

April 25, 2016

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, April 25, 2016, at the Fire Department Training and Conference Room. Scott Oldham called the meeting to order at 6:30 p.m. Dianna S. Bastin led the Pledge of Allegiance followed with a prayer by Scott Thomas.

Roll Call: Members present were Scott Oldham, President; Dianna S. Bastin, Vice President; Kevin Farris, Brian Mobley and Scott Thomas. Sandra Hash, Clerk-Treasurer; Darla Brown, Town Attorney; and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present.

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

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on April 11, 2016. Kevin Farris so moved. Dianna S. Bastin seconded the motion to approve the minutes. Motion carried.

Sandra Hash, Clerk-Treasurer, advised she misspoke at the last meeting regarding installation of LED lights. She said the installation was last summer but it was actually fall/winter. Therefore, she is requesting permission to change her statement from summer to fall/winter in the minutes before they're made part of the permanent record.

Scott Oldham entertained a motion to amend the minutes to correct Ms. Hash's statement from summer to fall/winter. Kevin Farris so moved. Scott Thomas seconded. Motion carried.

Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Dianna S. Bastin so moved.

Brian Mobley had questions on claims which were answered by the supervisors.

Scott Thomas seconded the motion to pay Accounts Payable Vouchers. Motion carried.

Resolutions

Resolution 10-2016 Authorizing Scott Oldham to Execute Easements on behalf of the Town of Ellettsville

Darla Brown, Town Attorney, explained this coincides with Item No. 3 under New Business. In December, the Town Council granted two permanent and one temporary easement to Monroe County for building a trail to Ellettsville across the former Stewart property. If the trail goes through there is a possibility it may disrupt Eastern Richland Sewer Corporation's ("ERSC") sewer lines. ERSC, through their attorney, Mike Carmin, has asked the Town to grant ERSC's easement so in the event they need to move its lines to accommodate the trail it will be able to do so on Town property. The document states the easement will be used only if it is absolutely necessary that ERSC has to move its sewer lines for the project. This resolution authorizes Scott Oldham to sign the easement documents on behalf of the Town.

Scott Thomas asked who bears the cost of moving the sewer lines. Mr. Carmin answered it would be ERSC's responsibility. ERSC doesn't want to tear up the trail if they have to do maintenance on that section of line. They would rather move the sewer over a little bit, thus the request for a 10' easement.

Scott Oldham entertained a motion to accept Resolution 10-2016, Authorizing Scott Oldham to Execute Easements on behalf of the Town of Ellettsville. Kevin Farris made a motion to accept Resolution 10-2016, Authorizing Scott Oldham to Execute Easements on behalf of the Town of Ellettsville. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Dianna S. Bastin – yes; Kevin Farris – yes; Brian Mobley – yes; and Scott Thomas – yes. Motion carried 5-0.

Old Business

Discussion of County Option Income Tax Rate to Fund Public Safety

Darla Brown, Town Attorney, explained at its March 28, 2016, meeting the Ellettsville Town Council passed Resolution 08-2016 expressing support for the imposition of County Option Income Tax to assist in the funding of the county public safety answering point. This is step 2 in the process. Monroe County has an Income Tax Council (“Tax Council”) consisting of three members: Monroe County (“County”), City of Bloomington (“City”) and the Town of Ellettsville. By statute, anyone of these entities may propose a resolution to propose an ordinance for imposing a County Option Income Tax to fund public safety. Once one of the entities proposes this ordinance it goes to the auditor who sends it to the other two entities to vote on within 30 days. Then it goes to the Tax Council for their vote assuming all entities approve the proposed ordinance. She has prepared a draft of a resolution to propose an ordinance and by statute notice has to be given to the public 10 days in advance of the hearing. This means if they have a hearing, May 9th, and because it is a resolution to propose an ordinance there needs to be two readings. The public hearings would be held during the two meetings in May. The Clerk-Treasurer has to get notice to the paper by noon on April 26, 2016. The resolution was a joint effort between her, county attorneys and city attorneys. The ordinance states a .25% tax will be imposed and 30% of that will come off the top to fund public safety, specifically the County Central Emergency Dispatch Center. The rest of the funds will be distributed pursuant to Indiana Code. If this is on the agenda for the May 9, 2016, Town Council meeting and the Town Council passes it at the May 23, 2016, meeting it will then go the County and the City for their consideration and then it will go to Tax Council.

