

Agenda
Ellettsville Town Council
Tuesday April 9th, 2024

6:30 P.M. Call to Order

Prayer
Pledge of Allegiance
Roll Call

Introduction of Deputy Clerk – Kelley Cantrell

Approval of the Minutes for the Regular Meeting March 25th, 2024

Action to pay Accounts Payable Vouchers and Payroll

Resolutions

Resolution 08-2024 Fiscal Plan for the Norris Annexation

Resolution 09-2024 Fiscal Plan for the Norris Annexation, Part 2

Resolution 10-2024 Fiscal Plan for the Umbarger Annexation

Ordinance on First Reading

Ordinance 2024 -09 Voluntary Annexation of 317 E. Main Street totaling One-Half (.50) Acre

Ordinance 2024 -10 Voluntary Annexation of 313 E. Main Street totaling One-Half (.50) Acre

Ordinance 2024 -11 Voluntary Annexation of 6140 N. Starnes Road and Starnes Road (two parcels) totaling 143 Acres

Ordinance on Second Reading

New Business

Old Business

Award Bid Contract for Starnes Rd Project

Privilege of the Floor

Supervisors Comments

Council Comments

At this time, I know of no other business to come before the Council

Noelle M. Conyer, Clerk-Treasurer

MEETING NOTICE

Tuesday April 9th, 2024

The Town Council of the Town of Ellettsville will conduct its regular scheduled meeting on Tuesday April 9th at 6:30 p.m., local time.

The meeting will be conducted at the Town Hall. Town Council members will attend the meeting in person. The public is invited to attend in person or by remote access. The meeting will be available by Zoom.

Topic: Ellettsville Town Council Meeting

Time: Apr 9, 2024 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89709646921?pwd=N2pCNFA2YXBJUk5iSy9LbE1uMGpaUT09>

Meeting ID: 897 0964 6921

Passcode: 965258

One tap mobile

+19292056099,,89709646921#,,,,*965258# US (New York)

+13017158592,,89709646921#,,,,*965258# US (Washington DC)

Dial by your location

- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US

Meeting ID: 897 0964 6921

Passcode: 965258

Agendas and meeting packets can be obtained by submitting an email request to: clerktreasurer@ellettsville.in.us

RESOLUTION 08-2024

TO ADOPT A RESOLUTION FOR A FISCAL PLAN

THE NORRIS ANNEXATION

Parcel No. 53-04-10-100-003.001-011

Address: 317 E. Main Street, Ellettsville, Indiana 47429

WHEREAS, the Town of Ellettsville desires to annex one parcel consisting of approximately .50 acres of land into the Town of Ellettsville, which is more specifically described in Ordinance 2024-09, a copy of which is attached hereto as Exhibit 1 and made a part hereof; and

WHEREAS, responsible planning and state law require adoption of a fiscal plan and a policy for the provision of Town services to the annexed area; and

WHEREAS, such a plan has been developed and presented to the Town Council, entitled “The Norris Annexation.”

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ELLETTSVILLE, MONROE COUNTY, INDIANA, THAT:

1. The Town Council of the Town of Ellettsville, Monroe County, Indiana, hereby approves and adopts the Norris Annexation Fiscal Plan, which plan is attached hereto as Exhibit 2 and made a part hereof and hereby approves and adopts the specific policies for implementation of the plan as set forth therein, and establishes a definite policy to provide services in accordance with said plan.
2. Any monies necessary for the provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable fund, pursuant to state law and the Town’s budget procedure.
3. It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities.

This Resolution takes effect upon adoption.

This Resolution was passed and adopted by the Ellettsville Town Council of Ellettsville, Indiana, at the Ellettsville Town Hall on the 9th day of April, 2024.

