

## February 8, 2016

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, February 8, 2016, at the Fire Department Training and Conference Room. Scott Oldham called the meeting to order at 6:30 p.m. Kevin Farris led the Pledge of Allegiance followed with a prayer by Scott Thomas.

**Roll Call:** Members present were Scott Oldham, President; Kevin Farris, Brian Mobley and Scott Thomas. Dianna S. Bastin was absent. Sandra Hash, Clerk-Treasurer, Darla Brown, Town Attorney, and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present.

**Supervisors present were:** Danny Stalcup, Jimmie Durnil, Kevin Tolloty and Mike Farmer.

### Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on January 25, 2016. Kevin Farris so moved. Scott Thomas seconded. Motion carried.

### Accounts Payable Vouchers

**Brian Mobley** asked questions on the Accounts Payable Vouchers for Utilities and Police Departments. Town supervisors answered his questions.

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Scott Thomas so moved. Kevin Farris seconded the motion to pay the Accounts Payable Vouchers. Motion carried.

### Appointments

**Plan Commission: One Republican and One Democrat – Appointed by the President**

**Scott Oldham** appointed David Drake to the Republican position on the Plan Commission.

### MPO

**Scott Oldham** appointed Kevin Tolloty to the MPO Policy Committee. Ms. Brown suggested sending a proxy letter to the MPO advising Mr. Tolloty will be the Town's representative.

### Proclamation for Tri Kappa

#### TRI KAPPA WEEK

**WHEREAS**, Kappa Kappa Kappa, Inc., more commonly known as Tri Kappa, is celebrating 115 years of community and charity programs statewide during our, Tri Kappa Week Celebration, February 21 – 27, 2016.

**WHEREAS**, the unselfish service of seven young women who founded Tri Kappa in 1901, of the nearly 12,000 female members in Tri Kappa today, and of all of the women who served-in-between, has all combined to allow Tri Kappa to thrive and serve for 115 years; and

**WHEREAS**, Tri Kappa is a philanthropic organization located only in the State of Indiana; and

**WHEREAS**, The objective of Tri Kappa for the past 115 years, has been and continues to be, to bring women into close, unselfish relationships for the promotion of charity, culture and education throughout the State of Indiana; and

**WHEREAS**, Tri Kappa's scholarship program, which began in 1913, has provided students with scholarships in the areas of academics, fine arts and to those returning to school after an extended absence, in addition to supporting Gifted and Talented programs throughout the State of Indiana; and

**WHEREAS**, Tri Kappa's charity program has been, and continues to be, actively involved with James Whitcomb Riley Hospital for Children since it opened in 1922, and also donates to charities such as Ronald McDonald House, Camp Riley, Indiana Special Olympics, Mental Health Association of Indiana, Very Special Arts of Indiana and the Indiana Association of Retarded Citizens in addition to local charity programs throughout the State of Indiana; and

**WHEREAS**, Tri Kappa's cultural program has been a strong supporter of the Hoosier Salon since its inception in 1926, and it maintains the Tri Kappa Art Collection, a collection of almost 100 paintings on permanent loan to the Rose-Hulman Institute of Technology, and supports Youth Art Month throughout the State of Indiana; and

**WHEREAS**, Tri Kappa returns to State and local communities more than \$1.5 million every year to charitable, cultural and educational projects throughout the State of Indiana;

**NOW, THEREFORE, We**, Ellettsville Town Council, do hereby proclaim February 21-27, 2016, as TRI KAPPA WEEK (Kappa Kappa Kappa Epsilon XI) in the Town of Ellettsville, in recognition of the contributions of the hardworking women who have and will continue to comprise this organization for the next 100 years, and invite all Hoosiers to take note of this special observance.

**ADOPTED** this 8<sup>th</sup> day of February in the year of our Lord, Two Thousand Sixteen.

## **Ordinances on Second Reading**

### **Ordinance 2016-01 Vehicle Marking Policy**

**Jim Davis, Town Manager**, explained this policy states how and who can make a change. Photographs of the vehicles were presented as the accepted standard. Any changes by department heads needs approval.

**Scott Thomas** knows they changed the markings of the police cars. Are they all changed? Marshal Durnil explained they have three dodges and two explorers with new markings. They have several older cars they're getting ready to trade and he doesn't want to spend \$500 to \$700 each for restriping. They're all high mileage cars they will trade off either this year or next year. He would like to continue with the old striping. Mr. Thomas asked if the Town Manager's vehicle should say "Town Manager" and be a non-lighted car if they're all going to be marked appropriately.