Scott Oldham asked if it would take effect in January. Ms. Brown thinks it will take effect in October. This is something the County, City and Town have been working on for two years as a solution to the costs for the 911 system and Monroe County Emergency Dispatch. The thought is it is a fair way to distribute the costs across the board as opposed to trying to come up with a formula based on the number of runs each unit makes or basing it on assessed value. There were questions about Indiana University because they weren’t asked to contribute and the City Police Department makes runs to Indiana University. The thought is this is a more fair way to distribute the costs of the 911 system.

Fire Chief Mike Cornman agrees this has been going on since 1988. The funding of dispatch has been “bastardized” since 1983 and it has not been good. It is not just about making a call it is much deeper. This is monumental for the Town of Ellettsville to start this process. He encourages them to vote for this. This is extremely important to the entire County. If this doesn’t pass he suspects they will be pushed with a budget issue like they’ve never seen before. It is time to do this and it has been a long time coming. He supports this and it will really clean things up for the funding so they can have a solidified dispatch from this point forward.

Dianna S. Bastin thanked Chief Cornman for his research. She is a dispatcher for Central Dispatch and this doesn’t personally affect her so she can vote on it. Ms. Brown said that is correct. Ms. Bastin stated she erred on the side of caution and did not cast a vote but she is for this and understands why it is needed. She will vote for this when the time comes.

New Business

Fee Agreement with Ice Miller for the Bonding of the Secondary Waterline

Darla Brown, Town Attorney, explained the Indiana Utilities Regulatory Commission approved the Town’s petition for rates and charges in order to update its infrastructure and to bond in order to build a secondary waterline from the City of Bloomington. She spoke with Lisa Lee of Ice Miller, Bond Counsel, and she provided an engagement letter which sets forth her fees for doing the bond work. Her fees will be \$18,000 to \$24,000 for this project and are typical and customary for bond work. She is requesting approval of the engagement letter. Mr. Mobley asked what fund this will be paid from. Ms. Brown replied it is part of the bond.

Scott Oldham entertained a motion to accept the Fee Agreement with Ice Miller for the bonding of the secondary waterline. Dianna S. Bastin made a motion to accept the Fee Agreement with Ice Miller for the bonding of the secondary waterline. Kevin Farris seconded. Roll call vote: Kevin Farris – yes; Brian Mobley – yes; Scott Thomas – yes; Scott Oldham – yes; and Dianna S. Bastin – yes. Motion carried 5-0.

Parks Department to Take Over the Management of Old Town Hall, 221 N. Sale Street

Scott Oldham explained the Parks Department has the ability and has expressed the interest to work with a group of people to put an historical and educational space in the old Town Hall. It gives the Parks Department a good anchor spot at the base of the Heritage Trail and to memorialize downtown coupled with the Ellettsville History Museum (“Museum”) collection. They’re going to try and put together a group of volunteers to move in there and move forward with anchoring the Town’s position on that corner. The Parks Department is a natural place to put this.

Jimmie Durnil, Parks Board, conveyed the Parks Board is excited about taking over Town Hall and thinks they can work with Tiffany Willingham to get some information for the museum. There is storage upstairs and Main Street wants to utilize some of that. They have an active Parks Board and they’re ready to go with it. Mr. Mobley asked who will do the renovation. Mr. Oldham answered the Utilities Department is going to the renovations on their down time.

Sandra Hash, Clerk-Treasurer, asked if the second story will still be maintained for paper storage for the Town. Mr. Oldham replied yes, until it is no longer needed. It will probably be December before the vault is finished at the new facility. Ms. Hash said there may not be room for all of the paper in the new Town Hall.

