

TOWN OF THORNTOWN  
TOWN COUNCIL MEETING  
November 21, 2022  
7:00 PM

The November 21, 2022, meeting of the Council of the Town of Thorntown was called to order by Council President, Sara Fairfield, at 7:00 pm. The meeting was held at the Thorntown Town Hall, 101 W. Main St., Thorntown, IN. The Council and citizens joined together in reciting the Pledge of Allegiance.

The following were in attendance:

Sara Fairfield – Council	Amy Nooning, Town Attorney	Mike Martin – Fire Chief
Bruce Burtner - Council	Oksana Polhuy – MS Consult.	Max Allen – Utility Board
Dave Williams - Council	Frank Clark – Marshal	Gary Moody – Utl. Supt.
Shawn McClintock – Council	Derek Babcock - Deputy	Mike McKenzie – Utility Board
Larry Truitt - Council	Anthony Hull – Police Reserve	Don Gray - APC
Koren Gray – Clerk/Treasurer	Jerry Seymour, Bldg. Inspct.	Jane Lee - DAR
Aaron Carew – Arbor Homes	Kaitlin Dauper – Arbor Homes	Charles Russell – Arbor Homes
		28 citizens

**Presentations/Guests:**

Charles Russell, Arbor Homes, spokesperson, provided introductory information regarding a proposed residential planned unit development on approximately 53 acres containing about 160 single-family dwellings to the west of Oak Street and the Westwood subdivision. This proposed development would identify as Westfall Place. Sara Fairfield opened the Public Hearing at 7:35 regarding the Petition for Voluntary Annexation for the before mentioned parcel of land. During this Public Hearing, citizens had the opportunity to present questions to the Arbor Homes team. Questions included, but not limited to, consideration of impact to police and fire departments, schools, home values, dust pollution, extra traffic, stop lights, type of foundation. All questions were addressed by Arbor Homes. Mr. Russell advised the homes would be built as lots sold. Construction would be in compliance with Town ordinances/standards. Oksana Pulhuy of MS Consultants advised she has been hired by the Town Council as the Planner. She works with the Advisory Plan Commission in regard to reviewing plans for the development. The Developer will also be required to submit bonds to the Town for maintenance and infrastructure. Max Allen, Utility Board President, noted that the new homes will make the town grow and perhaps bring new and more business to Thorntown. Larry Truitt made a motion to close the Public Hearing at 8:12. Dave Williams made a second. Motion passed 5-0.

Jane Lee of the Society of Daughters of the American Revolution, shared a banner program sponsored by the James Hill Chapter, National Society Daughters of the American Revolution. Individuals may purchase a banner honoring a family member or any veteran. The banners would hang in the Town for a period of one year. The number of poles available to hang the banners is needed information. Orders are taken on a first come/first served basis with a payment of \$120. She asked the Council to please consider.

## **Public Comments/Concerns:**

Dylan Fredrickson inquired about researching for EMS coverage 24/7 with Witham. Mike Martin, Fire Chief of the Thorntown/Sugar Creek Township Fire Department, advised this situation is in the hands of Witham. In the past it has been a cost situation and simply not affordable. Mr. Fredrickson also had concerns of our Police Department and off duty use of a Town owned vehicle and off duty use of an EMS owned vehicle. Amy Nooning, Town Attorney, advised she would take the concern under consideration and review the personal use for the Town autos. The Town has no authority over an EMS auto.

## **Consent Agenda:**

Bruce Burtner made a motion to accept the minutes of November 7, 2022. Dave made a second. Motion passed 5-0.

Shawn McClintock made a motion to allow an expenditure for education for members of the APC to participate in a virtual workshop sponsored by AIM regarding unsafe buildings. The cost is \$25.00. Bruce made a second. Motion passed 5-0.

Shawn made a motion to allow a \$25.00 expenditure for education for the Clerk/Treasurer for the Winter IMPACT workshop. Bruce made a second. Motion passed 5-0.

Bruce made a motion to accept the Professional Services contract with BFS to update our PASER report. The cost for this service will come from Local Road and Street or Motor Vehicle Highway funds. Shawn made a second. Motion passed 5-0.

