

Meeting of the Town Council of Huntertown, Indiana
Monday, November 6, 2023, 6:00 p.m.
Huntertown Town Hall, 15617 Lima Road

A public meeting of the Huntertown Town Council was held on Monday, November 6, 2023, at Huntertown Town Hall, 15617 Lima Road, Huntertown, IN. Present were board members Michael Aker, Patricia Freck, Brad Hite, Tina McDonald, and Brandon Seifert (P); Town Manager Beth Shellman; Clerk-Treasurer Ryan Schwab; David Hawk of Hawk Haynie Kammeyer and Smith; Derek Frederickson of Engineering Resources Inc.; water plant operator Gabe Brindle; eleven (11) members of the public and zero (0) members of the media.

Brandon Seifert called the meeting to order at 6:23 p.m. with the Pledge of Allegiance.

Brandon Seifert suspended the meeting at 6:23 p.m. to open a Public Hearing for Huntertown Ordinance 2023-012, an additional appropriation ordinance. Ryan Schwab explained that the town would be adding \$475,000 to its CEDIT budget to cover the estimated cost for expected land purchases before the end of the year. He said that the funding was appropriated in the 2023 budget, expended for items at 100-percent as part of an 80-20 reimbursement grant program with INDOT, and that the new money being added to the budget came from a pool of \$575,000 that has been reimbursed to the town through that program. He emphasized that no new tax money was being added to the budget to cover these expenses. The floor was opened to public comment, and none were brought forth. Brandon Seifert closed the Public Hearing and reconvened the regular meeting at 6:26 p.m.

COUNCIL ACTION

Tina McDonald made a motion to approve the minutes from the October 16, 2023, Executive Session meeting. Patricia Freck seconded. Motion carried 5-0.

Patricia Freck made a motion to approve the minutes from the October 16, 2023, regular meeting. Brad Hite seconded. Motion carried 5-0.

Michael Aker made a motion to approve the General, Water and Sewer claims dated October 16, 2023, in the amount of \$508,280.83. Tina McDonald seconded. Ryan Schwab noted that the council is being asked to sign an additional document verifying its review of payroll. After no further discussion, the motion carried 5-0.

Michael Aker made a motion to introduce Huntertown Ordinance 2023-012, an additional appropriation ordinance. Patricia Freck seconded. Motion carried 5-0.

Michael Aker made a motion to consider Huntertown Ordinance 2023-012, an additional appropriation ordinance. Brad Hite seconded. Motion carried 5-0.

Michael Aker made a motion to adopt Huntertown Ordinance 2023-012, an additional appropriation ordinance. Tina McDonald seconded. Motion carried 5-0.

Tina McDonald made a motion to approve Change Order No. 2 from Pulver Asphalt for the Woods Road reconstruction project in a deducted amount of \$19,504.50. Michael Aker seconded. Motion carried 5-0.

Michael Aker made a motion to approve Pay Application No. 3 from Pulver Asphalt for the Woods Road reconstruction project in the amount of \$329,266.39. Patricia Freck seconded. Motion carried 5-0.

Michael Aker made a motion to contribute \$1,000 to the Huntertown Historical Society for the Hometown Hero Book Program. Patricia Freck seconded. Motion carried 5-0.

Michael Aker made a motion to approve Huntertown Resolution 2023-030, a Resolution approving the fiscal plan for the Broad Acres Annexation. Tina McDonald seconded. Motion carried 5-0.

Brad Hite made a motion to consider Huntertown Ordinance 2023-011, an ordinance annexing certain territory to the Town of Huntertown to be commonly known as the Broad Acres annexation. Michael Aker seconded. Motion carried 5-0.

Brad Hite made a motion to adopt Huntertown Ordinance 2023-011, an ordinance annexing certain territory to the Town of Huntertown to be commonly known as the Broad Acres annexation. Michael Aker seconded. Motion carried 5-0.

Brad Hite made a motion to approve Huntertown Ordinance 2023-013, an ordinance to fix salaries for elected and appointed officials and employees of the Town of Huntertown effective with the first payroll of 2024 and all payrolls of 2024. Michael Aker seconded. Items of discussion included the range of salary for the town manager position being added, a range for a consultant being added, removing the longevity pay for the clerk-treasurer; the differences between the clerk-treasurer being considered elected and full-time; and adding various amendments to the ordinance. Ryan Schwab suggested that that council just vote down the current document presented and provide the exact language it wants included in the ordinance so it can be presented in a new form at a future public meeting. After no further discussion, the motion was defeated, 0-5.

Michael Aker made a motion to approve promotions from Utility 3 to Utility 2 for employees Tyler Chesney and Austin Roberson. Brad Hite seconded. Motion carried 5-0.

Patricia Freck made a motion to approve Huntertown Resolution 2023-031, a resolution revising the Huntertown Personnel Policy. Tina McDonald seconded. Beth Shellman provided details on the resolution which included contribution to the employee Health Savings Accounts, additional Holidays for 2024, and an option for a stipend in lieu of cell phone use. Michael Aker noted a spelling error in the resolution for fixing and noted that one of the appendixes was not included in the title. After no further discussion, the motion carried 5-0.

