

Minutes

Seymour Common Council

May 28, 2024

The May 28, 2024, Seymour City Council was called to order by Mayor Matt Nicholson at 7:00pm. The invocation was given by Tyler Hinkle and the Pledge of Allegiance to the nation's flag was led by Paul Bontrager. A virtual/steaming option was available.

Members Present: Mayor Matt Nicholson, Clerk/Treasurer Darrin Boas, Jerry Hackney, Brad Lucas, Clint Blish, Drew Storey, City Attorney Chris Engleking, Assistant Police Chief John Watson, Seth Davidson, January Rutherford, Jim Lucas, Paula Hercamp, Brian Terrell, 2nd Deputy Melissa Herndon, Fire Chief Eric Roll, Will Everhart, Police Chief Greg O'Brien, Dan Robison, Amanda Lowery, Kevin Kaplin, Dana Clark, Matt Hercamp, Kyke Hercamp, Chip Everhart, Debbie Fry, Tyler Hinkle, DPW Director Chad Dixon, WPC Assistant Director Doug Gregory, Paul Bontrager, Brandon Rodriguez, Parks Activity Director Tracey Cole, City Park Board members, and 50 various City/County residents.

On a motion made by Mr. Hackney, seconded by Mr. Davidson, the minutes for the May 13, 2024, Council meeting were approved.

Clerk Treasurer Boas shared info from Ordinance 1, Council Bill 1, 1992, that guests will be held to 3 minutes when they request to speak. Police Chief O'Brien was the timekeeper.

Reports from Committees, Boards, and Commissions

- a. Committee Appointments – On a motion by Mr. Storey, seconded by Mr. Blish, newly appointed Councilman Brian Terrell was appointed to the Planning Commission. On another motion by Mr. Storey, seconded by Mr. Hubbard, Mr. Terrell was appointed to the Trail's Committee. The Mayor also appointed Mr. Terrell to the Governmental Affairs and Retail Development Committee. Mr. Terrell accepted all appointments, filling all vacancies left by the resignation of Mr. Wheeler.

Public Hearing

- a. The Mayor properly opened the Public Hearing to Amend Chapter 50 of the Seymour City Code to Update Schedule of Trash Rates. Questions were asked about the volume of trash, causes, landfill costs, etc. The Mayor properly closed this public hearing.
- b. The Mayor properly opened the Public Hearing to Amend Chapter 50 of the Seymour City Code to Update Stormwater User Fee Determination. Questions were brought up about what is stormwater and what the plans are with the additional revenue. The Mayor properly closed the Public Hearing.

Old Business

- a. Councilman Blish requested second Reading of Ordinance No. 13, Council Bill No. 26 (2024), seconded by Councilman Hubbard, an Ordinance Amending Chapter 50 of the Seymour City Code Regarding Building and House Sewers. This ordinance clarifies ownership of sewer lines from the sewer tap to the residence. On a motion by Mr. Blish, seconded by Mr. Hubbard, the ordinance passed second reading 7-0.
- b. Councilman Blish requested second Reading of Ordinance No. 15, Council Bill No. 35 (2024), seconded by Councilman Hackney, an Ordinance Amending Chapter 50 of the Seymour City Code to Update Schedule of Trash Rates. This raises the trash rate from \$7 to \$11 over 3 years. On a motion by Mr. Blish, seconded by Mr. Hubbard, the ordinance passed second reading 7-0.
- c. Councilman Blish requested second Reading of Ordinance No. 16, Council Bill No. 36 (2024), seconded by Councilman Hackney, an Ordinance Amending Chapter 50 of the Seymour City Code to Update Stormwater User Fee Determination. This raises the Stormwater fee from \$4 to \$6 over the course of 3 years. On a motion by Mr. Blish, seconded by Mr. Hubbard, the ordinance passed second reading 7-0.
- d. Councilman Davidson requested second Reading of Ordinance No. 18, Council Bill No. 39 (2024), seconded by Councilman Blish, an Ordinance Amending Title IX “General Regulations: of the Seymour City Code, Specifically Chapter 95, “Health and Sanitation”. This is regarding the new industry wanting to come to the East Side Industrial Park and adhere to Sustainable Site guidelines, allowing uncut natural grasses to cover their property. Questions/comments were again made regarding policing the policy, heights of grasses, evasiveness, safety due to wildlife encroachment, etc. On a motion by Mr. Davidson, seconded by Mr. Lucas, the Ordinance passed second reading 5-2.
- e. Councilman Storey requested second Reading of Ordinance No. 17, Council Bill No. 38 (2024), seconded by Councilman Blish, an Ordinance Amending Chapter 75 of the Seymour City Code – 5th Street Angled Parking, 15 Minute Parking at 5th & Ewing. The angled parking is on the South side of 5th St. and allows for 2 additional parking places. On a motion by Mr. Storey, seconded by Mr. Hubbard, the motion passed the second reading 7-0.

