

June 27, 2005

The Ellettsville, Indiana, Town Council met in regular session on Monday, June 27, 2005, at the Fire Department Training and Conference Room. Patrick Stoffers called the meeting to order at 7:30 p.m. Sandra Hash led in prayer and Dennis Williamson led in the Pledge of Allegiance.

Roll Call: Members present were Patrick Stoffers, President; William Evans, Vice President; Phillip Rogers and Dennis Williamson. Sandra Hash, Clerk-Treasurer and Mike Spencer; Attorney were also present.

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

Approval of the minutes

Williams Evans moved to approve the minutes of the Executive Session on May 24, 2005 and the regular meeting on June 13, 2005. Phillip Rogers seconded. Motion carried.

Action to Pay Accounts Payable Vouchers

William Evans made a motion to pay the Accounts Payable Vouchers. Phillip Rogers seconded. Motion carried.

Ordinance on Second Reading

Ordinance 05-12 Amending Section 31.35 of the Ellettsville Town Code Concerning Duties of the Clerk-Treasurer

Sandra Hash explained this ordinance is clarifying the Director of Planning Services is now in charge of the documentation pertaining to planning. Historically the documents were stored at the Clerk's office prior to having a Planning Director.

Patrick Stoffers made a motion to approve Ordinance 05-12 amending Section 31.35 of the Ellettsville Town Code concerning duties of the Clerk-Treasurer. Dennis Williamson seconded. The motion neither passed nor failed so Patrick Stoffers ruled this "no action" vote and instructed this be put on the next agenda.

Sandra Hash asked if there was a problem with the ordinance. She provided the Indiana Code of the Clerk-Treasurer's duties and the job description of the Planning Director as requested at the last meeting. Patrick told Sandra to articulate what she pointed out in the packet at the next meeting.

Ordinance 05-13 Adopting Supplement 2005 S-2 to the Town of Ellettsville, Indiana Code of Ordinances

Sandra explained this is a year's worth of ordinances that have been codified and put into code. The codification company asks that an ordinance be passed to accept the update.

William Evans made a motion to pass Ordinance 05-13 adopting Supplement 2005 S-2 to the Town of Ellettsville, Indiana Code of Ordinances. Phillip Rogers seconded. Motion carried.

Ordinance 05-14 Amending Ordinance 04-25 Fixing of Salaries for Budget Year 2005

Patrick explained this ordinance is to correct a salary over site relative to the Utility Office Clerk position.

Dennis Williamson made a motion to adopt Ordinance 05-14 amending Ordinance 04-25 fixing of salaries for budget year 2005. William Evans seconded. Motion carried.

Privilege of the Floor – non Agenda Items

Don Fisher, Arrowpoint addition resident, wants to bring attention to various problems and establish a time table to have them solved. He spoke with Jim Ragle of the Street Department about the brush problem. Jim told him picking up brush is not in the job description but it is done if they have time. The neighborhoods have been taking it for granted that if they put the brush on the curbs, it will be picked up. The street department

has a lot of other things to take care of, especially now, being in the grass season, taking care of foreclosures and abandoned property. What are we going to do in the future if this is not in the job description and it over burdens the street department? He feels Frank is over loaded with trying to get money for streets and sidewalks therefore he had to hire a part time Code Enforcement Officer. One situation that has gotten out of hand is brush sitting in his neighborhood for over a month, getting in the street and also causing brown spots in the yards. Another lady has a tree down and she is waiting for someone to come and pick it up. Jim has been out to help in the past when it becomes an eyesore. He mentioned Frank is supposed to be putting together a rotation for brush pick up.

Don went on to talk about the roads. Navajo Drive is like a lake. It is cracked with fissures making it seem like a country road. Blackfoot is bad, bumpy and getting worse. The new neighborhoods, like Prominence Pointe, have covenants to take care of their streets and signs. The ordinances are taking too long to be enforced in the older neighborhoods. He has seen many changes on the council in the last three years and feels it is a shame we have to file a law suit to get anything done. Common sense is the answer and not necessarily money. Just drive around the area and see what needs to be done. Trees are hiding signs, signs are missing and some signs just need to be replaced. In Spencer, they are replacing their signs with left over disaster money. Who is going to set up an itinerary, agenda or time frame to get street work completed?

