

City of Tipton Common Council meeting was held on November 14, 2022, at Tipton City Hall, Council Chambers, Tipton.

Members: Mayor Dolezal, Councilwoman Hufford, Councilmen Ehman, Chandler, Kring, and Rippy, and Clerk-Treasurer Clark.

Others: Steve Unger with Bose McKinney, Andi Pumphrey, Bob Edinger, Abbie Smith, Benny Frazier, Mason Cochran with Reedy Financial, Jerry Hickman with Reedy Financial, Steve Niblick, Vicky Boyd with Tipton Tribune, Jason Henderson, Corrie Sharp with Innovative Planning, Corey Heinzmann, Angie Heinzmann, Brody Heinzmann, Kaiser Wittkamper, Evan Long, Roberta Heinzmann, Bob Heinzmann, Dick Klein, Meg Bradley, Max Bradley, Ashlee Schram, Lacie Logan, and Drew Stillson.

Mayor Dolezal opened the November 14, 2022, Council meeting.

The Pledge of Allegiance was recited.

Minutes: Councilman Kring made a motion to approve the October 10, 2022, Council minutes, seconded by Councilman Ehman. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford voted against it. Councilman Kring made a motion to approve the October 24, 2022, Council minutes, seconded by Councilman Chandler. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford voted against it. Councilman Kring made a motion to approve November 2, 2022, Council minutes, seconded by Councilman Ehman. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford voted against it. Councilwoman Hufford stated for the record, please, she will continue to vote no as long as the narrative is not complete and (unintelligible), thank you Tammy. Councilman Kring stated the meeting is recorded and we could reference the recording of the meeting in the minutes, Tammy doesn't need to write 10 pages of notes, it is a waste of time and there is no need.

Amend Agenda: Nothing to report.

Councilman Chandler made a motion to open the Public Hearing on Ordinance 2022-16 West Golf Course Road Super-Voluntary Annexation, seconded by Councilman Ehman. Mayor Dolezal stated the Public Hearing for Ordinance 2022-16 is now open to the public. Mayor Dolezal asked Mr. Steve Unger with Bose, McKinney to give a quick overview. Mr. Unger stated this is a Super-Voluntary Annexation Ordinance and gave the timeline on what has taken place and what was next in the process. Councilwoman Hufford asked Mr. Unger about the advertised super-voluntary annexation, the signatures were obtained in 2020 and according to Indiana Code Section 36, municipalities that don't adopt the ordinance within 60 days after the landowner files the petition then it has to be filed with the Circuit Superior Court to move forward. Mr. Unger stated you are looking at 5.1 or 5, 36-4-3-5, or 5.1. What you are referencing is when they file a petition with the municipality if they don't act on it within 60 days the property owners have the opportunity to go and file and ask a trial court to force you to take action. It doesn't take jurisdiction away from you the municipality can proceed with the annexation.

Councilman Kring stated it is to prevent a pocket depot from this Board where we wouldn't listen to someone's request. Mr. Unger stated this is a high burden to prove in Court. Mr. Jerry Hickman with Reedy Financial stated the fiscal plan has a narrative and an impact analysis. He has done an overview of the five-year fiscal summary analysis. Mayor Dolezal stated we are opening it for public comments of three minutes. We will start with any comments for the annexation, no public comments. Are there any comments opposed to the annexation, no comments from the public? Councilman Kring made a motion to close the public hearing at 5:46 p.m. on Ordinance 2022-16, seconded by Councilman Ehman, with all in favor. Mayor Dolezal asked if there were any comments or questions from the Council. Councilman Kring stated the projection is for five years, there are no housing developments but if that would come then it would cost more than \$5,000. Mr. Hickman stated yes.

Councilman Ehman made a motion to open the Public Hearing at 5:47 p.m. on the Additional Appropriation from proceeds of the GO Bonds. Mr. Steve Unger with Bose, McKinney gave the timeline of the GO Bonds and Appropriation Ordinance. This additional appropriation is so you can spend these bond proceeds. Mayor Dolezal asked for any public comment in favor of the proceeds of the GO Bonds, no public comment. Are there any comments in opposition to the proceeds? Mr. Bob Edinger asked what the money would be spent on, there is a list of opportunities. Mayor Dolezal read the new list in Exhibit A on what the proceeds could be spent on. It was asked for anything specific. Councilman Chandler stated the Public Safety Building (PSB) and all the Council committed to that. Mr. Edinger stated it could be. Councilman Chandler stated it is number one on the list. Mr. Edinger stated not knowing exactly, he would be against it. Mrs. Angie Heinzmann stated she watched the YouTube video of the last meeting, and the skate park was brought up in the meeting. She agreed to the PSB, but the skate park is not listed on the itemized list. Mr. Unger stated there is flexibility, but he would need to check to see if the playground equipment could be broad enough to include the skate park. Councilman Chandler made a motion to close the public hearing at 5:53 p.m. on the Additional Appropriation from proceeds of the GO Bonds, seconded by Councilman Rippey, with all in favor. Mayor Dolezal thanked the community, Mr. Unger, and Reedy Financial for the overviews.

