

**July 10, 2000**

The Ellettsville, Indiana, Town Council met in regular session at 7:30 p.m., Monday, July 10, 2000. Members present were Geraldine McIntyre, President; Gina Hawkins, Vice President; John Dailey, Jerry Pittsford, and David Sorokoty. Mrs. McIntyre called the meeting to order. Jerry Pittsford gave the prayer. John Dailey led the Pledge of Allegiance.

**Poggemeyer Design Group:**

*Michael L. Arnold, AIA*

*Robert J. Hilton, PE*

Bob Hilton introduced himself and Mike Arnold. They expressed their desire to assist the town in making a decision between remodeling the old elementary school or constructing a new building for the Ellettsville Government Center. Mike covered the procedure they use as follows:

- Meet with department heads and building committee to define their needs and identify special needs.
- Develop a plan to meet the needs with either existing facilities or new facilities
- Present you with the facts you will need to make the decision
- Provide estimate of the cost to implement the plan step by step
- Help the town obtain grants
- Insure compliance with building codes and make it ADA accessible

This company is not in Indiana and has no projects in Indiana at this time. They have completed many projects through out Southern Ohio, including fire stations, wastewater treatment plants and municipal buildings. Jerry Pittsford asked if they have experience with multi level buildings built in stages. Mr. Arnold replied this was not a unique situation. Many schools are built this way as needs and finances change.

**OLD BUSINESS**

**Ordinance 00-15: An ordinance to amend Section 812-60 of the Ellettsville Town Code concerning garage and yard sales:**

Gina Hawkins read the Ordinance as follows:

Be it ordained and adopted by the Town Council or Ellettsville, Indiana:

Section 1. That Section 812-60-b is amended by increasing the fee for the permit from One Dollar (\$1.00) to Three Dollars (\$3.00).

Section 2. This ordinance takes effect at 12:01 a.m. on the 3<sup>rd</sup> day following its final publication according to the procedure specified by Indiana Code 5-3-1.

Jerry Pittsford moved to approval Ordinance 00-15. Gina seconded. Motion carried with David Sorokoty casting the only no vote.

**Ordinance 00-17: An ordinance amending ordinance 99-15 of the Ellettsville Town Code concerning the fixing of salaries for the budget year 2000:**

Gina Hawkins read a portion or the ordinance as follows:

An ordinance amending Ordinance 99-15 of the Ellettsville Town Code concerning the fixing of salaries for the budge year 2000.

Be it ordained and adopted by the Town Council of the Town of Ellettsville, Monroe County, Indian, that Ordinance 99-15 of the Ellettsville Town Code is here y amended by the establishment of the following salary:

<u>General</u>	103 Deputy Clerk-Treasurer	\$9.00 to \$10.74 per hour \$432.00 to \$515.52 for 48 hours biweekly
----------------	----------------------------	---

Water Fund and Sewer Fund

Deputy Clerk-Treasurer	\$9.00 to \$10.74 per hour \$144.00 to \$171.84 for 16 hours biweekly for water and sewer respectively
------------------------	---

David Sorokoty moved to approve Ordinance 00-17. Jerry Pittsville seconded. Mike Farmer confirmed his agreement with the ordinance. Motion carried.

**NEW BUSINESS**

**Ordinance 00-14 an ordinance to amend chapter 854 subdivision regulations required improvements of the Ellettsville Town Code:**

Gina Hawkins introduced and read the ordinance as follows:

Be it ordained and adopted by the Town Council of Ellettsville, Indiana:

**Chapter 854** of the Ellettsville Town Code is amended by adding the following Section 854-40, which reads as follows:

**Section 1. 854-40** Burying or Utilities. This section applies to all subdivisions whose preliminary plats are submitted to the Plan Commission after the effective date of this ordinance. All utility lines, including but not limited to gas, sewer, electric power, telephone and CATV, shall be located underground throughout the subdivision. Wherever existing lines are located above ground, except on public roads and rights-of-way, they shall be removed and placed underground. All utility lines and other facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the Sub divider’s expense. At the discretion of the Plan Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots that are to be retained in single ownership and that are to be developed for the same primary use.

**Section 2.** This ordinance takes effect upon passage.

*Kurt Fletcher, Representative for Cinergy PSI*

Kurt presented the opinion they were not objecting to the ordinance. They feel it needs some clarification and some added verbiage. He passed out copies to the Council showing their suggested changes. It does not change the intent it just closed some gaps. It makes a cleaner reading. Their attorney, John Scheidler, who specializes in land rights, made the changes.

