

# January 23, 2006

The Ellettsville, Indiana, Town Council met in regular session on Monday, January 23, 2006, at the Fire Department Training and Conference Room. Patrick Stoffers called the meeting to order at 7:30 p.m. Lisa Creech led in prayer and William Evans led the Pledge of Allegiance.

**Roll Call:** Members present were Patrick Stoffers, President; William Evans, Vice President; Lisa Creech, Phillip Rogers and Dennis Williamson. Sandra Hash, Clerk-Treasurer; Mike Spencer, Attorney and Rick Coppock were also present.

**Supervisors Present:** Jim Ragle, Jim Davis, Mike Farmer, Jeff Farmer and Frank Nierzwicki were present.

## Approval of the minutes

Lisa Creech made a motion to approve the minutes for the regular meeting on January 9, 2006. William Evans seconded. Motion carried.

## Action to Pay Accounts Payable Vouchers

Lisa Creech made a motion to pay the Accounts Payable Vouchers. William Evans seconded. Motion carried.

## Election of Officers

William Evans made a motion that we elect Patrick Stoffers as President for the year of 2006. Phillip Rogers seconded. Motion carried.

Phillip Rogers made a motion to appoint Bill Evans as Vice President of the Ellettsville Town Board. Patrick Stoffers seconded the motion. Motion carried.

## Appointments

### Board of Zoning Appeals (R) term ending 12-31-09

**Patrick Stoffers** explained this appointment, by Town Code, is to be made by the President. Since the position is for a Republication, William Evans was asked to make a selection. William Evans recommended David Drake to be assigned to the Board of Zoning Appeals.

Patrick Stoffers appointed David Drake to the Board of Zoning Appeals (R) term ending 12-31-09.

### Open proposals for Town Hall remodeling

**Mike Spencer** announced the companies and bids for the Town Hall remodel.

- Dillard and Dillard Construction, Inc. base bid \$43,500.00 offering various allowances and alternatives.
  - Kitchen Cabinets \$1,050.00
  - Floor Covering \$6,345.00
  - Push Pad Entry \$600.00
  - Stainless Steel Cashier window (add) \$3,475.00
- Fox Construction, Inc. proposed \$53,979.00.
- Strauser Construction, Inc. proposed for \$41,400.00.

Jeff Farmer would like to study the bids and bring them to the Board at the next meeting with some type of proposal.

Lisa Creech made a motion to take bids under advisement until the next Board meeting when we have a proposal from Utilities. William Evans seconded. Motion carried.

### Proclamation - Tri Kappa Week

Lisa Creech read the Proclamation in its entirety. Tri Kappa is celebrating 105 years of community and charity programs statewide during the week of February 19-25, 2006. Tri Kappa is a philanthropic organization located only in the State of Indiana. Lisa Creech

made a motion to adopt February 19-25, 2006 as Tri Kappa Week. William Evans seconded. Motion carried.

## **Old Business**

### **Request for Final Plat approval – Union Valley Farms Subdivision Section Five**

**Rick Coppock**, Bynum Fanyo and Associates, informed the Council this is another section of Union Valley Farms Subdivision located off Union Valley Road. This section will have 30 lots. Infrastructures are all in. The sidewalks and street trees are bonded. The style of homes and price ranges are the same as the previous four sections.

**Frank Nierzwicki**, Planning Department, supports this plat. A check for \$31,392.50, instead of a “letter of credit”, was given to the Clerk Treasurer. The money is to be held in an escrow account.

Lisa Creech made a motion to approve the Final Plat for Union Valley Farms Subdivision Section Five. William Evans seconded. Motion carried.

## **New Business**

### **Department of Natural Resources letter concerning parks Master Plan**

**Brett Williamson**, President of the Park and Recreation Board received a letter from the Department of Natural Resources concerning the Master Plan the Board submitted for approval. The Master Plan’s purpose was to receive future grants from the State. The letter from DNR had five areas of concern:

1. *The Board took out the Section 504 form concerning compliance with ADA.* There seems to be a misunderstanding on what the form encompasses between the Town and what DNR wants. He will be speaking with a Mr. Jim Watson to get a clarification. He will then bring the information back to the Council for a resolution where both sides will be happy.
2. *The park Board section did not include any Board Member’s individual addresses.* This should be an easy correction.
3. *A documentation that a public meeting was held with an announcement in the local paper and a proposal before the Board with the minutes to that meeting included.* He has taken care of this.
4. *Social and Economic Factors were not identified; general income for the community.* He has reviewed the last census and gathered the necessary information.
5. *Low return rate of the actually survey that was performed concerning the interest and recreation in the Town.*

The DNR wants a new plan submitted by April 15, 2006. Brett hopes to have response from the DNR on the compliance issue by the next Town meeting. Patrick asked if the survey would be redone. Brett said this has been discussed. The survey is not required but the DNR strongly suggests it be completed. When the Master Plan is approved, we will not be eligible for any grants until 2009. Dennis questioned how the surveys will be completed since the mailing was not effective. It was suggested using the Fall Festival activities to conduct research and surveys. Lisa suggested sending the surveys home with school aged children. Brett has a meeting scheduled with the school Superintendent next week.