Arrowhead does not have sidewalks. Frank was looking into government funds for this. There is room for sidewalks. He verified with Jim Ragle the City owns from 25 feet from the middle of the street both sides. He then questioned a post being installed on the edge of a lawn in the right of way.

The ordinance about parking on the grass was the next subject. He knows Frank is working to enforce it. In the past people would comply with the ordinance when they were communicated with. Most people don't even know they are doing something wrong. Through the advice from the attorney, Frank needs to provide an alternative to parking on the grass and to seek a driveway permit. Some people are getting driveway permits to park cars they use in a demolition derby, unlicensed vehicles with open titles. Using their garage to repair and sell these vehicles. For the most part, most people comply and do what is in the best interest of the community.

Don then went back to the brush issue and asked if an ordinance would be put together. Patrick Stoffers answered he doesn't think another ordinance would help but is aware of the situation.

Supervisors Comments

Jim Davis discussed the ISO (Insurance Services Office) survey completed a few months ago. This survey rates fire departments throughout the state and gives public protection classification. On a scale of 0-10 (zero being the best and ten the worst) Ellettsville previously received a 6 but has moved to a 5 with the new review. This is not only due to the fire department but to the water supply that Ellettsville has. There are more hydrants, enlarged water lines which increase the gallons of flow per minute. The dispatching system that is within the county, the manpower, equipment, number of responses and the time have all been a factor in coming up with this classification rating. What this means to the taxpayers of Ellettsville is a savings in the homeowners insurance. August 1 is when this new rating takes affect and he encourages everyone to check with their homeowners insurance to see if there is a reduction in rates.

Jim then went on the mention Captain Patton has been working on a grant and the deadline for filing is tomorrow. He felt the council should take a look at it. This is a Fire Act grant through FEMA and if we are awarded it, the council could chose to turn it down. He explained this is to hire a couple of part time positions to fill in full time slots. He broke down the cost share over a five year period with year one being a 90/10 and by year five we pay 100%. Patrick said to go ahead and apply. Jim also said this is a new grant and has a lengthy process.

Ron McGlocklin pointed out a discrepancy in section 33.76 of the Town code. It states a \$3.00 fee on records checks. The State has it set at \$10.00. \$3.00 to defray to cost and

\$7.00 is to process the records check. We are shorting ourselves \$7.00 that would go into the law enforcement training fund. He would like the Council to have Mr. Spencer write a new ordinance to amend this to bring it into up to date.

Ron also mentioned we need to add a video tape section to the code. He checked with the City and County and they charge a \$20.00 fee for video tapes. They are also charging a \$3.00 fee for photographs. Patrick asked if we tried this in 2000. Ron answered yes, it fell to the way side. Ron added we are getting more criminal cases going to court and defense attorneys are requesting interview tapes. The whole station building is videoed taped inside so anyone in any interview room at any given time are all taped. If anyone wants a copy of the tape, we need to defray the cost. Patrick asked him to speak with Mr. Spencer on the specifics.

Sandra Hash explained the IACT Local Government Finance Proposal was requesting \$355.46 to support their lobbying effort. She read the proposal in its entirety.