Jerry Pittsford asked if Cinergy had a program to help homeowner bury their lines. Kurt answered; yes they have a program to assist homeowners. There is a cost associated with the program. It could be \$12 to \$15 per foot to bury electric lines and move the transformer.

Mike Spencer agreed to contact their attorney to discuss the changes. Mike also suggested not all subdivisions might have all the listed utilities, such as cable TV line.

Sandy Hash informed the council Bill Earles stopped by the Clerk's office today with a concern and request she forward it to the council. He feels the ordinance is in contraction to the request we are making of the state to bury all the lines along the new highway. As the ordinance now reads the lines in the road way or rights of way do not have to be buried.

There was more discussion on the intention of the ordinance. Kurt agreed there are all kinds of easements and you cannot write something to cover every scenario. If there were an easement on it that is something that is acquired and has a legal validation on it so it would be hard to over ride those superior rights. Mike Spencer replied we would not be overriding rights. We are saying you can have utilities. They just have to be underground. The intent would be that the utilities would be underground whether you have an easement or not. Kurt said if you go to any new subdivision around chances are that is what you are going to find, that is just natural operating procedures any more.

Kurt said it is extremely expensive to place lines that are now located on metal stands underground. Even some of the larger lines on wooden poles are off the charts to bury. The cost is associated with the wire itself. Underground wire is more expensive due to the manufacturing of it, the thickness of the insulation, the moisture characteristics it has to expel, and in some cases it has to be oil insulated, which has to have auxiliary pumps on the ends to circulate when you get into higher voltage. They are just now coming out with a product on the lower end of the higher voltage stuff, which is like we use for distribution that is a direct burial cable. It has only been around for about fifteen years. As you go down in voltage there is stuff out there that is manufactured pretty regularly. The lines that are in the air now cannot be placed underground. It will not work.

The Council agreed it would be best for Mike Spencer to review with the Cinergy attorney.

### **Drainage problem at 401 Ridge Springs Lane:**

*Pam Combs*

Pam presented pictures to the Council and stated she and her husband Mike, purchased a home at 401 Ridge Springs Lane. There is a large drainage opening in her front yard, which she has called the town requesting a drainage pipe be installed and covered to prevent the standing water. They are having difficulty landscaping their yard because of this water problem. The mosquitoes are bad. There is an easement around the yard but they chose to go diagonally across our yard.

*Jim Ragle*

Jim said it is a natural drain through the lot. It is the last lot built on in the addition. Jim feels it is the responsible of the developer. Pam responded, she was told by the builder the repair would be made by the Town. Geraldine reinforced it would be the responsibly of the builder. Pam said the builder told them since it was in an easement

it would be the town's responsibility. Mike Combs asked how the town accepted the area if the drainage pipe was incomplete. Pam asked who approved the lot to be built on. Geraldine asked Jim Davis if he issued the building permit. Jim replied it was a platted lot and he could not deny a building permit. The developer was Rex Voils and the builder was Bill Parker. Jim Ragle said the developer installed the drains and the town accepted it as a natural drain. Pam said the developer told them the town made them put the pipe in like it is. She asked permission to put a pipe in and cover it up.

Mike Spencer suggested the town look at the problem before they decide on a solution to the problem.

Rick Coppock and Dave Sorokoty agreed to look at the problem.

The problem was discussed in more detail.

Jerry Pittsford asked Mike Spencer if it was intended that the developer should have provided for a drainage pipe through there can we go in and make him put it in after the fact or after it is platted and approved for development is it over with.

Mike replied normally the process is before we accept the final plat approval we review those things and make sure they are done before we release the bond. This does not mean you can't go back and access whose responsibility it is. There just isn't that pot of money there to make the repairs.

**Ordinance 00-18: An ordinance pursuant to IC 8-1.5-3-9.1 removing the Town's water utility from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates and charges and the issuance of stocks, bonds, notes, or other evidence of indebtedness:**

Gina Hawkins read the ordinance by title only, therefore introducing the ordinance.

