

July 9, 2012

The Ellettsville, Indiana, Town Council met for a Regular Meeting on Monday, July 9, 2012, at the Fire Department Training and Conference Room. Scott Oldham called the meeting to order at 7:00 p.m. Dianna Bastin led the Pledge of Allegiance followed with a prayer by Sandra Hash.

Roll Call: Members present were Scott Oldham, President; Dan Swafford, Vice President; Dianna Bastin and David Drake. Phillip Smith was absent. Sandra Hash, Clerk Treasurer; Darla Brown, Town Attorney, and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present

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

Approval of Minutes

Scott Oldham entertained a motion for the approval of the minutes for the regular meeting and Executive Session on June 25, 2012. Dianna Bastin so moved. Dan Swafford seconded. Motion carried.

Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Dan Swafford so moved. Dianna Bastin seconded. Motion carried.

Clerk-Treasurer's Report

June 2012 Fund Balances

	June Beginning Balance	MTD Revenue	MTD Expenses	June Ending Balance
General	\$ 118,779.66	\$ 688,526.12	\$ 241,844.22	\$ 565,461.56
MVH	\$ 53,879.28	\$ 110,983.08	\$ 45,528.09	\$ 119,334.27
	temporary loan	\$ 50,000.00		
Water O&M	\$ 207,393.08	\$ 150,936.54	\$ 107,914.18	\$ 250,415.44
Waste Water O&M	\$ 222,122.24	\$ 98,823.64	\$ 161,051.02	\$ 159,894.86

Resolutions

Resolution 09-2012 Concerning Public Comment on Agenda and Non-Agenda Items at Town Council Meetings – Darla Brown

Darla Brown, Town Attorney, explained at the last Town Council meeting they had asked to prepare a resolution to either amend or replace Resolution 5-94 with regard to the procedures at Town Council meetings. The previous resolution can be interpreted to have an inconsistency. There have been some issues in the past with regard to rezone petitions as to when they're going to be heard, if they come off the agenda how do they get back on or who has the authority to say whether or not something gets on the agenda. She prepared the resolution in an attempt to try to resolve all of those issues and make it clear how items get on the agenda, speaking limits for agenda and non-agenda items, what documents individuals bring and who they provide them to and decorum.

Scott Oldham asked if the resolution will be placed in ordinance form. Ms. Brown replied no, it can be passed as a resolution and can be done so at this meeting. Since drafting the resolution she has had two suggestions. Under Section 3, Documents, one of the supervisors suggested the documents anyone brings to Town Council meetings should be provided to the Clerk-Treasurer 48 hours before a meeting. On Section 4, Decorum, subsection A, speakers may not engage Town Council members or Town employees in a question and answer exchange. Mr. Oldham asked under Section 3 with regard to reports, diagrams, maps, etcetera, do multiple copies need to be provided. Ms. Brown responded if the documents are to be included in the meeting they need to bring seven copies which would include five for Town Council, one for Sandra Hash and one for her. Mr. Oldham asked if it would be prudent to make it two

business days rather than 48 hours. Ms. Brown read the revision to the last sentence of Section 3, Business Documents, as follows: *“All speakers shall provide seven copies of all documents to the Clerk-Treasurer at least two business days before a meeting.”*

David Drake doesn't know about having people provide seven copies. It seems like a lot. Ms. Hash commented if it's just a few pages and they bring the originals to her office she can add them to the packet - it's not a big deal. The question is, does she charge fees for the cost of copying the records. Mr. Drake replied he doesn't think so if the copies are going to the Town Council. There could be a limit set and if it is less than ten pages people could bring the original and copies could be made. If it's more than ten pages they need to bring seven copies.

Dianna Bastin thinks people should provide copies for the Town Council so there is never any question of what they submitted was given to them.

Dan Swafford asked about electronic copies such as whether they can submit documents by email. Ms. Brown asked if they would prefer seven hard copies and one electronic copy. Ms. Bastin said she would rather not have an electronic copy. Mr. Oldham commented he had no preference but agrees people will want to try and send emails. It probably makes it easier for Ms. Hash to have it in electronic format. Ms. Hash commented if it's in electronic format then she wouldn't have to retype it for the minutes. Mr. Oldham stated Ms. Bastin brought up a valid point about the accuracy about what's provided to the Town Council. Ms. Bastin said things happen. She was in Town Hall the other day and Ms. Hash was buried in paperwork. If they give Ms. Hash a bunch of paperwork it should be ready to go so she doesn't have to sort through it and make copies. Mr. Swafford said he thinks maybe one hard copy and one electronic copy or seven hard copies if they don't want to submit it electronically. The document will have to be scanned anyway so it would be better to have an electronic copy. He prefers an electronic packet.

