

February 22 1999

The Ellettsville, Indiana, Town Council met in regular session at 7:30 p.m., Monday, February 22, 1999. Members present were Michael Cornman, President, Geraldine McIntyre, Vice President, Donald Ashley, Gina Hawkins, and Patrick Stoffers. Mr. Cornman called the meeting to order. Donald Ashley gave the prayer, which was followed by the Pledge of Allegiance.

ADJUSTMENT TO THE AGENDA:

Mike Cornman said he wants to make an adjustment to the agenda and recommend to the Council that we add Ordinance 99-7 and Ordinance 99-8 to the agenda, is there a motion to do so. Gina Hawkins so moved. Geraldine McIntyre seconded. Motion passed 5-0

COMMENTS:

None

BOY SCOUTS:

Troop 119 from Ellettsville and they are here working on the Merit Badge. Mike Cornman told them that the Clerk, Diana had some papers for them.

MINUTES AND CLAIMS:

Mike Cornman asked is there a motion to approve the minutes and claims. Gina Hawkins so moved. Donald Ashley seconded. Motion passed 5-0.

OLD BUSINESS:

ORDINANCE 99-2 AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 860 OF THE ELLETTSVILLE TOWN CODE CONCERNING FLOOD DAMAGE PREVENTION: 2ND READING:

Gina Hawkins read Ordinance 99-2 by title only. Mike Cornman said is there a motion to adopt Ordinance 99-2. Donald Ashley so moved. Gina Hawkins seconded. Motion passed 5-0.

ORDINANCE 99-4 AN ORDINANCE TO AMEND SECTION 255-26 OF THE ELLETTSVILLE TOWN CODE CONCERNING LONGEVITY PAY: 2ND READING:

Gina Hawkins read Ordinance 99-4 by title only. Mike Cornman said is there a motion to adopt this Ordinance. Geraldine McIntyre so moved. Donald Ashley seconded. Motion passed 5-0.

ORDINANCE 99-5 AN ORDINANCE TO AMEND SECTION 255-10 (b) OF THE ELLETTSVILLE TOWN CODE CONCERNING LIMITED FULL-TIME EMPLOYEES: 2ND READING:

Gina Hawkins read Ordinance 99-5 by title only. Mike Cornman said is there a motion to adopt Ordinance 99-5. Gina Hawkins so moved. Geraldine McIntyre seconded. Motion passed 5-0.

ORDINANCE 99-6 AN ORDINANCE TO AMEND SECTION 255-45 (c) OF THE ELLETTSVILLE TOWN CODE CONCERNING LEAVE FOR

RESERVE OR NATIONAL GUARD DUTY: 2ND READING:

Gina Hawkins read Ordinance 99-6 by title only. Mike Cornman said is there a motion to adopt Ordinance 99-6. Geraldine McIntyre so moved. Donald Ashley seconded. Motion passed 5-0.

NEW BUSINESS:

ORDINANCE 99-7 TO AMEND ORDINANCE 98-33 FIXING OF SALARIES
BUDGET YEAR 1999:

Gina Hawkins read Ordinance 99-7.

The Clerk informed the Council that her new computer software will not carry over like .856 in cents. There was a few people that were done like that so she just brought them up a penny. The second class fireman was not in the last salary ordinance for the new employees. She had left Dick Grubb off the longevity.

Geraldine McIntyre moved that Ordinance 99-7 be submitted for first reading. Donald Ashley seconded. Motion passed 5-0.

Geraldine McIntyre moved that Ordinance 99-7 be adopted on the same day at which it is introduced. Donald Ashley seconded. Motion passed 5-0. Geraldine McIntyre moved that Ordinance 99-7 be adopted. Donald Ashley seconded. Motion passed 5-0.

ORDINANCE 99-8 AN ORDINANCE AMENDING TITLE 2 OF THE
ELLETTSVILLE TOWN CODE TO ADD CHAPTER
CONCERNING PURCHASING RULES:

Gina Hawkins read Ordinance 99-8 by title only.

Geraldine McIntyre moved that Ordinance 99-8 be submitted to first reading. Gina Hawkins seconded. Motion passed 5-0. Geraldine McIntyre moved that Ordinance 99-8 be adopted on the same day at which it is introduced. Gina Hawkins seconded. Motion passed 5-0. Geraldine McIntyre moved that Ordinance 99-8 be adopted. Gina Hawkins seconded. Motion passed 5-0.