ELLETTSVILLE TOWN COUNCIL

Scott Oldham, President

Attest:

Noelle Conyer, Clerk/Treasurer

ORDINANCE 2024-09

**AN ORDINANCE REGARDING THE VOLUNTARY ANNEXATION OF
317 E. Main Street
Ellettsville, Indiana 47429**

BE IT ORDAINED AND ADOPTED by the Town Council of Ellettsville, Indiana,

WHEREAS, the boundary of the Town of Ellettsville, Indiana, is contiguous to the real estate described herein; and

WHEREAS, on _____, 2024, Lindsey Norris filed a Petition for voluntary annexation of approximately one-half (.50) acres of land located at 317 E. Main Street, Ellettsville, Indiana, requesting voluntary annexation of the area pursuant to Indiana Code § 36-4-3-5.1;

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ADOPTED BY THE TOWN COUNCIL OF ELLETTSVILLE, MONROE COUNTY, INDIANA, that:

Section 1. The following described land be, and the same is, hereby annexed to and declared a part of the Town of Ellettsville, Indiana, to-wit:

Address: 317 E. Main Street, Ellettsville, Indiana 47429

Parcel Number: 53-04-10-100-003.001-011

LEGAL DESCRIPTION-

A part of the Northeast Quarter of Section Ten (10), Township Nine (9) North, Range Two (2) West in Monroe County, Indiana, more specifically described as follows, to-wit: Commencing at the southeast corner of said Northeast Quarter of Section Ten (10) and proceeding in a Westerly direction along the south line of said Northeast Quarter a distance of one thousand three hundred forty (1340) feet to a point; thence North 45 degrees 45 minutes West a distance of three hundred fifty-four (354) feet to a stake, which is the Point of Beginning; thence at right angles in a Northeasterly direction a distance of one hundred ninety-eight (198) feet to a stake; thence at right angles in a Northwesterly direction a distance of one hundred ten (110) feet to a stake; thence at right angles in a Southwesterly direction a distance of one hundred ninety-eight (198) feet to a stake; thence at right angles a distance of one hundred ten (110) feet to the point of beginning; the parcel containing a calculated area of twenty-one thousand seven hundred eighty (21,780) square feet, more or less.

Also an easement for ingress and egress over a center line bounded and described

as follows: Beginning at a point at right angles to and twenty (20) feet Northeast of the southwest corner of the tract herein conveyed; thence running in a Northwesterly direction to a point where the center line of said easement coincides with a line running South 86 degrees 30 minutes East along the southeast side of Kenneth E. Kettery and Jane Kettery, husband and wife, property; and running on said line South 86 degrees 30 minutes East for a distance of five hundred forty-six (546) feet to the center line of the County Road, it being stipulated that the grantees herein shall have the right to maintain said road for a distance of twenty (20) feet on each side of said center line and said easement for ingress and egress shall be a covenant running with the land, and shall run in favor of the grantees herein and their successors in title. The easement granted to the grantees herein is subject to equal rights, as granted by another easement to Frederick Deford and Phyllis L. Deford, husband and wife.

Section 2. BE IT FURTHER ORDAINED that the boundaries of the Town of Ellettsville shall be, and the same are, hereby declared to be extended so as to include all of the real estate described above as part of the Town of Ellettsville, Indiana.

Section 3. Pursuant to I.C. § 36-4-3-3, the above described territory, which is hereby annexed to and declared a part of the Town of Ellettsville, Indiana, shall be assigned to Council Ward 3.

Section 4. The above described territory, which is to be annexed to and declared a part of the Town of Ellettsville, Indiana, **is to be zoned Residential -1, Single Family Residential**, upon annexation.

Section 5. Pursuant to I.C. § 36-4-3-7(a) and § 36-4-3-7(b) this Ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Town Council, and after final publication in accordance with the law.

PASSED AND ADOPTED by the Town Council of the Town of Ellettsville, Monroe County, Indiana, upon this 9th day of April,

ELLETTSVILLE TOWN COUNCIL

Scott Oldham, President

Attest:

Noelle Conyer, Clerk/Treasurer

This Ordinance was published in the Herald Times on the _____ day of _____, 2024.