**Brian Mobley** spoke with a government representative and, technically, it is a liability to be driving a marked unit under a Town Manager's job. Mr. Oldham would have to ask the Town Attorney about the liability because the Town Manager holds dual positions and at one point he was the Fire Chief. Mr. Mobley stated the Town Manager is not associated with the Fire Department and his contract states "only if it is an emergency." Technically, he works for the Town part-time and there is no other part-time employee who drives a marked unit home. Ms. Brown stated vehicles are insured under the Town's policy. Mr. Mobley continued. The Fire Chief told him the Town Manager is only on the Fire Department payroll if he is called to act in an emergency. When he is driving the vehicle he is in the Town Manager's position. In the contract as Town Manager he is an employee. There is nothing that states he gets a Fire Department vehicle because he is working part-time. Ms. Brown noted it is a policy decision for the Town Council. Mr. Oldham doesn't understand the liability issue as the car is covered by insurance. He is an Assistant Chief for the Fire Department and the Town Manager under his contract. Mr. Davis commented the contract states he still holds the rank of Assistant Chief. Mr. Mobley thinks these issues need discussed privately because there is a conflict of interest. If he does something wrong as assistant Fire Chief he can't be disciplined by the Fire Chief because he is also Town Manager. Mr. Oldham disagrees. Under Indiana law, Town Council serves as the Board of Public Safety for the Town and would administer any disciplinary action. The Town Manager cannot discipline fire or police employees. Mr. Mobley remarked grievances would go to the Town Manager. It does not state in his contract that he gets a vehicle to take home. Mr. Davis mentioned the previous Division Chief had a take home car for 15 years. Mr. Oldham advised the intent of the Town Council at the time was for Mr. Davis to serve as Assistant Chief and the Town Manager at the same time. This left him with still having to complete his fire trainings and every yearly requirement the rest of the fire officers have to complete. He thinks if they want to go back and change the terms of how they've been operating is worthy of a broader discussion. Mr. Mobley said this could be tabled for now but it is an issue that needs addressed. Mr. Oldham suggested it could be discussed in a work session or next Town Council meeting.

Scott Oldham entertained a motion to accept Ordinance 2016-01 Vehicle Marking Policy as amended. Kevin Farris made a motion to accept Ordinance 2016-01 Vehicle Marking Policy as amended. Brian Mobley seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; Brian Mobley – yes; and Scott Thomas – yes. Motion carried 4-0.

## **Old Business**

### **Project Manager for the Construction of the New Town Hall**

**Jim Davis, Town Manager**, explained he and Rick Coppock met with three prospective individuals whom might be interested in the job. They looked at their experiences, where they come from, what they've done and their expertise. They're all in construction

management and one did not have the degrees of the others. They want to put something together and give it to Town Council. They did ask them how much time they thought it would take and their response was two to three hours a day, every other day. They didn't think it would take much time. The salaries ranged from \$20 to \$50 an hour. A fourth company would be glad to do it at \$155 per hour. Mr. Oldham asked if he and Mr. Coppock can provide how many hours and the cost if they decide to do this. Mr. Davis answered if it takes six to seven months to build out, they're looking at \$14,000 to \$20,000. Mr. Oldham asked if there were funds for this in the budget. Mr. Davis said yes. Mr. Farris asked if there is a better way to spend the money. Mr. Davis presented various options to Town Council. There are three options for the remaining expenditures excluding the contract with Neidigh Construction. Expenditures of \$37,198.02 to date have been paid from the Rainy Day Fund. Included in the bids were alternatives for three areas. One of the alternatives was the roofing which is \$43,000 less for a shingled roof versus metal. Normally, there is a 10% contingency based on construction costs which is included in two of the options. The contingency in the third option is less. Funds not used can be returned to be spent elsewhere. Mr. Thomas asked if the money is taken from the Rainy Day and CCI Funds and additional appropriations are they reduced to a zero balance. Mr. Davis answered yes. Mr. Thomas asked what CCI for Road is. Mr. Davis replied it is a 2016 appropriation in the Cumulative Capital Improvements project for road repair. Mr. Thomas asked if this meant there would not be any money for road repair. Mr. Davis answered there is a Road and Street Fund that has approximately \$45,000 in it. Mr. Mobley asked if they can take money from the CCD fund. Mr. Davis answered yes, it has to be appropriated.

**Scott Oldham** asked the life span of a shingle versus a metal roof. Mr. Farris answered it is the same. From what he has seen if there is hail damage insurance will cover a shingle but not a metal roof. Mr. Davis noted metal will deteriorate over years and also have to be replaced. Mr. Thomas noted in considering a metal roof, will it give the Town 20 or 10 extra years. Mr. Davis thinks it should be at least 20 to 30 years. Mr. Thomas commented there is hail resistant metal. Mr. Davis thinks it is standing seam metal. Mr. Thomas would like to research this before making a decision. Mr. Davis explained one of the options excludes a generator. Mr. Thomas would rather put in gravel until they can afford asphalt than to not put in a generator. In his opinion and because of the storms that come through they cannot skimp on the generator. Mr. Oldham asked since Town Hall will be so close to the Police Department would it be possible to tie-in to their generator. Mr. Coppock does not think it would carry both buildings. Mr. Mobley asked if the options included change orders. Mr. Davis answered that is what the contingency is for. Mr. Thomas asked Mr. Stalcup if \$24,000 is removed from CCI, does he feel he would have the appropriate amount of money to take care of the streets. Mr. Stalcup replied he can get by a year without it.