SMITHVILLE TELEPHONE CONTRACT TO HOST WEB PAGE:

Mike Cornman said to Cullen that he guesses there was some discrepancies on the proposal verses the contract.

Cullen said that discrepancies comes on his behalf and he apologies about that. When he drew up the proposal he had left out and made it extremely bad. At the top recurring charge of \$45 a month for the hosting fee and then he was working of the assumption that there would be a number of mail accounts, between 11 and 25. He can understand the confusion that under the \$45 a month package the first 10 would come with it and then anything above the 10 would be \$1.95 each. He left you when you he wrote this with that impression and that is not his intention and he apologies. He is will to work with you however you see fit.

Mike Cornman said, as he understands she said we are going to have 10 E-mail accounts. What would the price per month be then?

Cullen said according to the contract that would be \$3.95 each.

Mike Cornman said it is okay if we went over that and we had 11 we would--. Cullen said that would take you to \$1.95 each. Mike said how does this work if we go with the 10 now and there are a few more get on the Towns behalf, does it mean it changes at that time. Cullen said yes the price will change with the number of addresses that are added to the site Ellettsville.In.Us.domain, the price will vary so you are not stuck at the \$3.95

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each for 20 addresses. If you have 20 address as an example it would be \$1.95 each according

to the contract. He tried to leave that open based on our pricing and unfortunately there again he did not consult my own----- because he left it open and that was on his assumption.

Mike Cornman wanted to know what that would do with the current Clerk account and the current Fire Department accounts? Cullen said he explained to Sandy that what they will do is the will take out the evilleclerk and Station 7 accounts and they will put in the Clerk-Treasure and Police, and Fire. They will eliminate those 2 that are currently existing and then those department will have accounts according to the town so you are not paying an additional \$21.95.

Mike Cornman said with this \$45 per month plus another it looks like now \$40 a month in E-mail accounts, correct? Cullen said he calculated around \$21.45 or something to that plus the \$45.

Mike Cornman said that is going to have the fire, police, street, utilities and clerk all available to get onto the internet as a pass word. Cullen said that is correct. Mike said the clerk would do away with her fee of what they have been paying and the fire department would also. Cullen said correct.

There was more discussion on this. Mike Spencer looked over the contract and said it was fine.

Mike Cornman said as it stands right now it would be roughly \$67.00 per month. He knows a few more people that will be willing to get on for E-mail accounts within the town. We will have to work out some system. Mike asked the supervisors if they were going to divide it up or did we say it was going to come out of the Clerk's budget?

The supervisors said it is coming out of the Clerk's budget.

Cullen said the 11th account is the Chamber and that takes you to the \$1.95 and that is the only request he has received.

Mike Cornman said also with this agreement and he thinks in the original proposal that the registration name for the domain name, which is Ellettsville.In.us, was \$150.00. That is all part of this agreement, it is a one time.

Cullen said it is one time and he believes after 2 years an annual on that, for commercial names it is \$35, for country level names such as .In.us, he doesn't know what their pricing is.

Mike Cornman recommends to the Council that we approve an agreement between Smithville Telephone Company and Town of Ellettsville Indiana for the Ellettsville web site. Geraldine McIntyre so moved. Donald Ashley seconded. Motion passed 4-0.

REQUEST CONCESSION STAND AT VIDEO TO GO-MICKY GRAMLIN:

Micky Gramline said he is one of the owners. They are purposing to apply for temporary vendor's permit to operate on the parking lot of Video To Go located at 557 E. Temperance. They want to operate out of the concession trailer. Their menu consists of cotton candy, pretzels and nachos. Their hours of operation would be 11 a.m. to 9 p.m. closed on Sunday. They are thinking of opening earlier say 5 or 6 a.m. and sell bakery items such as bagels, French waffle, Belgium waffles, donuts, and muffins. One concern that they have heard is that the City engineer does not believe there is enough parking spaces for all 3 small businesses to accommodate their customers. All 3 businesses are seasonal. The snow cone stand and John Henrys (that is the name of their concession

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stand peak business during the spring and summer months. Video is slow during those few months. His peak months as far as business is fall and winter.

There was more discussion on this.

