

May 6, 2025

The Mooresville Town Council met in regular session on Tuesday, May 6, 2025, at 6:30pm at the Mooresville Government Center.

Council Members present were President, Tom Warthen and Councilmen, Greg Swinney, Jeff Cook, Josh Brown and Kirk Witt. Attorney, Chou-il Lee, was also present.

Tom Warthen gave the invocation and called the meeting to order.

Approval of the minutes from the April 15, 2025, meeting – Motion was made by Councilman Brown, second by Councilman Witt to approve the minutes as written. Motion carried 4-0-1 with Councilman Cook abstaining.

Stormwater Presentation, Wessler Engineering – Mary Atkins of Wessler Engineering presented the Council with ways Wessler could assist the Town in doing a Stormwater ERU Study. An ERU is an Equivalent Residential Unit. An ERU study would consider maintenance of the system, projects, inspections, code enforcement, and other costs of managing the stormwater system and figure the necessary rate to fund those costs. Mooresville currently charges a flat rate for stormwater. The study would take arial photos and look at all the impervious surfaces, which include concrete, asphalt, compacted gravel, etc. Larger amounts of impervious surface create more stormwater runoff and pollution. An average ERU would be determined and that would become the base unit that all residential properties are billed. The non-residential properties would then pay a multiple of the ERU based on their impervious surface. If a study is done, Wessler would create an advisory committee and encourage public involvement and education. They would also coordinate with the attorneys, financial consultants and help with utility billing. Wessler has a proposal prepared to conduct the study if the Council should decide to look at doing one. President Warthen said the Council will take it under consideration.

Rezone at 350 Bridge Street – Riley from Sunco Construction stated they were approached by the Town to rezone the property from Industrial to Business. The Plan Commission gave a unanimous recommendation for the rezone.

A motion to accept the Plan Commission's recommendation in favor of the rezone was made by Councilman Swinney, second by Councilman Witt. Motion carried 5-0. The ordinance will be presented for signing at the next meeting.

CF-1 Sun Polymers International, Inc. – Abatement was granted by Resolution 15-2018.

A motion to find Sun Polymers in substantial compliance was made by Councilman Swinney, second by Councilman Brown. Motion carried 5-0.

CF-1 MacOwan Real Estate – Abatement was granted by Resolution 7-2018.

A motion to find MacOwan Real Estate in substantial compliance was made by Councilman Swinney, second by Councilman Brown. Motion carried 5-0.

Ordinance 4-2025 – Amendment to Ordinance 14-2024. This amendment would add a seasonal worker in the Clerk's office with a salary range of \$12 - \$15 per hour, for the primary purpose of scanning historical documents to Laserfische.

A motion to suspend the rules and consider Ordinance 4-2025 on first reading was made by Councilman Brown, second by Councilman Swinney. Motion carried 5-0.

A motion to approve Ordinance 4-2025 was made by Councilman Brown, second by Councilman Swinney. Motion carried 5-0.

Department Head Reports – Police Chief, Kerry Buckner, stated that the Park's property on Indianapolis Road was not annexed and if someone calls 911 from that property, the call is being routed to the County instead of Mooresville PD. The Council stated they would check into this and make sure the annexation has been completed.

Chief Buckner then asked about the agreement between the Town and the County for the purchase of the jail wagon. Attorney Lee had prepared Resolution 12-2025 for the Council's consideration. This would authorize the sale of the van to the County. The County would then just need to pass a similar resolution.

A motion to approve Resolution 12-2025 was made by Councilman Swinney, second by Councilman Brown. Motion carried 5-0.

Chief Buckner updated the Council on Officer Pitcock, who has been struck by a fleeing vehicle. He stated Officer Pitcock would be off for probably four or five more weeks due to his injuries.

Chief Buckner advised the Council that the Central Indiana Police Foundation had given them \$5,000 towards the purchase of a drone and the department paid for the rest from LLEPCE. The PD already has the drone in their possession. Sergeant Anderson currently holds the FAA license to operate the drone and others will be training to obtain licensing as well.

Councilman Brown asked about the status of Bolton Avenue and Attorney Lee stated they need to file a motion with the County Court to find them in contempt.

