

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, October 28, 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. Scott Oldham gave a word of prayer followed by the Pledge of Allegiance.

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

**Supervisors participating:** Chris Clouse, George Robinson, Kip Headdy and Denise Line. Jimmie Durnil arrived late.

**Approval of the Minutes for the Regular Meeting October 14, 2024**

**Scott Oldham** entertained a motion for approval of the minutes of the regular meeting October 14, 2024. William Ellis so moved. Trevor Sager seconded. All in favor, Trevor Sager -abstain, 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.

**Public Hearing for Proposed Increase in Sewer Rates and Charges**

**Doug Baldessari**, Baker Tilly discussed the proposed rate increase. The proposed rate is a phased in increase and will carry through to 2026 and averages approximately 3% per year. Phase I charges shall go into effect as of the date the Ordinance is adopted from \$39.25 to \$49.00. Phase II charges shall go into effect January 1, 2026 to \$50.75. This will cover increased operating costs, payroll, benefits, maintenance, chemicals and power and debt service. Last increase was in 2009.

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

Michael Farmer stated he appreciated the consideration and it has been a long time since an increase. Trevor Sager made a motion to approve Ordinance 2024-24 Rate Ordinance for Proposed Increase in Sewer Rates and Charges. William Ellis seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.

**Ordinance on First Reading**

**Ordinance 2024-25 to Amend Salary Ordinance 2023-18**

**Noelle Conyer**, Clerk Treasurer explained it is to add the Planning Tech/Utilities Billing Clerk. If it is ever intended to hire again for this position it will need to be added to the Salary Ordinance. The help is desperately needed and recommended we pass both readings in one Reading. William Ellis made a motion for Ordinance 2024-25 to Amend Salary Ordinance 2023-18 be submitted for First Reading. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes. William Ellis made a motion that Ordinance 2024-25 to Amend Salary Ordinance 2023-18 be adopted on the same day as it was introduced. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes. William Ellis made a motion that Ordinance 2024-25 to Amend Salary Ordinance 2023-18 be adopted. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.

**Ordinance 2024-26 to amend Ord 2001-25 receipt and claims policy clarification**

**Noelle Conyer**, Clerk Treasurer explained this is to clarify Ordinance 2001-25 to give clear stipulations on when credit cards are being used and receipts are missing. State Board of Accounts has a clear process for a missing receipt that needs clarified on the Ordinance.

**Ordinance 2024-27 fixing of the Salaries 2025**

**Noelle Conyer**, Clerk Treasurer explained this is for fixing the range for the salaries. She explained the previous Salary Ordinance at the top has always been the exact amount that we paid for each employee so she has increased that to give flexibility to supervisors and council when approving new hires for certification pay mid-year to Police and Fire and rounding issues throughout the year.



**Ordinance on Second 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. William Ellis made a motion to approve Ordinance 2024-21 Amending Ordinance 2024-18 to effective date January 1, 2025. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.

**Ordinance 2024-21 Amend the Zone Maps**

**Denise Line**, Planner explained this petition is a request by Digital Resources Acquisitions, LLC to rezone 5 parcels totaling 343 acres also known as the Umbarger parcels from Agricultural 1 to Industrial 1. Subject parcels are located at West Flatwoods Road, North Starnes Road and 6140

N. Starnes Road. Petitioner will be constructing a technology park on all 5 parcels, anticipated 5-6 buildings with 10-20 employees per building and buildings will be designed in accordance with the requirements of the Unified Development Ordinance, Ellettsville Town Code, State of Indiana Building Code. Darla Brown, Town Attorney stated it passed the Plan Commission with a positive recommendation and Town Council can decide tonight because the annexations are final. She further explained that there is a lot of work ahead of them with environmental testing and engineering and they will have to submit an application and plans for development plan approval. That will go through tech review with all supervisors, engineering review and they will have to contact the State of Indiana and submit an application for construction design release from the State. **Scott Reynolds** on Zoom spoke in concern of moving quickly. He stated that the annexation was not effective at the time when the Plan Commission considered this matter and they cannot take action on property not within its jurisdiction but the law states that Town Council act on a valid Plan Commission recommendation. In review of public record requests there was more that was known for this potential project before the meetings and not disclosed. He finds these things legally problematic. He asked for it to be returned to the Plan Commission for further review. **Erica Vagedes** from the public spoke against the annexation. She stated it is an environmentally sensitive areas and should be taken into consideration. Scott Oldham clarified that the annexation is already complete and this is only dealing with the rezone.

