

**May 28, 2002**

The Ellettsville, Indiana, Town Council met in regular session at 7:30 PM, Tuesday, May 28, 2002 at the Town Hall. David Sorokoty called the meeting to order and Jerry Pittsford led in prayer. Geraldine McIntyre 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 May 13, 2002**

Jerry Pittsford moved to approve the minutes. Mike Cornman seconded. Motion carried.

**Action to pay Accounts Payable Vouchers**

Geraldine McIntyre moved to approve the accounts payable vouchers. Jerry Pittsford seconded. Motion carried.

**Resolutions**

**Resolution 07-02 to adopt a Written Fiscal Plan for Well Site property phase II**

David Drake read by title. Mike Cornman made a motion to approve the resolution. David Drake seconded. Motion carried.

**Resolution 10-02 to transfer insurance reimbursement to Police 231 vehicle repair**

Mike Cornman read the resolution. Geraldine McIntyre moved to approve the resolution. David Drake seconded. Motion carried.

**Ordinances on First Reading** None

**Ordinances on Second Reading**

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

Jerry Pittsford read the ordinance and moved approval of Ordinance 02-08. David Drake seconded. Motion carried.

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

David Drake read the ordinance. Mike Cornman moved to approve the Ordinance 02-09. Geraldine McIntyre seconded. Motion carried.

**Old Business**

**Bynum Fanyo Utilities Contract, Mike Spencer**

Mike Spencer explained that the contract would not take effect until 2008. The Waste Water Treatment is currently at 3% annual increase and the Water is currently at 5% annual increase.

**Annexation Public Hearing for Jack's Defeat Creek Mall and Hoosier Tire**

David Drake explained that this is the legally published public hearing for Jack's Defeat Creek Mall and the Hoosier Tire annexation area. David Drake read all the areas to be annexed which includes property owned by Richard Belcher consisting of Belcher Auto Sales and Kimmel Auto Sales, a parcel owned by Allen Grimes and Lois Terrell at 4826 N. Love Lane, a parcel owned by Gary and Jill Burton which is Hoosier Tire, a parcel owned by Jean LeJeune which is the carwash and a daycare, three vacant parcels owned by Garnet Kinser, a parcel owned by Della May Cassady / Cassady Electric, a parcel owned by Mark and Allen Childes which is NAPA Auto Parts, a vacant parcel owned by Hoosier Outdoor Advertising Corp. and Jack Defeat's Creek Mall owned by Johnny and Lauretta Edwards. The Council has to wait at least thirty days from tonight's public hearing before this ordinance can be adopted. It will be scheduled for final adoption at the regular Council Meeting on July 8<sup>th</sup>, 2002.

**New Business**

**Transfer of Property – Endwright Center**

Jewel Echelbarger from Area 10 Agency on Aging sent a request letter for a transfer of property to the Town's Attorney, Mike Spencer. The property was donated to Area 10 by Wallace Voils. The value is \$285,000 and is titled to the Town of Ellettsville because Area 10 requested the land actually be titled to the Town to meet the requirements of the State to receive \$500,000 in Community Focus Funds grant money from the Indiana Department of Commerce to help construct the facility. The agreement was that the land and building would be owned by the Town for five years and then transferred to Area 10 at the end of the five-year period, which ended, on 3-31-02. Jewel requested that the transfer of property to Area 10 take place on 7-1-02, which would have been Maurice Endwright's birthday, it was also the same day Maurice was married and the day he started his business. Mike Cornman verified this was the intent from the beginning and commended Jewel, the staff and Area 10 on the Center. Mike Spencer said the Town needs to execute a deed to Area 10 transferring the property from the Town to Area 10. Mike Spencer asked that this issue be taken care of at the next meeting so that the documentation could be prepared and examined. Jewel Echelbarger commented that 11,648 people went through the Area 10 facility in 2001 and that it belongs to the whole community.

**Addition to Agenda - Road for Senior Citizens**

Geraldine McIntyre requested this be added to tonight's agenda. Geraldine explained that the Town has held two meetings with the Senior Citizens (residents of Richland Apartments) about making a new road for the Senior Citizens on to Main Street during the road construction. Geraldine stated that Deborah Hudson, Jim Ragle, Rick Coppock and herself represented the Town. They all came up with an idea to put in a temporary road. It was asked that a contract be prepared between the Seniors Citizens and the Town. The Town would do the labor and the seniors would purchase the gravel and materials but no additional Town money will be spent for this project. Geraldine has the map showing how the road will be laid out, using Brown Road. The Seniors Citizens Housing already owns the land that comes off of the first section of the Senior Citizens houses. It will come out behind Kay Hudson's house and connect to Matthews Drive.

Jerry Pittsford asked Jim Ragle if this road would have the proper site distance for ingress and egress. Jim said yes but the entrance needs to be improved a little bit. He wants to widen the road to 18' from the entrance up to the parking lot approximately 200 feet. There are 2 other residents on this road. The Street Department will put down gravel for now and it will be paved later.

Jewel said it was hard to get in and out of Maple Shades Apartments due to construction as well.

Mike Spencer asked if it was a private road or a public road. This was briefly discussed and it was undetermined whether it was public or private, therefore, further research will need to be done on this issue.

Geraldine McIntyre and Deborah Hudson have forwarded the information to the Mike Spencer to complete the agreement paperwork between the Town and the Seniors and Mike has the contact name, Marion Jacobs, for the Senior Citizens.

Mike Cornman said there's no traffic regulations on Brown Road currently and he also added it would be hypocritical of the Town to install a gravel road when we do not allow gravel drives.

Jerry Pittsford said that a gravel road would be appropriate right now since it is temporary and considered right now as an alternative route access road due to construction. It is not determined whether it will be a permanent road or not yet.