NEW BUSINESS

Outside of items listed under Council Action, the following New Business was brought forth:

- Beth Shellman reported that she will be attending a Public Hearing on Wednesday, November 8, 2023, at 8:30 a.m. regarding a variance applied for by Pine Hills Church. The applicant is requesting an appeal for a development standard variance to allow a height increase for a proposed building in an AR zoning district as well as an appeal to allow a gravel drive to the building. Shellman said the church has communicated with its neighbors about the structure and has reached on agreement the details related to the building and the drive access. Council members said they had no issue with the request on the condition that the neighbors remain agreeable. No formal vote was taken.
- Beth Shellman reported tat E&B Paving is requesting closure of Carroll Road from State Road 3 to Bethel Road during the months of June and July in 2024 while school is out of session to work on the Carroll Road reconstruction project. A letter from Northwest Allen County School was presented that approved the road closure. Brad Hite asked about access to the Allen County Fairgrounds for the Allen County Fair in July. Shellman said the contractor planned to re-open the road for the fair. No action was taken.

- Beth Shellman asked for permission to post a job in the water department and the street department. Council gave verbal permission, but no formal vote was taken.
- Beth Shellman provided the council with a copy of a letter she has written to the Allen County Park Board about the potential acquisition of Cook's Landing County Park to become a town owned park. Council members had no revisions for the letter and signed it.
- Derek Frederickson presented a request from North Eastern Realty Group for secondary plat approval for three subdivisions: Farmstead at Carroll Creek, Silverstone and Silverstone Estates. Frederickson said that the town's past practice has been not to approve secondary plats until all the physical utilities are in place and this request would deviate from that policy. Currently, the lift station serving the area is not complete and would not be complete until May 2024. The Utility Service Board at its meeting earlier in the evening voted to recommend not approving the plats. Ric Zehr, representing North Eastern Group and New Venture Development Corporation addressed the council stating that the infrastructure is in place for the plats being requested. He said that the council has already set a precedent by allowing this before, noting that the town takes responsibility for decisions made by the Allen County Commissioners through its approval of annexation. He said he has \$46 million invested in Huntertown and is asking Huntertown to follow its ordinance. He said two sections have passed all utility tests and another is being tested later this week, so the council could approve his plats pending approval. Zehr said he is taking on \$2,500 a day in interest and needs to be able to sell to a home builder in order to stay current on his debt payments. He would be willing to make other concessions, including a performance bond or a hold harmless agreement to be able to move forward; or allow the town to withhold building permits until the lift station work is complete. Town Attorney Dave Hawk cited a state statute that noted a performance bond was not applicable in this particular case. Brandon Seifert said the County has done this in the past and asked why they have been allowed to? Beth Shellman said the counties actions don't supersede the actions of the Huntertown Town Council. After much discussion, it was recommended that the town's professional services (Attorney and Engineer) meet with the developer and his professional services team to see if there is some middle ground the two sides could agree to. In the meantime, the council would like to see this particular issue addressed in its standards and specifications manual to clearly state that plats will only be approved with all the utility requirements completed.

OLD BUSINESS

Outside of items listed under Council Action, no Old Business was brought forth.

REPORTS

Michael Aker had the following report:

- The council received an email about the four-way stop at the intersection of Carroll Road and Hand Road, asking that all four stop signs at the intersection have blinking lights. Beth Shellman noted that there was an accident at that intersection recently that damaged one of the blinking stop signs and it's being replaced.

Clerk-Treasurer Ryan Schwab had the following report:

- He reminded council that Mike Stamets' appointment on the Utility Service Board expires at the end of 2023 and that his seat is a full council appointment which will need filled before the end of 2023. Beth Shellman added that Kerri Garvin is planning to resign from the board and the council executive will need to make a replacement appointment as well.

Town Manager Beth Shellman handed out a copy of her report and highlighted the following items:


- The town's application to the Allen County Commissioners for an ARPA water grant was approved in the amount of \$1,732,298. She is planning a ground-breaking ceremony for Tuesday, November 20, 2023, at 4 p.m. Additionally, the County awarded \$1,767,702 in ARPA funds to the Allen County Surveyor to improve a stormwater drain in the area of Apollo Drive. The town plans to repave the road in the area after those improvements are made.
- Scott and Amy Bowser, owners of the old bank building that neighbors Town Hall to the south, said they were promised in 2007 that some parking spots would be made available for that building and that has not happened. They would like to see some trees removed from behind the building and some parking spots added.
- Allen County Highway and NIRCC did a speed study for Cedar Canyon Road and evaluation of the data supports a 40MPH limit. She plans to bring an ordinance to the council at a future meeting.
- The town has received quotes for asbestos removal and demolition of the blue house next door to Town Hall recently purchased by the town. The Fire Department is currently using the building for training. She would like to schedule the demolition this winter.

PUBLIC COMMENT

Anthony Ramey, a resident at 422 W. Gump Road, expressed his disappointment in seeing the Town Council president call a town employee a liar in a public meeting and asked that the council demand a public apology. He said that two people can have their own version of events and both of them can still be correct. He concluded by saying that as elected and appointed officials, we should all act the right way.

With no further public comment brought forth, Tina McDonald made a motion to adjourn. Patricia Freck seconded. The motion passed with a voice vote and the meeting adjourned at 8:25 p.m.

Attest:


Brandon Seifert
President


Ryan Schwab
Clerk Treasurer