

**Meeting of the Town Council of Huntertown, Indiana**  
**Monday, April 15, 2024, 6:00 p.m.**  
**Huntertown Town Hall, 15617 Lima Road**

A public meeting of the Huntertown Town Council was held on Monday, April 15, 2024, at Huntertown Town Hall, 15617 Lima Road, Huntertown, IN. Present were board members Patricia Freck (P); Brad Hite, and Tina McDonald; Town Manager Hannah Walker; Clerk-Treasurer Ryan Schwab; David Hawk of Hawk Haynie Kammeyer & Smith; Beth Johnson of USI Consultants; ten (10) members of the public and one (1) member of the media. Council members Michael Aker and Brandon Seifert were absent.

Patricia Freck called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

**COUNCIL ACTION**

Tina McDonald made a motion to approve the minutes from the April 1, 2024, regular meeting. Brad Hite seconded. Motion carried 3-0.

Tina McDonald made a motion to approve the General, Water and Sewer claims dated April 15, 2024, in the amount of \$339,430.83. Brad Hite seconded. Motion carried 3-0.

Tina McDonald made a motion to approve Change Orders No. 1 and No. 2 for the Carroll Road reconstruction project as presented. Brad Hite seconded. Beth Johnson informed the council of the details of the change orders, noting that both are a result of utilities not being relocated as planned. The first change order extended the expected completion date from October of 2024 to May of 2024. The second change order increased the amount of the overall cost of the project by \$9,001.00. Johnson also noted that USI Consultants would likely seek a supplement to its current agreement with the town for the extra time, estimated around \$100,000. After no further discussion, the motion carried 3-0.

Tina McDonald made a motion to re-consider Huntertown Resolution 2024-002, a Resolution regarding extension of sewer or water services outside of the corporate limits. Brad Hite seconded. The motion carried, 3-0.

Tina McDonald made a motion to adopt Huntertown Resolution 2024-002, a Resolution regarding extension of sewer or water services outside of the corporate limits. Brad Hite seconded. Dave Hawk presented an overview of the resolution. He said the town currently has policy on having property annexed into the town for connection to its utilities and another attorney asked where it is written. Hawk said this resolution was a straightforward way to put that answer into a document the town could use moving forward when dealing with future development. The resolution states that unless otherwise approved by the town council, the town will not extend utilities to a development outside of its corporate limits with first agreeing to voluntary annexation. It also states that any new customers to the water or sewer utility must accept both utilities. He said the resolution is not to stop development or weaponize the town's policies in any way, he just wanted to restate the town policies in one place. Christopher Nusbaum, an attorney with Carson LLP, representing a local developer, said the resolution creates some confusion about requiring annexation as opposed to proving consent to annex in the future. He believes the resolution would require annexation to be completed before any work could be done at the site, which would make it difficult to commit to developing. He said currently, the town is agreeing to special contracts that include the consent for annexation from the developer. The resolution would change that process. He also said that the town currently has seven developments platted that do not have annexations included. When asked to provide the list of those developments, he said he would have to get his clients permission to release said information. Ric Zehr, a developer with North Eastern Group, also spoke sharing his concerns about the contiguity issue with certain developments. He said he is partnered with the town on many projects and the special contracts are what allow for annexation. Dave Hawk reiterated that the

developers can still get approval for a special contract as it states in the resolution “unless otherwise approved by the Town Council.” David Brown, a local developer and engineer, expressed concern that that statement was not referenced properly in the “Now Therefore be it resolved” section of the resolution. Hawk said it is clearly stated in the two “Whereas” sections of the resolution. Tony Ramey, president of the Huntertown Utility Service Board, shared his concern that this information had not been shared with the board and that he would like for the board to have the opportunity to make a recommendation to the council. After no further discussion, no formal vote was taken as Brad Hite made a motion to table discussion to a future meeting. Tina McDonald seconded. After no further discussion, the motion to table carried 3-0.

Brad Hite made a motion to approve a quote from Carrier & Gable in the amount of \$14,800, for a pair of flashing school zone signs to be installed near two elementary schools in town, noting that the town would pay for half of the cost in partnership with Northwest Allen County Schools. Tina McDonald seconded. Ryan Schwab shared with the council that a letter from NACS was included in their meeting packet stating that the school would split the cost of the signs 50-50. After no further discussion, the motion carried 3-0.

Brad Hite made a motion to donate \$250.00 to the Carroll High School CANstruction team for its 2024 project. Tina McDonald seconded. Christine Kruger, a Carroll High School government and economics teacher, presented to the council, noting that any canned foods purchased with the donation will go back to local food banks to support families in need at Christmas time. After no further discussion, the motion carried 3-0.

## **NEW BUSINESS**

Outside of items listed under Council Action no other New Business was brought forth.

## **OLD BUSINESS**

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

## **REPORTS**

Brad Hite had the following report:

- He is collaborating with engineer Derek Frederickson on getting a 4-way stop in place at the intersection of Shoaff Road and Old Lima Road.

Tina McDonald had the following report:

- She asked if e-bikes were allowed on the trails. Tony Ramey said these e-bikes are allowed, but there are rules for them that just do not get posted.

Resource Officers Brandon Reichert and Pedro Yaruchy were absent.

Clerk-Treasurer Ryan Schwab had the following report:

- He presented council with a copy of an extension to the interlocal agreement with Allen County for goods and services. Council members wanted more time to review the document.
- Resident Jim Fortman stopped him out in public and asked for an update on the Woods Road lighting situation. Council members said he should contact Randy Bailey for information on that topic.

Town Engineer, Derek Frederickson was absent.

Outside of items listed under Council Action, Town Attorney David Hawk had no further report.

## **PUBLIC COMMENT**

None were brought forth.

Tina McDonald made a motion to adjourn. Brad Hite seconded. The motion passed with a voice vote and the meeting adjourned at 7:34 p.m.

Attest: Patricia Freck  
Patricia Freck  
President

Ryan Schwab  
Ryan Schwab  
Clerk Treasurer