

June 14, 1999

The Ellettsville, Indiana, Town Council met in regular session at 7:30 p.m., Monday, June 14, 1999. Members present were Michael Cornman, President, Geraldine McIntyre, Vice President, Donald Ashley, and Patrick Stoffers. Mr. Cornman called the meeting to order. Donald Ashley gave the prayer, which was followed by the Pledge of Allegiance.

OPEN BIDS FOR POLICE CARS:

Mike Spencer opened the following bids.

For the 1986 Buick

Tony Elliott, 2938 N. Smith Pk #4 Bton	\$ 850.00
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Tammy Bland	\$ 950.00
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Dave Harmon 3140 N. Loundon, Bton.	\$ 842.50
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Ed BarBarick	\$ 800.00
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Kim Unsworth, 2938 N. Smith Pk #4, Bton	\$ 905.00
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Mike Cornman said he recommends to the Council we award the sale of the 86 Buick to Tammy Bland, \$950.00. Donald Ashley so moved. Geraldine McIntyre seconded. Motion passed 4-0.

COMMENTS:

None

MINUTES AND CLAIMS:

Mike Cornman said is there a motion to approve the minutes and claims. Donald Ashley so moved. Geraldine McIntyre seconded. Motion passed 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

INDIANA MAIN STREET PROGRAM:

Mike Cornman said this was presented at the last meeting and they were asked to review it. Mike said he wants to suggest to the Council that we support the program. It does require the chief elected official signature. It appears to be an educational process to show people and educate people on how downtown revitalization should occur. There was more discussion on this program.

Gina Kapsynski informed the Council that there are 4 levels of the Main Street Program. You can stay an affiliate as long as you want to and you have to attend one workshop and fill out a report every year. There is no cost. She would see at first forming a task force with like the Town Council and the agency.

Mike Cornman asked would the EADC be willing to meet with a new organization. Gina Kapsynski said yes, probably her. There was more discussion on this matter.

Gina said you asked her last time if there was a small town and she found out that Cloverdale is just getting geared up pretty good for Main Street.

Mike Cornman asked the Council members if they support the idea of the Main Street program. They do.

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Mike Cornman said he want to recommend to the Council that we support local efforts for the Indiana Main Street program. Geraldine McIntyre so moved. Donald Ashley seconded. Motion passed 4-0.

CHERRY HILL-MR. NORRIS:

Mr. Norris wasn't at the meeting.

RESOLUTION 5-99 TRANSFER OF FUNDS:

Mike Cornman read Resolution 5-99. Mike asked is there a motion for this Resolution? Geraldine McIntyre so moved. Mike Cornman said for approval? Geraldine McIntyre said yes. Patrick Stoffers seconded. Motion passed 4-0.

WATER & SEWER SERVICE TO PONTON PROPERTY BY ELLETTSVILLE
UTILITIES-RICK COPPOCK:

Rick Coppock of Bynum Fanyo and Associates. There is about 30 acres that is off Union Valley Road, which is adjacent to the towns, corporate limits at Forest View subdivision. There is a developer that is considering developing that property. Fred Ponton currently owns the property. That property has the ability to gravity flow to some to the town's existing sewer system and there would have to be some ----- across some properties to get there. What he would like is the town to provide him with sewer and water. This piece of property is in the original certificate of territorial authority that was granted to Eastern Richland Sewer Corporation back in 1976, he thinks. The town sent a letter to Eastern informing them that we were going to service this area of sewer and that it was in their certificate of territorial of authority. Mike Farmer attended the meeting. They said its didn't seem like a bad idea to them and they would think about it and would vote on it at the next meeting. The next day he talked to Curt Hayes and after Mike left they decided they weren't going to give up any of their territory and they didn't want the town to service it. At that point we contacted Mike (Spencer) and Mike is looking into the rest of it.

Mike Cornman said he understands is all we had to do is inform them that we are going to serve.

Mike Spencer said you have 2 things to deal with, there is the statue and then there is also the contract. The contract provides that if we annexed property in their area we would pay them for any infrastructure we would take over. There is no infrastructure in this particular piece of property so there is nothing to pay under the contract. The statue provides them with an exclusive right to operate in this certain area for 12 years. Once that 12 years passes they know longer have the exclusive right they can still continue to operate there but it is not exclusive rights. In many respects their territory is non existent. We have a perfect right under the statue to go in there and provide sewer service. We confirmed this with the IURC to determine when they have their certificate of authority and to make sure we were will beyond the 12 years. We are well beyond the 12 years and he doesn't see any problem. I think you can annex and you can provide service.

Mike Cornman said so the request here is will we provide utilities to this area?

Rick said right, will we provide sewer. Mike Cornman said would be preliminary because we don't know actually how many hook ons or how many services we are going to have, or do you know that.

Rick said probably around 100.

