

## September 23, 2024

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, September 23, 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, Pamela Samples and Trevor Sager. 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 September 9, 2024

**Scott Oldham** entertained a motion for approval of the minutes of the regular meeting September 9, 2024. Trevor Sager so moved. Dan Swafford seconded. All in favor, motion carries.

### Accounts Payable Vouchers and Payroll

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

### Resolutions

#### Resolution 30-2024 Transfer of funds & appropriation from MVH Restricted to Local Road & bridge Matching Grant

**Noelle Conyer**, Clerk Treasurer, explained this is for the Community Crossing Matching Grant. In 2024 we received \$135,582.28 and are required to provide 25% matching. \$45,194.10 needs transferred from MVH Restricted to Local Road and Bridge Matching Grant. William Ellis made a motion to approve Resolution 30-2024 Transfer of funds & appropriation from MVH Restricted to Local Road & Bridge Matching Grant. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

#### Resolution 31-2024 Additional Appropriation for Local Road & Bridge Matching Grant

**Noelle Conyer**, Clerk Treasurer, explained this is conjunction with the previous resolution. She needs to ask permission from the DLGF to spend the full amount of \$180,776.38. Dan Swafford made a motion to approve Resolution 31-2024 Additional Appropriation for Local Road & Bridge Matching Grant. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

#### Resolution 34-2024 Transfer of fund for Lease Rental Payment to Townhall Lease Rental Payment

**Noelle Conyer**, Clerk Treasurer, explained this a transfer from the previous lease rental payment for the Police and Fire bond. There was a surplus in there and in order to transfer it to our current Townhall Lease Rental she needs permission from council to do that. The amount is \$34,293.15. Trevor Sager made a motion to approve Resolution 34-2024 Transfer of fund for Lease Rental Payment to Townhall Lease Rental Payment. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

### Ordinance on Second Reading

#### Adoption Hearing for the 2025 Budget – Ordinance 2024-20 for Appropriation and Tax Rates

**Noelle Conyer**, Clerk Treasurer, explained that nothing has changed from the First Reading but would be happy to answer any questions. William Ellis questioned that the tax rate would .7579 but with the Levy Appeal it would be .5612? Noelle explained they advertise high to make sure they capture everything. William Ellis made a motion to approve Ordinance 2024-20 for Appropriation and Tax Rates Adoption Hearing for the 2025 Budget. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – no; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

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

**Michael Farmer**, Town Manager, explained they have been working on a personnel policy for more than 18 months with all the department heads and the Clerks Office, everyone should have a copy before them and he would be glad to answer any questions they had. Kevin Patton, Fire Chief stated he is happy with it but is sure they will find things that need to be tweaked along the way. William Ellis made a motion to approve Ordinance 2024-18 Ordinance Adopting a New Ellettsville Personnel Policy and Repealing Chapter 36 of the Ellettsville Town Code as amended. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

**New Business**

**Excess Levy Appeal Petition and Certification**

**Noelle Conyer**, Clerk Treasurer, explained she is requesting the full amount. When they did the Levy Appeal last year and they requested the full amount of \$320,000.00 they did not receive the full amount, it was short by approximately \$12,000.00. It will be put in General and MVH again this year. William Ellis asked for clarification on the increased AV. Denise Line, Planner explained there was an increase in new construction growth. Dan Swafford questioned what it would cost the average taxpayer. Paige from Baker Tilly explained that the actual tax rate will go down with the Levy Appeal but could pay more if their net assessed value increases. She further explained that we have provided enough justification to show the need for the full amount and our net assessed value growth for 2025 is 18.5% which means we have a much larger tax base that we need to provide for. If it is voted on and approved for the full amount, the full amount does not have to be accepted. Trevor Sager made a motion to approve Excess Levy Appeal Petition and Certification. William Ellis seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – no; William Ellis – yes; Trevor Sager – yes; Pamela Samples – no. Motion carries.