Darla Brown, Town Attorney, asked if it is the Town Council’s desire to leave the property in the name of the Town. By statute, a parks board can own property but is it their intent to do so? Mr. Oldham responded the Town’s intent is to hold on to it and give management rights to the Parks Board.

Scott Oldham entertained a motion that the Parks Department is to take over the management of the old Town Hall located at 221 N. Sale Street. Dianna S. Bastin made a motion that the Parks Department is to take over the management of the old Town Hall located at 221 N. Sale Street. Kevin Farris seconded. Roll call vote: Brian Mobley – yes; Scott Thomas – yes; Kevin Farris – yes; Dianna S. Bastin – yes; and Scott Oldham – yes. Motion carried 5-0.

Grant of Easement from Town to Eastern Richland Sewer Corporation for Karst Farm Greenway, Phase III

Scott Oldham advised this had been discussed under Resolution 10-2016.

Scott Oldham entertained a motion to grant an easement from Town to Eastern Richland Sewer Corporation for Karst Farm Greenway, Phase III. Scott Thomas made a motion to grant an easement from Town to Eastern Richland Sewer Corporation for Karst Farm Greenway, Phase III. Kevin Farris seconded. Roll call vote: Dianna S. Bastin – yes; Kevin Farris – yes; Brian Mobley – yes; Scott Thomas – yes; and Scott Oldham – yes. Motion carried 5-0.

Proposal to Purchase Notebooks for Town Council, Town Manager and Clerk-Treasurer to Reduce Paper Usage

Brian Mobley explained tablets would be better for communications, less paper and a savings for the Town. He found tablets for \$179.99. Additional costs are Bluetooth keyboards - \$45.00, Office 365 - \$25 and a one year protection plan - \$39.99. The total package, including keyboard, is \$289.98. Ms. Hash explained based on the amount of paper used for meeting packets to date, at 3¢ per sheet including toner, it is estimated the cost for printing would be \$117 per Council member for the year. Mr. Mobley thinks their return on investment would be better with a tablet as there would be better communications

because he doesn't receive all of the emails and Ms. Hash would be able to look up information and answer questions at the meeting. The Clerk-Treasurer can transfer the money from Attorney's Fees to Office Supplies to pay for the tablets and the Town Manager could take it out of his budget.

Dianna S. Bastin thinks it is a great Mr. Mobley did this research and found something. A few years ago one of the Council members wanted an iPad®. Deputy Fire Chief Kevin Patton did some research and pricing of what would be best for them and how a tablet would work. They do business with Smithville Telephone ("Smithville") who has tablets and not just iPads®. She would be more comfortable if they had somebody research the tablets, how long they will last and what they would be doing. She doesn't have any problem with looking at this but she doesn't want the Town to buy her an electronic piece of equipment. Nor, will she accept it if they do buy it. If she needs to buy a tablet for Town Council business she will do so. She would feel better if they could find out what Smithville can do for them as they are a local company. She thinks it's a timely idea. Mr. Oldham asked if they make larger tablets. Mr. Mobley answered they do make 9" and 10" tablets.

Kevin Farris already has an iPad® and uses it constantly. What would be the difference between him using his iPad® which he already uses for Town business and what has been proposed? Mr. Mobley replied the iPad® doesn't have an USB port. Mr. Farris wouldn't need a tablet because he uses his iPad®. Ms. Hash told him he would have to bring it to Town Council meetings. She sends the packages on Fridays so he would have it to look at on his iPad®. Ms. Bastin asked if they do this, do they not have an option. Mr. Farris thinks if everyone else needs it that's great but he would use his. Mr. Thomas thinks the thought is to provide it to those who want it. It is a way to come into the digital age away from paper. Mr. Oldham thought it was discussed to have this technology, at the new town hall, built into the tables and there would be a screen to display the meeting packets. Ms. Hash thinks Jim Davis would be the one to answer his question but he isn't at the meeting. Mr. Mobley prefers to have Town business on a separate computer should they have to forfeit their computers. Ms. Bastin asked if information is subpoenaed can they get into her Amazon account and see what she buys and look at her photos. She thought only the information listed in a subpoena would have to be provided.