Mike Farmer said it was relayed to them if they didn't serve them there was every chance the project would die. Rick said there is a possibility that it might fall through.

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Mike Cornman asked is the sewer hook on for Eastern is over two thousand dollars. Rick said somewhere around \$2,300. Mike Cornman said our hook ons are only \$1,165 or something like that. Mike Farmer said it is \$2,050 verses \$1,165 to be exact.

Mike Farmer said while they were at the meeting they indicated their desire, this is a perfect example of two different entities serving the same interest. They suggested perhaps this would be a good time to start conversation where they consolidated with Ellettsville's Utilities and became non existing they have served their purpose, they really serve no purpose at all considering that the customers that are now served by them could be served by the Ellettsville Utilities. It is not to say they didn't do a good job up to this point but consolidated utilities with Eastern Richland would be stronger and would best serve the interest of all customers served by either utility.

There was more discussion on this matter.

Mike Cornman said what you need here from us then is approval or rejection that we will serve water and sewer service to the Ponton property?

Mike Spencer asked what does that mean, what is the request, for Ellettsville build the sewer?

Rick said no just that we will provide that they can hook onto the town system. They can hook on and be part of your sewer system.

Dan said they would annex into town? Rick said yes.

Mike Cornman said he recommends to the Council that we approve utility service to the Ponton property in accordance with our Town Code. Donald Ashley so moved. Patrick Stoffers seconded. Mike Spencer said we need to make it very clear that we are not suggesting by that motion that you are going to be building these lines or services on their behalf. Mike Cornman asked if that was clear to all the Council members for this motion? Don said we understand that we are not the one providing the lines as---we are allowing them to hook on to our service, is that correct? Mike Cornman said yes it is. Mike Spencer said he would amend to motion to include that. Donald Ashley said he will amend the motion to say exactly that, we would want Ponton to understand that we will provide the service for him but they must hook on and they must provide their own line to the service. Mike Cornman said so amended. Geraldine McIntyre seconded. Mike Cornman said with the motion as amended any other questions? Motion passed 4-0.

SUPERVISORS:

FIRE DEPARTMENT-JIM DAVIS:

REPEATER:

Jim Davis said he has 2 things. One, we have the radio equipment in for Utilities repeater service all except some radios that are redone with the repeater system. As soon as B&L can get out there and get it installed and hooked up and they get the radios programmed. The generator is not in yet.

FLOODING:

Jim said the other thing is flooding. Obviously the Fire station flooded again. Jimmy said the Utility building start to flood. The town hall was getting close. His question is he has been at the fire station close to 30 years and they have been flooding about that long or longer. The fire station is built in a flood way fringe. Town hall is built in a flood way fringe and so is the Utility Building. They are the only emergency services in

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Ellettsville within Richland Township. If you are knee deep in water it is sometimes difficult to

provide emergency services with a ambulance when water runs in the back door, this didn't happen but if water runs in the back door as they pull out of the fire station the patients might be a little upset if the cot is soggy when they go to lay down on it. This hasn't happened yet but we have had as much as 18 inches water in the fire station. Every year we flood or every other year we flood. Some years we flood 2 or 3 times. We get an inch of mud in the fire station and we have fire hose a wash it out. The Police Department is not that fortunate. Their office is on the ground floor and when they flood anything that is on the floor is ruined. Countless numbers of man-hours over the years have been spent cleaning mud out of the fire station and Police station. So far as to date when other people flood then the Council gets all excited and we call our Congressmen, we call the State Representatives and so on and we have meetings and we beat it up for awhile. Then they come in and do this study and we pay hundreds of thousands of dollars. He doesn't remember the exact cost for a study that Ellettsville can't afford to pay for to remedy the problem. Then we beat it up some more whenever it floods again a year or two later. We have more meetings and nothing happens.

Jim said Jimmy tries to do a few things. He built a little bit of a levy; retention pond down by the fire station trying to catch some of the water before it ran into the fire station and put it back into the creek. He is not knocking what took place he didn't object too much. But now we go a put this big concrete boulder out in the middle of this retention pond and now we can't put as much water in there because we have this big hunk of concrete out there. That is fine, the kids needed somewhere to play.

Jim said some will sit around and say when you get that much rain in that short of period of time there is nothing you can do about it. He has heard several people say that the creek wasn't overflowing. The creek didn't overflow.

Jim said it is all the little bitty water lines and drainage lines coming down up between Ritter Street and Dewey. It runs down through the ballpark, they are too small, they can't handle the flow. It is obvious that the culverts as you go into Greenbriar can not handle the flow. It runs over the top of those. There is evidence that it ran over the culverts as it goes down through the ballpark. They have increased the size of those culverts that goes into the ballpark. Jimmy fixed some of the holes in the levee down towards the Village Inn. He is trying but it can't do it by himself. He understands that we got this grant that we didn't even ask for to make downtown Ellettsville more beautiful. We got that that we didn't ask for and we haven't spent yet to make Ellettsville more beautiful. He doesn't see too many grants that has ever been applied for or tried to get or whatever to fix drainage problems. We put a lot of money into streets. We don't spend any money to replace culverts or replace them or up-size them.