Dianna Bastin reiterated the person providing the documentation should provide it in whole to the Clerk-Treasurer so she doesn't have to copy it and worry about losing anything. If they want to send an electronic copy that is fine.

Dianna Bastin made a motion to amend the resolution to include seven copies and one electronic copy, if possible, and Section 4(a), Decorum, to include the change that speakers may not engage Town Council members or Town employees in a question and answer exchange. David Drake seconded. Roll Call Vote: Scott Oldham – yes; Dan Swafford – yes; Dianna Bastin – yes and David Drake – yes. Motion carried 4-0.

The following discussion took place before the vote:

Scott Oldham asked if it wouldn't be prudent to allow the Town Council the alternative or flexibility to allow someone an extra minute to speak. Mr. Swafford suggested the resolution could state they vote on additional time per the request of the speaker. Mr. Drake stated the reason for this is to make it consistent. Then there would be the question did they let somebody do it because of who they are. If it's done before hand then it levels the playing field for everybody. Ms. Brown stated her thought was to keep it nonbiased across the board as much as possible. Obviously, if they have a meeting where there are a lot of speakers or it is the type of issue where they're inclined to hear more from everybody then they can increase the time limit in the beginning. Mr. Oldham stated his thought was if they were to encounter situations where they had someone with a handicap of some type they would need additional time. Mr. Drake stated he thinks it's pretty standard to have the language in there that it is changed before the meeting.

Scott Oldham entertained a motion to adopt Resolution 09-2012 as amended. Dianna Bastin made a motion to adopt Resolution 09-2012 as amended. Dan Swafford seconded. Roll Call Vote: Scott Oldham – yes; Dan Swafford – yes; Dianna Bastin – yes and David Drake – yes. Motion carried 4-0.

Ordinances on First Reading

Ordinance 2012-14 to Amend Chapter 36 of the Ellettsville Town Code Regarding Nepotism – Darla Brown

Darla Brown, Town Attorney, explained this and ordinance 2012-15 are the continuing efforts to comply with the new statutes on nepotism. She took provisions from the resolution the Town passed at the last Town Council meeting and incorporated the language into the Town Code. Half of it basically went into the personnel policy with regard to direct line supervision and the other half regarding contracting or elected officials contracting out under the purchasing ordinances. The language didn't change. She reiterated the resolution was split with part of it under personnel and part of it under purchasing procedures.

Dianna Bastin asked if Exhibit 1 for elected officials needs to be done in December or at this time. Ms. Brown replied she thinks it is due by December 31, 2012.

Ordinance 2012-15 to Amend Chapter 23 of the Ellettsville Town Code Regarding Purchasing Procedures – Darla Brown

Darla Brown, Town Attorney, explained this is half of the resolution the Town Council passed last time regarding the nepotism policies. The portions of the resolution that applied to contracting with a municipality will now go in the Town's ordinances under purchasing procedures.

Ordinances 2012-16 to Amend Various Sections of Chapter 152 of the Ellettsville Town Code Concerning Development Plan Requirements – Darla Brown

Darla Brown, Town Attorney, explained this is language the Plan Commission approved at its meeting on June 8, 2012. This is a proposed change to the zoning ordinance regarding development plan requirements. Scott Oldham asked if there is anything substantial they need to be aware of at this time. Ms. Brown replied she did not think so. Mr. Oldham asked if it is to clean up language. Ms. Brown responded yes. The only significant change is under Section 152.125, under Section 2, Development Plans Required. There was some additional language after subparagraph (B) to make it clear when development plans are required, when they have to be turned in and when they can be amended.

New Business

Eastern Richland Sewer Corporation Overview – Larry Barker

Larry Barker, President of Eastern Richland Sewer Corporation ("ERSC"), presented a report on their 2011 – 2012 Sewer Lining Project. Whenever they did the merger, they decided there were issues they needed to correct in both the Northern and Eastern systems. At that time, they took a dedicated approach of going through and first doing an assessment of the lines to determine what actually needed and didn't need to be worked on. They had Fluid Waste come in first and they did a complete cleaning of the lines to determine the actual condition of the lines. They started identifying areas that were petrified clay and they knew had to be relined. Maps were presented which showed where new lining was installed to the main line on Matthews and in Westbrook Downs. They also cut across State Road 46 to the old area known as the nursery which runs along the creek. Looking at that they found issues that definitely needed corrected. They ran lining all the way through the nursery area up to Sugar Lane. On May 7, 2012, there were four inches of rain in less than an hour of time. During that period of time, they did not have one SSO down in the old northern line. This is attributed to the fact they relined the entire process. Therefore, there wasn't any infiltration coming in. They did have an issue at McDonalds and they will take action on that this year to solve the problem.

