

September 23, 2019

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, September 23, 2019 at the Ellettsville Town Hall Meeting Room located at 1150 W. Guy McCown Drive. Brian Mobley called the meeting to order at 6:30 p.m. Dan Swafford led the Pledge of Allegiance followed with a prayer by William Ellis.

Roll Call: Members present were Brian Mobley, Dan Swafford, Scott Oldham, Pamela Samples and William Ellis. Mike Farmer, Interim Town Manager; Darla Brown, Town Attorney and Sandra Hash, Clerk-Treasurer were also present. **Supervisors present:** Mike Cornman, Jay Humphrey, Danny Stalcup and Kevin Tolloty.

Approval of Minutes

Brian Mobley entertained a motion for approval of the minutes of the regular meeting on September 9, 2019. Dan Swafford so moved. Scott Oldham seconded. All in favor, motion carried.

Accounts Payable Vouchers and Payroll

Brian Mobley entertained a motion to pay Accounts Payable Vouchers and Payroll. Dan Swafford so moved. Pamela Samples seconded. All in favor, motion carried.

Presentation

Bakertilly Municipal Advisors, LLC – Wage Study Presentation

Doug Baldessari, Partner, introduced **Ann Antonsen, Director**, she promoted the company stating they have 60 years of public sector experience, senior professionals including former local government leaders, leading classification and compensation services partners. They have completed over 150 classification & compensation studies over the last 5 years. She explained the study will include employee involvement to build confidence in the process. The compensation package should be internally equitable and externally competitive. Position classification should be a defensible process. Based on a quantifiable system of job evaluation. Plans should be understandable and usable and process credibility and outcome credibility.

Option 1 would include a Market survey and custom recommendations

Option 2 would include Job description creation, a customized survey and study summary with no on-site visits.

Option 3 would include a full scope with on-site visits, evaluations, internal equity and a comprehensive study

She discussed the objectives of the Full Study would include:

1. Review and evaluation of the current classification and compensation system
2. Create opportunities for input at all levels
3. Analyze/update/develop job descriptions
4. Determine current relationships relative to the labor market
5. Evaluate the internal ranking of all positions based on current job responsibilities and requirements
6. Review and analyze current compensation structure
7. Revision/development of compensation system and strategy
8. Development of implementation strategies

The Proposed Services – Full Study includes:

- Project Initiation – Communication
- Staff involvement at all levels
- Data Collection – Position Analysis Questionnaire completed on-line
- Job Descriptions
- Job Evaluation – SAFE Job Evaluation System
- Market Survey – Wages and Benefits
- Review and analyze current compensation structure
- Review pay philosophy and compensation policy
- Recommendations for revisions to or development of a new compensation system(s)
- Development of Implementation Strategies

- Present Final Classification and Compensation Report
- Staff Training
- Post Contract Maintenance and Support

Services can be tailored to the Town of Ellettsville to best suit our needs. **Dan Swafford** asked if we could be provided a list of references. **Scott Oldham** asked for timeframes. She explained it is based on the option we choose. Option 1 is about 6 weeks for just a market survey and making recommendations. The broader the scope of services determines the time it takes. The full scope of services could take 4 to 5 months depending on the time it takes to complete the employee questionnaires and market study results. **Sandra Hash, Clerk Treasurer** will have Doug Baldessari resend the email that details pricing. There will be a second company that will present their services at the October 14th meeting. A decision from the board will be decided after that presentation.

Resolutions

Resolution 13-2019 Additional Appropriation – Local Road and Bridge Matching Grant Fund

Sandra Hash, Clerk Treasurer, explained that at the last meeting they transferred money to fund our commitment for the grant and this was for the local appropriation. It has been advertised, once approved she will send it to the Department of Local Government Finance to acknowledge receipt.

