

## **July 14, 2003**

The Ellettsville, Indiana, Town Council met in regular session at 7:30 PM, Monday, July 14<sup>th</sup>, 2003 at the Endwright Center located at 7500 W. Reeves Road. David Sorokoty called the meeting to order saying that the Center is a “top-notch facility” for seniors and they host programs for children as well. He encouraged the community to visit the Center. Ray Freetage led in prayer. David Drake led in the Pledge of Allegiance.

### **Roll Call**

David Sorokoty asked for roll call of the Council Members. Members present were David Sorokoty, President; David Drake, Vice-President; Lisa Combs-Creech, Ray Freetage and Geraldine McIntyre. Also present were Sandra Hash, Clerk-Treasurer; Mike Spencer, Attorney and Rick Coppock, Engineer.

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

### **Approval of Minutes of the regular meeting on June 23<sup>rd</sup>, 2003**

Lisa Creech moved to approve the June 23<sup>rd</sup> minutes and Ray Freetage seconded. Motion carried.

### **Action to pay Accounts Payable Vouchers**

Geraldine McIntyre moved to approve the accounts payable vouchers. Lisa Creech seconded. Motion carried.

### **Resolutions**

#### **Resolution 11-03 to allow payments from the State of Indiana by Electronic Fund Transfer as requested by Connie Nass, Auditor of State**

Sandra Hash explained that IRS mandated that cities and towns send their 941 payroll tax payments by electronic fund transfer. It saves time and postage money. At the June conference Connie Nass requested to send distributions by electronic fund transfer. Resolution 11-03 grants the Clerk-Treasurer permission to receive state distributions by electronic fund transfer. David Drake moved to adopt Resolution 11-03. Ray Freetage seconded. Motion carried.

### **Old Business**

#### **Eagles, LLC, purchaser of the former Ellettsville Elementary School building request designation of the nine-acre site as an Economic Revitalization Area**

**Michael Carmin**, Attorney for Eagles, LLC requested the Council pass a resolution designating this site as an Economic Revitalization Area, which is a required preparatory step toward requesting a ten-year tax abatement. He passed out an example of the tax abatement figures for a ten-year period. It shows as the tax abatement decreases each year, the taxes paid by the owner increase each year. The tax abatement would only be for the improvements added to the property. It does not apply to the land or existing structures which are already on the tax rolls. This project will take time, so we will have to wait before we know the total invested on improvements to determine the figure for the tax abatement. There are basically four units in the old school building. The plans are to renovate one unit or at least have one basically done then start on the next one. They hope to have the first one ready some time shortly after the first of the year. Since it will take several years to complete the project, they are asking for a ten-year abatement, allowing the abatement to apply to the investments made in the second, third or fourth year. He reiterated the request for approval of the resolution to designate the site as an Economic Revitalization Area and reminded the Council if they pass it tonight, they still have one more opportunity to rescind, modify or pass as is at the next meeting, but after that time frame, it cannot be changed.

**Beth Pyclik-Robinson** concurred with Mr. Carmin that the project was to be done in phases. She elaborated that the first phase would be the Association Street wing,

bringing in office and retail businesses. They want to bring in a health club to the gymnasium area and a restaurant to the cafeteria area or a small café in the Association wing. This will be a mall area with eight and ten feet wide hallways, which will be a great community place to meet and socialize. The exterior of the building, as well as the other outside areas will have a lot of improvements. Upgrades to the doorways and canopies are planned. The parking lots will all be renovated and landscaped. She closed by saying they are a part of this community and have made a commitment to help revitalize and beautify it.

**Comments:**

**Ed Bitner** said when this property was up for bid, one of the concerns mentioned was if the House of Prayer Church was awarded the property it wouldn't be on the tax rolls, but if the Robinson Family owned the property, the Town would receive tax money. The Town would get fewer taxes than originally planned if they grant the abatement. Some citizens have asked him to point out the Town is contradicting their reason for wishing Robinson to own the property if the Council decide to give Robinson a tax abatement because the Church was the high bidder. He and other citizens feel that Robinson shouldn't get a tax abatement or a very little one, if at all. There are currently other buildings in Town that could be leased and are not, so he doesn't feel that 100 people will be employed in this building. If the Town does allow this abatement, then when he starts his business he will be asking for abatement, too. He also mentioned he did not like the problem with his address being changed.

**David Sorokoty** commented this would create new jobs in our community and draw more business to Ellettsville. If possible, he would like to keep our children in the community. This property has been off the tax rolls for 30 years and now it is on the tax rolls. The Town will get 100% tax money on the property now and according to what term the abatement is granted for, the Town will get a percentage of the taxes on improvements. When it expires the Town will start getting 100% of the tax money. He added whether this site employs 50 or 100 people it would be worth it to keep employment in Ellettsville. He closed by saying the Council would extend the same courtesy to other businesses because they are looking for the growth of this Town.

