert Jones and 2nd by Shane Davis. Roll call vote was taken and motion was approved with a 5-0 vote.

Motion to approve 2nd reading of Ordinance 21-02 was made by Robert Jones and 2nd by Shane Davis. Roll call vote was taken and motioned carried with a 5-0 vote.

Ordinance 21-03 for the access management and control of property to right-of-way

This ordinance is to give the Town of Pendleton and the Plan Commission to establish minimum regulations for access to property from road right-of-way. Christenson explained that the Plan Commission was asking for a first read only tonight. Two representatives from the Madison County Council of Government were on hand for the discussion, Ryan Phelps and (Brandon Kendera via zoom)

Brandon is the project manager for the Pendleton thorough fare plan and they work closely with INDOT. He explained the Ordinance improves the overall safety of corridors. It also interacts with the town's site designer viewpoint. It establishes minimum regulations for access to land as it develops. It applies to private and public land along road right of ways.

Babb asked if a farmer owns a field in town, will it affect his access to his land. No, it will not impact access to his property. All existing access points stand.

Jones asked if INDOT has seen other Ordinances like this presented? Ryan from MCCG stated yes.

Rachel notes that they work closely with INDOT. Town will have more input with INDOT with cuts off of

INDOT roads that are within the town. This gives the Town a tool to stop developers from putting a road cut in where it isn't appropriate for community.

Any public comments at 6:55- None

Motion to approve Ordinance 21-03 for first reading was by Robert Jones and 2nd by Shane Davis. Roll call vote was taken and motion carried with a 5-0 vote.

Next new business was Bid Recommendations for Water Street. Reske stated that this is the first storm water project that would be started. Banning Engineering reviewed the bids that were received and recommend that DC Construction Services be awarded the bid (\$466,620.97).

Motion to accept the Bid for the Water Street project was made by Shane Davis and 2nd by Steve Denny. Roll call was taken and carried with a 5-0 vote.

Any questions or comments at 7:03 were opened up to the public.


Robert Jones brought up House Bill 1114. A developer can do what they want to do without letting any local planning commission have any say. Not what the town wants. Jones would like a letter from the Town be sent to our state representative to veto this HB 1114. Attorney Jeff Graham will write a Resolution for the town to sign and send.

Robert Jones made a motion to send a letter in opposition of HB 1114 and it was 2nd by Steve Denny. Roll call vote was taken and carried with a 5-0 vote.

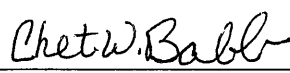
Robert Jones brought up about Senate Bill 208 which concerns right-of-ways and thoroughfares. It would prohibit a unit of local government from establishing or expanding a thoroughfare by requiring the dedication of private property as part of a subdivision plat, and requires the unit of local government to acquire private property for the establishment or expansion of a thoroughfare through eminent domain. Prohibits a county and a unit of local government from imposing an additional fee on applicants that file subdivision plats in which the county or unit of local government must proceed with eminent domain. Rachel stated that we have an ordinance in place but if the Bill goes through, we would have an additional expense.

Public Comments - None

Meeting was adjourned at 7:11 pm.

Prepared by 

Karen Parkison, Deputy Clerk-Treasurer

Approved by 

Chet Babb, Council President