Scott Oldham made a motion to approve Resolution 13-2018 Additional Appropriation – Local Road and Bridge Matching Grant Fund. William Ellis seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – yes; Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes. Motion carried. It was later amended to correct the title from Resolution 13-2018 to 13-2019. Scott Oldham made a motion to amend the title to 13-2019. William Ellis seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – yes; Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes. Motion carried.

Resolution 14-2019 Transfer of Funds

Sandra Hash, Clerk Treasurer explained there was a necessary need for some transfers to Legal Services and Miscellaneous Professional due to exceeding of the budgets. She is requesting to move \$5,200.00 to Legal Services and \$6,000.00 to Miscellaneous Professional. Miscellaneous Professional is used for appraisals and engineering fees or professional services fees. Sandra explained there has been several unexpected legal expenses from the Planning Department that have required additional work. They have enough to cover their retainer for the remaining months and the budget has been adjusted for next year to accommodate additional charges.

William Ellis made a motion to approve Resolution 14-2019 Transfer of Funds. Pamela Samples seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – yes; Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes. Motion carried.

Resolution 15-2019 - Acquisition of Property for Trail

Darla Brown, Town Attorney, explained the Town is applying for a DNR (Department of Natural Resources) next level trail grant. The application is due October 1, 2019. The parcels referred to as the old Railroad Corridor and Depot located North of Main St. and South of McNeely St. total of 1.49 acres. All attempts to determine the owner have been exhausted and we have exercised our due diligence. There have been 2 title searches conducted, one by John Bethel Title and the other by Star Hill Abstracting in Bloomfield. According to GIS (Geographic Information System) the 2 parcels have no address, name or parcel numbers and no record of tax bills being sent. Quiet Title is not an option because the Town would have to legend the complaint that they have some colorable claim to the property, in other words, they have a deed that includes that property and needs to clarify title. She explained that under Eminent Domain there is a statute that allows you acquire property through publication. You make an offer after obtaining the appraisal and publish the offer in the paper to any potential landowners. Information can be picked up at the Clerk's Office. If there is not any response, we file suit to move the court for a default judgement and deposit the funds with the trial court clerk and after an appropriate amount of time it can be petitioned with the court to return the funds. Application is due by November 1, 2019. She wants to proceed with approval for the Town Attorney to proceed with Eminent Domain to obtain the property. The appraisal came in at \$16,300.00 and suggested an offer

of \$10,000.00. **Dan Swafford** inquired about the Railroad owning the property. She further explained the first title search found a grant for an easement for the railroad corridor south of this property but not north and a declaratory judgement in 1993 petition that was filed in Hamilton County that included CSX Railroad easements that expired throughout Central Indiana that included Monroe County. The court in Hamilton County issued an order in 2003 finding that CSX Railroad had no rights to certain properties. The attached list did not include that property, so it is unclear. She did attempt to contact CSX with no response. She feels all easement have been extinguished and the property was eventually abandoned. There is one utility easement on the property with AT&T. Mike Cornman explained that in 1996-1998 they dealt with that during the Wastewater treatment facility project. Between Bloomington and Chicago this situation was common. It was determined that the railroad must go through and AT&T was under the impression that CSX Railroad owned it and CSX thought they owned it so there became one easement from Jacksonville Florida to Chicago. When a road was put down on the railroad bed, AT&T showed up quickly. As a result, hopefully, after the published offer the true landowner will come forward. The process should take around 60-90 days provided on results. There could be some time involved later for an additional appropriation to provide the money for the offer. There is an option through Parks Board from an inheritance that could be borrowed from.

Leasa Siscoe, President Ellettsville Main Street, spoke to the council encouraging them to do what it can to move forward with this effort and offered their support in any way they could to help.

Scott Oldham made a motion to approve Resolution 15-2019 Acquisition of Property for Trail. Brian Mobley seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – yes; Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes. Motion carried.

