

March 4, 2024

Town of Chandler Council Meeting Minutes

The Chandler Town Council meeting was called to order March 4, 2024, at the Chandler Town Hall, 401 E. Lincoln Ave. at 6:00 p.m.

Roll call: Present - Cheryl Amos, Tom Burnett, Sandy Elder, Tonya Wester, Ron Whitledge

Absent –

Pledge of Allegiance

Minutes: Minutes for February 20, 2024, regular meeting were presented to the council. Motion was made by Ron Whitledge to approve the minutes, second by Cheryl Amos. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried. Tonya commented that we are still looking to replace a council member on the RDC, so 3 community members can serve on it.

Last Call for Bids: Josh made a last call for bids on the Telephone Rd Water Main relocation project. Josh read the bids as follows:

| Bidder | Headquarters | Base Bid |
|------------------------|--------------|----------------|
| Koberstein Contracting | Evansville | \$1,342,083.00 |
| Love Excavating | Huntingburg | \$1,289,415.00 |
| BMB, Inc. | Newburgh | \$1,226,918.85 |
| Ragle, Inc. | Newburgh | \$1,433,655.50 |
| Dieg Bros. | Evansville | \$1,477,685.00 |
| Blankenburger Bros. | Cynthiana | \$1,356,000.00 |
| Jerry Aigner Const. | Boonville | \$988,850.00 |

Public Information Meeting: Tonya closed the regular meeting and opened the public hearing for annexations. Josh described the 4 regions West, Northwest, Southwest, and East that will be annexed. The total land is 1,027 acres and it will bring in about 100 people to Chandler. Josh briefly explained that this will allow Chandler to prepare for future growth and help developers that have felt it's easier to work with us than the county. Josh added that the average tax rate will go down by \$0.007 cents per \$100 of assessed value. Annexed residents will also receive lower sewer rates, fire services, road maintenance, more influence in local politics, and the town's zoning regulations won't force any significant changes in the use of their land. Josh said this will be the first of 6 hearings. Tonya said 4 people signed up to speak and invited Kim James to go first.

Kim James at 8655 Heim Rd mentioned she has a few concerns. She asked about continuing agriculture use after the property is sold and Tonya assured her it can continue. She asked about the current tax

rate and Tonya said it's 2.3020%. She asked about fire response and Tonya said she's in Campbell Township but Chandler is usually the first to respond. She also asked about sewer tap requirements and Josh said exemptions are provided to larger properties. Kim asked about future development. Josh said we won't develop the property, but we can benefit and promote development. Michael added that we would have more authority to maintain Pigeon Creak instead of relying on the county. Kim added that as a real estate broker she doesn't believe any development value exists. Kim asked to get responses in writing. Tonya asked her to write down her email address and offered to send her the requested information.

Connor Reising at 7100 Heim Rd attended to voice opposition to the annexation. He pointed out that Newburgh has been able to grow without annexations and explained that he is on a septic system so the lower sewer rates wouldn't offset the tax increases for him. He also asked for explanations about the septic exemptions. Cheryl said properties 2.5 acres and larger are exempt. He added that he feels the county road maintenance is acceptable and he chose a home in the county to avoid added regulations. Josh asked what regulations and Connor mentioned parking and grass fines as examples. Tonya said those are to prevent junk and poor property maintenance just like the county. Connor asked for a list of addresses in the annexation area he is included in and Josh said maps are available but he's unsure if privacy laws would allow him to share names and addresses. Michael added that he doesn't feel anything would change for him.

Darrel Metzger at 222 Old Plank Rd spoke next. He agreed with everything Connor said. He asked if taxes would go up and Josh said the state prohibits increases in agriculture property. Tonya said we will look it the code. Darrel asked about development and Michael said we've already had some new development on that road within the town. Josh added that the county receives the storm fee on that section of the road but leaves maintenance to us and the annexation will correct that issue. Darrel asked about returning to the county if there's no development within 3 years and Josh corrected him explaining that the code requires us to provide services within 3 years, which we already do. He asked about sewer taps and Tonya said he would be exempt. Josh said the state pushes sewer systems due to health concerns, but if the property is large enough it's unlikely to affect neighbors which is why the exemption exists.

Allan Mosby at 8111 Gardner Rd spoke last. He asked how boundaries were selected for annexation regions and Josh briefly explained that we select neighboring areas. He also asked about 65% petitioning to avoid annexation. Kim asked if it's 65% overall or 65% of each region. Tonya said they are 4 separate annexations, so it would be 65% of each.

Josh reminded everyone that there will be 5 more information meetings. Tonya closed the hearing and opened the regular meeting.

Town Attorney: Josh presented Ordinance 2024-07. He briefly explained that the ordinance authorizes funding and construction for water projects through a BAN and the BAN will be paid for from the future bond. Motion was made by Cheryl Amos to approve Ordinance 2026-07, second by Sandy Elder. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.

