

July 27, 1998

The Ellettsville, Indiana, Town Council met in regular session at 7:30 p.m., Monday, July 27, 1998. Members present were Michael Cornman, President, Donald Ashley, Gina Hawkins, and Patrick Stoffers. Mr. Cornman called the meeting to order. Donald Ashley gave the prayer.

SUPERVISORS MEETING:

There was a supervisor meeting held in the Clerks office.

COMMENTS:

None

CLAIMS

Donald Ashley made the motion we approve the claims. Patrick Stoffers seconded. Motion passed 4-0.

OLD BUSINESS:

WEB SITE FOR THE TOWN OF ELLETTSVILLE:

Patrick Stoffers said we are going to solicit 2 proposals, one from David -----of the HT, and one from Julie Ann Moranda for the design of the web site. They have geared it down to 11 pages. To clarify the Chambers position and what their commitment is, the Chamber is committed to provide initial funding of \$1,500 for start up of the site. They have an expectation once we get through budgeting to re-coup \$1,200 of that initial start up money. They are also committed to paying 20% of the recurring cost of hosting the site. Within the proposal we are in the opinion that any updates to any of the web pages, the cost of that is ----- by the particular page set. We will have those proposals for the next meeting for the web page design.

DISCUSS WELL HOUSE OF BANK ROAD:

Mike Spencer said he said he would attempt to find any information his office had. They looked and could find no information. Mr. Baker that was handling this was representing the Town of Ellettsville at that time that was back in 1955. He has no additional information to provide.

Mike Cornman said so do we make a decision or what are we waiting on, is it up to us to decide which way we want to do it?

Mike Spencer said he thinks it is up to you to decide.

Mike Cornman asked Mike Spencer to tell us the process and if you suggest we dispose of the property?

Mike Spencer said I suggest you dispose of it according to the procedure outline by Rick in his note to you previously. As best he can tell this is a transaction for ----- and consideration, it was not a gift, there is no indication that it was a gift to be disposed of according to procedures that Rick has specified.

Mike Cornman read from Rick Coppocks letter.

After reviewing the property shown on the attached map as parcel 12, it is my opinion that the property should be disposed of in accordance with IC 36-1-11-5, Sec. 5. It is also my opinion that the value of the property is less than \$2,000 based on an opinion by

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Gilbert Mordoh and Co., of the Town's 20-acre tract in a July 1997 letter. Therefore the following steps should be taken:

- The disposing agent (Town Council) should determine the highest and best use is to sell to an abutting property owner.
- Within 10 days of the determination, the disposing agent shall publish notice in accordance with IC 5-3-1 identifying the tracts for sale by legal description.
- The notice shall include the offering price and the statements in Sec. 5 © 1 and © 2.
- The offering price shall include any appraisal fees, title insurance, recording fee, advertising cost, and any other miscellaneous costs associated with the sale of the property.

Section 5 (g) and (h) shall be used to determine the highest offer.

Mike Cornman asked Mike Spencer if he reviewed it? Mike Spencer said yes he did and that complies with the provision in Indiana Statue that he provided to Rick.

Mike Cornman said the first thing they have to do if we want to get rid of the property is we need to decide is our highest and best use is sell to an abutting property owner. After we do that within 10 days they have to publish the notice in the paper and follow these steps. He wants to make sure he has this right, (he wants to look at the map).

Mike Cornman said if we would decide we would say this is the only well site we are considering, the only piece of property we are considering as to what we are disposing of.

Mike Spencer asked how are you designating this piece of property, what is it? Mike Cornman said he doesn't know if it has a number, but one of 3 well sites in the area, 2 that the town currently owns. Mike Spencer said in your motion you need to give it some identification like the well site along such and such road.

Mr. Ponton has a legal description of the property. His question is what did you do in 1988 and what you are trying to do now.

Mike Cornman said it appears that the town did not follow the exact procedures in 1988, he guesses. We are probably going to do as suggested to conform to State Law and he doesn't know what the other Council members feel. ----- do we want it to go back to the abutting property owners as prescribed.

Donald Ashley said as a Councilman, he doesn't see any reason for us to keep this well site. It looks like this gentleman is the most reasonable person to sell it to since it is smack in his property.

Mike Cornman said it says we have to follow the State Law on that.

Patrick Stoffers has no objections. Mike Cornman said he doesn't either.

Mike Cornman said is there a motion to dispose of the well site property at the end of what is known as Bank Road. Donald Ashley so moved. Patrick Stoffers seconded. Motion passed 4-0.

Mike Cornman said in accordance with the law we have determined to dispose of the property and the next thing within 10 days of tonight we will publish a notice in accordance to Indiana Code identifying the tract for sale by legal description.

Mr. Ponton said you are going to put the legal description in and you are going to put it up for sale, is that correct? To the highest bidder or what?

