

July 12, 2010

The Ellettsville, Indiana, Town Council met for a Regular Meeting on Monday, July 12, 2010 at the Fire Department Training and Conference Room. Phillip Smith called the meeting to order at 7:30 p.m. Dianna Bastin led the Pledge of Allegiance. Phillip Smith led in prayer.

Roll Call: Members present were Phillip Smith, President; Scott Oldham, Vice-President; Dianna Bastin; David Drake, and Dan Swafford. Sandra Hash, Clerk-Treasurer and Darla Brown, Town Attorney were also present.

Supervisors Present were: Jim Davis, Jim Ragle, Jeff Farmer, Mike Farmer and Rick Coppock. Tony Bowlen and Connie Griffin were absent.

Approval of Minutes

Phillip Smith entertained a motion for the approval of the minutes for the Regular Meeting and Executive Session June 28, 2010. David Drake so moved. Dan Swafford seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Accounts Payable Vouchers

Phillip Smith entertained a motion for action to pay Accounts Payable Vouchers. Dan Swafford so moved. Scott Oldham seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Ordinances on Second Reading

Ordinance 10-11 to Increase the Cable Franchise Fee

Sandra Hash stated last year the Council signed a letter to request an increase in the franchise fee and that was not the correct procedure. Council passed the idea last year, but this is the proper way to follow through on it. Dianna Bastin made a motion to increase the cable franchise fee from 3% to 5%, Ordinance 10-11. Dan Swafford seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Old Business -None

New Business

Agreement between the Town of Ellettsville and the Schneider Corporation concerning the Heritage Trail

Phillip Smith stated this was tabled at the last meeting and he would like to see it tabled again. Dan Swafford made a motion to table the Agreement between the Town of Ellettsville and the Schneider Corporation concerning the Heritage Trail. Scott Oldham seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Future Traffic Signal Covenant between the Town of Ellettsville and the State of Indiana Department of Transportation

Dan Swafford explained if the traffic count warrants a light at the new church entrance, INDOT is asking us to sign a release saying the Town will be responsible for it. He stated it looks like it will be minimal traffic. Phillip Smith asked how long this agreement will last. Scott Oldham referred to the agreement which states 10 years. Scott Oldham asked if there was a need for them to sign the agreement now, or could they wait until the need arose. Dan Swafford asked Rick Coppock to explain further.

Rick Coppock, Bynum Fanyo & Associates - the Traffic Signal Covenant is required from INDOT whenever you have a city or public street which connects to an INDOT highway. It just says that should a traffic signal be warranted within the next 10 years, the Town will participate in the cost of the traffic signal. There is a traffic study being done right now by Yarder Engineering out of Indianapolis that states they are nowhere near close to warranting a traffic signal for this location. The traffic counts that are used are

only for Monday through Wednesday and the study should be completed next week. Scott Oldham asked to clarify that if INDOT decides a traffic signal is warranted, the Town will have to pay to have it put in. Rick Coppock answered in the affirmative. He said the cost would probably be between \$75,000 and \$100,000. David Drake asked what if they did not sign the agreement. Rick Coppock responded INDOT would not give any public road cut on SR 46. Dan Swafford asked what consequences there would be if this is tabled until the next meeting - are there any time restraints. Rick Coppock answered none - they could still work on the site. Dan Swafford made a motion to table this issue pending the results of the traffic study. David Drake seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Agreement between the Town of Ellettsville and Cline, King and King, P.C. for litigation and mediation and/or IURC matters - Utility Law issues

Dan Swafford clarified there was nothing at this time we need the firm to be working on. Darla Brown stated that was so. Darla Brown went on to say Town Council approval would be needed before they started work on an issue. Dianna Bastin asked if contact with the firm would be through Darla Brown and Darla stated it would be. David Drake made a motion to approve the agreement with Cline, King and King, P.C. for litigation and mediation. Dianna Bastin seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Request Council approval to submit unpaid Ordinance Violations to Darla Brown, Town Attorney for Collection

Scott Oldham made a motion to submit unpaid Ordinance Violations to Darla Brown, town Attorney for Collection. Dianna Bastin seconded. Roll Call Vote: Phillip Smith – yes; Scott Oldham – yes; Dianna Bastin – yes; David Drake – yes; Dan Swafford – yes. Motion carried 5-0.

Supervisor Comments

Jim Davis, Ellettsville Fire Department reminded Council of the conversation he had with them several months ago regarding the VHS radios they use becoming obsolete. They have spent several thousand dollars buying new radios. His request now is to declare the older radios surplus so they can be put on the market and perhaps recover some of their expenditure. He will put them on eBay. They are crystal controlled. Phillip Smith asked if they could still pick up transmissions. Jim Davis would need to defer to someone more knowledgeable, but surmised since they were crystal controlled and you can still get crystals, he thinks they may. Everything is digital now. Sandra Hash stated in the past, if it is over \$500, they have done it by Resolution. She asked Jim Davis if it was over this amount. Jim Davis answered he did not know. “Dianna Bastin asked do we need it to be a resolution.” Dan Swafford responded “what does it hurt if it doesn’t sell for over \$500 to go ahead just in case”. Sandra stated in the past when we declared surplus items it has been several items and Mike Spencer instructed to do it by resolution, but it may be determined by the value. Darla Brown stated she could work up a Resolution. It wouldn't hurt to have one. Jim Davis stated there was no hurry to decide. Dianna restated “she was still curious and asked Darla to let her know if they need a resolution for this incase it comes up in another department for some other reason.” Darla responded sure.

Sandra Hash, Clerk-Treasurer - announced the budget calendar needs to be started. Last year she had the budgets finished by July 15 to go to the County Council. County Council would like to have those 45 days ahead of the time that they approve them. Probably, by the second half of July, we need to start having some budget meetings. The first step is for the supervisors to present their budgets to the Council. Then, there is a round table with everyone and we go from there. She added that last year the levy increased by 3.8%. This year it is down to 2.9%.

Privilege of the Floor

Larry Barker, Executive Director for Monroe County Solid Waste Management District - stated several months back they signed a new electronics contract with ERI (Electronics Recycling International). There used to be some very high rates for recycling

electronics - anywhere from \$6 to \$26. Now, the cost will be \$1 only for any of those items. Also, Fall Bulky Item Day will be October 8 and 9 at the Fairgrounds and the County Highway Garage. Electronics need to be brought to the 3400 S. Walnut location.

Phillip Smith announced the 2010 Hilly Hundred Weekend will be October 8, 9, and 10. The council is invited to attend an organizational meeting Thursday, August 5, 2010 at 9:00 a.m. - 10:00 a.m. at the Bloomington/Monroe County Convention and Visitors Bureau.

Dianna Bastin - on behalf of the Town Council, she would like to congratulate Ashley Stoffers, Ellettsville Journal reporter, on her recent marriage.

Adjournment

Dianna Bastin made a motion to adjourn. Scott Oldham seconded. Motion carried. Phillip Smith adjourned the meeting at 7:56 p.m.

Phillip Smith, President

Scott Oldham, Vice-President

Dianna S. Bastin

David Drake

Dan Swafford

Sandra C. Hash, Clerk-Treasurer