

March 9, 2015

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, March 9, 2015, at the Fire Department Training and Conference Room. Scott Oldham called the meeting to order at 6:30 p.m. Dianna Bastin led the Pledge of Allegiance followed with a prayer by Scott Thomas.

Roll Call: Members present were Scott Oldham, President; Scott Thomas, Vice President; Dianna Bastin, David Drake and Kevin Farris. Sandra Hash, Clerk-Treasurer, Jim Davis, Town Manager, and Darla Brown, Town Attorney, were also present.

Supervisors present were: Mike Cornman, Danny Stalcup, Kevin Tolloty and Mike Farmer. Jay Humphrey represented the Police Department.

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the Special Session on February 19, 2015, and the regular meeting on February 23, 2015. Scott Thomas made a motion to approve the minutes from both meetings. Kevin Farris seconded. Motion carried.

Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Scott Thomas so moved. Kevin Farris seconded. Motion carried.

Ordinances on Second Reading

Ordinance 2015-02 Authorizing Loans from the Town's Municipal Wastewater Works

Darla Brown, Town Attorney, explained this is a Home Rule Ordinance that authorizes the Town to borrow money from the Municipal Waste Water Utility.

Scott Oldham entertained a motion to adopt Ordinance 2015-02. David Drake made a motion to adopt Ordinance 2015-02. Dianna Bastin seconded. Roll call vote: Scott Oldham – yes; Scott Thomas – yes; Dianna Bastin – yes; David Drake – yes; Kevin Farris – yes. Motion carried 5-0.

Ordinance 2015-03 Authorizing Wastewater Utility to Make a Loan to the Town of Ellettsville

Darla Brown, Town Attorney, explained this is similar to Ordinance 2015-02. Ordinance 2015-02 is the Home Rule Ordinance which sets the parameters by which the Town can borrow money from the Wastewater Utility. This is the loan ordinance which actually sets the terms of the loan. It indicates the Town will borrow \$500,000, the loan shall bear no interest and it shall be paid no later than February 23, 2016. It also sets forth the purpose of the loan which is to be used by the Town for the acquisition of land and construction of a municipal building. Mr. Oldham asked if she anticipates any problem with the bonds taking longer than they have to. Ms. Brown replied she doesn't at this time. If there is an issue the ordinance can be amended. Mr. Farris asked if there was a problem with the bond is that going to affect the sewer plant or the water works. Mr. Oldham answered no.

Scott Oldham entertained a motion to approve Ordinance 2015-03 authorizing Wastewater Utility to make a long term loan to the Town of Ellettsville. Dianna Bastin made a motion to approve Ordinance 2015-03 authorizing Wastewater Utility to make a long term loan to the Town of Ellettsville. David Drake seconded. Roll call vote: Scott Oldham – yes; Scott Thomas – yes; Dianna Bastin – yes; David Drake – yes; Kevin Farris – yes. Motion carried 5-0.

Resolutions

Resolution 03-2015 Declaration of Official Intent to Reimburse Expenditures

Darla Brown, Town Attorney, explained this is a reimbursement resolution that needs to be passed prior to the purchase of the property. This resolution will become part of the bond documents.

Scott Oldham entertained a motion to adopt Resolution 03-2015. David Drake made a motion to adopt Resolution 03-2015. Dianna Bastin seconded. Roll call vote: Scott Oldham – yes; Scott Thomas – yes; Dianna Bastin – yes; David Drake – yes; Kevin Farris – yes. Motion carried 5-0.

Resolution 04-2015 to Authorize Town Council President, Brian Scott Oldham, to Sign All Necessary Documents to Perfect the Transfer of the Burgess Property to the Town

Darla Brown, Town Attorney, explained this Resolution authorizes the Town Council President to sign all necessary closing documents on behalf of the Town.

Scott Oldham entertained a motion to approve Resolution 04-2015 to authorize the Town Council President, Brian Scott Oldham, to sign all necessary documents to transfer the Burgess property to the Town. Dianna Bastin made a motion to approve Resolution 04-2015 to authorize the Town Council President, Brian Scott Oldham, to sign all necessary documents to transfer the Burgess property to the Town. David Drake seconded. Roll call vote: Scott Oldham – yes; Scott Thomas – yes; Dianna Bastin – yes; David Drake – yes; Kevin Farris – yes. Motion carried 5-0.

Old Business

Heritage Trail Update

Scott Oldham said whenever it dries out they can make progress.

Flood Abatement

Scott Thomas attended a Metropolitan Planning Organization (“MPO”) meeting and he sat by a gentleman from the Indiana Department of Transportation who he and Scott Oldham had a meeting with about a year ago. There was a misunderstanding as to who was waiting for what. They will clear this up to get the ball rolling.

Scott Oldham thanked the Street Department, Utilities and Jim Davis for disbursing 8,000 sand bags during a weather event in which they feared there would be flooding. Thankfully, the Town didn’t have any problems.