Christa Curtis, President Ellettsville Chamber of Commerce spoke in support for the rezoning as it aligns with the vision that was laid forth in Envision Ellettsville and the comprehensive plan. **Clark Greiner**, Bloomington Economic Development Corporation, spoke in support of the rezoning regarding Economic strategy and to ensure a better planned community. Darla Brown, Town Attorney clarified that recommendations from Plan Commissions are just recommendations for rezones and are not subject to review by a court and a Plan Commission's opinion on a rezone is advisory in nature. Rezoning is legislative in process in purview of the Town Council. The annexations were not complete at the time of the Plan Commission decision but they are complete now so it does not affect the ability of the council to make the decision to move forward. William Ellis said he constantly hears how we need to be more to lower taxes and differentiate us from Monroe County and this gives us the tools to give the residents of Ellettsville what they want and show we are different. Scott Oldham is comfortable with moving forward because the 2 members not present tonight are members of the Plan Commission and it was a unanimous vote. He appreciates the opinions and expressed it is just for the rezone and not building anything. William Ellis made a motion to approve Ordinance 2024-21 Amend the Zone Maps. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.

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

**Michael Farmer**, Town Manager explained we just need to approve this Ordinance to take care of business as far as monetary concerns. Trevor Sager made a motion to approve Ordinance 2024-23 Bond Ordinance Approving the Issuance of Bonds for the Town's Municipal Sewage Works. William Ellis seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.



**Old Business****Redevelopment Commission**

**Darla Brown**, Town Attorney stated they held their first meeting this evening. Election of officers were held. Dr. Gerry Hash was elected President, Tom Comman, Vice President and Trevor Sager as Secretary. Meetings will be twice a month in conjunction with the Town Council meetings. First meeting will be a Work Session and the second meeting of the month will be a decision-making meeting. There was discussion that Baker Tilly will attend the meeting on the 25<sup>th</sup> to explain things to the public and Plan Commission about TIF Districts. They will begin work on putting together the documents to get the TIF districts established. **Michael Farmer**, Town Manager feels like we need to be somewhat quick about developing the TIF Districts and public input is important to utilize the TIF and make the Town better. Between the Planning Department and himself they do have an outline of where they feel the TIF Districts should be and as public input comes in he will add to it. There should be movement before the first of the year.

**Bonds and per diems for board members**

**Darla Brown**, Town Attorney said it was discussed briefly. By statute, the RDC members are required to post a bond which will be paid for by the Town. Per diem was set at \$50.00 per meeting, the same as Town Council and Plan Commission not including Council members serving on the RDC.

**New Business****Digital Resources Rezone**

**Noelle Conyer**, Clerk Treasurer explained this was an error and should not have been put on the agenda.

**Spring Point revised contract for 1 phase to 3 phase project DPW**

Michael Farmer, Town Manager explained this is a revision to the contract. Originally they were using 1 phase power for the project and now they need to use 3 phase power. Duke will install a 3-phase power transformer in place. The cost will be \$30,000.00. Spring Point has agreed to pay for half and now they need to revise the contract. Trevor Sager made a motion to approve the contract with Spring Point to revise the contract for 1 phase to 3 phase on the project for DPW. William Ellis seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.

**New Hire for the Planning and Utilities Department Position (Planning Tech/Utilities Billing Clerk)**

**Michael Farmer**, Town Manager explained they need help in Planning and Utilities so they need a part-time employee in Utilities and a full-time employee in Planning so they agreed to share an employee. He is requesting to hire Renee Jones starting at \$25.81 per hour and the money has been budgeted. Trevor Sager made a motion to approve to hire of Renee Jones for the Planning and Utilities Department Position (Planning Tech/Utilities Billing Clerk). William Ellis seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes. Scott Oldham discussed allowing the Town Manager to hire as he sees fit on an approved position. Darla Brown, Town Attorney explained they can amend the policy to allow hiring without council approval to streamline the policy. Police and Fire have a statutory responsibility but not for the rest of the Town if the position is in the Salary Ordinance.