## **Supervisors’ comments**

**Jim Davis**, Ellettsville Fire Department, stated Mr. Spencer prepared a resolution to donate air packs to Owen County. A year and a half ago, all County Fire Departments received a grant through the Federal Emergency Management Agency and we replaced all the air packs in the County with the new compliant masks. The old packs are still good and still work but do not meet today’s standard for the CBRNE compliance (chemical, biological, radiological, nuclear and explosive). The old packs would go to a smaller, rural department in Owen County.

Patrick Stoffers introduced Resolution 03-06 stating the Town of Ellettsville has determined the Town Fire Department is no longer in need of eight air packs and air cylinders. The Freedom Franklin Fire Department, in Owen County, a not for profit corporation, are in great need of the air packs and air cylinders. Now be it resolved by the Town Council the eight air packs and cylinders are declared surplus property and should be donated to Freedom Franklin Fire Department in Owen County.

Lisa Creech made a motion that we adopt Resolution 03-06. William Evans seconded. Motion carried.

Patrick Stoffers thanked Jim Davis for helping this Fire Department.

**Frank Nierzwicki**, reported on enforcement issues. Progress has been made in some parts of Kelli Heights. Three properties have been cleaned up between landlords and tenants. There is a property with building going but there is no building permit on file. He will be checking on this. In Arrowhead, there has been some “slippage”. Many letters have gone out mostly due to parking on the grass and rubbish. Tecumseh had six letters, Iroquois had seven and Miami had four. Different ways of handling the enforcement were discussed at the last Plan Commission meeting. He was instructed to start some possible ordinance changes. There are a number of properties having repeat offenders. The way the code is currently written; a letter is sent out and they have two weeks to make the correction. 67% of the people make the corrections after the first letter and a number of people make the corrections after the second letter. The problem is, once they are in compliance, they will follow code for a month and then they start parking the cars on the grass and putting trash in the yard. Last year 200+ letters were sent out and 300 will probably go out this year if we keep up with the current way of handling this. What he is proposing, after doing some research is:

- Having a letter go out once warning about the violation.
- Giving them 2 weeks to handle the violation.
- ANY violation after the first (in the same calendar year) would automatically receive a ticket written to it with a fine.

This is not before the Board tonight. He will be taking this to the Plan Commission in February for comments and input.

He is working with the developers of the north and south side of Edgewood Village. There has been some positive movement. He will be following up with letters this week and will report back with the progress in two weeks.

Lisa Creech received a phone call from a constituent regarding parking violations. He feels the parking law is only being enforced in Arrowhead and Kelli Heights. Lisa would like Frank to comment on other areas where the parking has been enforced. Frank said a number of letters went out to the subdivision behind the high school. Various violation letters went out in “the older Town areas”. He mentioned being out in Deer Run on occasion. He has been throughout Town on a regular basis but was not prepared to give out numbers at this time.

### **Privilege of the Floor – non Agenda Items**

**Greg Hudson** asked Sandra for the papers he asked her to bring. She responded she had given them to the Council. His main issue is his numerous complaints and he wants to know if the Board has answered them. Patrick told him to make his statement. Greg then questioned Mike Spencer on whether his complaints have been answered. Mike Spencer was not sure what complaints Greg was referring to. Greg went on to list his complaints:

- Forced communication; he wrote out his complaint and is being forced to communicate.
- Repeated sexual rape; calling it search.
- Dissection of his mind; trying to sue the Town board.
- Abuse because he was a “whistle blower”. He was victimized repeatedly, tauntingly and terrestrially.

Patrick Stoffers explained all this revolves around a parking stop that happened in April 1998 where three citations were issued and a car was towed. No one ever produced

ownership for the car and it went to State auction. Greg interrupted Patrick stating that he was diverting from the issue and asked to leave. Patrick thanked him. Greg stated that “omission is a crime”.

**Russ Ryle** thanked Frank and the Council for sticking with the issues of Edgewood Village. There is still a drainage problem and the over 50 age ownership. Patrick went on to say Frank is on top of the issues. Most of the Town Council has also been working on the situation. Some letters were sent out outlining the strategy on how they will proceed with the issues. Russ mentioned at the last meeting, during Pat’s absence, he presented a draft resolution. Patrick said he had not seen it but will get a copy.

**Sandra Hash** shared information she received at the Legislative Conference. Both Home Town Matters, a bill to reduce reliance on property taxes and establish alternatives for financing local government and Indiana Moves at bill to privatize Indiana toll roads were discussed.

**Dennis Williamson** received a letter from the Ellettsville Exchange Club stating they have a new meeting place. They will meet at Arby’s on the second and fourth Tuesday of the month at 6:30 p.m. Kenny Williams is the current President and people are welcome to attend and join.

**William Evans** is glad to see Patrick back. He also thanked Jim Ragle for moving a log last week that was lying along State Road 46. He also thanked Danny Joe Edwards for putting the flag on the water tower.

**Adjournment**

Patrick Stoffers adjourned the meeting at 8:03 p.m.

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Patrick Stoffers, President

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William Evans, Vice-President

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Lisa Combs-Creech

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Phillip Rogers

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Dennis Williamson

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Sandra C. Hash, Clerk-Treasurer