

**PLAINFIELD TOWN COUNCIL**

**September 13, 2021**

**7:00 p.m.**

Mr. Brandgard: The Plainfield Town Council meeting for Monday, September 13, 2021, is now in session.

**PLEDGE OF ALLEGIANCE**

Mr. Brandgard: I'd like to ask everyone to rise for the Pledge of Allegiance.

**ROLL CALL TO DETERMINE QUORUM**

Mr. Brandgard: Let the record show all members are present, and we have a quorum for conducting business.

**PROCLAMATION**

Mr. Brandgard: We do have a proclamation tonight, for Constitution Week. Linda Keen, would you please come forward?

WHEREAS, September 17, 2021, marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, designating September 17 through 23 as Constitution Week,

NOW, THEREFORE we, by virtue of the authority vested in us as the Town Council of Plainfield in the state of Indiana do hereby proclaim the week of September 17 through 23 as

**CONSTITUTION WEEK**

AND urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Seal of Plainfield, Indiana to be affixed this thirteenth day of September, the year of our Lord two thousand and twenty-one.

(Pictures are taken)

## CONSENT AGENDA

Mr. Brandgard: We have several items on the consent agenda this evening.

1. Approval of the Accounts Payable Docket of Expenditures and Affidavits of Payroll, per the Clerk-Treasurer's Report.
2. Approval of the Human Resources Report dated September 10, 2021.
3. Approval of Services Agreements with "The Hartford" Insurance to administer employee Short Term Disability, Long Term Disability and Basic Life Insurance coverage per the HR report. (Funded by the Employee Health Insurance Fund)
4. Approval to renew the services agreement with Delta Dental for employee dental insurance, per the HR report. (Funded from the Employee Health Insurance Fund).
5. Approval to add two full-time Aquatics Supervisor positions, per the Parks & Recreation Report. (Funded from Parks Operating Fund)
6. Approval of AARP Tax Aide proposal for use of rental facilities at no cost, per the Parks & Recreation Report.
7. Approval of purchase of 2021 Chevrolet Silverado 2500HD for \$976.50 (after trade-in value) per the Fleet & Facilities Report. (Funded from General Fund)
8. Approval of agreement with Duke Energy for Non-Energized Banner and Flag Attachments to Lighting Assets, per the Public Works Report.
9. Approval to advertise for bids for Residential Trash and Recycling Collection Services, per the Public Works Report.
10. Approval of Work Order 21-13, for Butler, Fairman & Seufert to develop, coordinate, and inspect with contractors for emergency storm pipe repair on Elm Drive, and acquire any of the necessary permits from IDEM, DNR and Arm Corp of Engineers, not to exceed \$17,000. per the Public Works Report.
11. Approval to install a raised crosswalk design for the proposed pedestrian crossing of Center Street located approximately 300 feet north of US-40, per the Development Services Report.
12. Approval to release retainage in the amount of \$78,900.00 plus accrued interest for the Ronald Reagan Pavement Preservation project, per the Development Services Report.
13. Approval of Work Order 21-16 with Butler, Fairman and Seufert in the amount of \$2,500 for creation of a legal description for right of way along north East Street, per the Development Services Report. (Funded from General Fund)
14. Approval to make offers to purchase storm drainage easements to landowners along Park Street based upon appraisals and just compensation statements, per the Development Services Report. (Funded from 2020 Sewer Revenue Bond)
15. Approval to issue Sergeant Chad Parks his Duty Service Pistol retroactive to his retirement on August 20, 2021, per the Plainfield Police Department Report.
16. Approval to issue Reserve Sergeant Mike Corcoran his Duty Service Pistol upon his retirement on September 20, 2021, per the Plainfield Police Department Report.



Mr. Brandgard: That's all the bids? I want to thank everybody who turned in a bid. The engineer's estimate for the base bid was \$495,741. Again, that's \$495,741. The engineer's estimate for the alternate bid was \$138,575. Again, that's \$138,575. The total engineer's estimate was \$634,316. Again, that was \$634,316. Thank you. I'd also like to have a bid review committee of Dan Bridget, Jason Castetter, Tim Belcher, and Jeff Meyer, to review the bids and come back with a recommendation. Thank you.