Josh discussed the billboard. The owners feel entitled to more time, but they are willing to leave if we provide permits at 835 W Lincoln and another location to construct new digital billboards and they offered to let us use it to advertise community events. Josh is confident we can win in court, but an

amicable agreement would probably be better for all parties. Josh asked if the council wants to discuss now, over an executive meeting, or share concerns in private. Tonya asked about regulations and Michael said the one at Superior Heavy Equipment wouldn't be an issue, but the other one would require state approval if it's in a flood plain. Tonya added that neither location is owned by us. Tonya asked about the property that we offered and Josh said they seemed interested on the phone, but they didn't mention it in their response letter. Tonya added that she believes they have an agreement with Superior Heavy Equipment. Michael asked who would remove the existing billboard. Josh said they would have to, but the lease doesn't give a timeframe. Tonya suggested approving the agreement and giving them 90 days. Josh said he's not sure what an appropriate timeframe would be, but the developers that approached us regarding the lumber yard will have planning work to do so they may not break ground within 90 days. Motion was made by Tom Burnett to approve the agreement to support permits for 2 digital billboards and have them remove the existing billboard within 90 days, second by Cheryl Amos. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.

Police Chief: Report emailed.

Fire Chief: Report emailed. Tonya mentioned that they are finalizing purchases and even bought a new basket that's used to help carry people in rough terrain.

Director of Public Services: Report emailed. Tyler presented pay app #1 for Epworth in the net amount of \$282,135.42 to be paid to BMB. Motion was made by Sandy Elder to approve the pay app, second by Ron Whitledge. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.

Tyler presented pay app #5 for the Transmission Main in the net amount of \$189,362.93 to be paid to Reynolds. Motion was made by Ron Whitledge to approve the pay app, second by Cheryl Amos. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.

Tyler added that he added a few items to the 10 year capital improvement plan created by Rob. He also mentioned that Phil is getting a packet ready to present options for solar powered Christmas Lights.

Utility Administrator: Report emailed. Tonya asked about fencing for the pickle ball court proposal that Misty shared and if it's tall enough to divide the sections of the court. Cheryl said it doesn't show height on the proposal. Tonya felt that public courts would be nice, but she's not sure about the equipment used. Tom said the ball is similar to a wiffle ball and the fence is almost necessary to play, or the sections will interfere with each other. Tonya feels like 4ft wouldn't be enough.

Sandy asked about the geese at the parks and thought they could have been pets since they don't seem afraid of people. Tonya said they get aggressive after laying eggs and they leave a lot of mess. She asked if it's possible to have them removed. Michael said he's sure we have a rule that prohibits them from being dropped off. There were 5 originally, but now there's only 2. Tonya said we'll see if the DNR can relocate them.

Tonya added that food trucks will start coming again this Thursday and the first ones will be Kingdom Coffee and Dawgs on the Ohio. Tonya announced that we will have a Golden Egg Hunt event open to adults and children between the 11th and 15th and hints will be shared on Facebook. The town's Easter

Egg Hunt will be on the 16th and we will separate the kids into 4 age groups. The hunt will be at the Sports park. Tyler asked about repainting the dugouts since it looks like one of the sports team painted theirs already. Tyler also suggested removing the bars from the concessions and having them powder coated. The council agreed to go forward with painting and powder coating.

Environmental Manager: Report emailed. Michael asked about making our GIS public. There's a one-time fee and yearly fee. Tonya asked what the negatives are, and Michael said we have full control over what's made public, so there's no downside. Tonya suggested charging a fee to fund it and Ron suggested adding it to permits. Cheryl suggested tabling it until we determine how to pay for it.

Clerk Treasurer: Report emailed. Brian asked the council if they would like to include any other equipment besides glucose monitors and insulin pumps and if we should charge employees anything. Tonya asked what the previous copay was and suggested \$50. Brian said he believe it was around their before our new plan was implemented. Motion was made by Cheryl Amos to reimburse glucose monitors, insulin pumps, and related supplies after employees pay \$50, second by Sandy Elder. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.

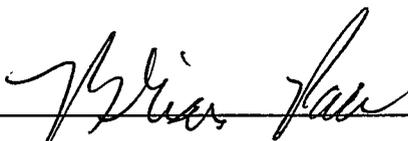
New Business: Ron asked about scheduling meetings for the RDC. Tonya said they can decide their own schedule. Ron asked about picking a design so we can finish our survey and get appraisals. He suggested option 4 and asked if the council of RDC would decide. Josh said that the council would have to approve the sale, so it would be more appropriate to have them approve the option. Michael suggested putting surveying the property with the corner reserved for the fire department and appraise the rest as is since the developer is interested in buying the whole property. It will save us time and money. The council agreed.

Claims: Cheryl Amos made a motion to approve claims as presented in the amount of \$592,924.49, second by Ron Whitledge. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.

Motion was made by Cheryl Amos to recess the meeting, second by Sandy Elder. **Roll call:** Cheryl Amos yes, Tom Burnett yes, Sandy Elder yes, Tonya Wester yes, Ron Whitledge yes. Motion carried.



~~Tonya Wester, Council President~~
Ron Whitledge, Vice President



Brian Pace, Clerk Treasurer