

July 21, 2020

The Mooresville Town Council met in regular session on Tuesday, July 21st at 6:30 P. M. at the Mooresville Government Center.

Council members present were, Council President Shane Williams, Councilwoman Jessica Hester, Councilman Dustin Stanley, Councilman Tom Warthen, and Councilman Jeff Cook, Town attorney Chou-il Lee was not present. Attorney Beth Copeland was sitting in for him. Councilman Warthen gave the prayer.

The Town Council held a moment of silence in memory of Fire Chief Tim Medsker. Members of the council spoke about his years of service and his legacy.

Motion was made by Councilman Warthen to approve the minutes of the July 7<sup>th</sup> meeting and seconded by Councilman Stanley. Motion Carried 5-0

**Unfinished Business –**

Summer Sewer Rate – Beth Copeland presented four versions of the ordinance, two with a 3-month option for the credit, and two with a 4-month credit for the program. Each program had a choice of either an annual \$25 or \$50 administration fee, and there would be an application process. This would take effect immediately to reflect on September 2020 and October 2020 billing statement.

Council President Williams opened the public hearing.

John Earhart presented himself before the council to ask a question about the differences between the options to vote on.

Lester Wyatt inquired to the frequency that the application would need to be completed. The application will be annually.

Councilman Warthen made the motion to close the public hearing. Councilwoman Hester seconded. Motion carried 5-0

Councilman Warthen made the motion to suspend the rules to be able to pass the ordinance on the first reading. Councilman Stanley seconded. Motion Carried 5-0

Councilman Cook made a motion to adopt Ordinance 10-2020, 4-month option with the \$25 administrative fee. Councilman Warthen seconded. Motion carried 5-0

Gateway Update David Moores gave an update <sup>SPD</sup> ~~Beth Copeland~~ Bowers irrigation will be turning on the sprinkler system this week to the flowerbeds on S. Indiana St. The Street Department employees will be starting landscaping projects soon. There is not an update on the lighting at this time.

Christmas Fund – Ordinance 7-2020 This ordinance having previously been passed was given the approved update to the name of the fund, and signed.

Police Vehicle Equipment – Chief Julian gave an update on the figures for the insurance pay outs (\$32,131.45 and \$18,087.00) for the cars in the accidents and requested to use these funds to purchase 3 mobile radios that stay in the cars. There was some discussion on current radios in use and how many were needed right now. Councilman Warthen made a motion to approve a line item for the purchase of three mobile radios, Councilman Cook seconded. Motion carried 5-0

Chief Julian gave an update on the Tornado siren repair. The circuit board has been replaced, and he would like permission to run a test as soon as possible to ensure that everything is working correctly. The monthly audible test will be held the last Friday of every month at 11 AM.

Town Roofing Bid - Town Attorney, Beth Copeland has been in contact with Mr. Lee and recommends dismissing the bid if the bid change is insisted upon, and move to the next responsive bidder if they can perform the work for the amount that was previously bid. Councilman Warthen made a motion to allow the legal counsel to put a deadline of August 4<sup>th</sup> at 6 PM for the current bidder to respond to the request. Motion was seconded by Councilman Stanley. Motion carried 5-0

Vacate Alley – Mr Holloway presented himself before the council to request an alley in Eastmoore be vacated as there is no desire to improve the alley by the owner or the town. The alleys were dedicated to the town per the plat, though the town did not accept the alleys. There does not appear to be a public safety issue. Town Attorney Copeland questioned the notification of all land owners that about the alley. Holloway stated that his understanding was that notice had been provided; however, he could not provide proof. All abutting property owners need due process in this request. Councilman Warthen moved to table this issue until the second meeting of August, Councilwoman Hester seconded. Motion carried 5-0

Ferguson Road Rezone Ordinance 9-2020 Ross Holloway presented a recommendation from the planning commission to rezone a strip of land on Ferguson Rd. The Allison family has platted and re-platted the land around their home as there was a narrow strip that needed to be included for access purposes and rezoned as it was not part of the original plat. After some clarification on ownership and where the land was located Councilman Warthen made a motion to accept the recommendation from the Planning commission for the rezoning of the land. Councilman Cook seconded. Motion carried 5-0

Sewer Hookup County Line Rd – Ross Holloway also represented Shawn Stewart before the board to discuss the unusual request as the parcels requesting sewer services are in Hendricks county. If this is something that is granted, it will trigger an interlocal agreement between Hendricks county and potentially Plainfield. Mr. Holloway stated that he is looking for an interest from the Town of Mooresville to provide the sewer systems for this development before the developer begins to invest in further studies and engineering. There was some discussion of what would be needed to make this happen, and what the actual benefit, if any, would be brought to the Town if this is granted. Councilman Warthen raised concerns with the agreement and the potential of working with Hendricks County as well as the capacity of the system. Mr. Holloway suggested postponing this discussion until another meeting to allow Mr. Stewart to do more research, analysis, and capacity studies. Councilman Stanley made a motion to table this issue until the next meeting. Councilwoman Hester seconded. Motion carried 5-0.