## **PUBLIC HEARINGS**

Mr. Brandgard: We also have several public hearings this evening. Do we have proof of publication for the five public hearings?

Mr. Daniel: Yes, we do.

Mr. Brandgard: Thank you. The first public hearing is for Resolution No. 2021-51 – Tax Abatement / Genuine Parts Company Personal Property. If there's anybody who wished to address us relative to Resolution No. 2021-51, now is the time to do so.

(Brief pause)

Mr. Brandgard: Again, this is a public hearing for Resolution No. 2021-51. With nobody coming forward, the public hearing is closed. The second public hearing is for Resolution No. 2021-53 – Tax Abatement / Genuine Parts Company Real Property. Again, this is a public hearing. If there's anybody who wishes to address us, now is the time to do so.

(Brief pause)

Mr. Brandgard: This is a public hearing for Resolution No. 2021-53. With nobody coming forward, we'll close that public hearing. We have a public hearing for Ordinance No. 23-2021 Regarding Scooter Regulations. Again, this is a public hearing for Ordinance No. 23-2021. If there is anybody who wishes to address us, now is the time.

(Brief pause)

Mr. Brandgard: Again, this is a public hearing for Ordinance No. 23-2021. With nobody coming forward, that public hearing is closed. We also have a public hearing for Ordinance No. 28-2021 regarding Downtown Parking Regulations. This is a public hearing for Ordinance No. 28-2021. If there is anybody who would like to address us, relative to this, now is the time.

(Brief pause)

Mr. Brandgard: Again, this is a public hearing for Ordinance No. 28-2021. With nobody coming forward, we'll close that public hearing. We also have a public hearing for Ordinance No. 31-2021 Regarding Additional Appropriations – Multiple Funds. This is a public hearing for Ordinance No. 31-2021. If there's anybody in the audience who wishes to address us, now is the time.

(Brief pause)

Mr. Brandgard: Again, this is a public hearing for Ordinance No. 31-2021.

(Brief pause)

Mr. Brandgard: With nobody coming forward, we'll close that public hearing. I believe that completes all the public hearings this evening.

## **BUSINESS FROM THE FLOOR**

Mr. Brandgard: Is there any business from the floor this evening?

Mr. Whitaker: Cecil Whitaker, I live at 8145 Halyard Way, Indianapolis, Indiana. I'm here today to talk about an event which will take place in Plainfield, this coming week, not this week, but next week. It's the Great American Relay, and I'd like to tell you a little bit about it. Great American Relay is a race that honors, each year, something about America. This year it's honoring first responders and military people. It began – the race is actually underway now; it began on 9/11 at 8:46 a.m., the time when the first airplane hit the World Trade Center. It consists of 3,500 miles of running, in 415 stages. It involves over 1,000 runners, probably closer to 2,000 runners from across the nation. It went from Boston, it will go to New York City, Washington DC, and Shanksville, on its way across the United States, and it will go through Plainfield next week. The purpose of this relay, first of all, is to unite people, Americans, across the nation. There will be people from every community along the route who will set their time aside, pay money, to be donated to three foundations, and they are the Green Beret Foundation, the Firefighter Foundation, and the Concerns of Police Survivors Foundation, and they'll be doing that. A number of my runner friends and I will be running from the Wayne Township Fire Station at the Ben Davis High School to the police headquarters here in Plainfield, on Thursday at 9:23 p.m. We'll wrap up our run, the last one of the day, probably around 10:00 p.m. It will resume the following day and continue on clear across the United States to Santa Monica. I have contacted both Andrew, and Deputy Chief Joe Aldridge about parking cars there, and they are familiar with it. My intent is to provide more additional information to Deputy Chief Aldridge and Stephanie, with the intent of explaining and providing hopefully photos and things that could be posted here about the event that's occurring that evening. Our group also has an opportunity to dedicate our stage to either military or first responders. It would be an honor to dedicate our stage to a firefighter and a police officer who have served Plainfield and are no longer presently with us. I would like permission from the Council to work with Chief McKee and Chief Anderson to select a person from their department who is no longer with us, to honor on Leg 45, the one that will be here next week.

Mr. Brandgard: Consent?

Mr. Kirchoff: Absolutely. What time do you think you'll be in Plainfield?