BOW: Councilman Kring reported on the November 14, 2022, BOW meeting. Councilman Rippey stated the Skate Park Committee should have a recommendation to the BOW on the 28th. Councilwoman Hufford asked who is on the Skate Park Committee. Councilman Rippey stated Park Board President Dick Parker and Public Works Manager Terry, not sure who else. Councilman Kring stated to ask Mr. Parker.

Utility Board: Councilman Chandler stated November 7, 2022, Utility Board minutes are enclosed. He highlighted some of the items discussed at the meeting.

New Business:

Area Plan Commission Presentation – Judy Coker: Mr. Jason Henderson stated himself, Mr. Steve Niblick, and Ms. Corrie Sharp with Innovative Planning will be discussing the Area Plan Commission. He also stated he handed out three resolutions of Kempton, Sharpsville, and Windfall requesting an Area Plan Commission which has caused the County to consider an Area Plan Commission. Mr. Henderson commented the Commissioners allowed us to get a consultant to help with this. He also commented there will be a lot of information given tonight but no action will be taken this evening. Councilwoman Hufford stated she sent an email back in July to Mr. Henderson and would appreciate a response from him on the Area Plan Commission. Mr. Henderson stated the questions might be answered tonight. He also stated Commissioner Niblick has already been an Area Plan Director before. Commissioner Niblick stated we are here to provide you with information and Ms. Sharp will provide with you more details. This is an opportunity for the city to consider and participate, you will not be voting to adopt it tonight, just something to consider on whether to move forward. There was a brief discussion regarding staffing. Ms. Corrie Sharp with Innovative Plan gave a presentation on an Area Plan Commission, how it is comprised, the steps that have to be taken to set one up, the timeline, and what also takes place once an Area Plan Commission is approved. Councilwoman Hufford asked if the Commissioners approached Ms. Sharp about this. It was stated Commissioner Powell called her, but all three Commissioners had to vote on the contract for the Study to be done. Councilwoman Hufford asked about the percentage of the budget being broken down amongst the City, County, and the three towns not adding up. After clarification of the numbers, the percentages added up. Councilwoman Hufford asked if it is unusual for two BZAs. Ms. Sharp stated it is allowed and not unusual, the larger municipalities have larger BZAs with more access to the members. Mayor Dolezal thanked them for all their work, this is where the City and County are coming together, like the Joint Planning Dept. The question was asked if any of the plans/ordinances have to be rewritten who bares the cost. It was reported the Joint Planning Commission would bare the cost. There are OCRA grants for this type of work. Councilwoman Hufford stated the budget would exceed 216K. Mr. Henderson stated the towns approached the County and initiated the process and RFQs were requested, and the County Planning Commission selected the vendor. He also stated if there was an Area Plan Commission it would take away the two-mile jurisdiction by Statute. Henderson commented that you are not married to this forever you could opt out if you deem it necessary by ordinance. Mayor Dolezal thanked Mr. Henderson, Commissioner Niblick, and Ms. Sharp.

2023 Holiday Schedule: Councilman Chandler made a motion to adopt the 2023 Holiday Schedule, seconded by Councilman Rippy, with all in favor. Councilman Chandler stated he appreciated adding Dr. Martin Luther King Jr. Day to the Holiday Schedule.

Old Business:

Public Safety Building – Councilwoman Hufford stated after the last meeting, Special Council meeting, Chief Bitner and Hufford met with an Architect & Engineer, a well-established contractor to discuss estimates for the Public Safety Building and they will be more than

the prior estimate, it is extremely low. Mayor Dolezal stated they would be more expensive bids and if we expect to go forward, we would do a full bid process and design. He asked for the name of the contractor. Hufford stated Davis and Associates are out of Indianapolis. She also stated she was able to get the owner, Gary Davis to come out. Councilwoman Hufford stated the bond, being one of the issues, she would truly like to see the priority and estimate be higher and follow through with the PSB project. Mayor Dolezal stated it is the top priority.

Resolutions & Ordinances:

Resolution 2022-20 – A Fiscal Policy Resolution For Annexing Contiguous Territory To The City Of Tipton, Indiana – West Golf Course Road Super-Voluntary Annexation: Councilman Kring made a motion to approve Resolution 2022-20, seconded by Councilman Chandler. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford voted against it.