Glen Morrow, Engineer at Burgess & Niple, was hired with Reed & Sons to provide services for ERSC. Fluid Waste Services came in with a camera truck and they went through and looked at everything. They looked at the clay pipe. There were 12 locations deemed messy enough to need spot repair before they were lined. The board decided to go ahead and address all clay pipe issues. Even though it wasn't bad structurally it was continually getting worse and most of the joints had deteriorated.

They gave the ERSC a list of 12 areas to fix. Reed & Sons, the contractor for ERSC, did the spot repairs, advanced the line and kept track of the process. They lined 550' of 12" sewer, over 3,894' of 10" sewer and 30,183' of 8" sewer in the old Northern section. For Westbrook Downs, they added 158' of 10" sewer and over 2,000' of 8" sanitary sewer. They're getting ready to do a GIS program for them. They received three bids from lining contractors. Inland Waters Pollution Control for \$1,108,424, Reynolds Inliner for \$984,929 and Miller Pipeline was \$772,149. The product used was folding form of PVC expanding in place sewer pipe liner. There's a brand new PVC pipe from manhole to manhole in all segments so there are no joints with the exception of where laterals may come in. The methods of curing are: cure in place with UV, cure in place with water and steam and expand in place. They went with expand in place. The bid included \$26 a foot for the 12", \$23 for the 10" and \$22 for the 8".

Larry Barker added there were 12 spots they had to go in and fix before they could line it. Two years ago, he told the Town Council about a product called pipe patch which is a fiberglass product that has glue on it. It goes in and adheres to the pipe and after it has dried it is basically a new lining. By using pipe patch they saved thousands of dollars using the product and getting the same results as if they put in a new pipe.

Glen Morrow showed before and after videos of the pipe and a sample of the aforementioned product.

Dan Swafford asked if the product completely seals the seams so the roots won't penetrate through the pipe. Mr. Barker answered the chances of it penetrating through the pipe are slim to none. The root may come back in at lateral connects. They're looking at top patch which is a way of sealing it off so there no roots will come back in.

Scott Oldham asked Mr. Barker how much this decreases the diameter of the pipe. Mr. Barker replied maybe a quarter of an inch. Mr. Morrow commented they are relining clay pipe that had a lot of deformities. It is actually a lot slicker and smoother and will increase the flow. Mr. Barker said it will increase the flow because there isn't the amount of connections stopping it from going through. A little less than seven miles of their system has been lined.

Dan Swafford asked if this will make the clay pipe more structurally sound. Mr. Barker replied there will be a degree of reinforcement. The biggest problem with clay pipes are the seams around it. After 40 years, the rubber started disintegrating. Mr. Morrow commented the liner is structurally sound by itself. The product is a full PVC pipe that meets the ASTM standards. They get it really hot so it looks like wet leather. They stretch it out and blow it up. As it cools down it cures. It's a functioning floating PVC pipe without the joints. Mr. Barker added it is the same process as seamless gutters. Mr. Swafford asked the life expectancy of the product. Mr. Barker said manufacturers are guaranteeing it for 50 years. Mr. Swafford asked if they had a video of the procedure. Mr. Barker replied they do but not with them. Mr. Swafford asked if this disrupted service. Mr. Barker responded no, it did not. Mr. Swafford said he would like to see the video. When will the project be completed? Mr. Barker replied they hope to be finished about August. It took about a month and a half to go through a little under seven miles. Mr. Oldham asked if based on the fact we're working on an historic drought does it affect the quality of their camera work. Mr. Barker replied not at all. He prefers to have a little water collected to see the infiltration. You can see the actual roots coming in so it doesn't really affect it. Mr. Swafford said roots can re-appear within days. Mr. Barker said within months they're back because they're looking for a water source. Mr. Swafford asked if they root cut annually, bi-annually or quarterly. Mr. Barker answered their system will be going through it annually. Once they find areas rated a four or five, they will repair them immediately.

Schedule of Budget Meetings

Sandra Hash created a schedule for budget meetings and wanted to make sure all Town Council members can attend. A meeting is scheduled for supervisors to present their budgets on July 25, 2012. The meeting on August 1, 2012, will be a group

session to meet with supervisors again. If another meeting is needed, it is scheduled for August 7, 2012. The budget will be published in September. She has to have Monroe County Council's non-binding review back before the Town can do its adoption. The first Town Council meeting in October will be the first public hearing on the budget. The second meeting in October will be the adoption of the budget. It has to be to the state by November 1, 2012. Her meeting with the Department of Local Government Finance ("DLGF") is on July 18, 2012. All supervisors have returned their budget proposals to her and she has done the miscellaneous revenues. The DLGF will prepare the public notice for the newspaper.

