

TOWN OF SHADELAND
Town Council Meeting
Tuesday, December 13, 2022 at 7:00 P.M.

Council members present: Mike Kuipers, Tim Balensiefer, Bob Morrison, David Downey, David Vanderkleed, Josh Shives, Pamela Luenz, Charlene Brown, Clerk-Treasurer and Attorney Stu Weliever.

The meeting was called to order by Mike Kuipers at 7:00 PM at the Shadeland Town Hall.

Pam led the Pledge of Allegiance.

Evonik Abatement

Kevin Chestnut with Chestnut PTS; Ken Billner, Glynis Boon, and Carsten Schminke with Evonik; and Collin Huffines with GLC appeared before the Town Council to describe the project they are building in Shadeland and asking the Town Council for a tax abatement. The project estimate is \$192,000,000 and will add 80 jobs to the area. Evonik is asking for a 10-year real property abatement, and 10-year personal property abatement. Evonik also presented SB-1s for both personal and real property. Dave Vanderkleed made the motion, David Downey second to adopt Resolution 2022-10 – Approving Evonik’s SB1 PP and Real Property. All in favor.

Pam made the motion and Tim second the motion to accept the November 8, 2022 minutes as presented. All in favor.

Clerk-Treasurer’s Report

Char presented the claims docket for approval in the amount of \$536,324.60. Pam made the motion, Dave V second to approve claims. All in favor.

Financials were reviewed this month by Mike. Josh made the motion to approve November 2022 financials as presented, Dave V second, all in favor.

Char asked for the council to approve Resolution 2022-08 to encumber funds appropriated for the building in progress into the 2023 budget year. David D made the motion, Pam second to approve Resolution 2022-08 all in favor.

Char asked for the council to approve Resolution 2022-09 to approve a Rainy Day transfer. Through 12/31/2024 we are allowed to transfer 15% to the Rainy Day instead of the normal 10%. Dave V made the motion, Josh second to approve Resolution 2022-09, all in favor.

Town Hall Complex:

Ken gave a sheet showing the cost changes to the building so far. The building is partially delivered, but the roof has not been delivered yet. That is anticipated to be delivered 1/12/2023.

Ken also gave a brief MS4 update. It is still undetermined if we will need to comply.

Highway Department

Tom has been checking the roads and park. He has been picking up junk off the road. He is trying to get ahold of CSX about the RR Crossing on Lilly Road that needs repaired. So far he has been unsuccessful.

Three residents on Munger Drive have reached out about plowing their road. The person they used to have plow the road has moved and they have no one. Shadeland may not own the road, and it is not up to standards. Tim will look at records and see who the road belongs to.

Park Committee

Plugging the pipe at the new area of the park did indeed allow it to hold water. The Parks Committee is calling it a “bog” not a pond. The current idea is to have a 12-foot deeper end, and a shallower wetland end for plant life and such.

Planning report – Tim Balensiefer – no meeting in October

Tim gave the planning report. Ty Vanderkolk is hoping to parcelize an area that is in a conservation area of a conservation subdivision. He would also like to build a barn. The area is along CR 400 S just north of Rainybrook. The planning committee tabled the discussion to give Stu a chance to review.

Tim provided an update of the changes to Mintonye Elementary.

The homeowners at 3713 S 250 W wish to build a barn in the setback area. This was tabled until January, however it was suggested they would rather the homeowner build along the east end than the north end.

The Talley's at 3500 Lilly Road would like to parcelize three more lots. Per the planning commission Char notified them that they were eligible to parcelize these lots but they would need to obtain a survey from a company that is familiar with Shadeland's codes.

Fire report – Pam Luenz and Kevin Vanschepen

Pam thanked Kevin for his service as Chief for 2021 and 2022. Thankfully he will remain on the VFD. Thank you to Allen Bol for stepping up to the Chief's position for 2023.

Kevin gave the fire report. The VFD has a new member. They are beginning to think about the 2024 budget. The Town Council needs to approve the officers for the 2023 year. Pam made the motion to approve the officers as indicated, Tim second, all in favor.

Citizen Comments:

No citizen comments.

Council / Clerk / Attorney comments

Char requested the Town Council approve a notice to abate for the cars and junk collecting at 1107 SR 25 W. Charlene sent a notice at the end of October, and the resident called mid-November indicating his son was going to come over and assist with removal of the items. The Town was notified that an additional vehicle was added but no vehicles were removed. David D made the motion to approve the notice to abate, Pam second, all in favor.

Char also presented the Contract from Attorney Stu Weliever for 2023 services. Tim made the motion to approve, Bob second, all in favor.

Char swore in the newly re-elected councilmembers – Tim, David D and Dave V.

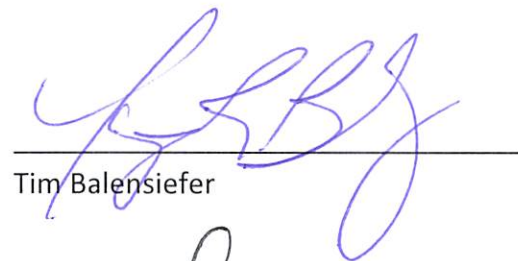
Stu asked the Council how to proceed with the amount due from Wiedeman for a fire run. It was discussed that their burn was an illegal burn as they did not notify the County Sheriff of the burn, they were burning items they brought in from non-Shadeland business activities, and the burn migrated onto the neighboring farm that is not owned by the Company. The fire department has reached out 3 or 4 times for insurance information, Char sent two letters, and Stu sent one. Weideman has not responded to any of the requests for insurance information. Pam made the motion, Tim seconded, to have Stu initiate a small claims suit for recovery.

David D made the motion to adjourn, Josh second, all in favor to adjourn at 8:39 p.m.

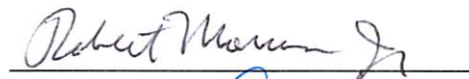
Approved:



Michael Kuipers



Tim Balensiefer



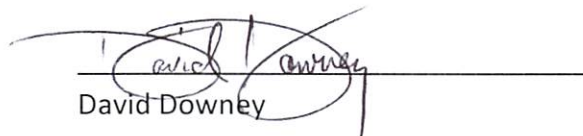
Robert Morrison, Jr.



David Vanderkleed

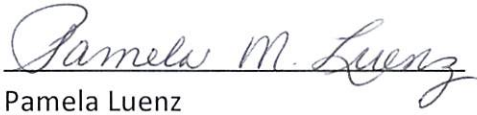


Joshua Shives



David Downey

Attest:


Pamela Luenz


Charlene Brown, Clerk-Treasurer