**NEW WHITELAND TOWN COUNCIL**

**May 16, 2017**

**MEETING MINUTES**

Town Council President John Perrin opened the meeting at 5:00 p.m. with the pledge to the American flag. Council members present were John Schilawski, Scott Alspach, Frank Vaughn and John Perrin. Also present were Attorney Lee Robbins and Clerk-Treasurer Maribeth Alspach. Councilman Schilawski offered the opening prayer. Councilman Rogier was absent.

**MINUTES**

Councilman Schilawski moves to approve the minutes of the May 2nd meeting and is seconded by Councilman Vaughn. **Vote 4 affirmative.**

**HARDSHIPS / ADJUSTMENTS**

Council has received a written request to waive a late charge on the April bill for 170 Tracy Ridge due to resident not wanting to get out of their vehicle to make their payment due to the geese. Request is denied.

**TREASURER’S REPORT**

Clerk-Treasurer Alspach presents copies of the May 16th Fund Report and Docket for approval. Councilman Alspach moves to approve and ratify both reports and is seconded by Councilman Vaughn. **Vote 4 affirmative.**

**OLD BUSINESS**

Councilman Schilawski thanks the Public Works Department for installing the flashing light on the Do Not Block Intersection sign at Sweetbriar and Tracy. Schilawski adds that the striping that was done at the intersection of Tracy and Sawmill is also greatly appreciated and has helped immensely with traffic.

**NEW BUSINESS**

Police Department Admin Office Renovation Request

Police Chief Rynerson is requesting approval of the quote received from CRC Properties to enlarge the window in the Administrative Assistant’s office. The clerk is unable to see people in the lobby unless she walks around her desk and goes to the small window. Chief Rynerson is concerned for her safety and anyone else who might be in that office. The cost to remove the existing window and replace it with a better version is $3,826 and the window can be upgraded to bullet proof glass for an additional $855.00 for a total cost of $4,681.00. Work would be done during normal business hours and the lobby would be closed to the public during the remodeling. Councilman Vaughn moves to approve the request and is seconded by Councilman Schilawski.

Attorney Robbins explains that Councilman Alspach’s brother is one of the principals for CRC Properties which is the company that did the renovation work on this building prior to us occupying it and the company providing this quote. Attorney Robbins has prepared the necessary Disclosure Statement for Councilman Alspach’s signature. Councilman Alspach executes the document. Attorney Robbins has also prepared a Certified Statement of Lowest Bid for Council President Perrin’s signature. Perrin executes his document as well. Attorney Robbins states that copies of both documents will need to be filed with the State Board of Accounts and the Johnson County Clerk of the Circuit Court within fifteen (15) days. **Vote 4 affirmative.**

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Consideration of Rezoning Petition Request

Attorney Robbins explains that Casey’s is here tonight to ask that 947 and 937 Sweetbriar be rezoned from residential to commercial. Attorney Robbins notes that Casey’s made their presentation to the Plan Commission on March 28th at which time a Public Hearing was advertised and held and the Plan Commission took comments from the public. The Plan Commission’s function is to hold the Public Hearing and then send a recommendation to the Town Council whose function is to rezone property when appropriate. The Plan Commission did send an unfavorable recommendation to the Town Council in the form of a resolution following the Public Hearing. The Town Council is not bound by the Plan Commission’s recommendation. The Town Council must take action within ninety (90) days; if no action is taken the request is denied by virtue of the Plan Commission recommendation. Casey’s does not have the right to make another presentation but the Town Council can allow them to if they so choose. The Public Hearing has already been held so the Council does not have to allow public comment but they can allow it if they want. Two of our Town Councilmen serve on the Plan Commission and heard the presentation in March. President Perrin allows Casey’s to make a brief presentation.

Joe Calderon, the attorney representing Casey’s states that there appeared to be two (2) main concerns that came out of the Public Hearing. The first was traffic management and traffic safety. Casey’s engineers have been working on a design to improve the intersection at Tracy Road and US 31. They have submitted their design to INDOT and received preliminary approval. They are proposing adding a third lane on eastbound Tracy from Sweetbriar to US 31 creating a right and left turn lane as well as a center lane. There would be a dedicated right turn lane on eastbound Tracy turning south on US 31. Calderon states all intersection improvements would be done at Casey’s expense with no cost to New Whiteland.

The second issue had to do with storm water retention. Calderon states they have designed a plan for underground storm water storage.

Calderon presents Casey’s Statement of Commitments which are the same as the ones presented at the March 28th Plan Commission meeting but now also include a commitment for the intersection improvements and the underground storm water retention.

Councilman Schilawski asks why sidewalks aren’t being proposed on the west side of Sweetbriar. Calderon states that Casey’s is willing to install perimeter sidewalks if the Council wants them to. Schilawski asks what the proposed wall will be made of. Calderon states it will be a 6’ tall shadow box or solid wall. Lastly, Schilawski asks for confirmation that Casey’s is proposing three (3) lanes on eastbound Tracy at US 31; a right, center and left turn lane. Calderon says that is correct.

President Perrin states the floor is open for a motion to either adopt the recommendation of the Plan Commission and deny the rezoning request or to approve the request for rezoning. Councilman Vaughn moves to adopt the Plan Commission recommendation and is seconded by Councilman Schilawski. **Vote 4 affirmative.**

Councilman Vaughn further moves to deny the rezoning petition and is seconded by Councilman Alspach. **Vote 4 affirmative.**

MVH and LRS Revenue Update

Clerk-Treasurer Alspach states that in a recent Clerk-Treasurer school she learned that they are projecting that our revenues for street repairs could increase by 40% beginning with the August disbursements. She also learned that the Community Crossing Grants will be a 25 /

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75 split this year for municipalities under 10,000 rather than a 50 / 50 split which should allow us to do a lot more road work in the coming years. Councilman Alspach asks that the bid specs this year include curbs and gutters.

**LEGISLATIVE BUSINESS**

None.

**OPEN TO THE PUBLIC**

Greg Bryant, 175 Hilltop Farms Blvd. is here on behalf of the Homeowner’s Association to get a status update on the request for an additional street light. Council reports that the request was approved and the street light has been ordered, we are just waiting for Duke Energy to install it. Bryant thanks the Council. He also praises the Street Department for cleaning the streets in their subdivision.

Being no further business the meeting was adjourned at 5:45 p.m.

Respectfully submitted,

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Maribeth Alspach, Clerk-Treasurer

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Perrin, Council President