

# Town of Fortville

## 10.07.2024

### Town Council Meeting

#### Opening of Meeting:

The meeting was held at Fortville Town Hall, 714 E. Broadway. Joint meeting of Town Council and RDC was called to order by Council President Tonya Davis at 6:30 pm.

#### Present:

TOWN COUNCIL: Tonya Davis, President; Ryan Rummell, Vice President; Libby Wyatt, Council Member; Fritz Fentz, Council Member; Vanessa Battaglia, Council Member; Joe Renner, Town Manager; Alex Intermill, Town Attorney; Adriana Krueger, Deputy Clerk-Treasurer.

RDC: Scott Meyer, President; Amy Lawson, Vice President; Chris McCreight, Secretary/Commission Member; Ed Brand, Commission Member; Dan Huge, Commission Member.

#### Not Present:

N/A

#### Approval of Agenda:

Ryan Rummel makes the motion to approve the agenda, Amy Lawson seconds. Motion carries, passes 10-0.

#### Old Business:

- a. Concept presentation for a TIF bond for public infrastructure for the Mercho / Lauth Project (apartments and light industrial development) south of Broadway and Madison Street. The presentation is given by Mike Jones-Lauth Group.
  - Lauth has worked in conjunction with Joe Renner and Adam Zaklikowski to put together a project that would allow Empower to build their headquarters in town. It would be 40K sq.ft. office space and 40k sq.ft. warehouse/distribution. South of this project there will be 150k sq.ft. set aside for industrial building. There is no present leasing for any of this space, but 1/3 to 50% would need to be pre-leased before construction started. No specific determination has been made for the industrial building portion. Southwest of Madison Street there will be a unit of about 224 marketplace apartments. Total projected for the project is +/- \$90 million. They request regional infrastructure by the town of Fortville.

- b. RDC to consider TIF Bond Concept and Funding:
- Mike Jones continues presentation illustrating the projected bond futures. Calculations from Buz Krohn (not present) Gross proceeds from bond is projected at \$7.1 to \$8.3 million. This leaves a net of a possible \$6.6 with an interest rate of 6% and 8%. Lauth is requesting support with a conservative estimated \$7.3 million of surrounding hard infrastructure.
  - The Town will need to secure bonds as soon as possible. Ed Brand (RDC) requested clarification of fee terms within specifications. INDOT will also have input into the infrastructure design and supply. Council and RDC discussed at length.
- c. Council to consider TIF Bond Concept, Funding, and direction to attorney and CPA for proper legal documentation.
- Dan Hughe (RDC): there seems to be a gap in the financial calculations, where is that gap in the funding be coming from. He requested an update on whether or not environmental analysis has been made. Joe Renner answered, no- this will likely be done during due diligence. RDC and Council discussed at length.
- d. Ed Brand motioned to direct attorney and CPA to prepare legal documents to pursue TIF Bond for the purpose of this project, not to exceed \$8 Million. Amy Lawson seconds. RDC requests comments from Town Council, none is given. Motion carries, passed 5-0.
- e. Adjournment for RDC Meeting: Scott Meyer motioned for adjournment at 7:24 pm, Ed Brand second. RDC members left panel.

Tonya Davis Continues Town Council Meeting at 7:27 pm.

### **New Business:**

- a. Council to hear construction update on the US 36 / SR 67 / Broadway project presented by INDOT & Milestone representative (via Zoom).
- Steve Lindway gives updates on trails. 97% of all sidewalks are done. They are now doing all the tie-ins. Signals will be going up this week. Light polls will be installed after paving gets done. Waiting for engineer approval. Grant Abbett also joins via Zoom. On October 17<sup>th</sup> will begin street milling for paving. The following Monday, they will be doing the permanent paving and stripping will be done as soon as all is cured.
- b. Council to consider the approval of INDOT closing High Street at Broadway. (see Ex. B-B1)
- Joe Renner discusses the need to close High Street as discussed in prior meetings. This is a very dangerous situation as vehicles like to zoom in and out of this area. It should be a right in/ right out, however, the public is not using this as such. Steve Lindway confirms the sidewalk will dead-end there. The curb will be done this week, but the sidewalk will not be done until spring. Council discusses need of sidewalk being