**David Drake** said if we don't grant the abatement, then they may not have the money to make the improvements and the Town wouldn't receive those additional tax dollars or get the associated benefits of growth. We don't want this property to set vacant and he wants to give the ten-year abatement.

**Chuck Radke**, who lives in Deer Run Subdivision, stated he is in favor of growth and the tax abatement, but with conditions. His class toured the old school building during their reunion and there are terrible asbestos problems. He stated as a resident who would be agreeing to an abatement, he wants assurance from Robinson that the asbestos problem will be properly addressed. He suggested the Council add to the proposal with Robinson that they are required to meet performance standards throughout the duration and the Council reviews the project status periodically. Another issue he suggested the Council consider is that Robison may ask for more concessions as the project progresses, which in the long run will cost the Town and tax payers more.

**Geraldine McIntyre** asked about the mold in the building.

**Ray Freetage** stated he is concerned about extending the abatement for so long.

**Beth Pyclik-Robinson** stated the asbestos had been reviewed and it is stable and will be maintained. She also added they are not asking the Town for money or other concessions but just to have a break on the taxes for the improvements during the remodeling stage. She explained the percentage per year they will be paying for improvements they make:

- |                             |                              |
|-----------------------------|------------------------------|
| * First year 100% abatement | * Sixth year 40% abatement   |
| * Second year 95% abatement | * Seventh year 30% abatement |
| * Third year 80% abatement  | * Eighth year 20% abatement  |
| * Fourth year 65% abatement | * Ninth year 10% abatement   |
| * Fifth year 50% abatement  | * Tenth year 5% abatement    |

It is a sliding scale, which is designated by the State. If they don't invest any money and make any improvements, then they don't get the tax abatement. The school previously improved the mold situation by changing the air conditioning and Robinson intends to correct the drainage problem on the site, which should also improve the mold problem. She added since the issue of jobs was mentioned earlier that there is 98,000 square feet in the building with over 60 rooms that can be used for office and retail space. If you have 2 individuals per room, a goal of 120 employees would be easily attainable. She predicted it would take five years to fill all of the space.

**Lisa Creech** said she and David Sorokoty had researched the information on asbestos and to keep it contained was the best choice, which Robinson will be doing. It is a worthwhile project to pursue if it helps out the economy.

**Jeana Kapczynski**, Chamber of Commerce part-time Administrative Assistant, has taken several inquiries about the school and she feels there will be several businesses interested in the building. She added the tax abatement is a tool that a lot of communities use and Ellettsville shouldn't be afraid to grant it.

**Rick Coppock** commented granting tax abatements are in the state law to encourage economic development. A lot of projects in Bloomington were only possible because of abatements.

**David Sorokoty** closed the discussion by calling for a motion. David Drake moved to adopt resolution 12-03 to designate an Economic Revitalization Area for the Eagles, LLC property in the 100 block of east Temperance Street, which includes a ten-year tax abatement. Lisa Creech seconded. Motion carried with Ray Freetage and Geraldine McIntyre voting no.

### **New Business**

#### **Downtown Gateway Project Grant request for Town's matching**

Jeana Kapczynski, President of Ellettsville Main Street Inc., passed out a chart about the grant with cost figures and explained this project was started a couple of years ago when the road construction began on State Road 46. In November 2001, she came before the Town Council with an idea to beautify Downtown Ellettsville by requesting the Town apply for a grant from INDOT called a transportation enhancement grant. The grant would be to beautify the one-way pairs in Downtown Ellettsville with landscaping, special light fixtures as well as welcoming stone signs to emphasize the historic area of the Town. The Council approved her request and the Town agreed to provide water, electricity and maintenance to the area. The application was submitted to INDOT in December 2001, and last summer Mrs. Judy O'Bannon announced the Town would receive the grant for \$27,000. Barry Fisher, landscape architect who designed the project and Jeana spoke to INDOT to see where to begin. They were given information on what needed to be done and were informed they need a permit to start the project, since it will be State property. In April, District Officials met with Main Street and Utilities to discuss when the project could begin. A representative with Green3 met and offered to review the project since Barry Fisher declined further input.

**Bryan Bays** with Green3 has reviewed the project. Green3 is the on-call landscape architect for INDOT. He said this would be a unique opportunity to "piggy-back" our project with the already existing road construction project, since INDOT already will be landscaping the area after the construction. That way, Ellettsville can combine their efforts with Green3 and save money in preparing environmental documents. They have reviewed our application and this grant does not take in-kind matches with labor or materials. It only allows cash or property as part of the match. INDOT was originally going to stop the landscaping at the gateway features, but after reviewing the Main Street application, they have agreed to extend their improvements through the downtown, such as street trees and possibly allow some creative lighting. He answered questions explaining that part of the agreement in receiving this grant money is that the Town will forever maintain the area, as well as provide water and electricity, even though it is State property. Also, the Boy and Girl Scouts can still help plant flowers, but it does not count

toward in-kind services. He closed by stating that Green3 will be available for public input on the landscaping. They will have an open forum prior to beginning the project because they want the public to be pleased with the end result.

