

January 26, 2004

The Ellettsville, Indiana, Town Council met in regular session on Monday, January 26th, 2004 at the Town Hall. Patrick Stoffers called the meeting to order at 7:30 PM. Sandra Hash led in prayer. David Sorokoty led in the Pledge of Allegiance.

Roll Call: Patrick Stoffers asked for roll call of the Council Members. Members present were Patrick Stoffers, President; David Drake, Vice-President; David Sorokoty; Lisa Combs-Creech and Phillip Rogers. Also present were Sandra Hash, Clerk-Treasurer; Mike Spencer, Attorney and Rick Coppock, Town Engineer.

Supervisors Present: Jim Davis, Jim Ragle, Ron McGlocklin, Mike Farmer and Jeff Farmer.

Approval of the meeting minutes for January 6th and January 12th, 2004

David Sorokoty made a motion to approve the minutes of January 6th and January 12th, 2004. Lisa Creech seconded. Motion carried.

Action to pay Accounts Payable Vouchers

Lisa Creech moved to accept paying the accounts payable vouchers. David Sorokoty seconded. Motion carried.

Resolutions

Resolution 02-04 approving the bonds for the Police Station Project

Sandra Hash read the resolution in its entirety. David Drake made a motion to adopt Resolution 02-04. Phillip Rogers seconded. Motion carried.

Resolution 03-04 Cancellation of Warrants

Sandra Hash read the resolution in its entirety.

Check Number	Date Issued	Amount		Check Number	Date Issued	Amount
1295	01/09/01	1.16		1847	09/25/01	30.00
1301	01/09/01	1.48		1848	09/25/01	30.00
1370	02/13/01	30.00		1849	09/25/01	30.00
1625	07/10/01	16.47		1851	09/25/01	30.00
1626	07/10/01	30.00		1853	09/25/01	30.00
1636	07/10/01	2.99		1860	09/25/01	30.00
1694	08/14/01	21.24		1862	09/25/01	30.00
1695	08/14/01	23.78		1863	09/25/01	5.87
1732	08/14/01	30.00		1864	09/25/01	30.00
1736	08/14/01	30.00		1910	10/23/01	1.84
1739	08/14/01	30.00		1911	10/23/01	1.10
1742	08/14/01	30.00		1940	10/23/01	30.00
1746	08/14/01	30.00		1943	10/23/01	30.00
1823	09/25/01	3.15		2040	12/11/01	18.44
1843	09/25/01	30.00		2043	12/11/01	30.00
1846	09/25/01	30.00		2242	07/10/01	1.00

She added it includes old water and civil outstanding checks to void. Grand total of cancelled outstanding warrants comes to \$698.52 which will be receipted into the appropriate fund of the Town.

David Sorokoty made a motion to approve Resolution 03-04 cancellation of warrants. David Drake seconded. Motion carried.

Resolution 04-04 receiving bid analysis and assigning bids for the Police Station Project

Patrick Stoffers read Resolution 04-04 by title and requested Mike Spencer for an explanation. Mike Spencer stated there are problems with the bids they have on this project. He submitted the bid packet to Mr. Gary Dankert with Ice Miller for his review. Mr. Dankert e-mailed a response stating the lowest bid from Sanders violates

Indiana law. Reference I. C. 5-16-10-2 **“Limitations on employment of construction managers; contracts with construction managers prohibited** Sec. 2. (a) A unit of local government may not employ the architect or engineer who provided design services on a public construction project or his affiliate, to be the construction manager on the project he designed. (b) A unit of local government may not let a general contract, or any separate trade contract, to perform work on a public construction project to the construction manager of the project.” Mr. Dankert’s explained that Sanders was acting as the construction manager and architect or perhaps employing the architect which is acting as the contractor. Therefore, this is a conflict to oversee the construction, coordination and administration. Mike Spencer stated based on this information the bid from Sanders should be rejected.

Mike explained there were problems with the other bids as well. According to Indiana Code the bidders were supposed to submit Form 96 since the project was over \$100,000 but they did not. He has discussed this issue with Lisa Lee and Gary Dankert and they all agree since the proper forms were not requested or submitted this project should be re-bid. Lisa Creech made a motion to reject the current bids and have the project re-bid using Form 96. David Drake seconded. Motion carried.

Ed Bitner asked if the Fire Station Project had this problem. Patrick Stoffers said no.

Note: Resolution 04-04 died for lack of a motion.

Ordinances on Second Reading

Ordinance 04-01 Additional Appropriation for Fire Station

Sandra Hash read the Ordinance in its entirety. Lisa Creech made a motion to adopt Ordinance 04-01 Additional Appropriation for Fire Station. David Drake seconded. Motion carried.