## **Public Hearing:**

### **Department/Board and Commissions Reports:**

(NO REPORTS THE FIRST MONDAY OF THE MONTH MEETING)

#### **Advisory Plan Commission:**

Don Gray announced the Public Hearing to be held December 12, 2022, 6:00 pm, at the Thorntown Library. This Public Hearing is in regard to the Arbor Homes PUD application.

The APC also made a recommendation to the Town Council to hire Jerry Seymour as the town's full time Building Inspector as soon as possible.

#### **Police:**

Nothing to report

#### **Fire:**

Nothing to report

#### **Utilities:**

Supertendent Gary Moody presented bids for a camera service for the wastewater.

Utility Board President Mas Allen announced George Gideon is resigning at the end of 2022 from the Utility Board. He will need to be replaced. Max noted that Harold Cox is interested.

**Park Board:**

Nothing to report

**Storm Water Board:**

Nothing to report

**Clerk/Treasurer:**

The CT noted that any encumbrances or additional appropriations needed will need to be approved at the December 19 meeting, therefore, information needs to be submitted by December 9, to get paperwork prepared. Koren also noted that the CT can make certain auto transfers with the bookkeeping system that legally does not need Council approval but she will submit that information to the Council in December just to keep them updated.

**Public Hearings:**

Sara opened the Public Hearing for an Unsafe Building at 8:32 pm. Amy Nooning provided a recap of the Unsafe Building statute and advised Building Inspector, Jerry Seymour, deemed the building at 118 E. Main St., Thorntown, to be an unsafe building. The current owner of the building was in attendance and reported she was in the process of selling the building (copies of the Purchase Agreement were sent to the Clerk/Treasurer). Attorney Nooning advised the current order for repair stands until the current owner is no longer the owner. Citizen Melanie Gall asked if we have some type of ordinance in place to foresee issues of unsafe buildings before it starts deteriorating. Ms. Nooning replied the Town does have an ordinance stating property owners must keep buildings in good repair. Bruce made a motion to affirm the repair order. Dave made a second. Motion passed 5-0. Sara made a motion to close the Public Hearing. Larry made a second. Motion passed 5-0.

**Unfinished Business:**

Sara read Ordinance 2022-17 an Ordinance to Abolish the Town Court. This was the second reading. Citizen Gary Coffman asked why this decision is being made. The Council responded that a court only 2 nights per week and no electronic means of paying tickets was an inconvenience to citizens. The Thorntown Town Court citations are also not incorporated into the software system as the County Court thus causing some other issues including timely filings. Mr. Frederickson had a concern of how the Council will be compensating officers for their time reporting to court during their off-duty hours. Dave Williams made a motion to abolish the court as referenced in Ordinance 2022-17 effective the end of December 2022. Larry made a second. Motion passed 4-1 with Shawn voting nay.

Updating of the Employee Handbook: Koren reported she and Amy Nooning had a teleconference with Shelley Jackson and Virginia Talley of Krieg DeVault. These two ladies are Human Resources attorneys. They discussed items that were presented to the Council previously. Shelley advised they would prepare new language for the handbook for review.

A proposal for Wastewater Master Plan/Storm Sewer Master Plan has been submitted to the Council for review. This asset plan is needed to be able to obtain any future funding. Further discussion, tabled.

**New Business:**

Ordinance 2022-19 to Amend the 2022 Salary Ordinance was presented for business. This amendment is needed as the Council would like to provide bonus pay to 3 full time police and 3 full time utility workers as a part of the American Rescue Plan Act. Amy provided a summary of the rules of ARPA. After the first reading, Dave made a motion to suspend the rules for the second reading. Larry made a second. Motion passed 5-0. Bruce made a motion to accept Ordinance 2022-19. Shawn made a second. Motion passed 5-0.

Ordinance 2022-20 was presented for review. The Clerk/Treasurer asked Council to review the ordinance. The salary ordinance must be adopted before the end of 2022.

MS Consultants have presented a contract for Professional Services for 2023. The Council will review. Contract tabled at this time.

**Adjournment:**

With no other business to be presented, Larry made a motion to adjourn the meeting at 9:12 pm. Sara made a second. Motion passed 5-0.

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Sara Fairfield  
Council President

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Koren Gray  
Clerk/Treasurer

Date: \_\_\_\_\_