Noelle Conyer, Clerk/Treasurer

RESOLUTION 10-2024

TO ADOPT A RESOLUTION FOR A FISCAL PLAN

UMBARGER FARMS LLP ANNEXATION

Parcel No. 53-04-05-400-004.000-011

Parcel No. 53-04-05-400-003.000-011

Address: 6140 N. Starnes Road and N. Starnes Road

WHEREAS, the Town of Ellettsville desires to annex two parcels consisting of approximately 148 acres of land into the Town of Ellettsville, which is more specifically described in Ordinance 2024-11, a copy of which is attached hereto as Exhibit 1 and made a part hereof; and

WHEREAS, responsible planning and state law require adoption of a fiscal plan and a policy for the provision of Town services to the annexed area; and

WHEREAS, such a plan has been developed and presented to the Town Council, entitled “Umbarger Farms Annexation.”

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ELLETTSVILLE, MONROE COUNTY, INDIANA, THAT:

1. The Town Council of the Town of Ellettsville, Monroe County, Indiana, hereby approves and adopts the Umbarger Farms Annexation Fiscal Plan, which plan is attached hereto as Exhibit 2 and made a part hereof and hereby approves and adopts the specific policies for implementation of the plan as set forth therein, and establishes a definite policy to provide services in accordance with said plan.
2. Any monies necessary for the provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable fund, pursuant to state law and the Town’s budget procedure.
3. It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities.

This Resolution takes effect upon adoption.

This Resolution was passed and adopted by the Ellettsville Town Council of Ellettsville, Indiana, at the Ellettsville Town Hall on the 9th day of April, 2024.

ELLETTSVILLE TOWN COUNCIL

Scott Oldham, President

Attest:

Noelle Conyer, Clerk/Treasurer

ORDINANCE 2024-09

**AN ORDINANCE REGARDING THE VOLUNTARY ANNEXATION OF
317 E. Main Street
Ellettsville, Indiana 47429**

BE IT ORDAINED AND ADOPTED by the Town Council of Ellettsville, Indiana,

WHEREAS, the boundary of the Town of Ellettsville, Indiana, is contiguous to the real estate described herein; and

WHEREAS, on _____, 2024, Lindsey Norris filed a Petition for voluntary annexation of approximately one-half (.50) acres of land located at 317 E. Main Street, Ellettsville, Indiana, requesting voluntary annexation of the area pursuant to Indiana Code § 36-4-3-5.1;

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ADOPTED BY THE TOWN COUNCIL OF ELLETTSVILLE, MONROE COUNTY, INDIANA, that:

Section 1. The following described land be, and the same is, hereby annexed to and declared a part of the Town of Ellettsville, Indiana, to-wit:

Address: 317 E. Main Street, Ellettsville, Indiana 47429
Parcel Number: 53-04-10-100-003.001-011

LEGAL DESCRIPTION-

A part of the Northeast Quarter of Section Ten (10), Township Nine (9) North, Range Two (2) West in Monroe County, Indiana, more specifically described as follows, to-wit: Commencing at the southeast corner of said Northeast Quarter of Section Ten (10) and proceeding in a Westerly direction along the south line of said Northeast Quarter a distance of one thousand three hundred forty (1340) feet to a point; thence North 45 degrees 45 minutes West a distance of three hundred fifty-four (354) feet to a stake, which is the Point of Beginning; thence at right angles in a Northeasterly direction a distance of one hundred ninety-eight (198) feet to a stake; thence at right angles in a Northwesterly direction a distance of one hundred ten (110) feet to a stake; thence at right angles in a Southwesterly direction a distance of one hundred ninety-eight (198) feet to a stake; thence at right angles a distance of one hundred ten (110) feet to the point of beginning; the parcel containing a calculated area of twenty-one thousand seven hundred eighty (21,780) square feet, more or less.

