

## September 9, 2024

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, September 9, 2024 at the Ellettsville Town Hall Meeting Room located at 1150 West Guy McCown Drive. Scott Oldham called the meeting to order at 6:30 p.m. Jimmie Durnil gave a word of prayer followed by the Pledge of Allegiance led by Kevin Patton.

**Roll Call:** Members present were Scott Oldham – President, Dan Swafford – Vice President, William Ellis, and Trevor Sager. Pamela Samples was absent. Michael Farmer, Town Manager, Noelle Conyer, Clerk Treasurer and Darla Brown, Town Attorney were also present.

**Supervisors participating:** Kevin Patton, Jimmie Durnil, Kip Headdy, Denise Line and Jeff Farmer.

### Approval of the Minutes for the Regular Meeting August 26, 2024

**Scott Oldham** entertained a motion for approval of the minutes of the regular meeting August 26, 2024. William Ellis so moved. Trevor Sager seconded. All in favor, motion carries.

### Accounts Payable Vouchers and Payroll

**Scott Oldham** entertained a motion to pay Accounts Payable Vouchers and Payroll. Trevor Sager so moved. William Ellis seconded. All in favor, motion carries.

### New Business

#### Baker Tilly Presentation on Rate Report

**Mitchell Eschweiler**, director of Baker Tilly gave a presentation on findings from the current Sewer Rates. Rate studies are based on a 12-month period and the test period for this study ended December 31, 2023. Sewer Rate Design should be set to sufficiently recover revenues to support the following: Operation and Maintenance Expenses, Provide for Annual Capital Funding and Equipment Replacement Costs and Support Debt Service on Bonds or Leases. Overall, the Town of Ellettsville would need to generate \$1,812,000.00 to cover these costs. In 2023 we generated \$1,182,000.00 so \$629,000.00 additional needs to be generated through the rates and charges. They suggest doing the rate increase in multiple phases to help mitigate the rate increase all in one chunk. Phase 1 effective in 2025 and Phase 2 effective 2026. The first Phase would recover \$291,000.00 through rates and charges. On an average residential bill that computes to approximately \$9.75 and under Phase 2 would recover the remaining \$338,000.00 for an increase of \$9.75 for the average sewer bill. Proposed financing for the new Water and Sewer Operations Facility overall funding would be \$5,044,000.00 and currently there is a general obligation bond issued for a portion of this project of \$1,389,000.00 so sewage works would have to issue a bond of \$3,655,000.00 to support the remaining construction of the maintenance facility. The current rate is 4% with a term of 20 years. Annual Debt Service is \$278,000.00 and the Annual Debt Service Reserve would be \$55,800.00. Jeff Farmer, Wastewater Supervisor, explained they have not had an increase in sewer rates for several years and had a decrease in 2016. He explained that in water rates, you have distribution only but for Sewer you have the maintenance and operation of the Wastewater Treatment plant, staffing and the Department of Public Works employees are paid a one-third out of the Sewer side. The timeline is an Ordinance by the first meeting in October and potential adoption by the second meeting. If financing through the Bond Bank the last availability for funds is the first week of December.

### Resolutions

#### Resolution 32-2024 To Approve Reimbursement of Sewer Payments for DPW Building

**Darla Brown**, Town Attorney explained it was prepared by Ice Miller. Jeff Farmer clarified it is an agreement to reimburse the Sewer Utility for any payments made from the Sewer Utility for the new DPW Building. Funds are available in Sewer now to make the payments as they build the new building and in the future when the bond issued they will be reimbursed. William Ellis made a motion to approve Resolution 32-2024 To Approve Reimbursement of Sewer Payments for DPW Building. Dan Swafford seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes. Motion carries.



### **Resolution 33-2024 Fiscal Plan for Voluntary Annexation of Vagedes & Umbarger Farms LLP**

Darla Brown, Town Attorney explained this went before the Plan Commission last Thursday that Mr. & Mrs. Vagedes and Umbarger Farms LLP had petitioned the Plan Commission to be annexed into the Town of Ellettsville. The annexation consists of four parcels that amount to 198.96 plus or minus acres of land into the town. Under Indiana Code the council is required to adopt a Resolution for a fiscal plan at or before the time it adopts an Ordinance agreeing to annex the property. Plan Commission passed it unanimously and voted to send it to Town Council with a favorable recommendation. Vagedes owns one parcel and the other three are owned by Umbarger Farms LLP. Trevor Sager made a motion to approve Resolution 33-2024 Fiscal Plan for Voluntary Annexation of Vagedes & Umbarger Farms LLP. Dan Swafford seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes. Motion carries.