**Scott Oldham** suggested tabling this until Mr. Davis provides them with biographies. Mr. Thomas asked if they can provide the names of six projects they've previously managed. He would also like to touch base with the people occupying the buildings to find out if they're happy with them. It was the consensus of the Town Council to table this issue until the next meeting.

**Scott Thomas** asked if they need to provide an answer on the options. Mr. Davis answered he doesn't need an answer at this meeting. They're selling the bonds on February 10, 2016. Ms. Brown added the closing is on February 24, 2016. They should receive the notice to proceed on February 24, 2016, or shortly thereafter.

**Sandra Hash, Clerk-Treasurer**, advised small bills are starting to come in. No matter which option they choose she has to ask the state for an appropriation. She needs to start the process as soon as possible. These are vendors who will not be paid from the bond proceeds. Would there be an objection for her to start paying some of the expenses out of the existing appropriation in CCI for the road? Bills for equipment rented to excavate and put down base rock are due. Mr. Oldham didn't know why they wouldn't pay them, they're going to expend the money anyway. Mr. Mobley asked why everything is coming from the Street Department. Ms. Hash replied because it is road related.

## **New Business**

**Greg Jones, Southern Indiana Development Commission – Funding for Downtown**

**Greg Jones, Southern Indiana Development Commission (“SIDC”)**, works for a rural regional planning commission covering five counties in southwest Indiana. He was asked by Brian Mobley to speak about downtown and available state funding. The main sources of funding for downtown is the Office of Community and Rural Affairs (“OCRA”). OCRA is a state organization who tends to do projects that are community development oriented. The main program is “The Main Street Revitalization Program” which funds up to \$400,000. They can do façade renovations, streets and sidewalk lighting and streetscapes to make downtown more presentable and to remove slum and blight. Everything that comes from OCRA has a Housing and Urban Development (“HUD”) attachment with the federal government. So, they have to go after a national objective which is removing slum and blight whether it’s boarded up windows or cracked sidewalks. They could put together a resolution stating the issues with downtown and pass a slum and blight resolution to make the Town eligible for funding. A calendar outlining pertinent deadlines was provided and explained. The grants require 20% matching funds. If the Town decides to proceed with a grant he would like to see an active Main Street group working towards giving ideas to benefit downtown and raising funds. A local match can also be an in-kind donation of services which would be 5% of the budget. Financing has to be in place before applying for the project as well as permits identified and no issues with site control. When doing façade renovations you have to get easements for the first 12” of everyone’s building to allow for the work to be done. His counties pay into his salary so he can go out and do these types of projects for his communities. The last project was Vincennes and now they’re working in Linton. If the Town wants SIDC to help with the projects then they can hold special contracts on an hourly basis or a specified amount. They would write the application and assist with turning it in. There is administration that goes along with the grant which is how he makes his fees. There is a downtown enhancement grant for \$5,000 to \$10,000 with OCRA.

Trail funding comes from the Department of Natural Resources (“DNR”). The DNR requires a five year park plan. OCRA has \$20,000 to do park plans. A lot of times Rails to Trails projects are done through the Indiana Department of Transportation (“INDOT”). Whenever INDOT has a call for projects in April, most of the time it is the engineer who will submit the application. A DNR grant could be used for park equipment and INDOT for larger trail projects.

**Brian Mobley** asked if the Town was to do a grant then would his salary be the administration fee. Mr. Jones answered yes and some of the grants don’t have administration fees incorporated so he would charge an hourly basis not to exceed a certain amount. His work allows him to go outside of his five county area to do upfront work on OCRA grants as long as he charges an hourly rate. INDOT has allotted \$1 billion toward road projects and their slogan is “Maintain what you have.” Start talking to INDOT about the project the Town has such as bridges and roads and make sure your voice is being heard.

**Brian Mobley** would like to have a work session to discuss funding opportunities.

**Adjournment**

Scott Oldham entertained a motion to adjourn. Kevin Farris made a motion to adjourn. Scott Thomas seconded. Scott Oldham adjourned the meeting at 7:26 p.m.

---

Scott Oldham, President

---

Scott Thomas, Vice-President

---

Dianna S. Bastin

---

Kevin Farris

---

Brian Mobley

---

Sandra Hash, Clerk Treasurer