- poured and timelines at length. The discussion for this closure has been in works since 2020. MPO was present at the meeting in support of closing High Street intersection.
- Public comment: Bob Ferrell has expressed objections to closure as businesses in that strip mall will be affected by closing the entrance/exit for delivery and or customer traffic. Bob is the owner of this strip mall. Asks council to vote no for the closure of this intersection opening. Council members request traffic data to support the need for this closure. Major discussion among council members and public members is had.
  - Initial motion to vote for approval of closure lends to a 3 Nay, (FF, VB, RR) 2 Yes (TD, LW) after continued discussion and further clarifications of intent or need for closure, a second motion to vote for approval of closure was called. 3 Yes (TD, RR, LW) 2 Nay (FF, VB) Motion carries. 3-2. Meeting is urged to continue with agenda
- c. Council to hear Excess Levy Appeal presented by Beth Marsh – Bookkeeping Plus (via Zoom)
- Property Taxes and excess levy will be needed. Approval for \$280,000 has already been granted. An appeal for \$350,000 is being made to appease growth that is anticipated. Third reading of proposal.
  - Ryan Rummell motions for approval of Excess Levy Appeal, Libby Wyatt seconds. Motion carries 5-0.
- d. Council to consider the Vernon Township Fire Protection Territory Growth Appeal Resolution presented by Chief Mark Elder – Vernon Township Fire Department (See ex. C-C2)
- Mark Elder: Fire Protection Territory Growth appeal of \$725,000 is being requested for additional need. Council discussion and clarification is done.
  - Ryan Rummell motions for approval of Excess Levy. Libby Wyatt seconds. Motion carries 5-0.
- e. Council has appointed one resident to fill the vacated police commissioner position. (See Ex. D)
- Ed Brand is nominated as interim Police Commissioner by Tonya Davis. Council members inquire about having any additional nominees that are not presently on any committee. There does not seem to be any that meet the requirements as is. Members to vote on nomination.
  - Ryan Rummell seconds nomination. Motion carries 5-0.

## **Approval of Minutes**

- f. Tonya Davis makes the motion to approve the minutes for the September 16, 2024, Council Meeting Minutes. Libby Wyatt seconds the motion. Motion carries, passes 5-0.

## **Unfinished/Old Business:**

- a. Council to consider Ordinance 2024-9A, Amending & Restating the Rental Fees within the Town of Fortville as presented in previous meetings. (See Ex. E) Ryan Rummell motions for approval of Ordinance 2020-9A, Libby Wyatt seconds, motion carries 5-0.

## **Department Head Reports:**

### **Town Manager:**

Updates: Sent application to INDOT for preemptive devices to be added to our four traffic lights. BP has sent a letter of complaint alleging the Town of Fortville has delayed the opening of Broadway. Town Attorney, Alex Intermill to send a response letter to the BP attorney.

### **Parks Manager:**

Absent

### **Planning & Building Director:**

Absent

### **Clerk-Treasurer:**

No comment

### **Police Chief:**

Quarterly report given. Getting ready to publish approval of hours for Halloween 5:00pm – 8:00pm. Treats on Main will be held on Saturday October 26<sup>th</sup>, 10:00am – 2:00pm

### **Town Attorney:**

Will be sending a copy of the BP complaint letter received to council and will also send a copy of the attorney's response for council review.

### **Public Comment:**

No comment

## **Council Members:**

Tonya Davis

No comment

Ryan Rummell

No comment

Libby Wyatt

No comment

Fritz Fentz

No comment

Vanessa Battaglia

No comment

**Approve and Sign Vouchers:**

Ryan Rummell makes the motion to approve and sign vouchers, Libby Wyatt seconds. Motion carries, passes 5-0.

**Adjourn:**

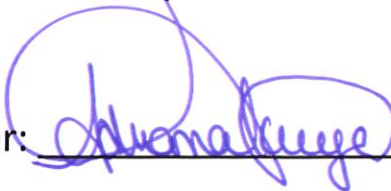
Tonya Davis makes the motion to adjourn at 8:54 pm, Ryan Rummell seconds. Motion carries, passes 5-0.

President: \_\_\_\_\_



Tonya Davis

Deputy Clerk-Treasurer: \_\_\_\_\_



Adriana Krueger

