

October 14, 2024

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, October 14, 2024 at the Ellettsville Town Hall Meeting Room located at 1150 West Guy McCown Drive. Dan Swafford 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 Dan Swafford – Vice President, William Ellis, Pamela Samples. Scott Oldham and Trevor Sager were 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 September 23, 2024

Dan Swafford entertained a motion for approval of the minutes of the regular meeting September 23, 2024. William Ellis so moved. Pamela Samples seconded. All in favor, motion carries.

Accounts Payable Vouchers and Payroll

Dan Swafford entertained a motion to pay Accounts Payable Vouchers and Payroll. Pamela Samples so moved. William Ellis seconded. All in favor, motion carries.

Open Quotes for Construction of Heritage Trail Restrooms

Darla Brown, Town Attorney explained there are several quotes, some quotes are for a portion of the work and some are for the full portion of the work.

All Seasons HVAC & Plumbing Inc. Bid package 6 - \$20,300.00
All Seasons HVAC & Plumbing Inc. Bid package 7 - \$8,980.00
Bell Heating and Cooling LLC Bid package 7 - \$7,800.00
Fox Construction Bid packages 1-7 - \$135,421.00
HFI Mechanical Bid package 6 - \$8,600.00
HFI Mechanical Bid package 7 - \$11,800.00
Keller Heating and Air Conditioning Bid package 7 – \$6,875.00
Midwest Specialties LLC Bid package 4 - \$6,855.00 Partitions and restroom equipment
Midwest Specialties LLC Bid package 4 - \$5,175.00 Partitions and restroom equipment
Strauser Construction Co. Inc. Bid package 1-7 - \$164,915.00
Tim Dumas Unrivaled Electric LLC Bid package 5- \$8563.82
Valu Built Bid package 1 - \$28,500.00
Valu Built Bid package 2 - \$31,000.00
Walker Plumbing LLC Bid package 6 - \$8,000.00
Woods Electrical Contractors Bid package 5 - \$12,555.00

Bids will be taken under advisement and awarded at the next council meeting.

Resolutions

Resolution 35-2024 Additional Appropriation \$10,000 General Fire Fuel

Kevin Patton, Fire Chief explained they have a 30-35% increase in run volume this year and diesel fuel increasing in price so much he needs additional funds to finish out the year. Pamela Samples made a motion to approve Resolution 35-2024 Additional Appropriation \$10,000 General Fire Fuel. William Ellis seconded. Jim Perry inquired from the public what the metrics do we have in place that we are using our fuel efficiently. Kevin Patton explained it depends on the call, where it is, how many vehicles respond and what vehicle responds, it is not something any First Responders are able to track and seems irrelevant due to the variety of calls from year to year. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion carries

Ordinance on First Reading

Ordinance 2024-21 Amending Ordinance 2024-18 to effective date January 1, 2025

Noelle Conyer, Clerk Treasurer explained it was a clarification for the Personnel Policy to become effective January 1, 2025.

Ordinance 2024-23 Bond Ordinance Approving the Issuance of Bonds for the Town's Municipal Sewage Works

Mitchell Eschweiler, director of Baker Tilly explained this Ordinance on first reading allows the Town to go out and issue Sewage Works debt to finance and propose a remaining portion of the new Maintenance Facility. The bond Ordinance authorizes bonds up to \$5,555,000.00 with a max interest rate of 6%. The debt is estimated at \$3,650,000.00 with an interest rate of 4%. The terms are listed in the Ordinance with some flexibility to account for fluctuations. The plan is to seek financing through the Indiana Bond Bank for \$3,650,000.00. The Ordinance authorizes the Clerk Treasurer and the Town Council President to sign the legal documents required to close at the Indiana Bond Bank and lays out the requirements for the sewage works to maintain its rates and funds and debt service so the money is set aside to make full payment on the debt if anything arises. The max par amount was correct to \$4,000,000.00 for the bond.

Ordinance 2024-24 Rate Ordinance for Proposed Increase in Sewer Rates and Charges

Mitchell Eschweiler, director of Baker Tilly explained this is the Ordinance to increase the rates for the Town of Ellettsville customers and Eastern Richland. The rates for the Town of Ellettsville will be increased two phases, first being upon adoption and phase 2 effective January 1, 2026.

Ordinance on Second Reading**Ordinance 2024-22 Amend the Zone Maps**

Darla Brown, Town Attorney requested to table until the next meeting. William Ellis made a motion to table. Pamela Samples seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion carries

Old Business**Redevelopment Commission**

Darla Brown, Town Attorney explained that she had requested this be put on the agenda with the intention of the first meeting being held before this meeting but due to Fall Break there was not a quorum so the next meeting will be on October 28th. She stated if they wanted to table until the next meeting that was fine but what she wanted to discuss was her contract for employment to represent the Redevelopment Commission and to discuss the bond and per diems for the board members. She explained that by statute, all members are required to bond and is paid for by the Town. She has inquired about the cost with Mark Babbs, the Town's insurance representative. As far as per diems, the RDC won't have any money for a while. Town Council members will have to forgo the per diems and the first order of business for the RDC will be to pass a Resolution stating the council members will not get paid. Pamela Samples made a motion to approve the agreement with Darla Brown Law for legal services for the RDC. William Ellis seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion carries. William Ellis made a motion to table the bonds and per diems for the RDC. Pamela Samples seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion tabled. The RDC meeting will be held at 5:00 prior to the regular Town Council meeting.