**Annexation of Richland Bean Blossom School Corporation properties into the Town of Ellettsville:**

*Rick Coppock, Bynum Fanyo and Associates*

Rich represented the School Corporation. He explained there are three petitions for voluntary annexation. The first fiscal plan was for the High School, Junior High School, and the new Elementary school site. This annexation will not require any public improvements. It currently served by water and sewer. The development of the Elementary School site will require the school corporation to extend water and sewer to the site. The town's ordinance also requires they extend line for water and sewer to their farthest most boundary for development to the west. This will be at the schools expense. We are not taking in any roads or streets as part of this. The major item to this will be a reduction to their water rate. They are currently charged an outside town rate and they will be charged an inside town rate. This will result in a revenue reduction of approximately \$3,506.11 annually based on what they have used on the past few years.

David Sorokoty said he understands the street maintenance, snow removal, and street sweeping will be the responsibility of the school. Will this effect the contract the police have with the school for \$1,000 per year concerning the canine? Mr. Kain had discussed with Rick that the contract would not be up for another 3 years and at that time it would be renegotiated.

Dave also asked if the street construction, street lighting, and storm drainage would be the responsibility of the school corporation. Rick replied anything new would be up to them to construct for their facilities.

Jerry Pittsford affirmed with Jim Ragle that he was aware of the roads and the areas surrounding on what is delineated parking and what is public road. He also asked the condition of these existing streets. Jim replied they are fair. Jerry wanted to be assured we were not taking in streets that would need repair work. Rick answered we will not be taking in the streets. The street will remain the schools responsibility.

Rick added with the annexation the review of the new school site would fall upon the town and the town's plan commission as opposed to the county plan commission.

Geraldine ask about the road the school plans to build behind the high school and houses up there. Rick responded if they were planning on building a road it would be their road.

It would fall under the category of private streets.

Jim Ragle added they plow Edgewood Drive and they go through the school to get to the other end clearing as they go. In the past they have purchased a load of salt per year.

David stated for all three-school properties requesting annexation the savings on water for the schools would be about \$4,800 correct? Rick replied yes.

Geraldine asked for comments from Kevin Farris: He stated it was a win, win, win situation for everyone involved. The Plan Commission gives its approval.

Rick Coppock added the zoning recommendation is R-1 for the High School and Junior High site and the Elementary would be C-1, which is in compatible with the surrounding area.

Mike Spencer asked what the wards would be. Rick said they are currently blank and will need filled in.

Ron McGlocklin has had no communication with the school concerning the present contract with the school for the police dog. Mike Spencer verified that the contract was for bringing the dog into the schools. Ron answered it was written for the dog, but it also says they will provide police services to the school. Mike said you can still negotiate a contract for use of the dog for a fee, but you could not for regular police services.

**Resolution 9-00 a resolution to adopt a written fiscal plan to establish a policy for the provision of services to an annexed area**

*High School and Junior High School Property*

Jerry Pittsford moved to adopt Resolution 9-00 to adopt a written fiscal plan to establish a policy for the provision of services to an annexed area. Gina seconded. Motion carried.

**Resolution 10-00 a resolution to adopt a written fiscal plan to establish a policy for the provision of services to an annexed area**

July 10, 2000 - Ellettsville Town Council Minutes Continued

*Elementary School Site*

Jerry Pittsford moved to adopt Resolution 10-00 to adopt a written fiscal plan to establish a policy for the provision of services to an annexed area. Gina seconded. Motion carried.

**Resolution 11-00 a resolution to adopt a written fiscal plan to establish a policy for the provision of services to an annexed area**

*Park Site – 10 acres*

Jerry Pittsford moved to adopt Resolution 11-00 to adopt a written fiscal plan to establish a policy for the provision of services to an annexed area. Gina seconded. Motion carried.

Gina Hawkins introduced:

**Ordinance 00-19 an ordinance concerning the annexation of adjacent and contiguous territory of the Ellettsville Town Code**

*High School and Junior High*

**Ordinance 00-20 an ordinance concerning the annexation of adjacent and contiguous territory of the Ellettsville Town Code**

*Elementary School Site*

**Ordinance 00-21 an ordinance concerning the annexation of adjacent and contiguous territory of the Ellettsville Town Code**

*Park Site – 10 Acres*

**MINUTES AND CLAIMS:**

Jerry Pittsford moved for approval of the minutes. David Sorokoty seconded. Motion carried.

Gina Hawkins questioned the claim for Rick's Towing and payment to Alva Bohall for reimbursement of a stolen secondary gun.

Jerry Pittsford answered the towing fee is associated with training of the firemen. They had 4 vehicles brought to the fire station for extrication equipment training. There were 4 vehicles. The cost was \$25 for delivery and another \$25 for pick up.