Old Business

Planning and Zoning Administrator

Patrick Stoffers stated when the Council approved Ordinance 03-05 which was adopted May 27th, 2003 it added a position titled Zoning Administrator to the Ellettsville Town Code. The Council then proceeded to write a job description which was accepted in September 2003. The description has been reviewed again and there are a few revisions which he pointed out to the Council that have been made including the title. He recommended adopting the revised job description, advertise and conduct interviews through an Interview Committee then hire the selected candidate. Patrick proposed the Interview Committee be comprised of Council members David Drake and Lisa Creech; Town Supervisor Fire Chief Jim Davis; Plan Commission President Frank Buczolic; Town citizens Ray Freetage, Ed Bitner and Kathy Wagner. Patrick requested a motion be made accepting the revised job description. Lisa Creech made a motion to approve the job description for the Planning and Zoning Administrator. David Sorokoty seconded. Motion carried.

Ed Bitner asked what the salary would be for this position.

Patrick Stoffers stated the salary has not been established yet but stated it would probably range from \$32,000 to \$38,000. He added the job was important enough to be a full-time position and suggested the Interview Committee receive at least thirty to forty applicants to choose from.

Lisa Creech, David Drake and David Sorokoty all agreed there would be plenty of duties associated with this position including parking issues, drainage problems, and construction problems. Especially since the position was expanded to include health and safety issues the position should be a full-time position.

Patrick Stoffers requested the Council approve his proposed Interview Committee of David Drake, Lisa Creech, Jim Davis, Frank Buczolic, Ray Freetage, Ed Bitner and

Kathy Wagner. Lisa Creech made a motion to adopt this committee. Phillip Rogers seconded. Motion carried.

Patrick Stoffers requested Lisa Creech to organize a meeting with the Interview Committee and requested Sandra Hash to advertise the position this week on Thursday, Friday and Saturday in the Herald-Times and the Indianapolis Star.

New Business

Sanders Contracting and Management request change order / additional work order

Sandra Hash read the change order in its entirety. She explained Ron Gellenbeck with Sanders Contracting had brought the document in to the Clerk's Office last week. The Council discussed this further.

David Sorokoty pointed out that nothing was itemized and requested the list be itemized.

Ron Gellenbeck pointed out the building itself was not changed but the majority of the cost is due to the site work on the first property that was chosen which was unsuitable. He stated they will provide an itemized detailed list.

Patrick Stoffers asked for a motion to table this issue. David Sorokoty made a motion to table this. Lisa Creech seconded. Motion carried.

I. U Grant Study for Heritage Trail

David Sorokoty explained that I. U. had worked with the Council on the 20 acre Wishing Well Park and they would like to help again with the Heritage Trail. They have received a grant that would coincide with our grant on the Heritage Trail. John Drew with I. U. said they will be contacting us but will not be available to start on this project until late February or early March. It will be at no cost to the Town.

Privilege of the Floor

Ed Bitner asked Ron McGlocklin how many Police Officers are on duty at 2 or 3 a. m. because he has been having trouble with someone racing past his driveway early in the morning and asked if it could be checked into.

Ron McGlocklin said they would check into the situation.

Ed Bitner also congratulated Phillip and Patrick for being elected to the Town Council.

Supervisor's Comments

Jim Davis gave each Council Member a copy of the Fire and Building year end report for 2003. He explained the highlights of each section stating in the Fire Department report section the Firemen went on 1113 calls. They gave mutual aid to other departments on 80 calls and received assistance on 41 calls. In the Building Department section of the report he stated there were 118 building permits issued in 2003. He pointed out this year was one of the largest if not the largest year for revenue due to the fact that there were 70 new Single Family homes built in 2003. He explained the comparisons between 2002 and 2003.

David Sorokoty commented the trend is toward growth for Ellettsville and that future Councils will have to be prepared to meet those goals that growth will bring about.

Sandra Hash reiterated the request that the parking across from the Ellettsville Post Office be addressed. The previous request was the entire block be made 10 to 20 minute parking spaces to accommodate the public's access to the Post Office. Patrick Stoffers asked Sandra to place this request on the agenda for the next Council Meeting.

Lisa Creech reminded everyone about the meeting on Thursday, January 29th between 6-9 p. m. at the Ellettsville Library concerning closing Hartstraight Road.

David Sorokoty thanked everyone in Town, the Supervisors, Mike Spencer and Crider for all their work over the last four years especially during the tornado disaster. He added he’s glad he’s been a part of this great little community and has confidence the new Council will work toward the betterment of the Town.

David Drake presented David Sorokoty with a plaque for his four years of service on the Council.

Patrick Stoffers thanked David Sorokoty for his service to the Town. He read a letter from Vi Simpson on four-laning Highway 46 to Spencer. The project has been moved up by four years to the year 2016.

Adjournment

Patrick Stoffers asked for a motion to adjourn. Phillip Rogers made a motion to adjourn. Lisa Creech seconded. Motion carried. Meeting adjourned at 8:20 PM.

Patrick Stoffers, President

David Drake, Vice President

David Sorokoty

Lisa Combs-Creech

Phillip D. Rogers

Sandra C. Hash, Clerk-Treasurer