Resolution 16-2019 - Authorization to file a Complaint for Condemnation for 104 West Vine Street

Darla Brown, Town Attorney explained this is a follow-up to discussion regarding purchasing the property at 104 West Vine Street in order to complete a project recommended by the engineering company. Mike Farmer, Interim Town Manager served Chad Stephens with an offer on August 22, 2019 and was rejected by letter on September 3, 2019. The next step is to file a Complaint for Condemnation. Once that occurs the Town can negotiate and attempt to an administrative settlement. **Dan Swafford** questioned making a higher offer than the appraisal. Mike Farmer feels that Mr. Stephens is interested in selling for the right price. **Pamela Samples** disagreed with making a higher offer. **Scott Oldham** stated it needed to be decided to pursue the property or abandon the purchase and it was unfair to Mr. Stephens to keep him in limbo.

Scott Oldham made a motion to approve Resolution 16-2019 – Authorization to file a Complaint for Condemnation for 104 West Vine Street. Brian Mobley seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – no; Scott Oldham – yes; Pamela Samples – no; William Ellis questioned before his vote if it locked the Town in to paying more than the appraisal or just giving the ability to offer more. **Darla Brown** explained at this point since he had rejected the offer it was the only option in order to obtain the property. If no agreement can be reached with Mr. Stephens, then the court will assign appraisers and they can proceed from there. Amanda Martin, assistant to Chad Stephens spoke and explained that they had an offer from a company for \$185,000.00 and were in the final paperwork process when the new owners received a stop work notice on the property. They later found out about the Eminent Domain in process and the Town's interest in the property, so they rescinded thier offer and all monies were returned. She isn't in the position to negotiate or speak for Mr. Stephens but felt he believes he can get a lot more for the property than what the Town offered initially. After much discussion, the final approval for the purchase of the property would come before the council, this authorization is for it to proceed with negotiations. William Ellis – yes. Motion Carried.

Leasa Siscoe, President of Ellettsville Main Street, spoke on their excitement for how much Vine Street had improved and hoped they were able to continue with plans to make it even better. She also mentioned that market value is determined by several things, but also on what a people are willing to pay for a property. The courts appraisers will see the previous offers and base their assessed value on that as well as the typical guidelines.

Ordinances on Second Reading

Final Adoption of the 2020 Budget – Ordinance 2019-18 for Appropriations and Tax Rates for the 2020 Budget

Budget has been presented to the council with no changes. The total budget for all funds regulated by the state is \$4,359,426.00. It has published and online on the Gateway.

William Ellis made a motion to approve the Final Adoption of the 2020 Budget – Ordinance 2019-18 for Appropriations and Tax Rates for the 2020 Budget. **Scott Oldham** seconded. Roll call vote: **Brian Mobley** – no; **Dan Swafford** – no; **Scott Oldham** – yes; **Pamela Samples** – yes; **William Ellis** – yes. Motion carried.

Old Business

104 West Vine Street Acquisition

Darla Brown, Town Attorney, explained this was all explained under Resolution 16-2019 discussed earlier in the meeting.

New Business

Acquisition of Property for Trail and Letter to Department of Natural Resources

Darla Brown, Town Attorney explained this is necessary for **Denise Line**, Assistant Planner, for the application for the grant a letter from the council explaining that Eminent Domain is our option. She drafted a letter for council approval to explain the reason for why they are proceeding with Eminent Domain. **Sandra Hash, Clerk Treasurer** inquired about the matching funds required. **Denise Line**, Assistant Planner explained it would be minimal due to the in-kind labor and they do have some donations toward the cause. She would not have a total until mid-October.

Brian Mobley entertained a motion to approve for the Acquisition of Property for Trail and Letter to Department of Natural Resources. **Scott Oldham** so moved. **Dan Swafford** seconded. Roll call vote: **Brian Mobley** – yes; **Dan Swafford** – yes; **Scott Oldham** – yes; **Pamela Samples** – yes; **William Ellis** – yes. Motion carried.