**Open Fire Fighter Position**

**Kevin Patton**, Fire Chief, explained they have a full-time firefighter position open; applications, interviews and testing have been completed and he would like to bring the name Deanna Henry to the council for a contingent offer based on PERF physical. Deanna has been with the Town 13 years and started out as an intern, moved to volunteer and currently part-time. Dan Swafford made a motion to approve the contingent offer pending PERF physical to Deanna Henry for Full-time Fire Fighter. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

**Contract with Wessler Engineering**

**Jeff Farmer** explained that this is a retainer contract not to exceed \$10,000.00 due to all the growth for professional On-call water and wastewater services varying in nature during the calendar years of 2024 and 2025. They will be on call for any questions or advice on current growth concerning the water and sewer infrastructure. Trevor Sager made a motion to approve the contract with Wessler Engineering. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

**Request to order 2025 Kenworth Tandem Tri Axel with snow plow**

**Kip Headdy**, Street Commissioner, requested to proceed with ordering a 2025 Kenworth Tandem Tri Axel. It will replace a 1998 Chevrolet Tandem and a 2006 Ford Single axel. If they order now they should have it by April or May. It will be split between Local Roads and Streets, Stormwater, Water and Sewer and he has the funds budgeted to pay the payments and will be coming back to the council for the financing in the amount of \$244,860.00 complete with snowplow in February. It will be used for sludge hauling and construction and the 1998 Tandem is out of commission because they can no longer get parts. Pamela Samples made a motion to approve the Request to order 2025 Kenworth Tandem Tri Axel with snowplow. Dan Swafford seconded. Roll call vote: Scott Oldham – yes; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries.

**Redevelopment Commission**

**Michael Farmer**, Town Manager explained they are looking to set up 2 TIFF areas due to growth and the second TIFF would be in the downtown area and they would like to utilize money from improvements from the downtown to revitalize the downtown. Before we can do the TIFF we have to have a Redevelopment

Commission. The president appoints 3 members, the board appoints the other 2, with 6 non-voting members from the school. He has sent some names as suggestions. Scott Oldham discussed his nomination would be 2 members from council that do not sit on Plan Commission, Council member Sager and Council member Ellis and Dr. Gerry Hash has agreed to serve as his appointments. He also nominates Dana Kerr to serve on behalf of the school board as the non-voting member on recommendation of the superintendent. Council nominated Carl Thurman and Tom Cornman. William Ellis made a motion to nominate Carl Thurman and Tom Cornman to the Redevelopment Commission. Pamela Samples seconded. Roll call vote: Scott Oldham – abstain; Dan Swafford – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carries. Darla Brown, Town Attorney stated by statute the commission must meet within 30 days and Michael Farmer, Town Manager will take care of organizing it.

### **Rural Transit**

**Julie Thomas**, President of the Monroe County Board of Commissioners discussed that in 2023 INDOT changed the map indicating that parts of the county that Rural Transit was serving were now considered urbanized areas. With that map change Rural Transit created a Shadow Service and have been enjoying the fruits of that work. Mr. Connell, director of Rural Transit sent out a proposal for several different routes, set routes not call outs. The one that incorporates Ellettsville runs once an hour from Bloomington to Ellettsville via State Road 46 and the annual cost would be \$361,000.00 for 2025. BT Access comes with that service but only  $\frac{3}{4}$  mile away from the route. There is also a route on West Third St and a combined route. It would run Monday through Friday once an hour from 6:40 am to 6:40 pm. Or the other option is to continue the Rural Transit Shadow Service. The estimated cost is \$156,989.14 door to door service as they are providing now. Ellettsville would be responsible for 45% of this cost at \$70,645.11. A lot of folks depend on this service and is very important and she hopes that the Town will select one of these options. She noted that 5307 money is not available to be reallocated to this for 2025. If they choose to select the 45% option it would have to be contingent on County Council approval as they would have to cover the additional 55% of the cost. Chris Meyers from Area 10 discussed the door-to-door trips for the year and feels they have enough appropriated to carry over to January. It is unfortunate we have to have this conversation again and was hoping that there would be some resolution with 5307 funds to be used to support this service. From the public Evelyn Stevens, Pamela Freeman, Mary Vandercort, spoke in person as well as Russ Ryle on Zoom. Chris Emge, Greater Bloomington Chamber of Commerce, spoke on Zoom on the importance of this service and there is a great need due to health issues and not being able to drive. It is an investment to our community health and vital to the long-term future of the community. Randy Hostetter typed a response online that stated not to support this, is to not support this amazing community and so many families depend on it. Paul White, driver for Rural Transit spoke in support of and thanked council for everything they have done so far. Dan Swafford urged the council to consider the need for this service and hopes they will fund it for another year. Pamela Samples feels we should do it for our community. Trevor Sager feels it is important and very needed component of this Town but is curious, given the need for more Police and Fire, how might we get creative on making money available for this. Scott Oldham stressed that there are no excess funds available and we just had to do a Levy Appeal to make budget. He too feels it is needed but it would have to require something being cut. It is unfortunate and he wishes it were not this way, but it was discussed at length before and people were warned of the situation. William Ellis sees the need also, but it all comes down to the money and it would be irresponsible to spend cash reserves on a recurring expense. Dan Swafford made a motion to approve another year of Rural Transit in the amount of \$70,645.11. Pamela Samples seconded. Roll call vote: Scott Oldham – no; Dan Swafford – yes; William Ellis – no; Trevor Sager – no; Pamela Samples – yes. Motion denied.