Fire Chief, Matt Dalton, presented the run reports. He then presented an addition to the Fire Department policy, in an effort to increase staffing levels, that would allow a part-time firefighter to begin with only Firefighter 1 and 2 as long as they get their EMT Certification within the first two years. Right now, they are required to already have the EMT Certification. Councilman Cook stated he sees this as lowering our standards and he is not in favor. Chief Dalton stated there would always be other certified people on the call. President Warthen stated that the certification isn't as important as the hands-on experience but if the EMT certification can be completed within a year, then the timeframe should be one year instead of two. Councilman Brown stated he would like to limit the uncertified part-time personnel to one

per shift. President Warthen stated they should not make a decision tonight but try to come up with a solution.

Legal – Attorney Lee stated that he's unsure why Vertical Bridge is asking to update the agreement because the terms of the current agreement don't expire until 2037. They will reach out to see what the press is to get something done.

He also stated that the Town has been approached by the attorneys of The Howard Group (formerly Harding Group) and that they believe they are owed \$23,938.56 for work that was performed. He does not agree with their calculations due to lack of a change order, but he does agree they may be entitled to an amount due to the unit price changes. This was discussed in Executive Session prior to the meeting. He is asking the Council for authority to try to get it resolved for the amount discussed in Executive Session.

A motion to allow Attorney Lee to proceed as discussed in Executive Session was made by Councilman Swinney, second by Councilman Brown. Motion carried 5-0.

Public Comments – Linda Fred of 871 Edgewood Drive stated she has a water issue in her backyard and asked if the Town sprays for mosquitoes. President Warthen stated we do have the equipment and certified personnel, but according to the guidelines set by the State of Indiana, we have to have a mosquito test positive for West Nile in the county before we can spray. She asked if there was anything that could be done about the water and he said he would have Brian Moore reach out to her to discuss.

Rebecca Hamilton approached the Council asking them to amend the ordinance banning chickens within town limits. She has put together a petition with 247 signatures but is unsure how many of those actually live within corporate limits. She has put together a proposed ordinance change for Council consideration. Attorney Lee stated it would require a text change to the Zoning Ordinance so no action could be taken tonight. President Warthen stated the Council would take it under advisement.

Jason Cornwell of 34 S. Jefferson asked the Council for an update since the weeks following the vote on the fire territory. President Warthen stated that he is waiting to see what is happening with Senate Bill One and how it will affect Cities and Towns, as well as other taxing units throughout the State. Attorney Lee explained that although Senate Bill One has already passed, it is a sweeping bill and could change.

Approval of Claims - A motion to approve the payment of claims in the amount of \$1,081,547.64 was made by Councilman Swinney, second by Councilman Brown. Motion carried 5-0.

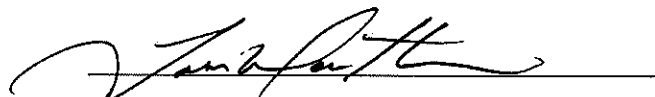
Approval of Payroll Clearing – A motion to approve payroll clearing claims in the amount of \$245,533.27 was made by Councilman Swinney, second by Councilman Brown. Motion carried 5-0.

Council Comments – Councilman Cook stated he thinks there are other reasons why we are not getting people to work part-time for the fire department and that needs to be considered prior to making any changes to policies.

President Warthen stated the Town received a notice from IDEM stating Carlisle Branson has received approval for a permit for a new crematory.

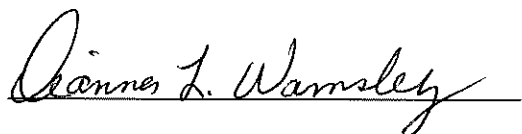
There being no further business to come before the Council at this time, a motion to adjourn was made by Councilman Brown, second by Councilman Swinney and carried 5-0.

The next meeting of the Mooresville Town Council will be held on May 20, 2025, beginning at 6:30 pm at the Mooresville Government Center, with an Executive Session prior, beginning at 5:30 pm.

A handwritten signature in black ink, appearing to read "Tom Warthen", written over a horizontal line.

Tom Warthen, President

ATTEST:

A handwritten signature in black ink, appearing to read "Dianna L. Wamsley", written over a horizontal line.

Dianna L. Wamsley, Clerk-Treasurer