Cancellation of the Municipal Election November 5, 2019

William Ellis explained that there are no open contests in the Town of Ellettsville. The cost of a polling location would be \$2,500.00. By state law it is not required to have an election if all parties are unopposed. It will save the Town money and was done for the primary. **Sandra Hash, Clerk Treasurer**, further explained that according to personnel policy, it is a day off even though there is no election, the policy does not discriminate whether it is a local or non-local election and will remain a day off just as was done in the spring when there was no primary election.

Dan Swafford made a motion to approve the cancellation of the Municipal Election November 5, 2019. **Pamela Samples** seconded. Roll call vote: **Brian Mobley** – yes; **Dan Swafford** – yes; **Scott Oldham** – yes; **Pamela Samples** – yes; **William Ellis** – yes. Motion carried.

2020 Agreement to Provide Community Access Television Service for the Town of Ellettsville

Sandra Hash, Clerk Treasurer, explained it is the agreement between CATS TV and the Town. It has the growth quotient of 3.5% and she has adjusted that in the budget. **Michael White**, general manager of CATS TV was present for any questions. He mentioned there is a new mobile app available. **Brian Mobley** entertained a motion to approve the agreement to provide Community Access Television Service for the Town of Ellettsville.

Dan Swafford so moved. **William Ellis** seconded. Roll call vote: **Brian Mobley** – yes; **Dan Swafford** – yes; **Scott Oldham** – yes; **Pamela Samples** – yes; **William Ellis** – yes. Motion carried.

Council Comments

Brian Mobley thanked everyone for all the efforts and volunteers who worked the Fall Festival. He hopes to see more involvement from Monroe County in the future. He also congratulated the Edgewood football team, they haven't had a winning streak like this since 1984.

Sandra Hash, Clerk Treasurer, also thanked all the Town employees who helped and the Council for allowing it.

William Ellis expressed appreciation for passing the budget. He wants to balance the budget next year. He wants Ellettsville as we grow, to be attractive to when it comes to tax rates. He is challenging department heads to help balance the budget. Sandra Hash, Clerk Treasurer, understands his interest, but explained we do gain in balance so in retrospect, we are balancing the budget and the new industrial development will help with the tax rate. He feels we can grow out of it, but if we can't balance it, he will make a motion to freeze council salary. If the taxpayers aren't getting anything the council shouldn't be.

Public Comment

Valarie Dewar spoke for the Chamber of Commerce. She expressed the Fall Festival is a highly visible example of what our community is capable of and how we can come together. The Chamber has enjoyed the dialogues they have shared with the Town Council and continue to focus on the vision for the future of Ellettsville. They look forward to working with Main Street, the elected officials, the schools and all the stake holders to develop a viable plan for moving forward in promoting the many positives of our community for growth of businesses, neighborhoods and family. She also announced an open house on October 23, 2019 at the Town Hall for their annual awards that will recognize business visionary leaders and educator of the year.

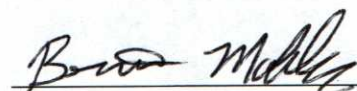
Leasa Siscoe, President Ellettsville Main Street, expressed how fun it is to work with the Town to make improvements to the Town we all love. She thanked the Town for all their cooperation, and she is excited about what the future might bring in the visioning process.

Supervisor Comments

Danny Stalcup, Street Department Supervisor, inquired about a streetlight at 7337 Mustang drive. The developer wants to remove the light to put in a driveway. **Sandra Hash**, Clerk Treasurer discussed an existing contract with Duke on Street lights. Mike Farmer, Interim Town Manager volunteered to take care of whatever was necessary to assist with the issue and get back with everyone.

Adjournment

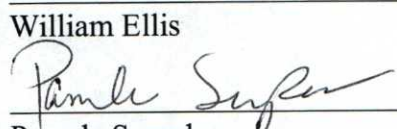
Dan Swafford made a motion to adjourn. Scott Oldham seconded. Brian Mobley adjourned the meeting at 8:02 p.m.



Brian Mobley, President



Dan Swafford, Vice President



William Ellis

Pamela Samples



Scott Oldham

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