### **Privilege of the Floor**

**Michael Farmer**, resident, discussed the County and the Fire District are talking about moving into Bean Blossom Township. Speaking as a Bean Blossom resident, he stated this will cause a serious increase in tax. He feels it was an ill-conceived notion from the start and has made that known. There has been no communication from the County on it so, as residents, they will have to do a remonstrance to keep it from happening. He will be going to the Auditor's office tomorrow and will be happy to bring paperwork for anyone who is opposed to it as well. Per Darla Brown, Town Attorney, 50 remonstrance signatures will get a hearing before the commissioners, but it still can be denied.

### **Supervisors Comments**

**Michael Farmer**, Town Manager, discussed the Fire district on behalf of the Town. He stated that nobody has communicated from the County and feels it is being rushed through. Ellettsville has put forth a proposal that has been ignored. All he would like to have is a little communication. As a resident and a Town Manager, he feels marginalized by the County Commissioners and they don't communicate. Examples include the jail, convention center in addition to the Fire District. They conduct their business and seem to want to dictate how things go and rush them through. The Town has probably suffered with having to vote down the Rural Transit because we maybe could have worked things out if they would have just

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communicated. Not only about the buses but the jail also. Mike Farmer concluded with thanking Noelle and Kelley for all their work on the Personnel Policy.

**Dan Swafford**, Council Member, feels there are a lot of things that he is not filled in on and does not like to be surprised so he agreed with Mike's feelings and frustrations.

**Jimmie Durnil**, Town Marshal, agreed with Mike's feelings being a Bean Blossom resident as well.

**Kevin Patton**, Fire Chief, announced that the annual Peden Farm Festival will be this Thursday and Friday and the Ellettsville Fire Department will be there showing off the trucks and turnout gear.

**Council Comments**

**Pamela Samples** thanked the Police and Fire for all they do and hopes they can get some additional help for them soon because she knows they have been terribly busy. Kevin Patton mentioned needing additional funds for fuel and he will be asking for that next meeting.

**William Ellis** expressed his feelings on the new Justice center and Convention Center and is infuriated that the Monroe County Commissioners will not communicate with Ellettsville. He feels there are so many needs that needs addressed and resources need to go where they are needed.

**Scott Oldham** expressed his frustration on Rural Transit. He desperately wants a Transit system but it was discussed last year that we do not have the money but here we are again being rushed into something before hearing from Bloomington Transit and he has an issue with them telling us what we are going to do. He is upset that it is even being discussed again after telling them we did not have the funds and noting we have to do a Levy Appeal to make Budget for next year. The Town does have reserves but for necessary things like excess fuel expenses and unexpected things. He feels lack of communication is the theme for this evening and we are guilty sometimes, but it is unfair and fiscally irresponsible not to entertain the other options. William Ellis added that he has had conversations with the state on funding for Rural Transit but no one else has talked to them about it so it would be great if everyone could come to the table and talk about it.

**Dan Swafford** is upset that it is the citizens who need this service that are suffering from this and not our egos and we can be mad and point fingers all night but it is the people that need this who suffer.

**Adjournment**


**Scott Oldham, President** adjourned the meeting at 7:18 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