

## **July 8, 2002**

The Ellettsville, Indiana, Town Council met in regular session at 7:30 PM, Monday, July 8, 2002 at the Town Hall. David Sorokoty called the meeting to order and Jerry Pittsford led in prayer. Geraldine McIntyre 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; Mike Cornman, Geraldine McIntyre and Jerry Pittsford. Also present was Sandra Hash, Clerk-Treasurer; Deborah Hudson, Administrative Assistant and Mike Spencer, Town Attorney.

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

### **Approval of Minutes of the regular meeting on June 24, 2002**

Geraldine McIntyre moved to approve the minutes. Mike Cornman seconded. Motion carried.

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

Geraldine McIntyre moved to approve the accounts payable vouchers. David Drake seconded. Motion carried.

### **Addition to Agenda**

Mike Cornman requested to add new Police Reserve appointments to the Agenda under New Business

**Resolutions** None

### **Ordinances on First Reading**

#### **Ordinance 02-10 concerning the annexation of adjacent and contiguous territory known as the Wanda Jones property which is located east of Cedar Bluff Gardens**

David Drake read the ordinance by title. Mike Carmin, Attorney, who represents Wanda Jones, the petitioner for the annexation, said that she is the sole owner of the real estate involved. This is a voluntary annexation and Ms. Jones is requesting a C-3 zoning since the Town surrounds the property. Mr. Carmin said there is a question on whether the Town has the authority to annex this area or not. Mike Spencer feels the statute does not allow the Town to annex off of a shoestring annexation, but Mr. Carmin feels the Town has the authority to annex. There was some discussion on this issue and it was agreed to proceed and that it would probably be resolved during the process. David Drake said the Planning and Zoning Board had recommended a C-3 Commercial Zoning for this property. David Sorokoty said that since this is the first reading that no action would be taken tonight.

#### **Ordinance 02-13 adopting chapter 610 concerning use of safety equipment at the Ellettsville Skate Park**

Jerry Pittsford read the ordinance by title. David Sorokoty said that Darlyne Sowder, President of the Parks and Recreation Board had requested this ordinance be tabled until she thoroughly reviewed all of the paperwork.

### **Addition to Agenda**

Sandy Hash, requested two ordinances to be added to the Agenda and introduced – Ordinance 02-14, an Ordinance to re-establish a Cumulative Capital Development Fund and Ordinance 02-15, an Ordinance to re-establish a Cumulative Firefighting, Building and Equipment Fund

After the ordinances have been introduced they will be published twice, one week apart and they can be adopted at the following meeting. However, they won't go into force until approved by the Department of Local Government Finance.

Each reassessment results in a reduced tax rate and a state reassessment is due in 2003. The proposed ordinances would raise the tax rate in CCD from .0404 to .05 and the rate in CBE would go from .0269 to .0333. By increasing these rates now it should keep each fund at a reasonable rate when the reassessment is done.

David Drake made a motion to add Ordinance 02-14 and Ordinance 02-15 to the agenda. Geraldine McIntyre seconded. Motion carried. David Drake made a motion to introduce 02-14 for first reading. Jerry Pittsford seconded. Motion carried. David Drake made a motion to introduce 02-15 for first reading. Geraldine McIntyre seconded. Motion carried with Mike Cornman abstaining.

### **Ordinances on Second Reading**

#### **Ordinance 02-05 annexation of the Well Site Property Phase II - 10 acres (western edge)**

Mike Cornman read by title. Jerry Pittsford moved to approve Ordinance 02-05. David Drake seconded. Motion carried.

#### **Ordinance 02-07 annexation of adjacent and contiguous territory known as Hoosier Tire / Jack's Defeat Creek Mall Annexation Area**

Geraldine McIntyre read by title. David Drake moved to adopt Ordinance 02-07. Geraldine McIntyre seconded. Motion carried.

### **Old Business** None

### **New Business**

#### **Insurance renewal information – Regina Haverly, ISU (Insurance Systems Unlimited) The May Agency**

Regina gave a booklet of information to each Council member to review concerning the Town's property and liability insurance. She asked them to review the information and compile their questions then give them to Deborah and Regina will consult with her. Existing policy ends August 1<sup>st</sup>, 2002.

#### **American Legal Publishing – Joe McDonough**

Mr. McDonough said that he has spoken with Sandy about re-codification of the Town's Ordinances. The company headquarters are in Cincinnati, Ohio and American Legal does codification work all over the country. In Indiana they currently serve 125 cities, towns and counties publishing their codes and ordinances. They are also codification consultants for Indiana Association of Cities and Towns.

Sandy explained she had received proposals from American Legal Publishing and Municipal Code. She gave each Council Member a price comparison sheet to review. Mike Spencer reviewed the contract with no corrections. The code and minutes may be maintained after completion of the re-codification for approximately \$1,500 annually allowing the most current information to be available. The information would be available on the American Legal web site with a direct link to the Ellettsville web site. It will also have search capabilities. Sandy contacted the Noblesville Clerk-Treasurer, Janet Jaros, who uses American Legal, about their satisfaction with the services American Legal provided. She replied they are very satisfied with American Legal publishing. They call if they have questions concerning an ordinance that might have been amended and things don't match up.

They even call with the cost of codifying before they send it. American Legal Publishing's website address is [amlegal.com](http://amlegal.com), to view their services.

