

December 10, 2018

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, December 10, 2018, at the Ellettsville Town Hall Meeting Room located at 1150 W. Guy McCown Drive. Scott Oldham called the meeting to order at 6:30 p.m. Kevin Farris led the Pledge of Allegiance followed with a prayer by Jimmie Durnil.

Roll Call: Members present were Scott Oldham, President; Brian Mobley, Vice President; Kevin Farris, Brice Teter and Scott Thomas. Sandra Hash, Clerk-Treasurer; Darla Brown, Town Attorney; Mike Farmer, Interim Town Manager and Rick Coppock, Town Engineer, were also present. Jeff Farmer was absent.

Supervisors present were: Mike Cornman, Danny Stalcup, Jimmie Durnil and Kevin Tolloty.

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on November 26, 2018. Kevin Farris so moved. Brice Teter seconded. Motion carried.

Accounts Payable Vouchers

Brian Mobley asked questions about the claims which were answered by the supervisors. Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers and Payroll. Brian Mobley so moved. Brice Teter seconded. Motion carried.

Resolutions

Resolution 30-2018 to create a Donation Fund for the Ellettsville History Center

Sandra Hash, Clerk Treasurer explained the fund was created by request to handle the donations from the Donnie Matson estate. Scott Oldham asked the advice of Darla Brown, Town Attorney, if the fund should be created by the Town Council or the Parks Board. Sandra Hash, Clerk Treasurer advised it should be created by the Town Council further explaining she reports to the Parks board on the activities, but the Town Council signs off on all the accounts payable. Darla Brown, Town Attorney stated there should be no issue with the Town Council establishing the fund because it doesn't prevent the Parks Board from administering it. Sandra Hash, Clerk Treasurer explained it was a stand-alone, non-reverting fund and all money is put in and will remain in the fund for that purpose. Jimmie Durnil asked how the fund was labeled. Sandra Hash, Clerk Treasurer explained the document received from Darla Brown, Town Attorney, was distinguished to be labeled Ellettsville History Center.

Kevin Farris made a motion to approve Resolution 30-2018 to create a donation fund for the Ellettsville History Center. Scott Thomas seconded. Roll call vote: Scott Oldham - yes; Brian Mobley - yes; Kevin Farris - yes; Brice Teter - yes; Scott Thomas - yes. Motion carried.

Ordinances on First Reading

Ordinance 2018-37 to amend Chapters 73 and 74 of the Ellettsville town Code concerning Streets

Sandra Hash, Clerk-Treasurer, explained it is an ordinance established to catch up on all the new streets, assign stop streets, speed limits and no parking. She is working with Kevin Tolloty, Planning Department, on road inventory with the Street Department to verify both are up to date.

Scott Oldham asked for questions or comments from department heads and advised it will be readdressed at the next meeting on Second Reading.

Ordinances on Second Reading

Ordinance 2018-38 Fixing of the Salaries for Budget Year 2019

Sandra Hash, Clerk Treasurer, reported no discrepancies were offered from the supervisors and all questions were answered when budgets were verified.

Kevin Farris made the motion to approve ordinance 2018-38 to approve the fixing of the Salaries for Budget Year 2019. Seconded Brice Teter. Roll call vote: Scott Oldham - yes; Brian Mobley - yes; Kevin Farris - yes; Brice Teter - yes; Scott Thomas - yes. Motion carried.

Old Business

Flood Report

Rick Coppock, Engineer for Bynum Fanyo discussed reports from Chris Roberge and associates. Flood models were submitted to DNR from previous projects and several different engineers. These will all be put together into one model and will produce alternatives to prevent flooding at the section of Jacks Defeat Creek located along Vine Street and also Temperance Street. Discussion with the Town on these alternatives will be late December or January 2019 in a public meeting. Brian Mobley shows pictures he took of the creek near the properties the Town is trying to purchase discussing the fill and thought on removing the eroded areas to hold more water when flooding occurs. Removal of those areas won't solve the flooding issue but it will reduce it.

New Business

Agreement between Indiana University Health Bloomington and the Town of Ellettsville concerning ambulance Services

Mike Cornman discussed the agreement is a contract between the Town and IU Health to park an ambulance at the Curry Pike Station to better service the Northwest area of Monroe County. It is the same as last year plus a growth quotient which was honored. Scott Thomas questioned if the contract was limited to just the Curry Pike Station from previous concerns of closing that location. Mike Cornman spoke to Kelly Mulls, director of IU Health EMS and Brad Dykes, Vice President, they agreed if it became an issue they would move the ambulance and amend the contract.