- ❖ The Indiana Association of Cities and Towns (IACT) will present a proposal to the General Assembly that provides an alternative to financing local government
 - That is less dependent on property taxes
 - That provides fiscal options to local officials
 - So we can choose funding measures outside of property taxes
 - Examples might include optional food & beverage, income, hotel and/or rental car taxes and other means.
- ❖ The proposal will help the State reduce the fiscal burden of property tax relief on the State budget
- ❖ We wish to be a partner with the state in reducing our dependence on property taxes
- ❖ If IACT does not form its own proposal, it is very likely that the legislature will again propose a plan that may not be agreeable to municipal officials
- ❖ The State recently passed a budget that will cause property taxes to increase
 - Because state officials chose to flat line Property Tax Replacement Credit (PTRC)
 - Most homeowners will see an increase in property taxes
- ❖ Municipal officials are proactively seeking a solution and wish to be a leader
 - To help homeowners
 - To help the State
- ❖ IACT will hire a respected consultant to create the IACT Local Government Finance Proposal
 - A plan to offer cities and towns the ability to implement non-property tax revenue sources
 - To reduce the property tax burden on homeowners
 - And help the State with its fiscal problem of increasing property tax credits
- ❖ A Capital Campaign is being undertaken to fund the proposal
 - Expected to cost in excess of \$200,000
 - Municipalities are asked to contribute an amount based on population, if they can
 - Funding will also be sought from other sources
- ❖ The Indiana Association of Cities and Towns is a coalition of municipal officials
 - Founded in 1891 with 449 member municipalities
 - Widely considered the official voice of municipal government in Indiana
 - Provides education, leadership and training

She mentioned the Clerk's League sent out an e-mail stating they endorse this program and strongly ask municipalities to take part. Patrick asked if the Clerk's League made a donation and Sandra wasn't sure. William Evans questioned if this was everything in its entirety or just highlights of what they want to do. Sandra answered this is an overview. They are going to lobby to the legislators so there is no way to tell if this will pass or not at this point but they are trying to form a group in support of municipalities. Patrick is not for doing this because Senator Bray torpedoed Monroe County's Food & Beverage Tax request taking away the legislative power in the County and the opportunity to choose for themselves whether to do it. Writing a check for \$355 is certainly no guarantee. His

editorial on this is “the only way to get a Food & Beverage tax in Indiana is to have a football team”. Sandra clarified that Patrick’s answer was “no, he does not want to do it”. He responded that we would be throwing our money away. Sandra added IACT will proceed but was just asking for support from their members.

Sandra explained we filed for additional road mileage certification last year and that has been certified. We went from 20.92 miles of roads in Ellettsville to 24.47 miles with an increase of 3.55 miles.

Sandra pointed out the 2005 Budget Meeting Schedule at the end of the packet. She coordinated it with all the supervisors. If the Council agrees, she will make this the official schedule and post it. Patrick mentioned it was similar to last year. Sandra noted this is a little later than in the past due to vacation schedules.

Sandra then mentioned the Briargate Addition has a custom street light that their association has been paying for. It is more expensive than our regular street lights. It costs \$32.63 per month and they have approached us to take over the payment since it was in our annexation agreement. She has contacted Cinergy to have the cost transferred to our street light bill. Briargate may ask for reimbursement for the cost of the light from the date of annexation. Patrick said that would be reasonable.

The Gateway Project came in considerably more expensive than we had anticipated. Three years ago, when Dave Sorokoty was Council President, Main Street approached the Town to help apply for a transportation enhancement grant to do the Gateways. At that time we agreed to pay a \$6,000 design plan with Green3. We have met that obligation. The project bid came in higher than expected. We were originally awarded a grant of \$67,000 but the construction bid was awarded for \$133,000. We thought we had met our 20% match with the Green3 expense, labor costs and donated materials. With the bid being \$133,000 the 20% was raised to \$26,600. I will forward a letter to Steve Dilk from INDOT showing what we have paid and they will invoice us for the difference which will be \$20,600. Our only option to pay this is out of our Build Indiana money that we have for our municipal buildings. They will not start with construction until they get this information from us.

Dennis Williamson reminded everyone the fireworks program will be July 2. Jim Davis is still taking donations. The more bucks the more bang. Everyone support the fireworks program.

William Evans wishes everyone a happy and safe July 4th.

Patrick Stoffers advised council members to meet with respective department supervisors in anticipation for the first session with Sandra and him July 6th.

Adjournment

William Evans made a motion to adjourn. Phillip Rogers seconded. Motion carried. Meeting adjourned at 8:14 p.m.

Patrick Stoffers, President

William Evans, Vice-President

Lisa Combs-Creech

Phillip Rogers

Dennis Williamson

Sandra C. Hash, Clerk-Treasurer