New Business

- a. Councilman Terrell introduced of Ordinance No. 20, Council Bill No. 42 (2024), seconded by Councilman Hubbard, an Ordinance to Rezone Property Located at 5702 N. CR 1225 E., Seymour, Indiana 47274. This came to Council with an 8 -0 unfavorable rating from the Planning Commission. This change (RS to C3) was requested by Tim Beinecke to put a small car lot on his property. Multiple neighbors voiced their concerns with safety, traffic, narrow side road, etc. On a motion by Mr. Terrell, seconded by Mr. Blish, the ordinance failed 0-7.
- b. Councilman Terrell introduced Resolution No. 23, Council Bill No. 40 (2024), seconded by Councilman Blish, a Resolution of the Common Council of the City of Seymour, Indiana Approving Recommendation of Plan Commission Regarding

Roadway Classifications. This changes the classifications of City/County roads to match those of the State/INDOT Functional Class System. On a motion by Mr. Terrell, seconded by Mr. Hackney, the resolution passed 7-0.

- c. Councilman Storey introduced Ordinance No. 19, Council Bill No. 41 (2024), seconded by Councilman Lucas, an Ordinance Amending Chapter 150 of the Seymour City Code – Classification of Thoroughfares. This Ordinance authorizes the change to the City Code Chapter 150:16 discussed in Resolution No. 23, Council Bill 40 (2024). On a motion by Mr. Storey, seconded by Mr. Hubbard, the ordinance passed the first reading 7-0.
- d. Councilman Storey declined to introduced Resolution No. 24, Council Bill No. 43, and Resolution No. 25, Council Bill No. 44 that had been the work of the Special Committee to review the Burkart Opportunity Zone Agenda. Mr. Storey cited lack of public support for anything to do with the Agenda, and other Council members agreed. Mr. Storey then asked that the Mayor to develop a new Economic Agenda with no ties to the Brookings Institute. The Mayor shared his concern, that if a group was formed of 100 random citizens (just like the original study), that they would most likely come up with some of the same needs/ideas that were discussed in the Brookings Study. Would the constituency again say he was trying to “backdoor” the original study?

At this time, Parks Director Chad Keithly requested to speak, shared City Code regarding the responsibility of his position and the Park’s Board, and the need to work on their 5yr Master Plan. The possibility of grant funding though the DNR would be drastically diminished. Councilman Hubbard stated he felt the original resolution (Resolution # 14, CB 25, 2024) did not keep the Parks Department from operating as normal, prior to the Burkart Opportunity Zone Agenda. Mr. Keithly requested the Council vocalize their agreement to Mr. Hubbard’s analysis, for all to witness, and it was given.

Miscellaneous Business

- The floor was open for residence to again share their comments regarding the topics of the past few weeks. Multiple citizens spoke of their concerns and discussions included:
 - o Anything to do with the Brookings Institute/George Soros must be kept out of the community.
 - o Is the Brookings/Burkart Agenda really dead??
 - o Origination of the Park’s Board Letter – who really composed it?
 - o Timing of Park programs vs. Burkart Agenda.
 - o Words Matter....
 - o Who is using our parks/who is vandalizing and leaving trash?
 - o Location of Food Forest, why there?
 - o Have the police been given a directive to not stop/address illegal immigrants?

- Community not racist, just want all immigrants vetted/following the law.
- Federal vs. State vs. City authority – who can do what?? How do we make more stringent laws regarding repeat offenders, driving without a license, driving under the influence, being here illegally, etc.
- Maximum number of occupants in a residence?
- Illegal vs. legal, how can you tell without violating the individual's rights?
- Housing needs/school overcrowding/property taxes.
- Drugs/gangs/proximity to I65 Thorofare.
- Appreciation to council for working through this.
- County appropriating \$1.2 million of ARP funds to an item in the Brooking/Burkart Agenda with no pushback??

On a motion by Mr. Hackney, seconded by Mr. Hubbard, the meeting was properly adjourned.

Matt Nicholson, Mayor

Attest: Darrin Boas, Clerk/ Treasurer