Scott Thomas made a motion to approve the Agreement between Indiana University Health Bloomington and the Town of Ellettsville concerning ambulance Services. Seconded Kevin Farris. Roll call vote: Scott Oldham - yes; Brian Mobley - yes; Kevin Farris - yes; Brice Teter - yes; Scott Thomas - yes. Motion carried.

Letter of Credit Reduction Request for Litten Estates, Phase III, Hidden Meadow, Phase 3a & 3b and Greenbrier Meadows Phase III

Kevin Tolloty discussed each subdivision beginning with Litten Estates, Phase III. Kevin stated only three lots are left unfinished. Roads are finished and work left to be completed are sidewalks, erosion control and street trees. Kevin explained the remaining cost of \$4,630 plus 25% contingency sufficient to cover the work remaining should the developer fail to finish the lots. Reducing the letter of credit from \$25,625 to \$5,787. Work should be finished by spring or early summer. Kevin Farris entertained the motion to treat each request as an individual request for approval due to there being different developers. Hidden Meadow and Litten Estates are developed by Henry's Fork LLC and Greenbrier Meadows is developed by Phil Tapp.

Kevin Farris made a motion to adopt the Reduction of the Letter of Credit for Litten Estates, Phase III. Seconded Scott Thomas. Roll call vote: Scott Oldham - yes; Brian Mobley - yes; Kevin Farris - yes; Brice Teter - yes; Scott Thomas - yes. Motion carried.

Kevin Tolloty stated Hidden Meadow, Phase 3a and 3b all work has been completed and requested the Letter of Credit be released.

Kevin Farris made a motion to release the Letter of Credit for Hidden Meadow, Phase 3a and 3b. Seconded Scott Thomas. Roll call vote: Scott Oldham - yes; Brian Mobley - yes; Kevin Farris - yes; Brice Teter - yes; Scott Thomas - yes. Motion carried.

Kevin Tolloty completed his discussion with Greenbrier Meadows, Phase III stating it is near completion with only 750 feet of sidewalk, 2 curb ramps and 11th Street trees remaining. Work will finish up this coming year. Kevin explained the remaining cost of

\$11,534 plus 25% contingency sufficient to cover the work remaining should the developer fail to finish the lots. Reducing the letter of credit from \$28,998. To \$14,417.

Kevin Farris made a motion adopt the Reduction of the Letter of Credit for Greenbrier Meadows, Phase III. Seconded Scott Thomas. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; Scott Thomas – yes. Motion carried.

Eminent Domain – 104 West Vine Street – Chad Stephens, Pipjay Properties

Darla Brown, Town Attorney, asked this matter to be tabled until further questions she has have been answered regarding property owner getting attorney fees and what constitutes sufficient negotiations under Indiana Code that the Town is required to do before proceeding.

Kevin Farris made a motion to table Eminent Domain 104 West Vine Street – Chad Stephens, Pipjay Properties. Seconded Scott Thomas. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; Scott Thomas – yes. Motion carried.

Town Council Comments

Brice Teter said his goodbye to the Council and thanked them expressing his pride in all that was accomplished during his time serving on the board. He finished with wishing Pam Samples best of luck in her time serving on the Board.

Scott Thomas expressed his concern with the sale of the Village Inn property stating the parking area used by the restaurant, which is on town property, should be marked in some way. This would insure potential buyers are not under the assumption that the parking area is included in the sale of the property, preventing future issues between the new owners and the Town. Kevin Farris stated a survey would be necessary for the purchase of a commercial property anyway. Mike Farmer stated he would make sure that information is passed on.

Brian Mobley stated Santa Claus is coming to Town on the big blue Firetruck on December 15th. Breakfast will be at the Masonic Lodge with Santa Claus and a small craft display.

Brian Mobley stated signs are done and being put up at both ends of town and on Mustang Drive for the Edgewood High School Marching band state championship.

Supervisors Comments

Mike Farmer expressed his pleasure that Cassady Electric has moved back to Ellettsville and they are located in the old Curry Building. He also mentioned the secondary water line is fully operational and the controls installed are working perfectly. Connection has been made to the backside of Forrest Park Farms and after activation it will improve water quality as well as firefighting abilities. He continued with thanking the board on behalf of the employees for the raise.

Mike Cornman discussed he is very happy with the secondary water line and it is very beneficial for the Town and for ISO rating. Mike asked for the board approval of a \$500 raise for Matt Siebolt after receiving a favorable 6 month evaluation. Matt was hired at a probationary salary \$1,000.00 less than the full salary according to town code and seeks half of that salary for full time effective next pay period.