**Jeana Kapczynski** requested \$5,980 funding to start the project. Geraldine McIntyre made a motion to give Main Street \$5,980 from the Downtown Grant fund. David Drake seconded. Motion carried. Jeana thanked the Council.

**Police Reserves request approval of the following for Reserve Deputy Marshals: Charles Jacobs, James Thomas and Thomas Wright**

**Mike Hendrix, Deputy Commander of the Reserves**, explained they want to approve three additional reserve marshals. All three have met the background check, the 40 hour pre-basic training and want to volunteer. Charles Jacobs recently moved to Chandler Drive with his wife and four children and wants to help the community. Thomas Wright who is 21 and lives in Bloomington wanted to be on the Reserves to get experience. James Thomas lives in Unionville and has a friend on the Reserves and wanted to join. If these three are accepted this will make 15 active reserves on the force. Geraldine McIntyre moved to approve all three to be Reserve Deputy Marshals. Lisa Creech seconded. Motion carried. Sandra Hash swore them in.

**Supervisor's Comments**

**Jeff Farmer** explained the bad storm we had Wednesday night, July 9<sup>th</sup> did a lot of lightning damage at the Waste Water Treatment Plant. Two years ago during a storm, the plant had \$25,000 plus in lightning damage and this time was worse. He doesn't have the extent of the damage or cost yet. A lot of the computer system was damaged. He will have a complete list of the damage at the next meeting. He thanked Cassady Electric for their help during the storm by getting the pumps running manually. He also thanked Haufman Engineering. Mr. Haufman, who designed the plant in 1995 and Mike Kohlman, who works on the computers for the Utilities both came out and helped during the storm. He's looking into a lightning protection system.

**Geraldine McIntyre** read a letter inviting everyone to attend a meeting on July 21<sup>st</sup> at Crane on terrorism and disasters. Ron McGlocklin stated he would like to attend. She also informed the Council that local resident Bob "B.J." Smith was involved in a serious car accident and is badly burned if anyone wanted to send cards.

**Sandra Hash** explained that American Legal Publishing had sent a draft of the code for review along with questions. Mike Spencer has responded and everyone needs to look over the changes and Mike's answers. The Code update should be completed by the end of July.

**Lisa Creech** commended Jim Ragle and his crew for their work on yards and encouraged everyone to please mow their yards. She thanked Jim Davis for having the fire station blue prints redrawn to enlarge the meeting room.

Violet Court, Mr. Hayes' property, is a problem with high grass and standing water. She and Mike Spencer have researched the issues with this property that are public health hazards. Mr. Hayes has had two building permits, which have both expired. Jim Davis has even extended his time and the project is still not complete. There are only two options left now: send him a letter asking permission to sod that area and improve it, then bill him for the Town's labor and if it is not paid, file a lien against his property; or file a lawsuit to force him to finish the property. She has already written a letter asking him to allow the Town to improve his property and wants to request permission to send it to Mr. Hayes. Lisa Creech moved to send the letter to Mr. Hayes. David Drake seconded. Motion carried.

The Carwash between Vine and Temperance Streets is also a health concern with all of the pigeon waste, as well as a safety issue. Lisa Creech moved to pursue the Unsafe Building Law against the Carwash property on Temperance. Geraldine McIntyre seconded. Motion carried.

The Parking Ordinance needs to be discussed and worked on. Parking ticket fees need updated. She added that she could not enforce the ordinance because the wording stated the zoning administrator had to enforce the fines, so she requested to either be appointed as the zoning administrator or reword it to allow the health officer to enforce the fines.

**Ron McGlocklin** said currently tickets start at \$6.00 and suggested raising it to \$15.00. He added after the ticket is written, if it is not paid within the time frame allotted then action needs to be taken.

**David Sorokoty** asked Ron to research fines and come up with a reasonable fee for parking tickets. He added that a work session is needed. He reminded everyone again to shop in Ellettsville and thanked the Endwright Center for hosting the Council.

**David Drake** congratulated Arron Wever for receiving Firefighter of the Year from the Exchange Club and congratulations to the Police Reserves from the Exchange Club.

**Adjournment**

David Sorokoty asked for a motion to adjourn. Lisa Creech moved to adjourn. Ray Freetage seconded, motion carried. The meeting was adjourned at 9:15 p. m.

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David Sorokoty, President

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David Drake, Vice President

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Lisa Combs-Creech

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Ray Freetage

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Geraldine McIntyre

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Sandra C. Hash, Clerk-Treasurer