Mike Cornman said it should actually be taken into consideration as making it in to a permanent road because of the one way situation

Jerry Pittsford suggested installing an intersection sign to avoid possible traffic accidents since there is a gradual curve at that area and it will have a definite traffic flow increase.

#### **Bynum Fanyo Utilities Contract**

David Sorokoty said since everyone has had an opportunity to look over the contract with Bynum Fanyo Utilities the floor was open for suggestions. Mike Cornman made a motion to approve the second amended contract. Geraldine McIntyre seconded. Motion carried.

#### **Privilege of the Floor**

Jewel Echelbarger said that Monroe County Planning Department is holding planning hearings at the Ellettsville Branch of the Monroe County Library. They held their first one tonight and had low attendance. Jewel encouraged everyone interested to attend the second hearing because this is important and will be informative about plans for the areas surrounding Ellettsville. The Hearing tomorrow will be at 10 a. m. giving a community tour that starts from the Ellettsville Library and later in the day there are other scheduled meeting times with public officials and task force members, etc. ending the day with an open public meeting from 4 to 6 p.m. She said that Thursday at 11 a. m. there will be another meeting for those interested in the environment and historical significance of the areas with another open meeting at 1 p.m. and finally a meeting at 7 p. m. describing results of their workshop.

#### **Supervisor's comments**

**Jim Davis** – Presented a letter to the Council about the reoccurring flooding problems that the Fire Department has dealt with in the past giving all of the different years it has flooded. He also thanked everyone who helped with sand bagging and clean up from the May 12<sup>th</sup>, 2002 flood. Jim said he has received questions about the drains inside the building, individuals wondering whether oil and other debris was emptying into the creek. There are no drains that lead from the interior of the building into the creek. The only drains in the interior of the building go into the sanitary sewer system.

**David Sorokoty** – Sympathized with Jim's concerns and said that as far as filing for disaster funds the Town has reached a total of about a \$78 thousand dollar loss. He said that according to FEMA the Town does not qualify but that the entire County has to qualify and in order for that to happen, the dollar loss that must be reached has to be \$1.60 per citizen throughout the County to receive relief funds. Dave has e-mailed Vi Simpson about this issue and is waiting to hear back from her. The first efforts to correct some of this situation has been in finding a new location for the Police Department because their offices are downstairs. This does not minimize the Fire's need for the flooding problem to be corrected as well. Dave said that the Council is having a special session this Wednesday night, May 29<sup>th</sup> at 7 p.m. regarding the Police Station and its relocation. He invited Jim Davis to attend as well regarding the Fire Station. Dave thanked everyone who helped out during the flood.

**Jim Ragle** – Explained he had removed the stone he was supposed to and then gave the go ahead to finish demolishing the stage so, he said he would take the responsibility for the limestone stage stone not being saved.

**Darlyne Sowder** – Said at a recent highway meeting it was stated the Town had removed what it needed so it was okay to move ahead.

**David Sorokoty** – Said that everyone has known for a year that the stage was going to be removed due to the new road construction so there was plenty of time to submit requests for the limestone if someone really wanted any other pieces besides the ones Jim Ragle had been instructed to remove.

**Jeff Farmer** – Congratulated Mick Hammett and the Edgewood Girls Softball Team for winning the sectional. They beat both the 4<sup>th</sup> and 2<sup>nd</sup> highest rated teams in the State. He said since yesterday was Memorial Day that he would like to recognize and thank the Veterans for the sacrifices they have made for our Country.

**Dave Sorokoty** - Also thanked the Veterans for their service. He also said he had enjoyed the Memorial Day Service that was held in the Park by the Library yesterday.

**Jerry Pittsford** – Shared that three teachers at Edgewood will be retiring after this school year. Mr. and Mrs. Williamson with 72 years of combined service and Mr. Reddenbaugh who has taught for a number of years as well. He thanked them for all of their years of service and for providing exceptional teaching skills in educating so many students in our area.

**Mike Cornman** – Extended his thanks as well to the teachers and explained that Mr. and Mrs. Williamson had made school interesting for him as a young man. He said that they not only taught here but also lived and participated in our community. Mike said also remembered basketball competitions between Mr. Reddenbaugh and Mr. Townsend.

He said that as of May 1<sup>st</sup> he had received 30 complaints on high weeds and 35 complaints on abandoned cars and gravel driveways. He encouraged citizens to maintain their yards and keep up on Town Ordinances. He also asked the Council to re-look at the habitual offenders for a better solution.

**David Sorokoty** – Agreed that something action should be taken to control habitual offenders. Dave said the Council may need to update the Ordinance on weeds and trash.

**David Drake** – Said when he looked at the Ordinance last year he looked at other municipal ordinances and he couldn't find any provision or fees for habitual offenders. There is also the Indiana Code State statute that regulates the problem

and he doesn't know if the Town is legally allowed to be more restrictive than Indiana Code.

**David Sorokoty** - Said that for the upcoming June Meetings it has been suggested that the meetings could be held in different places.

He also said he had attended the Elected Officials Summit with Bloomington City, County Council and Town of Ellettsville. These meeting are supposed to be held quarterly but one has not been held within the last nine months. So the Town decided to reinstate them and hosted this meeting. There wasn't an agenda this time but a refresher meeting to reacquaint everyone with the current issues to focus on. The next Summit meeting will be in three months and will be hosted by the City of Bloomington with the main topic focusing on job creation.

**Adjournment**

David Sorokoty asked for a motion to adjourn. Geraldine McIntyre moved for adjournment. Mike Cornman seconded. Meeting was adjourned at 8:50 p. m.

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David Sorokoty, President

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David Drake, Vice President

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Mike Cornman

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Jerry Pittsford

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Geraldine McIntyre

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Sandra C. Hash, Clerk-Treasurer