Jim said I can't tell you how many dollars have been lost, or how many man-hours we have spent just taking care of the fire station. They did a good job this time of keeping the water out of the fire station this time. Sometimes it seems like some priorities are backwards. Ellettsville can't even afford to buy a fire truck by itself, you have got to have the Townships help.

Jim went over this more with the Council. He said he guesses his final statement would be if we are not going to fix the flooding problem the get us the hell out of the flood zone. Not just the fire station, the town Hall, Utility Building. He knows Ellettsvilles finances as well as anybody. He knows we don't have the money to afford it. Unless we put it on the front burner and we start doing something about it, ten years from now we are still going to be standing here saying we continue to flood. That is coupled on top of the lightning. We took out every radio except 2 at the fire station when we got struck by lightning this weekend. Police Department lost their computers. It took out 2 of our computers; we took out amplifiers we took out our complete phone system and the fire station. That is not the first time we have been struck by lightning down there. It may be the 15th or 20th time we have been struck by lightning. We had back ups for the back ups

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because we know the first one is going to get fried and so when the storm goes through we hook up another one. We did that one-day and another storm came through and blew the second

one out. Kind of hard to control the lightning we can't stop it we have tried. We have spent several thousands of dollars trying to do that. Ellettsville is on the right track fixing the sewer and water problems. Let's see if we can fix this kind of water. We have people here we have equipment to do work with. He would appreciate if we could do something to stop our flooding. He knows you want that and he wants that we need to make it public.

Geraldine McIntyre said back after the big flood we had a flood committee. Roger New was very active in it. He even offered the equipment and everything to clean up Richland Creek all the way back. They advertised in the paper for people to come and work that Saturday and not the first person showed up. Roger kind of got disgusted and said they are not coming to the meetings like they were and he can't clean it out by himself. He said it would help the town if it was cleaned out. He just quite the committee. The committee just fell apart. Maybe we need to start the committee up and get some volunteers to clean that up. He was going to take it clear up to Stinesville if he could. Maybe we need to get the flood committee started again.

Mike Cornman said one thing within the next month or so we are going to be going through our budget process. One thing we will have to take a look and see if there is anything we could do to eliminate or reduce the chances of flooding just because of improper culvert sizes. One thing we need to look at and we are going to be reviewing the City of Bloomington's and that is their storm water utility. That is one thing that will generate some revenues for that. That is an additional user fee or tax, whichever way you want to call it. There was more discussion on this.

POLICE DEPARTMENT-RON MCGLOCKLIN:

LOSS OF EQUIPMENT DUE TO FLOODING:

Ron said in reference to what Jim was saying about the flooding. They lost some equipment. Ron wanted to know if they are going to put the fire and police departments loses in one claim? He doesn't have it in his budget to go buy a new computer, printer, 2 serge protectors, and keyboard. Mike Cornman recommended that it is something they put together and talk with Regina at the May agency.

APPOINTMENT OF CHIEF DEPUTY TOWN MARSHALL:

Ron said they had interviews for the Deputy Chief position. He wants to recommend to the Council that Sargent Jay Humphrey be appointed to that position. He was interviewed and was the only candidate for that position. He is an excellent person and gentleman and police officer.

Mike Cornman recommended to the Council that appoint Jay Humphrey as the Chief Deputy Town Marshal. Geraldine McIntyre so moved. Patrick Stoffers seconded. Motion passed 4-0.

REQUEST FOR OVERTIME:

Mike Cornman said bring up approval for overtime for Ron McGlocklin for a total of 10.88 hours straight time. Mike Cornman recommended to the Council we approve overtime for the Town Marshall. Geraldine McIntyre so moved. Patrick Stoffers seconded. Motion passed 4-0.

CONFLICT OF INTEREST:

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Mike Cornman said under Indiana Law being he is an employee of the town and serving on the Town Council he has to file a uniform conflict of interest disclosure statement.

Steve Salters of State Board of Accounts said since this is his first year of his second term he has to file it again. He is supposed to in a public meeting make you aware and present it to the Council. He is giving the Council his Conflict of Interest statement according to State Board of Accounts.

ADJOURNMENT:

Mike Cornman asked is there a motion to adjourn. Donald Ashley so moved. Geraldine McIntyre seconded. Motion passed 4-0.

Michael D. Cornman
President

D. Geraldine McIntyre
Vice President

Donald Ashley

Patrick Stoffers

Gina M. Hawkins

Diana K. Evans
Clerk-Treasurer