

May 13, 2002

The Ellettsville, Indiana, Town Council met in regular session at 7:30 PM, Monday, May 13, 2002 at the Town Hall. David Sorokoty called the meeting to order and Jerry Pittsford led in prayer. David Drake 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, Mike Farmer and Jeff Farmer.

Approval of Minutes of the regular meeting on April 22, 2002 and special meeting on April 24, 2002

Jerry Pittsford moved to approve the minutes. David Drake seconded. Motion carried.

Action to pay Accounts Payable Vouchers

Mike Cornman moved to approve the accounts payable vouchers. David Drake seconded. Motion carried.

Proclamation: May is "Click It or Ticket" Month

David Drake read the proclamation. Jerry Pittsford made a motion to approve the proclamation declaring May to be Click It or Ticket month. David Drake seconded. Motion carried.

Planning and Zoning Recommendation – A-1 Zoning of the Well Site Property Phase Two Annexation public hearing

Rick Coppock explained that this is the public hearing for the Well Site Property Phase Two as required. This is the western 10 acres of the property. Due to the continuity requirement the annexation was divided into two phases. Rick said that most of the fieldwork for the survey has been completed and now they are working in the office on the paperwork. The annexation goes by the legal description and the survey determines where the property lays.

Resolutions

Resolution 08-02 concerning early retirement of the Sewage Works Refunding Revenue bond of 1990 early

Jerry Pittsford read the resolution by title. Sandra Hash explained through the life of the bond there was enough accrued interest to retire the bond early. Jeff Farmer added that if we retire the revenue bond now, it would save the Utilities Department and its customers approximately \$30,000. Mike Cornman made a motion to approve Resolution 08-02 concerning early retirement of the Sewage Works Refunding Revenue Bond of 1990. Geraldine McIntyre seconded. Motion carried.

Resolution 09-02 temporary loan from General Fund to Cumulative Capital Fund

Mike Cornman read the resolution for a temporary loan in the amount of \$21,196.72. Geraldine McIntyre moved to accept Resolution 09-02. David Drake seconded. Motion carried.

Ordinances on First Reading

Ordinance 02-05 Annexation of the Well Site Phase Two

Geraldine McIntyre read by title.

Ordinance 02-08 to amend Chapter 715-80 concerning Water Service Regulations, Rates and Charges

David Drake read by title. Ed Bitner asked for a clarification of this ordinance. David Drake explained that it pertains to waivers of protest of annexation for connections to the Ellettsville water system for residents who are outside the Town limits.

Ordinance 02-09 to amend Chapter 725-75 concerning Sewer Rates and Charges

David Drake read by title. This ordinance is similar to Ordinance 02-08 except it pertains to sewer service.

Ordinances on Second Reading None

Old Business None

New Business

Bynum Fanyo Utilities request for contract extension with presentation

Rick Coppock, Mike Farmer and Jeff Farmer of Bynum Fanyo Utilities, Inc. gave a presentation to the Council summarizing each year giving operational statistics and savings, capital improvements and account balances that Bynum Fanyo has made for the Town. Rick opened the presentation by explaining the history of Bynum Fanyo with the Town of Ellettsville. Mike gave a slide show presentation explaining Bynum Fanyo's productivity, maintenance operations and the capital improvements that have been made such as: replaced water main lines, added fire hydrants, implemented on-call and safety procedures and established a way to track complaints, re-configured valving of the water system, waterline relocations and extensions, converted the Utility office to an upgraded computer system and hand held meter reading devices, introduction of a sewer TV camera system to detect and record sewer line damage, McNeely Street bridge project, Hwy. 46 project and the burial of utility lines project to name a few. Mike added that the Town's sewer system has gone from the worst to one of the top ten in the State. Jeff spoke on the cost savings and the financial status of the Utilities. The cash reserves have remained constant under BFU's management. The only rate increase was due to an increase in water cost from Bloomington. They have made the improvements and held the cost down.

Council members gave their input and endorsement of Bynum Fanyo following the presentation. Rick's letter of request for a contract extension for Bynum Fanyo proposed to have the cost of living increase follow the Consumer Price Index as determined by the U. S. Department of Labor with an average rate from the past 5 years ('97 to '01) being 3%. Mike Spencer will review the contract. Mike Cornman made a motion to extend the contract for Bynum Fanyo Utilities for the operation of the Ellettsville Utilities for 10 years and follow the consumer price index as determined by the US Department of Labor in December of each year, but not to exceed a 3% annual increase. Geraldine McIntyre seconded. Motion carried. This would make the contract extended to the year 2017.

Ed Bitner questioned whether the Town had a way out if they were not satisfied with their services. Rick Coppock explained that there was a termination clause in the contract.

Privilege of the Floor

Darlyne Sowder – Congratulated the winner Mary Hudson on winning the Name the Park contest with her name "Wishing Well Nature Park". Mary won 2 tickets to Holiday World and planned on taking her young grandson. The Journal graciously gave Mary a third ticket to Holiday World so her grandson's mother could go with them.

Informed the Council that approximately 30 elementary kids have been working at the “Wishing Well Nature Park” to clear a trail. She also thanked Mr. Jim Rubish, Assistant Superintendent for R.B.B.C.S.C. and the P.T.O. for their help and support of this project.