Mr. McDonough said the initial cost to do the Town's re-codification in its current entirety would be approximately \$9,000 and the yearly fee to maintain future updates to the code and the minutes would be approximately \$1,500 according to our Town's size comparing it to other towns and their updates that American Legal has served. Mr. Donough said that we could update our information as often as we choose. He said that the Town would receive the code in three formats – twenty hard paper copies, a CD of the code and on the website. Sandy explained that if the Council agrees to proceed with American Legal they could begin the re-codification process omitting title 8 and the Personnel Policy. When the Plan Commission completes the update to title 8 and the Council approves the Personnel Policy then American Legal can incorporate these sections in to the final version. The draft of the new book will be ready in approximately six months as well as legal research report for the Council and Town's Attorney. American Legal Publishing's research will report conflicts within the code and any conflicts with Indiana code along with their recommendations to resolve the conflicts. Mr. McDonough said they won't change anything without the Council's permission. David Sorokoty said he would like to table a vote on contracting with American Legal until the Council could review the proposal more thoroughly. Geraldine McIntyre moved to table the vote until the next meeting. Mike Cornman seconded. Motion carried.

### **Privilege of the Floor**

**Gene Crum** - Introduced four new Police Reserve Candidates – Jay Baker, Randy Berry, Matt Fleener and Russell Harris. Jay graduated from Bloomington South and is currently a Correctional Sargeant at the Plainfield Correctional Institution. Randy also graduated from Bloomington South, he is a veteran of the USAir Force, he has first aid, CPR, Haz-mat and martial arts training and is currently a machine operator at Hall Signs. Matt graduated from Bloomington North and has training in First Responder, CPR and is currently a truck driver with the Monroe County Highway Department. Russell graduated from Edgewood High School, is in the Navy Reserves and is currently in commercial sales for Graphic Impresssions.

Mike Cornman recommended the Council appoint these four candidates as Reserve Deputies. This would make the active list of Reserve Officers membership a total of sixteen. David Drake suggested having a limit on the number of Reserve Officers allowing guidelines to follow. Geraldine McIntyre said the Council should create an Ordinance for this. They discussed an appropriate limit for the Police Reserves.

**Bob Sowder** – Captain of the Ellettsville Police Reserves said he had a received a request that might help determine the number of Reserve Officers needed. He read and submitted a letter to the Council stating that the Richland Bean Blossom Community School Corporation had contacted the Reserves requesting a minimum of four officers in the morning, one at noon and four at school dismissal to do traffic control for the next school year. In return they would make a monetary contribution to the Reserves, which help the Reserves operate at very little cost to the town. The Reserves are basically a self-funded unit. The only expense for the town is the mandatory insurance and fuel for the vehicle. The Reserves also cover shifts for fulltime officers due to vacations, illness, or court appearances. New officers are not allowed to work alone but may assist fulltime officers and senior reserve officers. Ellettsville has a high percentage rate for advancing reserve officers into professional law enforcement careers.

Mike Cornman made a motion to appoint Jay Baker, Russell Harris, Randy Berry and Matt Fleener as Reserve Deputy Marshals. David Drake seconded. Motion carried.

Sandra Hash swore in the new Reserve Officers.

**Gene Crum** – Commented on June 22 there was an incident that occurred where a man who was over stressed became suicidal and demonstrated his stress by shooting off his shotgun 10 to 12 times inside his house. The Town Marshal, Ron McGlocklin successfully managed to talk the man out and get him to surrender his shotgun and peacefully leave his home for proper care. He commends this to the attention of the Town Council to know you have that type of professional work, which would not necessarily be carried out the same in other jurisdictions. You should all be very proud of the outcome of this situation.

**Supervisor's comments**

**Jim Davis** – Presented a letter to the Council recommending Firefighter Kenny Parrish be promoted to the position of Lieutenant. Jerry Pittsford moved to promote Kenny to Lieutenant. David Drake seconded. Motion carried. Jim also commended Kenny and Scott Dutton on delivering a baby girl during a 220 Ambulance run.

**Ron McGlocklin** – Commented the Fireworks Show was excellent and commended the Fire Department for a great Show. He also expressed his appreciation to the Fire Department's Ladies Auxiliary and the Journal for the recognition ceremony for the Fire and Police Departments.

**Geraldine McIntyre** – Thanked the Fire Department for a nice Fireworks Display as well.

**Mike Cornman** – Explained a complaint he had received about a vacant house having tall grass, which had been mowed, except the area around the fence had not been trimmed. There was no evidence of vermin in the area as a result of the fence area not being trimmed. The house is for sale and the yard is mowed therefore he will not be sending any more letters to this residence. The Council agreed with Mike's decision. Jerry Pittsford suggested that a concerned neighbor could trim the fence if they choose to since it is a vacant home.

**Jerry Pittsford** – Announced this was his last meeting on the Town Council because he and his family are moving. He thanked the Council, Sandy, Lynn, Amber, Mike Spencer and all of the Supervisors for working so well with him.

**David Drake** – Commented he and the Council would miss him. All the Council members agreed with David and expressed they would miss Jerry and had enjoyed working with him.

**Sandra Hash** – Informed the Council members of a Public Law change concerning changes in the procedure for appointing a new Council member. She will give each of them a copy for reference.

**David Sorokoty** – Commended Ron McGlocklin for his work with the suicidal victim. He also said that Officer Tony Bowlen should be acknowledged as well for a fine job. David thanked every Department in the Town for all of the work that each Department contributes to the Town; he said they are the "backbone of the community". He commented how nice a presentation the Ellettsville Fire Department and Police Department gave during the Fourth of July Parade in Bloomington; he said the vehicles looked very professional as well. Lastly he thanked the Fire and Police for a great Fireworks Display and he said he appreciated the opportunity to honor them by handing out the Certificates from the Journal at the High School on Saturday.

**Adjournment**

David Sorokoty asked for a motion to adjourn. Jerry Pittsford moved for adjournment. Mike Cornman seconded. Meeting was adjourned at approximately 9:15 PM.

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David Sorokoty, President

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David Drake, Vice President

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Mike Cornman

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Jerry Pittsford

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Geraldine McIntyre

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Sandra C. Hash, Clerk-Treasurer