New Business

Proposal for American Land Title Association (“ALTA”) Survey of the 48 +/- Acres Adjacent to the Ellettsville Police Station

Darla Brown, Town Attorney, explained this is for the Burgess property next to the Police Department. This is a proposal from Bynum Fanyo and Associates to survey the property. The cost of the survey is \$6,200 plus reimbursable expenses. It does not include a topographical survey which is an additional \$5,520. Mr. Oldham asked if they need the topographical survey. Mr. Davis said Rick Coppock told him it would be a good idea to get the topographical survey. Mr. Oldham said the total is \$11,720 plus expenses.

Scott Thomas asked if they’ve received any competitive bids to make sure it is in-line. Ms. Brown replied she has not. She asked Bynum Fanyo to submit an estimate. Mr. Thomas said to be good stewards with the Town’s money, they should get a second bid. Mr. Drake asked if they needed the title work before they go any further. Ms. Brown answered yes, they have to have the title work done before the survey can be done. She ordered the title search last week. Mr. Farris doesn’t think it would hurt to get a couple other bids. Mr. Oldham doesn’t think it would hurt to get other bids but cautions that Bynum Fanyo has done this type of work for the Town and they are on retainer. He would hate to use a third party

who doesn't produce a sufficient document for everything they need in the future. Whereas using someone in-house, but out of house, will make sure they have absolutely everything they need in one document and will not need addendum.

Kevin Farris said if in worst case scenario someone came in marginally he doesn't think there would be any argument. If somebody came in phenomenally less then it is something that would need to be addressed. There have been other times the Town has used outside surveyors. Mr. Drake asked if they wait to get other bids for this service are they going to hold up the purchase of the land. Ms. Brown answered there is a clause in the contract that states there are certain things that have to be done. She doesn't think it would hold it up. She asked Mr. Davis if it takes another two weeks will it be a problem. Mr. Davis replied he didn't think so but can't guarantee it. Mr. Oldham asked Mr. Davis to discuss this with the property owners. Mr. Davis had a document provided by Rick Coppock that states the topographical survey is required for designing and permitting the government center. The survey is a requirement.

Scott Oldham entertained a motion to table the proposal until they get alternative quotes. Scott Thomas made a motion to table the proposal until they get alternative quotes. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Scott Thomas – yes; Dianna Bastin – yes; David Drake – yes; Kevin Farris – yes. Motion carried 5-0.

Scott Oldham said they will re-visit this in two weeks. Mr. Thomas asked Darla Brown to get the quotes.

Council Comments

Scott Thomas said recently the Town went through a tough snow event. He knows it is tough for all departments to be out and work in it. In particular, the Street and Utility Departments did a nice job. Danny Stalcup coordinated pulling the departments together as a new leader, got out and got the job done. There have been some changes this year that weren't done in the past. During the event, he witnessed Mr. Stalcup and several others in the 24 hour period. He had the unfortunate need to get out on county roads to go into Bloomington. Coming down State Road 46, and out of all the roads including the state highway, Ellettsville roads were far superior. Hats off to Danny Stalcup and his crew for doing a good job during the first major event. Everybody stepped up and thanks to the Street and Utility Departments for working as a group - it was great to see. Good job to all employees.

Supervisors Comments

Danny Stalcup, Street Commissioner, introduced Foreman Kip Headdy and they presented their 2015 Annual Report, which gave a breakdown of the projects they completed in 2014 as well as projections of the 2015 projects. Mr. Farris complimented Mr. Stalcup on doing a great job on the presentation.

Danny Stalcup, Street Commissioner, has talked to Jim Davis about painting a yellow stripe on Sale and Reeves Streets and he agrees. It's really hard to see the edges. He got estimates and the lowest was from Indiana Traffic Services for \$1,332. Indiana Traffic Services also does the county's striping and they said they would do it the next time they're in the area. He is requesting approval to do the striping. Ms. Brown has not reviewed the proposal.

Scott Thomas asked Kevin Tolloty, Planning Director, if this would fall under the projects in the HSIP guidelines through the MPO. Mr. Tolloty answered he would have to look into it. Mr. Thomas said the MPO is looking at things that are quick or a lower cost. They have excess funds so they're looking for projects. He has had people talk to him about sidewalks on Reeves Road. The school and a retirement community are on Reeves Road and there are no sidewalks. He would like to find out if there is funding available for the sidewalks. Ms. Hash's understanding is there was not insufficient easements on Reeves Road for the sidewalks. The original grant for the Safe Routes to School was to go down Reeves Road for the sidewalks but they didn't have a right-of-way or easement for it.

Dianna Bastin asked if the Town Attorney can look over the bid for the striping and can it be discussed at the next meeting. Mr. Stalcup replied yes.

Adjournment

Scott Oldham entertained a motion to adjourn. Dianna Bastin made a motion to adjourn. Kevin Farris seconded. Scott Oldham adjourned the meeting at 7:00 p.m.

Scott Oldham, President

Scott Thomas, Vice-President

Dianna S. Bastin

David Drake

Kevin Farris

Sandra C. Hash, Clerk-Treasurer, IAMC, MMC