The Skate Park still needs help on repairing several of the ramps. The park cannot open until the repairs are complete. She said they would try to open the Skate Park in June.

Pat Stoffers resigned from the Parks Board to pursue completing his Master’s degree. She requested that someone be appointed to fill his position as soon as possible.

David Sorokoty – Explained it is not the Town delaying opening the skate park, but the people who were in charge of the skate park last year. They were supposed to maintain the equipment under a maintenance program. The equipment was not kept up. Darlyne has asked them several times to repair the equipment and it has not been completed yet. The Parks Board can’t open the park until the equipment is repaired.

Bob Sowder – Said he owns property along Vine Street and that the flood from Jack’s Defeat Creek is getting worse and was wondering if anything could be done collectively as a community to correct this situation. He offered his assistance in advance if someone can think of a solution.

David Sorokoty - Talked to Vi Simpson about cleaning out the creek. He feels DNR should consider the people before the crawdads. Ellettsville is in a valley and we haven’t figured out how to make the water run uphill yet. He also spoke to Vi about receiving federal money to help correct this flooding situation.

Ed Bitner – Congratulated Dave Sorokoty on winning the election and read a letter of concession. Ed said he noticed that the stage had been demolished and asked where the stone was being stored.

David Sorokoty – Commended Ed on a good election race as well. He said he had received a call telling him the stage was demolished by Crider and Crider and that the corner stone was removed but that there was miscommunication about saving the rest of the limestone.

Jerry Pittsford – Informed the Council that the last conversation he had with Jerry Barnes was that the Fall Festival Committee still owned the stage and they wanted to store it in the vacant lot next to the Masonic Lodge Building. Jerry Barnes had agreed to let the Fall Festival Committee salvage the stage but Crider and Crider did not get the message that the Fall Festival Committee intended on salvaging the limestone so the stage was demolished and the stone wasn’t saved.

Geraldine McIntyre – Added when she was Council President, a letter from the Town’s attorney had been sent to the State requesting them to save the limestone for the Town, Fall Festival Committee, and Masonic Lodge for future projects. It was agreed that it would be allowed. She along with David and Jerry did not know the stage was demolished until late in the afternoon after the stone was gone.

Supervisor’s comments

Ron McGlocklin – Stated that the Police and Fire Departments were flooded from the recent rainstorms. The Police Station still has 3 to 4 inches of water in the office. He contacted the insurance company and the department has several thousand dollars of damage to the dry wall, tile, computers, office furniture, cabinets and holes in the roof. They couldn’t shut the front door because it is swollen and busted and there’s mold and mildew. The insurance company advised him to contact a cleaning crew. The entire office needs to be gutted out due to the water damage and molding problem. Ron brought in pictures to show the damage. They

need to be relocated eventually but right now they need to find a temporary place to operate from. There are two vacant buildings in Town that are being considered for a temporary location for the Police Department, the old Harley Davidson building with monthly rent of \$3,500 and the old dentist office with a monthly rent of \$1,600. Another possibility is a modular portable building.

Dave Sorokoty - Agreed the walls and floors can be replaced but there will still be black mold, which is a health hazard. It is getting expensive to keep replacing and repairing Ron's office because of flooding. He spoke to Vi Simpson about checking with FEMA about the department being located in a flood plain.

Ron McGlocklin - Said that Service Master would be cleaning it up. The insurance adjuster will hopefully be there tomorrow. He asked the Council to look into finding another facility for the Police Department because they will not be able to work during the clean up process.

Ed Bitner - Suggested the Police wait to find a place to relocate until summer then the school would be available.

Jerry Pittsford – Asked if we could use the insurance settlement to pay toward another building instead of toward repairs?

David Drake – Replied if it is a health hazard we will have to repair, seal or demolish the building. Since it is not a total loss he doesn't feel the insurance would pay for repairs and then allow the building to just sit there while we relocate to another facility. The Police Department should be our first priority. Flooding impacts both the Fire Department and the Police Department, but the Fire Department has a garage downstairs and their office upstairs so it is less of an impact. He said they must find a solution.

Geraldine McIntyre – Reminded everyone this is the second time the Police Department has been flooded and they need a new permanent location.

Jerry Pittsford- Asked Mike Spencer if we could negotiate with insurance to not go back into this building.

Dave Sorokoty – Said the Police Department is less than 1,000 square feet. Dave assured Ron that the Council has already started addressing this situation by looking for a temporary and a permanent location to house the Police Department.

Sandra Hash – State Board of Accounts will hold their annual meeting on June 11 through 13 in Indianapolis. Clerk-Treasurers and Deputy Clerks are required to attend.

Geraldine McIntyre - Monroe County Solid Waste decided at the last meeting to go back to using the original landfill and will no longer be using the bailer. This will allow Bloomington and Ellettsville to dispose of more wastewater sludge at the landfill. She also invited all of the Council to a dedication at Crane on June 5th, 2002.

Jerry Pittsford – Thanked all the employees for their work during the flood.

Dave Sorokoty – Also commended employees and citizens who helped out during the flood.

Adjournment

David Sorokoty asked for a motion to adjourn. David Drake moved for adjournment. Mike Cornman seconded. Meeting was adjourned at 9:42 p. m.

David Sorokoty, President

David Drake, Vice President

Mike Cornman

Jerry Pittsford

Geraldine McIntyre

Sandra C. Hash, Clerk-Treasurer