Also an easement for ingress and egress over a center line bounded and described

as follows: Beginning at a point at right angles to and twenty (20) feet Northeast of the southwest corner of the tract herein conveyed; thence running in a Northwesterly direction to a point where the center line of said easement coincides with a line running South 86 degrees 30 minutes East along the southeast side of Kenneth E. Kettery and Jane Kettery, husband and wife, property; and running on said line South 86 degrees 30 minutes East for a distance of five hundred forty-six (546) feet to the center line of the County Road, it being stipulated that the grantees herein shall have the right to maintain said road for a distance of twenty (20) feet on each side of said center line and said easement for ingress and egress shall be a covenant running with the land, and shall run in favor of the grantees herein and their successors in title. The easement granted to the grantees herein is subject to equal rights, as granted by another easement to Frederick Deford and Phyllis L. Deford, husband and wife.

Section 2. BE IT FURTHER ORDAINED that the boundaries of the Town of Ellettsville shall be, and the same are, hereby declared to be extended so as to include all of the real estate described above as part of the Town of Ellettsville, Indiana.

Section 3. Pursuant to I.C. § 36-4-3-3, the above described territory, which is hereby annexed to and declared a part of the Town of Ellettsville, Indiana, shall be assigned to Council Ward 3.

Section 4. The above described territory, which is to be annexed to and declared a part of the Town of Ellettsville, Indiana, **is to be zoned Residential -1, Single Family Residential**, upon annexation.

Section 5. Pursuant to I.C. § 36-4-3-7(a) and § 36-4-3-7(b) this Ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Town Council, and after final publication in accordance with the law.

PASSED AND ADOPTED by the Town Council of the Town of Ellettsville, Monroe County, Indiana, upon this 9th day of April,

ELLETTSVILLE TOWN COUNCIL

Scott Oldham, President

Attest:

Noelle Conyer, Clerk/Treasurer

This Ordinance was published in the Herald Times on the _____ day of _____, 2024.

Noelle Conyer, Clerk/Treasurer

ORDINANCE 2024-10

**AN ORDINANCE REGARDING THE VOLUNTARY ANNEXATION OF
313 E. Main Street
Ellettsville, Indiana 47429**

BE IT ORDAINED AND ADOPTED by the Town Council of Ellettsville, Indiana,

WHEREAS, the boundary of the Town of Ellettsville, Indiana, is contiguous to the real estate described herein; and

WHEREAS, on _____, 2024, Lindsey Norris filed a Petition for voluntary annexation of approximately one-half (.50) acres of land located at 313 E. Main Street, Ellettsville, Indiana, requesting voluntary annexation of the area pursuant to Indiana Code § 36-4-3-5.1;

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ADOPTED BY THE TOWN COUNCIL OF ELLETTSVILLE, MONROE COUNTY, INDIANA, that:

Section 1. The following described land be, and the same is, hereby annexed to and declared a part of the Town of Ellettsville, Indiana, to-wit:

**Address: 313 E. Main Street, Ellettsville, Indiana 47429
Parcel Number 53-04-10-100-004.001-011**

LEGAL DESCRIPTION-

A part of the Northeast Quarter of Section Ten (10), Township Nine (9) North, Range Two (2) West, Monroe County, Indiana, as described in Deed Book 332, page 368 in the Office of the Recorder of Monroe County, Indiana, and more particularly described by a survey dated September 22, 1989, as follows:

Beginning at the Southeast Corner of the said Northeast Quarter, thence West 1340 feet, thence North forty-five (45) Degrees, Forth-five (45) Minutes West 464 feet to the point of beginning; thence continuing North Forty-five (45) Degrees, Forty-five (45) Minutes West 110.0 feet, thence North Forty-four (44) Degrees, Forty-five (45) Minutes East 110.0 feet, thence South Forty-four (44) Degrees, Fifteen (15) Minutes West 198.0 feet to the point of beginning.
Containing .50 acres, more or less.

ALSO: an easement for ingress and egress being 40 feet wide and being 20 feet on both sides of the under-described centerline:

Beginning at the Southeast corner of said Northeast Quarter, thence West 1340 feet, thence North Forty-five (45) Degrees, Forty-five (45) Minutes West 484 feet to the point of beginning of said centerline: thence South Eighty-seven (87) Degrees, Thirty-one (31) Minutes, Twenty-eight (28) Seconds West 546 feet to the centerline of a county road.