Darla Brown, Town Attorney, thinks it's a good idea to have separate emails for personal use and Town of Ellettsville business. If there is a public records request it should be directed to the Ellettsville email depending on whether or not there's a privilege that applies they may or may not have to be disclosed. If someone wants to make a public records request it has to be for Town documents and personal documents would not be a part of that. Mr. Oldham added it's the information and not the device.

Scott Oldham thinks this is a good idea and brings them forward. His only questions is about having an 8" screen. Mr. Oldham asked Ms. Hash if would help or hurt her. Ms. Hash replied she would bring it with her to the Town Council meeting but she has a work computer for emails. She doesn't receive Town emails on her personal accounts. She thinks it would be convenient to have a way to access past minutes and packets for all meetings could be stored on them. She doesn't know which device is best. It would be a convenience to be able to have access to that much information at Town Council meetings. The Town doesn't have an IT person and if something goes wrong it would be the Council member's responsibility to take it to wherever it is purchased for repair. Best Buy will set up the tablets as well as email accounts. They do go to Deputy Fire Chief Kevin Patton a lot but he is not the IT person.

Scott Oldham entertained a motion on this topic. Dianna S. Bastin made a motion to ask Kevin Patton to look into the matter and look at tablets so it comes from someone who is not a Council member and see what the best buy would be and maybe Smithville, a local business, could set them up instead of going to somebody else. Kevin Farris seconded. Roll call vote: Scott Oldham – no; Dianna S. Bastin – yes; Kevin Farris – yes; Brian Mobley – yes and Scott Thomas – no. Motion carried 3-2.

Council Comments

Brian Mobley showed a spreadsheet consisting of operating balances and cash balances and distributions. Ms. Hash explained the spreadsheet and that the Town Manager is using it as a financial thermometer.

Scott Oldham announced April 29, 2016, is opening day at the ball diamonds. There will be road closures so please use caution when driving near the ball park.

Supervisors Comments

Danny Stalcup, Street Commissioner, presented the Street Department’s Annual Report.

Danny Stalcup, Street Commissioner, announced Mike Griffey is retiring after 24 years and they will be having an open house for the public on Thursday, April 28, 2016, from 12:30 p.m. to 2:00 p.m. Town Council members congratulated Mr. Griffey on his retirement.

Privilege of the Floor

Greg Zeller, Attorney General, has served in this capacity for 7½ years. He is also a candidate for Congress in the 9th District. As Attorney General they have seen an increase in some of the issues originating out of Washington such as the failure of Congress which is really starting to effect states, communities and individuals. The debt coming out of Congress is \$19 trillion and every year they go an additional \$500 billion in debt. These are things that can’t really be affected in the state but has to be done in Congress. As Attorney General he has had to deal with the encroachment of the federal government and the problems that come with it.

Sandra Hash, Clerk-Treasurer, thanked Mr. Zeller for the notices on scams, warnings and identity theft. Mr. Zeller said they could do more. The internet is like a “roadway” and if they don’t have the ability to police it it will continue to be a dangerous space. With the proliferation of frauds, scams and some of the use and misuse of the internet, at some point they’re going to have to address the fact it serves a purpose and it also has some risks. Like any other “highway” they’re going to need to police it which will require funds. There are no funds generated out of the entire points of commerce. You don’t see people in Washington asking what they can do using foresight to better protect people. They should do more to support law enforcement at the front end but Congress will wait until the next shoe falls and then they will react. They can do more to prepare for the problems they all know they’re going to have to face. People need to work collectively together to come up with a plan to keep our communities safe.

Adjournment

Scott Oldham entertained a motion to adjourn. Dianna S. Bastin made a motion to adjourn. Kevin Farris seconded. Scott Oldham adjourned the meeting at 7:22 p.m.

Scott Oldham, President

Dianna S. Bastin, Vice-President

Scott Thomas

Kevin Farris

Brian Mobley

Sandra Hash, Clerk Treasurer