New Business**Supplemental Fire Service Agreement for 2025 with Richland Township**

Kevin Patton, Fire Chief explained this is to renew the contract to provide Fire and EMS services to the citizens of Richland Township. Pamela Samples made a motion to approve the Supplemental Fire Service Agreement for 2025 with Richland Township. William Ellis seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes.

Duke Energy Easements

Darla Brown, Town Attorney explained this is informational and that Duke Energy has asked for two easements to complete the work for the new Utility Maintenance Building. She has the easements and the Ellettsville Building Corporation needs to sign them so she can get them back to Duke Energy.

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Memorandum of Agreement between Chris Smith and Town of Ellettsville for Exchange of Real Estate

Darla Brown, Town Attorney stated this is a continuation of petitions that have been before Town Council regarding a strip of land between the Richland Bean Blossom Community School Corporation to connect Harman Farms and South Ridge Springs Lane. The proposal is that the Town will give Chris Smith, developer of Harman Farms, .16 acres and in exchange he will give the Town 1.27 acres and an easement of .08 acres and the Town will give Chris Smith an easement of .033 acres to complete the road. William Ellis made a motion to approve the Memorandum of Agreement between Chris Smith and the Town of Ellettsville for Exchange of Real Estate. Pamela Samples seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

New Hire for the Planning and Utilities Department Position

Michael Farmer, Town Manager requested this be tabled until next meeting. William Ellis made a motion to table New Hire for the Planning and Utilities Department Position. Pamela Samples seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion tabled.

Centennial Park, LLC – Termination of Bonds and Letters of Credit

Denise Line, Planner requested to table. Pamela Samples made a motion to table Centennial Park, LLC – Termination of Bonds and Letters of Credit. William Ellis seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion tabled.

Sidewalk in Overbrook Estates

Denise Line, Planner explained that she needs some help from the council to complete a sidewalk in Overbrook Estates in one parcel located at 972 E Nicholas St. The developer put in the covenants and restrictions that the sidewalk be completed by the homeowners but the Town has the agreement with the developer. She is requesting the council give a deadline for the next council meeting for completion and she feels it will get done. The request was originally done over a year ago. William Ellis made a motion to have the sidewalk installed by the next council meeting October 28th at 972 E. Nicholas St. Pamela Samples seconded. Roll call vote: Dan Swafford – yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

Privilege of the Floor

Scott Reynolds from the public thanked council for tabling the zoning issue. He spoke passionately about rezoning. His concern is real estate developers finds land and forms an LLC to hide the identities of the partners, finds somebody local for the public appearances keeping it as quiet as possible and moves as quickly as they can putting pressure on the local officials that if they don't move quickly the deal will die. As an attorney, he sensed some familiarity with the lack of information about the project, that it sounded like a server farmer and data center. He stated these data centers are a nightmare to communities. Most residents do not know about these until it is too late. With changing zoning, you lose a lot of leverage. He explained that the Town is in the driver's seat to ask questions and to decide if this is the right thing for this community. He feels it needs a full public review and thankfully it has been tabled. He would be glad to help with this and offered to speak to anyone interested.

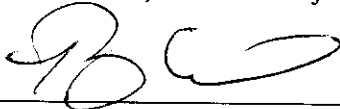
Colin Frank from the Bloomington Disc Golf club gave a proposal to add a Disc Golf course to the Town Hall Park. It requires 9 to 18 acres and would fit in perfectly with the hilly twenty-two acres. The cost would be approximately \$5,400.00 after a donation of the baskets from the Bloomington Club and could be easily raised on other courses. He has volunteers who would help clear the land and install the baskets. Additionally, there would need to be signage and would add a lot of benefit to the park including security and recreational needs. There is only one other course in the community at the school but there are several restrictions on playing there. He has information available for review.

Supervisors Comments

Noelle Conyer, Clerk Treasurer explained the Excess Levy Appeal was submitted on September 25 and accepted by the DLGF to full review and the Budget was submitted on September 30 and she is hopeful to have the salary ordinance for First Reading at the next meeting.

Adjournment

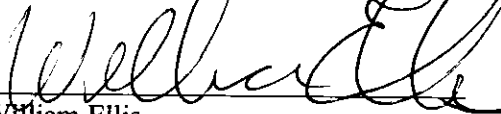
Scott Oldham, President adjourned the meeting at 7:18 p.m.




Scott Oldham, President



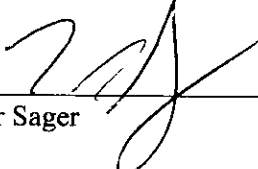
Dan Swafford, Vice President



William Ellis



Pamela Samples



Trevor Sager



Noelle M. Conyer Clerk Treasurer