### **Ordinance on Second Reading**

### **Ordinance 2024-19 Voluntary Annexation of Vagedes & Umbarger Farms LLP**

**Darla Brown**, Town Attorney explained this was listed on the agenda as Ordinance on First Reading but can be Ordinance on Second Reading because it has had its public hearing before the Plan Commission. **Denise Line**, Planner explained this is a super voluntary annexation by Amy and Greg Vagedes and Umbarger Farms LLP to voluntarily annex four parcels totaling 198.96 acres. Subject parcels are located at N. Starnes Road and W. Flatwoods Road. Proposed annexation area for Amy and Greg Vagedes is 15% contiguous to the Town and the annexation area for Umbarger Farms LLP is 19% contiguous to the Town. Properties are currently zoned AG/RR Agricultural Reserve by Monroe County and recommended to be designated as A1 agricultural upon annexation and properties will be located in Council Ward 1. William Ellis made a motion to approve Ordinance 2024-19 Voluntary Annexation of Vagedes & Umbarger Farms LLP. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes. Motion carries.

### **Ordinance on First Reading**

### **Ordinance 2024-18 Ordinance Adopting a New Ellettsville Personnel Policy and Repealing Chapter 36 of the Ellettsville Town Code**

**Michael Farmer**, Town Manager discussed that they have been working on a Personnel Policy for a couple of years and it has been well thought out but it's a product of the Department Heads and is here to present for First Reading and is hoping to pass it and become the new Personnel Policy. Kevin Patton, Fire Chief explained he has an adjustment in the numbers for the 24-hour firefighter trying to fit them in an 8-hour benefit time, the calculations do not come out correctly, so this adjusts the first year prorate hours. William Ellis moved to consider as amended the Adoption of the Ellettsville Personnel Policy Repealing Chapter 36 of the Ellettsville Town Code. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes. Motion carries.

### **Ordinance 2024-20 Public Hearing 2025 Budget**

**Noelle Conyer**, Clerk Treasurer explained and discussed a presentation prepared for the timeline on the budget. Slide four has a summary of the 2025 budget and items in red are not fully funded and will be using Cash Reserves. Slide five is a summary of the Tax Rates and Slide 6 is a Historical Budget Comparison from 2021-2025. Scott Oldham clarified for the record it is a funded budget and not a balanced budget. William Ellis inquired about the Levy Appeal. Noelle Conyer stated it is factored in, but the budget is funded without the Levy Appeal due to the excess in the Cash Reserves. The Town would be depleting more of the cash reserves in the General Funds if we don't move forward with the Levy Appeal and the property tax rates does not include the Levy Appeal because the way it works the council would have to approve the budget before applying for the Levy Appeal and if council went another direction she didn't want to factor it in. The Levy Appeal would be voted on October 14<sup>th</sup>. Michael Farmer, Town Manager stated it was an aggressive process and some positions had to be removed but was a product of the department heads working hard and he is glad they were able to come to this agreement. William Ellis asked for the tax rate with the Levy Appeal and Noelle Conyer explained it would be .7579 combined for all the funds. This is overinflating and assuming we qualify for the max amount but not required to use the max amount. Once the budget is adopted and she gets the certified tax rate from the DLGF, that will be what



the tax rate actually is. When we advertise, we always advertise higher so we capture everything we can capture. No matter what with or without the Levy Appeal our funds will take a significant hit of a quarter of a million dollars. The budget is online on the Gateway for the Public to view and there is a link on our website.