Supervisor Comments

Town Marshal Tony Bowlen presented six prospective reserve officers for approval. They've lost some people who have gotten full time jobs in law enforcement and a few decided to leave the reserves. They are trying to build their numbers back up. There are some people they're putting through the 40 hour pre-basic. They have finished their class room portion and they will move on to firearms and defensive tactics. He wants to bring them into the reserve unit so they're covered under worker's compensation before they do anything physical. Chad Southern is a former reserve officer with the Monroe County Sheriff's Department. He has completed the 40 hour pre-basic. Short biographies of each prospective reserve officer were provided to the Town Council.

Scott Oldham entertained a motion to accept Robert Gilchrist, Levi Minnick, Chad Southern, David Walden, Todd Wasson and Brian Wolfe as police reserves for Ellettsville. Dianna Bastin made a motion to accept Robert Gilchrist, Levi Minnick, Chad Southern, David Walden, Todd Wasson and Brian Wolfe as police reserves for Ellettsville. David Drake seconded. Roll Call Vote: Scott Oldham – yes; Dan Swafford – yes; Dianna Bastin – yes and David Drake – yes. Motion carried 4-0.

Sandra Hash administered the oath of office to Robert Gilchrist, Levi Minnick, Chad Southern, David Walden, Todd Wasson and Brian Wolfe.

Connie Griffin, Director of Planning, stated on July 6, 2012, she received a request from the Richland Bean-Blossom Community School Corporation for a waiver of the temporary sign permit fees. They are currently working on a public art project and are trying to raise money for it. The signs will be displayed for a one month period and they want to change locations twice. One location will be at the intermediate area of the school and on Main and Sale Streets in the public right-of-way area. They are vinyl signs and are 32" square or 4' x 4' which the Town Code does allow. Mr. Oldham asked the cost of the sign permits. Ms. Griffin replied the cost is \$40.

Scott Oldham entertained a motion to waive the temporary sign permit fees for the public art project at the Richland Bean-Blossom Community School Corporation. David Drake made a motion to waive the temporary sign permit fees for the public art project at the Richland Bean-Blossom Community School Corporation. Dan Swafford seconded. Roll Call Vote: Scott Oldham – yes; Dan Swafford – yes; Dianna Bastin – yes and David Drake – yes. Motion carried 4-0.

Connie Griffin, Director of Planning, handed out the ADA Self-Evaluations to the supervisors.

Council Comments

Dan Swafford thanked the Street and Utilities Departments. This has been an extraordinary time with triple digit temperatures. He also thanked Mike Farmer for keeping everybody in water and Jim Ragle and the Street Department for doing a good job.

Dianna Bastin commented CATS TV was unable to broadcast the meeting live because the library has had some computer virus issues.

Privilege of the Floor

Russ Ryle asked how to proceed under the new rules which state he can't directly question a member of the staff. Mr. Oldham instructed him to send an email and they will get an answer to him. Mr. Swafford explained he can still ask his question but it will not get a comment back. If he wants it on public record he can proceed from there. On the Motor Vehicle Fund there is a \$50,000 temporary loan and he is curious how the funding for that will be for the rest of the year. In the General Fund, the Town brought in a semi-annual payment from the state and was it up to expectations as far as budget? There are times when the state doesn't give the Town the money it's told its going to get. Mr. Oldham said with something like that it is easiest to ask in an email or call because the Clerk-Treasurer won't have the information with her at the meeting.

Russ Ryle commended Mike Cornman and other Fire Fighters on doing a wonderful job on a nasty brush fire in back of Kohl's and Lowes on Saturday, July 7, 2012. They were assisted by Bloomington Township, Van Buren, possibly Bean-Blossom and the City of Bloomington. It was a nasty job to do in 100° heat. They did a very good job. When employees do work for the Town in bad conditions they should get a pat on the back. Mr. Swafford thanked him for his comments. Ms. Bastin commented the temperature was 102° and thanked him for his comments as well.

Adjournment

Dianna Bastin made a motion to adjourn. Dan Swafford seconded. Motion carried. Scott Oldham adjourned the meeting at 7:53 p.m.

Scott Oldham, President

Dan Swafford, Vice-President

Dianna S. Bastin

Phillip Smith

David Drake

Sandra Hash, Clerk Treasurer, IAMC,
MMC