Mike Cornman asked Rick if this is something that would normally go to the Plan Commission first?

Rick said yes you would have to look at the parking and what ever other ordinances. You would treat it just like another building there. All changes in the site plan should go for land use development reviewed by the Plan Commission. Rick said he will talk to his son and they would have to take a look at it as far as that goes how the position of this and the shaved ice and Video store sit with relationship to parking and ingress and egress. You would treat it just like a normal building. If they are just going to be temporary you are looking at a Special Use or condition for one year or two years or what ever, it is renewable each year. Same thing we did with the review of the Richland Senior Citizens Housing at Jacks Defeat Professional Center. Remember they put that trailer in there for offices, same type as that. That was just granted by the Plan Commission.

Mike Cornman said she is asking for temporary vendors permit that is the official request right? Is there anything she has not complied with to be able to get that, going through the bond and the criminal check is there anything she has to do for that Diana.

Diana said the Snow Cone had to show parking. You have 2 businesses on the same lot. You had parking for the fruit stand and parking for video store. The guy that now owns the snow cone place is the guy that does all the vegetables out there. He had to comply with the parking spaces.

There was more discussion on this.

Rick Coppock said you can pass it contingent that they meet Planning and Zoning requirements if you don't want to have them come back.

Mike Cornman said unless there is something that falls under Planning and Zoning. At this point for a temporary vendor permit is there anything we are concerned with here?

Rick said what Planning and Zoning needs is a site plan showing the location of all the existing businesses and for the Planning and Zoning to review that. If it is approved it will be like a special exception permit which is good for one year and is renewable after that.

Mike Cornman wanted to know if Jim Davis, Building Inspector had any questions or concerns over this.

Jim Davis said the only thing he pointed out to them from the start that they couldn't have an extension cord running across the driveway they would have to put in some kind of permanent electricity, like the snow cone.

Mickey Gramline said they haven't done that simply because we don't want to put the expense out. They moved the freezer out so they don't have to have any electricity. They have the electricians ready and waiting to go. They are just waiting if it yea or nay.

Mickey was asked what are you going to do about water and sewer?

Mickey said they have a holding tank for their water and they have another holding tank for their waste. They dump that at the city dump. They had to ask for a health permit.

Mike Cornman asked how do you get your water?

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Mickey said they can hook on to Dan's building and they have a special ----- and it runs into their holding tank inside. They could hook up to the city but since it is temporary they didn't want to. The Board of Health has okayed their system as for as water to wash dishes, hot water heater, power disposal system so that none is running out to the ground.

Mike Cornman asked Mike Farmer if that is allowed in our Town Code?

Mike farmer said he would have to get the book out and look he is not sure. If it is temporary it might be allowed but you can't have 2 structures on the same service that is for sure. Running a hose into a tank from another service of course says it is okay it probably is but then you worry about that flow and cross connections and things like that.

Mickey said it is approximately 40 gallons and they anticipate maybe once or twice a week having to refill it. They have to be able to wash their hands.

Mike Cornman said other than Planning and Zoning issues is there question for the Town Council?

Mike Cornman said he recommends to the Council that we allow the G-4 REIC enterprises doing business with John Henrys granting a temporary vendors permit in accordance with our Town Code and on the contingency that they pass or get approval he is sorry from the Ellettsville Plan Commission and their requirements so that she doesn't have to come back and ask for ---if she goes there. Gina Hawkins so moved. Patrick Stoffers seconded. Motion passed 5-0.

Mike Cornman told them they would have to go the Plan Commission.

RICHARDSON SUBDIVISION PRELIMINARY AND FINAL PLAT:

Rick Coppock said he is not representing Mr. Richardson but here is the final plat. It was approved by the Plan Commission at the last meeting. This is Rich Craft wood products on 46 (Rick went over this with the Council). Rick said they previously had a 3 lot subdivision and they added one more lot, they had plenty of room left. It is severed by an ingress and egress easement next to , using an existing entrance and runs kind of next to Bishops drive way. There are really no public improvements required with it.

Mike Cornman said how come they are doing preliminary and final in the same, just because they're just adding one lot.

Rick said they are adding one lot, you really don't have to approve the preliminary just final plat approval.

Mike Cornman recommends to the Council we approve the Richardson subdivision final plat. Geraldine McIntyre so moved. Donald Ashley seconded. Motion passed 5-0.