### **Ordinance on Second Reading**

#### **Ordinance 2024-17 Repealing the Town of Ellettsville, Indianan, Zoning Ordinance, Subdivision Control Ordinance and Maps and Adopting the Town of Ellettsville, Indiana, Unified Development Ordinance and Maps and Public Hearing Thereon**

**Darla Brown**, Town Attorney explained this is as amended and came before council the second meeting in July for the first time and she had asked to table a couple of times so council had time to make their amendments. Town Council passed amendments at the last meeting and passed to Plan Commission. Plan Commission passed and approved the amendments unanimously at their last meeting Thursday. Plan Commission discussion followed the line of discussion the council had regarding the amendments and had some concerns that some of the items in the UDO needed revised but felt it best to pass council recommendations as to not hold up developers and certain projects in Town. Council should expect to see some suggested changes from Plan Commission with regard to Signs, Flags and Pole Signs. In this Ordinance she explained she has amended it to add in the preambles the complete history of the adoption of the UDO and who did what when and voted what when. Taylor Siefker recommended that instead of appealing section 152 and 153 of the Code in their entirety that certain passages be withheld from repeal until language can be placed in a Standards Manual. Taylor Siefker is of the opinion that there are certain Standards that do not belong in an Ordinance and belong in a Standards Manual. Those include Floodplain management, Erosion controls, Stormwater control, Stormwater runoff, Plan Commission rules, Preliminary Plat required information, site distance, transverse slopes and all the items listed that our vendor recommended not being repealed. The purpose of this Ordinance is to repeal old Section 152 and 153 except for the sections that are listed, repeal the old Town of Ellettsville zone maps, approve the zone map as certified by the Plan Commission and approve the UDO as amended by Town Council and approved by the Plan Commission on September 5<sup>th</sup> 2024. William Ellis made a motion to approve Ordinance 2024-17 as amended Repealing the Town of Ellettsville, Indianan, Zoning Ordinance, Subdivision Control Ordinance and Maps and Adopting the Town of Ellettsville, Indiana, Unified Development Ordinance and Maps and Public Hearing Thereon. Dan Swafford seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes. Motion carries.

### **Supervisors Comments**

**Michael Farmer**, Town Manager said last week was a busy week and all the departments have worked hard to make the Town a better place to live and he just wanted to say how proud he is of everyone and all their hard work.

**Jimmie Durnil**, Marshal thanked the Fire Department for their assistance with the 2 big accidents in Town this week. He feels they work very well together.

**Jeff Farmer** stated the Town is very blessed to have the great staff we do and he wanted to thank everyone.

**Kevin Patton**, Fire Chief explained they have a full-time position open and they have received four applications outside the Town and two within. He hopes to have a name at the next council meeting for a contingent offer.

**Kip Headdy**, Street Commissioner explained that his position will soon change to Public Works Director and in doing so he has had to rely heavily on his foremen to step in and pull together to get things done. He expressed his thanks to everyone for prevailing and getting things accomplished. He also mentioned the Fall Festival begins this week and they will close Park Street a little earlier than last year beginning on Wednesday to allow the Vendors to get set up safely.

**Denise Line**, Planner thanked Darla Brown and all the departments she is currently working with on everything. There is a lot going on and feels she has been working very well with everyone.

**Noelle Conyer**, Clerk Treasurer explained she was one of the people involved in one of the larger accidents last week and felt comforted seeing our employees on the scene helping.

**Jeff Farmer** also thanked Envision Ellettsville, BEDC and the Chamber are a huge part of all this work too and deserved a thank you also.

**Council Comments**

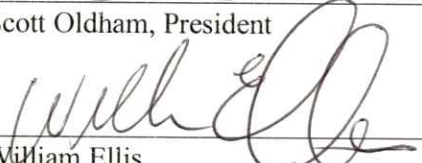
**Dan Swafford** explained he spoke to the County Commissioners and County Council and they would like to be put on the agenda for the 23<sup>rd</sup> to speak to Council about Rural Transit.

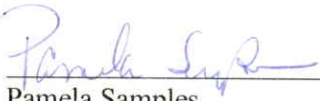
**Adjournment**

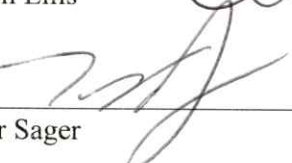
**Scott Oldham, President** adjourned the meeting at 7:24 p.m.

  
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Scott Oldham, President

  
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Dan Swafford, Vice President

  
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William Ellis

  
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Pamela Samples

  
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Trevor Sager

  
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Noelle M. Conyer Clerk Treasurer