

## November 14, 2016

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, November 14, 2016, at the Fire Department Training and Conference Room. Scott Oldham called the meeting to order at 6:30 p.m. Kevin Farris led the Pledge of Allegiance followed with a prayer by Scott Thomas.

**Roll Call:** Members present were Scott Oldham, President; Kevin Farris, Brian Mobley and Scott Thomas. Dianna S. Bastin was absent. Darla Brown, Town Attorney; Rick Coppock, Bynum Fanyo and Associates, Town Engineer; and Jim Davis, Town Manager; were also present.

**Supervisors present were:** Mike Cornman, Danny Stalcup, Jimmie Durnil, Kevin Tolloty and Mike Farmer.

### Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on October 24, 2016. Kevin Farris so moved. Scott Thomas seconded. Motion carried.

### Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Brian Mobley had a question on a claim which was answered by the supervisor. Scott Oldham so moved. Scott Thomas seconded. Motion carried, 3 ayes and 1 nay.

### Ordinances on Second Reading

#### Ordinance 2016-12 to Amend Chapter 73 of the Ellettsville Town Code Concerning Stop and Yield Intersections

**Darla Brown, Town Attorney**, explained the purpose of this ordinance is to clean up the code sections so when the public looks at the code online they will have an accurate account of through, streets and stop signs.

Scott Oldham entertained a motion to accept Ordinance 2016-12 to Amend Chapter 73 of the Ellettsville Town Code Concerning Stop and Yield Intersections. Kevin Farris made a motion to accept Ordinance 2016-12 to Amend Chapter 73 of the Ellettsville Town Code Concerning Stop and Yield Intersections. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; Brian Mobley – yes; and Scott Thomas - yes. Motion carried 4-0.

#### Ordinance 2016-13 to Amend Chapters 152 and 153 of the Ellettsville Town Code Concerning Planning and Zoning Regulations and Subdivision Regulations

**Kevin Tolloty, Planning Director**, explained the proposed code changes went through a public hearing at Plan Commission during their November meeting. The changes look at four basic items:

*Accessory Structures.* Clarifies the definition to prohibit human habitation which will match the other definitions of accessory structures. Accessory structures in side yards will be permitted. Setbacks in rear and side yards will be reduced to 5' for accessory structures. It will allow accessory structures to be built on vacant land as long as the lot is under the same ownership as an adjoining lot.

*Equal Access to Subdivisions.* Under zoning, development plans containing more than 50 dwelling units will be required to provide two access points for egress/ingress. Currently, it says it is for emergency vehicles only and will be changed to all vehicular traffic. Under subdivision regulations a minimum of access points for subdivisions will be required based on the number of lots. Twenty-five lots will require two local roads or one off of a major road.

*Plan Commission Membership.* Changed to reference Indiana code.

*Multi-Family Housing.* Moves apartments from a permitted use in a C-3 zone to a special exception but remains a permitted use under an R-3 zone. This gives the Town more leeway to look at different parts of the plan than it does now. Under a special

exception four criteria have been added: green space, dumpster enclosures, parking and lighting and scale of the housing unit compared to neighboring properties.

**Scott Oldham** asked if an existing subdivision wanted to add another area is the roadway that services the initial subdivision then considered as serving the second because there may not be a major connection at that point. Mr. Tolloty answered it would depend on the number of lots to be added. If they add a new phase under 25 lots it would not be effected. Under subdivision regulations if it is over 25 lots and already existing they could ask for a waiver from the Plan Commission. It will be looked at on a case-by-case basis. Mr. Oldham commented there are certain areas where there is not anything they can do about it. They aren't going to build a major serviceable road except to allow for expansion. What the Town may define as a major road is open for interpretation. Mr. Tolloty stated Planning as a list of what are considered major roads and it covers most of the main roads being used to access subdivisions. This applies to new subdivisions to encourage better development. Mr. Oldham asked if it is in the code to make sure the streets/access points are applicable to all emergency equipment. Mr. Tolloty replied there are guidelines in subdivision regulations for streets and turn radius. When a new subdivision comes into Town it is reviewed by all departments. Ms. Brown added there is a technical review committee that includes supervisors who review development plans and give their opinion as to whether or not they foresee any issues.

Scott Oldham entertained a motion to accept Ordinance 2016-13 to Amend Chapters 152 and 153 of the Ellettsville Town Code Concerning Planning and Zoning Regulations and Subdivision Regulations. Kevin Farris made a motion to accept Ordinance 2016-13 to Amend Chapters 152 and 153 of the Ellettsville Town Code Concerning Planning and Zoning Regulations and Subdivision Regulations. Brian Mobley seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; Brian Mobley – yes; and Scott Thomas - yes. Motion carried 4-0.

## **Old Business**

### **Flood Update**

**Brian Mobley and Rick Coppock** met with the Indiana Department of Natural Resources (“DNR”) at Sales and McNeely Streets. They presented their ideas about building a ditch behind the body shop and houses. The DNR is thinking about straightening the flow at the bridge at Thurman’s Body Shop so it would flow into the ditch behind the houses. The DNR representative thinks alleviating the 90° bend is a good plan. At Matthews and McNeely Streets they looked at leveling the land at the old sewer plant to make a retention area. They discussed the Town purchasing the land behind Chandler Funeral Home. The DNR thinks grade could be removed from the Stewart property. The DNR will come back to the Town with three or four ideas after January 1, 2017.

## **Town Council Comments**

**Brian Mobley** toured Early Head Start in Jack’s Defeat Plaza and read a book to toddlers. It is a government funded program to provide childcare for low income families. They need volunteers and used toys. Head Start is looking for a building in Ellettsville so everything can be under one roof.

**Brian Mobley** advised fatalities of police officers total 121. If you see an officer thank them for what they do. Please pray for police officers.

## **Town Manager Comments**

**Jim Davis, Town Manager**, provided an update on new Town Hall. Drywall is approximately 50% complete, groundwork is 90% complete, they’ve started to grade the gravel out so can get the base coat of blacktop down and limestone and brick is going up on the exterior. The topcoat will be done in the spring. They may be able to blacktop everything.

## **Supervisors Comments**

**Rick Coppock, Bynum Fanyo and Associates,** advised Ellettsville Utilities went through testing in October 2016 and have received their results. The results were lower than in the past. Part of the problem with violations in the past was one high reading in October 2015. The annual average of the results in one location kept the water above the maximum contaminate level and they have been above 60 µg/L since then. With the latest reading they are now at 42 µg/L which is below 60 µg/L for their annual average. Trihalomethanes have a maximum contaminate level of 80 and the last round of results had an average of 52. The HA5 levels had been at 60 for which they received violations. Now, the HA5 levels came in with an average of 32. The water is at the levels it should be. They’ve done a good job flushing and moving water around. A lot has to do with the product they receive. The City of Bloomington has made changes to their process and worked to get their levels down.

**Adjournment**

Scott Oldham entertained a motion to adjourn. Kevin Farris so moved. Scott Thomas seconded. Scott Oldham adjourned the meeting at 6:53 p.m.

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Scott Oldham, President

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Dianna S. Bastin, Vice-President

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Scott Thomas

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Kevin Farris

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Brian Mobley

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Denise Line