Scott Thomas made a motion to approve the pay increase for Matt Siebolt effective next pay. Seconded Kevin Farris. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; Scott Thomas – yes. Motion carried.

Mike Cornman also discussed the implementation of an operational change of a new radio system, Hoosier Project Safe T, an 800 megahertz system. It is a statewide system safer for firefighters and officers on the street with better encryption. Mr. Cornman also discussed the firefighter on light duty working on marking the GPS locations of all water hydrants. Very advantageous to the ISO rating and future plans with the Utility department. Mr. Cornman finished with the announcement of the passing of Bill Baxter, retired firefighter

and Town Employee for 38 years. He was honored with a full retired firefighter's funeral with the Ellettsville Police Department and IU Health

EMS participating. The departments of Northern Monroe Township, Perry Clear Creek and Van Buren filled in to cover the area in their absence.

Jimmie Durnil explained to the council an officer has taken some sick leave after he actually ask for paid time off "PTO". He called me during his time off and said he had become sick. He recalled his request for PTO and took 2 sick days. There is some concern that is in violation of town code. HIPPA tells me if an employee says he is sick, he is sick. The days were recorded as PTO time and he would like the days changed back to sick. It is for 3 days total. One in June and 2 in July.

Sandra Hash, Clerk Treasurer informed the Council that in the town code it states the only way that PTO can be changed to sick time is with a doctors statement and that was not provided. Mr. Durnil argued that it should not have to be provided for only 1 day. Ms. Hash stated in the policy a doctor statement is not required unless it is over 2 days but during arranged PTO, the only way it can be changed to sick is with a doctor statement. To date, the statement has not been received so the time was changed from sick to PTO. The officer has ample PTO time and ample sick time so he was at no risk of running short on hours. Scott Oldham asked for clarification of the payout of sick time. If someone leaves we pay out their sick time is that correct. Ms. Hash replied sick time is not paid out after separation of employment or retirement. She expressed her concern of the liability it would create for a small town to pay out an unlimited sick time bank at the time of separation or retirement. The town does pay sick time to employees who are on sick leave with a doctor's statement. An employee can be off work with full pay for an entire year or more if they have the sick time available. Due to budgeting restraints the person on leave cannot be replaced with a temporary. The department is just down an employee for the duration of the sick leave. Several employee have that capability. It is like an insurance policy. PTO time is paid out upon separation or retirement and that is also outlined in the personnel policy. Scott Oldham said it appears we are encouraging employees to use their sick time especially if they are not planning on being here for an entire career. Why would you bank something that you are not getting paid for if you only plan to be here four or five years? You would just add them to your yearly PTO time which then causes the town to incur cost to backfill that position when that employee calls in sick. Maybe the Council needs to consider some alternate method to avoid misuse of PTO. Sandra agreed there are issues with the current sick leave policies.

Mike Farmer stated there is a way to deal with sick leave abuse in the policy. Sandra added that is the supervisor's responsibility. It is also stated that sick time is for when you are truly sick.

Scott Oldham stated if the employee produces a doctor's statement then it could be reversed. Sandra confirmed.

Scott Oldham requested a list of all sick time, comp time and PTO time for all employees. All parties agreed it is a broad subject that needs further discussion but obtaining the list is the start.

Privilege of the Floor

Carolina Dixon addressed the Council with her concern of loud music being played night and day from her new neighbors. She has exhausted all efforts for a result to the issue. It has caused her and her family great frustration and loss of sleep. She requests the noise ordinance be changed from 11:00 to 9 p.m. on weekdays. Said property is located on Sycamore drive. Jimmie Durnil is aware of the issue, stating the ordinance, but will get her exact address for a possible resolution to her complaint. Brian Mobley asked if the problem was not resolved by next month to come back and they will readdress the issue and he sympathizes with her situation.

Pam Samples also addressed the Council with the disturbance of constant fireworks during the summer and would to see something changed to prevent the ongoing problem and disturbances occurring in the Arrowhead Addition from Fireworks and speeding in the addition. Council agrees there is an issue and suggests a revisit to ordinances.

Adjournment

Scott Oldham entertained a motion to adjourn. Kevin Farris so moved. Scott Thomas seconded. Scott Oldham adjourned the meeting at 7:27 p.m.



Scott Oldham, President



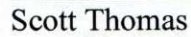
Brian Mobley, Vice President



Kevin Farris



Brice Teter



Scott Thomas



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