Robertson Woods Drainage – Dave Moores provided the council with the plat and covenant of the subdivision. The swale has filled in and is blocking. The covenant states that the drainage easements are to be maintained by the homeowners so the street department is unable to provide any assistance. Some different options were discussed to possibly alleviate the problems, including building a brick and mortar structure that the owner would still have to maintain and clean out the sediment, and rebuilding the road to change the pitch of the road. Fixing this swale would prove problematic due to the covenants stating that the maintenance is the responsibility of the property owners. Councilman Warthen suggested looking into a Community Crossing grant for a long term solution. There will be further discussion on this at the next council meeting.

Park Board Sign Request – Brent Callahan came before the Council to discuss the current sign ordinance as they were made aware that the moveable letter sign and other signs that the park board puts out to announce information and events are not authorized under the current ordinance. There was some discussion on how the wording of the ordinance would need to be amended. Councilman Warthen gave some history on how the ordinance came about, and the original intent behind the wording of the ordinance, and it was not intended to prohibit the park or the Town of Mooresville from putting up signs on their own property. Councilman Williams shared his personal experience with political signs during his campaign. Councilman Cook made a motion to allow the Parks department to put up signs on the right of way. Councilman Warthen seconded the motion. Motion carried 4-1 with Councilman Williams opposed.

Councilman Cook made a motion to allow the Parks department to put up signs on the park property Councilman Stanley seconded the motion. Motion carried 4-1 with Councilman Williams opposed.

It was determined by Attorney Copeland that wayfinding signs are allowed under the UDO which include signs erected by the government giving instructions and or information to the public.

#### **Department Head Reports -**

David Moore Street Department gave an update on the dirt work at the school and the catch basin cleaning and repair. There have been 153 permits issued this year as opposed to 87 in 2019.

Acting Fire Chief Matt Dalton from the fire department thanked the council for their support during the last week.

#### **Legal -**

Line1 CF-1- The proper paperwork had been turned in for the CF-1 for Resolution 10-2016 and 11-2016.

Councilman Warthen made the motion to approve The CF-1 for Resolution 2-2014. Motion was seconded by Councilman Cook. Motion carried 5-0

Councilman Warthen made the motion to approve The CF-1 for Resolution 10-2016 for personal property. Motion was seconded by Councilwoman Hester. Motion carried 5-0

Councilman Warthen made the motion to approve The CF-1 for Resolution 11-2016. Motion was seconded by Councilman Stanley. Motion carried 5-0

#### **Public Comments –**

Justin Sprinkle 137 Ashbury Ridge presented himself before the council regarding the removal of signs and the lack of notice that was given before removal, and asked for the ordinance to be reviewed.

A motion was made by Councilwoman Hester with a second by Councilman Warthen to approve claims for \$2,477,918.20 Motion Carried 5-0

#### **Town Council Comments –**

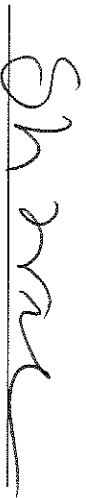
Councilman Warthen made mention of being on the council and assisting in the drafting of the UDO and agreed that it might need to be reviewed.

Councilman Stanley took a moment to thank acting Chief Dalton for stepping up while the Fire Department was dealing with the loss of their Chief.

Councilman Williams thanked Councilman Stanley for delivering Chief Medsker eulogy and serving as the liaison to the Fire department.

The next regular scheduled meeting of the Mooresville Town Council will be held on Tuesday, August 4, 2020 at 6:30 P. M. at the Mooresville Government Center

There being no further business to come before the council at this time, a motion to adjourn was made by Councilman Stanley with a second from Councilwoman Hester Motion Carried 5-0.



Shane B. Williams, Council President

ATTEST:



Dianna L. Wamsley, Clerk-Treasurer