Ordinance 2022-17 – An Ordinance Of The City Of Tipton Providing That The Zoning Ordinance Of The City Of Tipton, Tipton County, Indiana Be Amended By Changing An Established Zone To Zone Classification CTI-Z-28-22 Young/Keith: Councilwoman Hufford asked if it was properly advertised. Mayor Dolezal stated believed the advertisement was done by the agenda. Councilman Kring stated this was approved by City Counsel. Mayor Dolezal stated yes. Councilman Kring made a motion to approve Ordinance 2022-17 on second and final reading, seconded by Councilman Ehman. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford voted against it.

Ordinance 2022-18 – An Ordinance of the City of Tipton, Indiana, authorizing the issuance of general obligation bonds for the purpose of providing funds to pay the costs of certain public improvement projects within the City; providing for the payment of such bonds from *ad valorem* taxes to be levied upon all of the taxable property located in the City; providing for the safeguarding of the interests of the owners of said bonds; other matters connected therewith, including the issuance of notes in anticipation of bonds; and repealing ordinances inconsistent herewith: Councilman Kring made a motion to approve Ordinance 2022-18 on second and final reading, seconded by Councilman Rippy. Clerk-Treasurer Clark stated Ordinance 2022-18 is with Amended Exhibit A. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford voted against it and stated for the record it is because the amphitheater was not removed.

Ordinance 2022-19 - An Appropriation Ordinance City Of Tipton, Indiana (General Obligation Bonds): Councilman Chandler stated Ordinance 2022-18 and 2022-19, not having a skate park, he would be opposed if it worked as the park improvements. He also stated the PSB being renovated is the number one item. Councilman Chandler made a motion to approve Ordinance 2022-19 on the second and final reading, seconded by Councilman Ehman. Councilmen Ehman, Chandler, Kring, and Rippy were in favor. Councilwoman Hufford

voted against it. Mayor Dolezal thanked the Council, Mr. Jerry Hickman, Mr. Mason Cochran, and Mr. Steve Unger.

Claims: Councilman Rippy made a motion to approve claims 172109-172526 for \$4,200,699.32, seconded by Councilman Ehman. Councilwoman Hufford questioned claim 172509 Tipton Building Supplies, regarding trees. Clerk-Treasurer Clark looked at the claim and stated none was for trees but looks like it was for the Scout Woods, rebar, concrete mix, etc. Hufford questioned claim 172446 to Tipton County Treasurer for Community and Economic Development Director. Mayor Dolezal explained the Tipton County Treasurer's claim. Councilmen Ehman, Chandler, and Rippy were in favor of approving the claims. Councilwoman Hufford and Councilman Kring abstained.

Mayor Dolezal asked Councilman Ehman if he had anything for the GAC. Councilman Ehman stated he should have the financials before the next meeting.

Comments:

Mrs. Vicky Boyd with Tipton Tribune asked about Abbie Smith's claim of \$1,477. Mayor Dolezal stated that would be two times a month.

Mr. Bob Edinger asked about the total cost of the disc golf course. Mayor Dolezal stated he didn't have it at this time. He also asked if there is some grant to repair State Road 28. Councilman Kring stated the LPA grant was discussed in the BOW it is an 80/20 match. He also stated we had to get the ADA Plan finalized before we can apply for the LPA grant. Mr. Edinger asked about the status of the Industrial Park, 60 acres. Mayor Dolezal stated we are waiting on the prospect to make a final decision. Mr. Edinger stated at the Commissioner meeting it was brought up about Chrysler leaving. Mayor Dolezal stated Stellantis, he hadn't heard anything.

Mrs. Angie Heinzmann stated regarding Ms. Hufford's question about the Skate Park Committee, back in September 2021, Anita Auler – Park Board Representative, Steve Raber and herself, and Dick Parker and Rick Rippy were to be a part of it, but nothing has happened. Mrs. Heinzmann asked Mr. Ehman if he would like to see the proposal and its value of it in the community. Mr. Ehman stated he understands the value, but it doesn't rank on the top of his list. Mrs. Heinzmann stated you said they would be discussing it at the 28th meeting, what time would that be? It was reported at noon. Councilman Kring stated we received the request for a proposal from Hunger Skatepark.

Mrs. Roberta Heinzmann asked to be reminded of the total for the GO fund. Mayor Dolezal stated 1.2 million. It was stated this has nothing to do with the 150 K for the skate park originally. Councilman Rippy stated that was a general discussion. Mrs. Heinzmann stated it doesn't come out of a particular area. She also stated to be aware that they would be more than happy to look at written grants, doing the grants with the Park Board, and fundraisers. The park is important.


Mrs. Vicky Boyd with Tipton Tribune stated the GO Bond is up to 1.2 million, she thought before it was 990 K. It was reported it depends on the rate and there were two potential options, and the other option was up to 1.2 million.

Adjournment: Councilman Ehman called for adjournment, seconded by Councilman Rippey, with all in favor.

Submitted by Tamera Clark, Clerk-Treasurer.



Tamera Clark, Clerk-Treasurer



Council President