Mike Cornman said it says the Town Council determines the highest and best use is to sell to an abutting property owner. That is what the letter says and within 10 days of the determination, the disposing agent shall publish notice in accordance with Indiana Code identifying the tracts for sale by legal description. That notice should include the offering

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price and the statements in Indiana Code. The offering price shall include any appraisal fees, title insurance, recording fee and advertising costs. According to the information we have that is all we have to do so far. There was more discussion.

Jeff Farmer wanted to know if that was Town property or Utility property? Mike Cornman said it appears to be Utility property. There was some more discussion.

Mike Spencer said he thinks one of the things that you might want to clarify at this point and time---you determined it should be sold to abutting property owners.

Gina Hawkins made the motion that we have determined that this property known as the well site, the best use for that property is to sell to abutting property owner. Donald Ashley seconded. Motion passed 4-0.

ORDINANCE 98-18 AN ORDINANCE OF THE ELLETTSVILLE TOWN CODE
CONCERNING THE ISSUANCE AND USE OF CREDIT
CARDS: 2ND READING:

Gina Hawkins read Ordinance 98-18 by title only. Gina wanted to know if Diana would hold the credit cards and they are issued to supervisors, they have to be signed out through Diana, right? Mike Cornman said right.

Mike Cornman said is there a motion to accept Ordinance 98-18?
Gina Hawkins so moved. Patrick Stoffers seconded. Motion passed 3-1, Donald

ORDINANCE 98-20 AN ORDINANCE TO AMEND SECTION 255-10 (d) OF THE
ELLETTSVILLE TOWN CODE CONCERNING
DEFINITIONS: 2ND READING:

Gina Hawkins read Ordinance 98-20 by title only. Mike Cornman said is there a motion to adopt Ordinance 98-20. Patrick Stoffers so moved. Gina Hawkins seconded. Motion passed 4-0.

NEW BUSINESS:

STATUS OF PAY FOR ATTENDING THE ACCADAMY-POLICE OFFICERS:

Mike Spencer wants this tabled until the next meeting.

SUPERVISORS:

PART TIME POLICE OFFICER-STEVE BARTLETT:

Steve Bartlett said that about 2 ½ weeks ago he and Don Ashley did interviews on prospective part time police officers. He wants Eric Chaudion to be reinstated as a part time officer, he has had 6 years prior with the department, and he knows the area and the people.

Mike Cornman asked is there a motion to hire Eric Chaudion as a part time Police Officer? Donald Ashley so moved. Patrick Stoffers seconded. Motion passed 4-0.

Steve said he has a 1987 Ford Crown Vic that they would like to dispose of as excess property. Mike Cornman asked if he wanted them to declare it surplus property? Steve said yes.

Mike Cornman asked is there a motion to declare the 1987 Ford Crown Victoria from the Police Department surplus property. Gina Hawkins so moved. Donald Ashley seconded. Motion passed 4-0.

FIRE DEPARTMENT-JIM DAVIS:

SURPLUS PROPERTY:

Jim Davis said a 1978 Ford; we need to declare it surplus. They bought a 1990 car from Bloomington City's auction to replace it. The Volunteer Corporation bought it and he would like for you to declare the 78 as surplus property, the volunteer corporation bought it also but we automatically donate everything to the town so we don't have to pay-----. The only thing he would request that we do it somehow that the money if somebody does buy this 78, that that would go back to the Volunteer Corporation.

Mike Cornman said is there a motion to declare the Fire Departments 1978 Ford Fairmont as surplus property? Gina Hawkins so moved. Donald Ashley seconded. Motion passed 4-0.

Mike Cornman said is there a motion that the proceeds from the sale of the 78 Ford be given the Ellettsville Volunteer Fire Department, Incorporated? Donald Ashley so moved. Gina Hawkins has a question.

Mike Spencer asked how are you able to do that, what is State Board of Accounts going to say?

Jim Davis said if not, maybe this would make it simpler, he thinks Mike (Spencer) is right and that is why he said if you can do that, if not could you put it in a specific line, like a equipment line and then we will buy some equipment.

Mike Cornman said doesn't all money received have to go to the general fund and be appropriated out?

Mike Spencer said you would appropriate it to a specific equipment line that could be use by Volunteers.

Mike Cornman said we need to wait until we get the money.

UTILITY DEPARTMENT:

Mike Farmer said they are done on Chester Drive. Fire protection has been increased dramatically. He would like to thank the residents for being patient while they did the work.

STREET DEPARTMENT-JIM RAGLE:

Mike Cornman wanted to know the streets they are going to pave. Jim said they are going to pave Chester Drive and try and get 1st and 2nd, and 3rd street where it starts on Ritter to Chester, 2 blocks there and one down Ritter between 2nd and 3rd.

COMMENTS:

None

ADJOURNMENT:

Mike Cornman asked if there a motion to adjourn. Patrick Stoffers so moved. Donald Ashley seconded. Motion passed 4-0.

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Michael D. Cornman
President

D. Geraldine McIntyre
Vice President

Donald Ashley

Patrick Stoffers

Gina M. Hawkins

Diana K. Evans
Clerk-Treasurer