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

**Denise Line**, Planner explained that Centennial Park subdivision is built out and have requested to be removed from the remaining bonds. Everything has been completed to satisfaction by Planning, Street and the MS4 inspector. There are 4 bonds in the amount of \$195,920.00 held by the Town. William Ellis made a motion to approve the Centennial Park, LLC – Termination of Bonds and Letters of Credit. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion passes.

**Sidewalk in Overbrook Estates**

**Denise Line**, Planner explained she did not have anything for that tonight and was a carryover from last agenda.



**Privilege of the Floor**

**Chris Fisher** from the public asked council if you had to be a resident of the Town to voice an opinion on the TIF district. Scott Oldham said anyone can voice an opinion. She commented she was disappointed that 2 members of the council were not present again with such important decisions to make.

**Gary Lawson**, resident from Maple Grove Road explained that last month he was informed he had a considerably large leak and is facing a \$3,000.00 bill. He is requesting adoption of a policy to help citizens with situations of this nature. Other Utilities do this for residents and have a policy to reduce the bill and allows the customer to pay an average of their bill from the last year. Michael Farmer explained there is not a policy but they do allow credits for sewer if the water went down the sewer. They have to use discretion to make sure it is not a recurring problem where customers are not taking care of their plumbing. He entertained the idea of a policy and will bring something back to council.

**Supervisors Comments**

**Michael Farmer**, Town Manager discussed that if you are curious to what is going on in the Town his door is always open for any questions. He encouraged coming to meetings and paying attention to the agendas to see what is happening.

**George Robinson**, Deputy Marshal thanked the Fire Department for their assistance in locating a missing gentleman on Sunday. They were able to provide additional personnel to locate him.

**Jimmie Durnil**, Marshal explained there is an opening on the Parks Board and he spoke to Jerry Sanders and he is interested in the position and requested approval. Scott Oldham explained it is an appointment by the president and there were no objections.

**Chris Clouse**, Deputy Chief gave an update on Chief Patton from his hernia surgery. He is home resting after some complications and hopes to return to work next Monday. He also mentioned the Ellettsville

Volunteer Fire Department received a grant from the Smithville Foundation and they will use that to purchase a new offroad vehicle for Firefighting. He thanked Smithville Foundation.

**Kip Headdy**, Street Commissioner discussed leaf collection. They started picking up on Monday and will pick up every day in the next couple of weeks. Brush pickup will be on November 4<sup>th</sup>. He also mentioned the contractor that was awarded the Community Crossings Grant for paving started today and they will be milling streets and doing the overlay in a week or so.

**Denise Line**, Planner announced they received a grant from Smithville Foundation to place bicycle racks around Town. She also mentioned the Trail and it is 60% complete. She thanked Richland Senior Housing for the easement. The Heritage Center at Stewart Park is coming along and is ready for paint on the walls and flooring.


**Noelle Conyer**, Clerk Treasurer discussed they had a successful onboarding online for open enrollment. Also, next council meeting she will have a Resolution to expand PERF for the new employee to add the position.

**Council Comments**

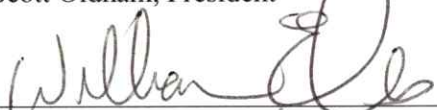
**William Ellis** thanked the community for being active and engaged and encouraged to keep that passion going. They will work hard to keep everyone informed.

**Adjournment**


**Scott Oldham, President** adjourned the meeting at 7:39 p.m.



Scott Oldham, President



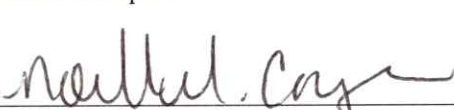
William Ellis



Trevor Sager

Dan Swafford, Vice President

Pamela Samples



Noelle M. Conyer Clerk Treasurer