Section 2. BE IT FURTHER ORDAINED that the boundaries of the Town of Ellettsville shall be, and the same are, hereby declared to be extended so as to include all of the real estate described above as part of the Town of Ellettsville, Indiana.

Section 3. Pursuant to I.C. § 36-4-3-3, the above described territory, which is hereby annexed to and declared a part of the Town of Ellettsville, Indiana, shall be assigned to Council Ward 3.

Section 4. The above described territory, which is to be annexed to and declared a part of the Town of Ellettsville, Indiana, **is to be zoned Residential -1, Single Family Residential**, upon annexation.

Section 5. Pursuant to I.C. § 36-4-3-7(a) and § 36-4-3-7(b) this Ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Town Council, and after final publication in accordance with the law.

PASSED AND ADOPTED by the Town Council of the Town of Ellettsville, Monroe County, Indiana, upon this 9th day of April,

ELLETTSVILLE TOWN COUNCIL

Scott Oldham, President

Attest:

Noelle Conyer, Clerk/Treasurer

This Ordinance was published in the Herald Times on the _____ day of _____, 2024.

Noelle Conyer, Clerk/Treasurer

ORDINANCE 2024-11

**AN ORDINANCE REGARDING THE VOLUNTARY ANNEXATION OF
6140 N. Starnes Road and Starnes Road
Bloomington, Indiana 47404**

Umbarger Farms, LLP

BE IT ORDAINED AND ADOPTED by the Town Council of Ellettsville, Indiana,

WHEREAS, the boundary of the Town of Ellettsville, Indiana, is contiguous to the real estate described herein; and

WHEREAS, on _____, 2024, Umbarger Farms, LLP filed a Petition for voluntary annexation of approximately 148 acres of land located at 6140 N. Starnes Road and Starnes Road, Bloomington, Indiana, requesting voluntary annexation of the area pursuant to Indiana Code § 36-4-3-5.1;

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ADOPTED BY THE TOWN COUNCIL OF ELLETTSVILLE, MONROE COUNTY, INDIANA, that:

Section 1. The following described land be, and the same is, hereby annexed to and declared a part of the Town of Ellettsville, Indiana, to-wit:

**Address: 6140 N. Starnes Road and Starnes Road, Bloomington, Indiana
Parcel Numbers 53-04-05-400-004.000-011 and 53-04-05-400-003.000-011**

LEGAL DESCRIPTION-

Parcel No. 53-04-05-400-004.000-011

The Northwest Quarter of the Southeast Quarter of Section 5, Township 9 North, Range 2 West, containing 37 acres, more or less.

Parcel No. 53-04-05-400-003.000-011

The Northeast Quarter of the Southeast Quarter and the South Half of the Southeast Quarter of Section 5, Township 9 North, Range 2 West, containing 111 acres, more or less.

Section 2. BE IT FURTHER ORDAINED that the boundaries of the Town of Ellettsville shall be, and the same are, hereby declared to be extended so as to include all of the real estate described above as part of the Town of Ellettsville, Indiana.

Section 3. Pursuant to I.C. § 36-4-3-3, the above described territory, which is hereby annexed to and declared a part of the Town of Ellettsville, Indiana, shall be assigned to Council

Ward 1.

Section 4. The above described territory, which is to be annexed to and declared a part of the Town of Ellettsville, Indiana, **is to be zoned A1, Agricultural**, upon annexation.

Section 5. Pursuant to I.C. § 36-4-3-7(a) and § 36-4-3-7(b) this Ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Town Council, and after final publication in accordance with the law.

PASSED AND ADOPTED by the Town Council of the Town of Ellettsville, Monroe County, Indiana, upon this 9th day of April,

ELLETTSVILLE TOWN COUNCIL

Scott Oldham, President

Attest:

Noelle Conyer, Clerk/Treasurer

This Ordinance was published in the Herald Times on the _____ day of _____, 2024.

Noelle Conyer, Clerk/Treasurer