Mr. Whitaker: We're going to start 7:40 in the evening and we'll be here about 10:00 p.m. We'll have our lights on and all that stuff. So, it's going to be late.

Mr. Kirchoff: That's the 23<sup>rd</sup>?

Mr. Whitaker: That's the 23<sup>rd</sup>.

Mr. Kirchoff: Okay

Mr. Whitaker: Thank you very much. I think this is special; it's one of the communities that gets to see – have it occur and have a stopping point here, and I thought it was appropriate to honor some of your folks in doing so. Thank you.

Mr. Brandgard: Thank you. Is there any other business from the floor this evening?

(Brief pause)

Mr. Brandgard: With nobody coming forward, we'll go to staff reports.

## **STAFF REPORTS**

Mr. Brandgard: Tim, anything from Development Services? Scott, anything from Transportation? Chief McKee, anything from the Police Department? Todd, anything from Planning? Nate? Mark? Mel?

## TOWN MANAGER'S REPORT

Mr. Brandgard: Do we have a Town Manager's report Andrew?

Mr. Klinger: We do. And I will point out, you know, with cases going up and everything, we asked department heads that didn't necessarily have a presentation this evening, to stay home and watch online, so that's why we don't have everyone here today. If they had something to report they would be here. I do have a few items. While I'm in that line, Stephanie asked me to report to you this evening – you know, every time this time of year we start getting questions about Halloween and trick or treating. While we don't necessarily regulate Halloween, we do recommend safety measures, and we do recommend that people trick or treat between the hours of 5:30-8:30. And we'll be putting up posts to kind of let people know when the best time is to do that and what are some of the safety precautions that they should take every year when they're out trick or treating on Halloween. So, that will be coming out here soon.

Mr. Brandgard: Which day is that?

Mr. Klinger: October 31<sup>st</sup>, which is actually a Sunday this year, I believe.

Mr. Kirchoff: Yes

Mr. Klinger: And you know, of course, again, we don't regulate Halloween, so we'll observe it on the normal day. I'm sure some other communities will try to shift it, but the idea here is to observe it on the normal day and just be safe about it. I won't spend a lot of time on it, I submitted in my report that we have an opening on the Board of Zoning Appeals; this is a full Council position to be appointed. We have vetted some candidates and would recommend Philip Clay be considered for filling that open position. It's the position vacated by Ms. Duffer, and so he would serve out the end of her term that would go until the end of next year, so December 31<sup>st</sup> of 2022. And so, I'd recommend that Philip Clay be appointed to that position.

Mr. Kirchoff: Does it take a motion?

Mr. Brandgard: Do we have a motion?

Mr. Kirchoff: I would so move. I know Philip, good kid.

Mr. Angle: I'll second.

Mr. Brandgard: We have a motion and a second to appoint Philip Clay to the Board of Zoning Appeals, to fill the opening left by Ms. Duffer leaving. If there's no further discussion, all those in favor signify by aye.

(All ayes)

Mr. Brandgard: Motion carried.

Mr. Klinger: All right, thank you. Also, I think most of you know, but we actually will have another opening on the Board of Zoning Appeals. Scott Slavens has served both on the Plan Commission and the Board of Zoning Appeals; due to relocation of residence he's not going to be eligible anymore because he's just outside of town limits. He served his last meeting with the plan Commission last week and I don't think we're going to have a Board of Zoning Appeals meeting this week, so I think he's probably finished out his terms in both. So, we will look at candidates; that's actually a Plan Commission appointment to the BZA, so we will consult with the Plan Commission on that, to fill that spot. And then:

In my role as Secretary of the Plan Commission I need to certify to you that the Plan Commission held a public hearing on Thursday, September 9, 2021, on petition PUD-21-085, as filed by Woda Cooper to rezone 2.81 acres from R-4 Medium Density Residential

to the Stanley Terrace Planned Unit Development District. Upon concluding the public hearing, the Town of Plainfield Plan Commission voted 7 in favor and 0 in opposition to forward a favorable recommendation to the Town of Plainfield Town Council to rezone the property.

The information was included in the materials in the box, so I would recommend that you accept that certification at this time.

Mr. Brandgard: Do we have a motion?