Ron McGlocklin answered the gun was Alva's personal property which was stolen from his squad car while it was parked at the police station. Our insurance paid for the lost and we in turn forwarded the payment to Alva.

David Sorokoty made the motion to accept the claims. Gina seconded. Motion carried.

**SUPERVISORS**

*Ron McGlocklin*

Ron informed the Council the federal government approved the grant for the bulletproof vest. We applied for 21 vests. The grant is for \$4752.08, which will

cover 50% of the cost of the vest. I included the reserve officers also. There have been about 15 reserve officers that have paid \$250 for their portion of their vest. Jerry Pittsford asked if there would be enough appropriations to pay the matching portion for the full time officers. Ron said yes. Jerry went on to ask if there could be any extra to help the reserves pay for their vest. Ron answered he would not know until the end of the year. Jerry wanted to know if it would be possible to refund the money to the reserve officers if indeed Ron had extra money at the end of the year. Sandy felt this could be accomplished.

The vest will be purchased through Jenkins Inc. The cost is \$495. The weight of the vest is three pounds compared to nine or ten pounds of the old vest. There is a trauma plate in the vest to stop penetration of a knife also. The vest will be custom made to fit each officer.

Ron added in July it was been appropriated to hire a new man. He has posted the full-time officers position. He would like to bring one of our part time officers into the full time position and also fill the part time position at the same time. The last day for the applications will be July the 11<sup>th</sup>. The positions are posted at Town Hall, the Service Building and outside the Police Station.

*Jeff Farmer*

Jeff said the warranty has expired on the Waste Water Treatment Plant. The equipment and construction warranty was one year. The control system warranty was two years. There was a couple of small things that Reynolds has cleared up and he want to let the Council know we are on our own now.

*Bill Land*

Bill announced the legal ad was published for the public hearing with the Plan Commission for the East Ellettsville Area Plan and State Highway 46 Corridor Management Plan. It will be held July 25<sup>th</sup>, 7:00 PM at Town Hall. We had a public meeting at the Library on June 27<sup>th</sup> that went pretty well. Since then I have added a 40-word glossary, a page laying out some of the zoning implementation, and standardized the font through out the document. I also added photos from Cinergy. They are helicopter photographs that go along with the paper maps. These types of plan are good reference for the future. The plan should be reviewed every two years. There is also a graphic of the corridor.

He would like to advertise a public hearing for the Town Council on August 7, 7:00 PM at the Town Hall. That is a Monday night. The regular meeting night would not allow enough time for completion of the plan to comply with the requirements from Bloomington. The Council agreed.

*Sandra Hash*

Sandy set the schedule with the supervisors for July 19,2000 as follows:

6:30 PM Lease Farkas	Park Department
Jim Ragle	Street Department
7:00 PM Ron McGlocklin	Police Department
7:30 PM Jim Davis	Fire Department
8:00 PM Sandra Hash	Clerk's Office

*David Sorokoty*

David announced the following meetings:

July 10, 2000 - Ellettsville Town Council Minutes Continued

July 20, 7:00 PM Government Center meeeting, at Town Hall

July 26, 7:00 PM Neighbor Association meeting at Library.

We will have a guest speaker, Bill Sturbaum from the Bloomington Prospect Hill Neighborhood Association. He is bringing someone to talk to the group about Grants for neighborhood associations.

*Jerry Pittsford and Mike Spencer* announced they would not be present at the July 24<sup>th</sup> meeting.

*Geraldine McIntyre*

Geraldine expressed thanks to the committee that did the Fourth of July Celebration. Ranee Brown-Mounce, Missy Mobley, and Amber Ragle did a good job. Thank you to the Fire Department for the fireworks, everyone enjoyed them. At David Sorokoty’s suggestion, she also thanked the Police, Police Reserves and the Street Department. Certificates of recognition were awarded at the After Hours on Thursday following the Fourth.

Geraldine apologized for being late for to nights meeting. She was Courthouse to nominate the candidates for the fall election.

Jerry Pittsford made a motion to adjourn at 9:07 PM. David Sorokoty seconded. Motion carried.

\_\_\_\_\_  
D. Geraldine McIntyre  
President

\_\_\_\_\_  
Gina Hawkins  
Vice President

\_\_\_\_\_  
John Dailey

\_\_\_\_\_  
Jerry Pittsford

\_\_\_\_\_  
David Sorokoty

\_\_\_\_\_  
Sandra C. Hash  
Clerk-Treasurer