RESOLUTION 1-99 FLATWOOD REGIONAL PARK:

Gina Hawkins read the Resolution

Mike Cornman said this is something that is coming around and is a very hot issue right now in the County and obviously for what lies ahead of us in the Ellettsville area. The school system will be experiencing nothing but growth and the growth area is still sited for the Ellettsville area that means more kids and we were told the RBB Youth Sports also known as the Little League that we do not want them to add any more ball parks down next to the fire station because of the traffic and pedestrian problem. There was talk on this.

Mike Cornman said he ask that this Council to recommend that they approve Resolution 1-99. Geraldine McIntyre so moved. Donald Ashley seconded. Motion passed 5-0.

SUPERVISORS:

POLICE DEPARTMENT:

Ron McGlocklin said he is coming before the Council for a part time officer. He ran an ad in the paper. 2 people put in application and neither one was ILEA certified. He would like to hire within their own Reserves department because that is a stepping stone for possible future employment. If he hires outside the department he will have to equip a man for about \$1,600 worth of equipment verses going ahead and using a Reserve Officer who already has the equipment. The only thing that the department would be out would be having to send this guy to the academy and getting him certified then we are looking at \$2,472 and that is paying minimum wage when he goes to the academy and that is for 480 hours.

Mike Cornman said probably to make it fair and also to make sure we comply with our own town code we will probably have to open it up again for a 2 week posting and since he didn't personally apply, the Reserve Officer, to the Clerk. Probably most of us would - ----- agree with what you are saying and that we would like to have somebody out of the academy certified but if they don't apply you can't hire them. We can't really specify that we take from the Reserves not to say we don't disagree with what you are suggesting. He thinks we ought to ask McGlocklin to readvertise the position according to our own personnel policy and take it from there. Do any of the Council members feel any different?

Gina said that is fine.

Mike Cornman said readvertise it, no post is all you have to do.

FIRE DEPARTMENT-JIM DAVIS:

Jim Davis went over the year end report for the Fire Department and the Building Department.

APPOINTMENT OF NEW FIREMEN:

Jim Davis said Robert Johnson resigned from the department, one of our full time paid people. The posted the job opening and they had a total of 10 applicants apply for the position. They also approached the Council and asked the Council to transfer some part time money into another full time account so we could hire a 40-hour a week position. Mainly the 40-hour per week position will be working part of the time of vacations, holidays, sick days and so on for the 24-48 people.

Jim gave the Council information on the testing, etc for hiring.

Jim Davis said they recommend that Kenny Parrish who is currently Van Buren Township paid Fireman, has 15 years experience with Van Buren Township and he works part time for us currently. He comes as a master fire fighter, EMT, State Certified instructor, State Certified rescue technician, and instructor. They think he was the most qualified to hold the 24-48 position.

Jim said the next person for the basically 40 hour week position they chose a guy that is also working part time for us, has for 1 ½ years he is younger man and has about 4 years with the fire service. He is also certified fire fighter and EMT and so on. He is currently a dispatcher for Monroe County Sheriff. His name is Chris Clouse.

Mike Cornman said based upon the chiefs recommendation is there a motion to appoint Kenny Parrish and Chris Clouse as full time employees of the town. Gina Hawkins so moved. Donald Ashley seconded. Motion passed 4 yes and Mike Cornman abstained.

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UTILITY DEPARTMENT:

Rick said they have got some paper work back for the State Utility agreements for Phase one of the project to relocate the water line. Mike (Spencer) is taking a look at those

now. It looks like so far that they have approved our numbers and we will move ahead with that. We will be looking at what the realignment will be. It is about 6,100 feet of 12-inch line and we put some new fire hydrants along 46, the section between Smith Pike and RR tracks by Wicks. There is about 1,500 feet of 6 inch, which will probably up size to 8 inch. The service kind of feeds other sub divisions over there. We hope to get everything wrapped up and started pretty soon. The agreement approved by the Town Board and State.

ADJOURNMENT:

Geraldine McIntyre made the motion to adjourn. Gina Hawkins seconded. Motion passed 5-0.

Michael D. Cornman
President

D. Geraldine McIntyre
Vice President

Donald Ashley

Patrick Stoffers

Gina M. Hawkins

Diana K. Evans
Clerk-Treasurer