Mr. Bridget: I move to accept.

Mr. Angle: I'll second.

Mr. Brandgard: We have a motion and a second to approve the Plan Commission recommendation to rezone 2.8 acres...?

Mr. Klinger: 2.81 acres from R-4 to the Stanley Terrace Planned Unit Development District.

Mr. Brandgard: Okay, relative to PUD-21-085. If there's no further discussion, all those in favor signify by aye.

(All ayes)

Mr. Brandgard: Opposed? Motion carried.

Mr. Klinger: All right. I think that's all I have for you this evening unless you have any questions.

(Brief pause)

## **OLD BUSINESS**

Mr. Brandgard: If there's nothing else, Kent, any old business?

Mr. McPhail: Mr. President, I just have one item. At our last Council meeting we had the Third Reading and Adoption of the Ordinance for the Riverfront District, here out around the mall. I read in the ICON this weekend that they are going to open a golf venue in the mall, and it indicated that they would have a bar and food service. My guess is that they're going to need that Riverfront District to get that, so I'd just like to know where we're at on that, if anybody can update me.

Mr. Klinger: Yeah, since it's been adopted at this point, and since we'd already done one in downtown, we already have established procedures for how someone can apply for that and go through that process. And actually, the developers of the Prewitt Theater are our first applicant, and that's moving through the process right now. So, I think at this point, all we need is an application from the business, and we can move it through the process.

Mr. McPhail: Who would they contact, you or...?

Mr. Klinger: Me, I believe, the way we've set it up, that I would be the initial point of contact.

Mr. Kirchoff: When we had the bid openings, I was reading some emails, and somebody advised me that the Stacked Pickle facility has been sold and a new business is going in there.

Mr. McPhail: I had not heard that, that's great.

Mr. Kirchoff: What they said was, it was an axe throwing business.

Mr. McPhail: A what?

Mr. Kirchoff: An axe throwing business.

Mr. Klinger: That's very popular these days, that's interesting.

Mr. Brandgard: My former neighbor used to set up a target in the backyard and throw axes.

Mr. Kirchoff: All I'm doing is reporting what I read in an email, so...

Mr. Klinger: Interesting.

Mr. Kirchoff: But that's the second facility (inaudible).

Mr. McPhail: We will probably frequent the golf facility. That's all I have.

Mr. Brandgard: Okay

Mr. Angle: None from me, thanks.

Mr. Bridget: No

## **NEW BUSINESS**

Mr. Brandgard: Kent, new business?

Mr. McPhail: Just one comment. We had a proclamation on the constitution this evening, and I believe we're going to be facing some issues that may be in conflict with that, in the near future. I just hope we're prepared to face those.

Mr. Klinger: If I may, Kent, I had that thought as we were reading through that proclamation, and the constitution has stood for 200 plus years and has faced many, many challenges in those 200 plus years. So, you know, I don't think it's any different today than it has been the whole time, right?

Mr. McPhail: I think you're right.

Mr. Bridget: Just to follow up on Kent, I would encourage every citizen to take time to read the constitution, and to consider the balance of power that has been written into it. It really is a phenomenal document.

Mr. Daniel: (microphone not on) Well, if we're going to talk about the constitution, I'll add one comment. I think a lot of people, because of some extent, the reverence that we contribute to the constitution, we forget that in the simplest terms that it's a contract between our government and our citizens, and it's up to the citizens to make sure that that contract is abided by, by both parties. I think sometimes we overlook that fact. It's like having a contract between two businesses; this is a contract between our government and each one of us here, and to the extent that we believe somebody is breaching that contract, it's everybody's responsibility to take a hard look at that.

Mr. Bridget: Hear, hear.

Mr. Brandgard: Thank you, very well said.

## **RESOLUTIONS**

Mr. Brandgard: We have four resolutions before us this evening. The first is Resolution No. 2021-51 – A Resolution Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area Have Been Met, Approving Personal Property Tax Abatement and Confirming Resolution No. 2021-50 Regarding Genuine Parts Co. Do we have a motion to approve said resolution?













DocuSigned by:

*Robin G. Brandgard*

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Robin G. Brandgard, President

DocuSigned by:

*Mark Todisco*

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Mark J. Todisco, Clerk-Treasurer