

## November 13, 2018

The Ellettsville, Indiana, Town Council met for a regular meeting on Tuesday, November 13, 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; and Mike Farmer, Interim Town Manager, were also present.

**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 October 22, 2018. Kevin Farris so moved. Brice Teter seconded. Motion carried.

### Accounts Payable Vouchers

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

### Meeting Dates for 2019

**Sandra Hash, Clerk-Treasurer,** advised the meeting dates for 2019 are on the second and fourth Mondays except for Memorial Day and Veterans Day which were moved to Tuesdays. The Plan Commission approved their meeting dates at its November 1, 2018, meeting. The Board of Zoning Appeals established monthly meetings this year. The Town Attorney meets with the Building Corp. on the first Monday in April. The Parks and Recreation Board meet on the first Monday of the month except on Labor Day.

**Scott Oldham** questioned the December 23, 2019, meeting as most people will be traveling for Christmas. A discussion ensued on alternative meeting dates for the second meeting in December. It was decided to not change the December 23, 2019, meeting date.

Kevin Farris made a motion to approve the Meeting Dates for 2019. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

### Resolutions

#### **Resolution 26-2018 Authorizing a Loan from Peoples State Bank for Property – 105 E. Vine Street**

**Sandra Hash, Clerk-Treasurer,** explained the resolution is an authorization to proceed with the loan. It is uncertain if the term of the loan will be five or ten years. When it was quoted in September the interest rate was 3% but it is now 3.35%. The loan processing fee increased to \$400 from \$250. Ten-year financing may be available. A five-year loan may have a balloon payment at the end which the Town would refinance. Or, the loan could be paid off in five years which would mean payments totaling \$22,000/year. Therefore, the five-year option is not a good idea. The ten-year loan at 3.35% interest results in payments totaling \$18,505/year. The bank is consulting with their attorney about a ten-year loan and they're waiting to hear from them. The Town Attorney is researching options as to whether or not to do a bond in anticipation note through a financial advisor which would cost \$40,000.

**Brian Mobley** commented schools finance for five years with a balloon payment at the end. If there are not sufficient funds to payoff the balloon payment then it can be refinanced. It is Ms. Hash's understanding the closing on the property will not be until January 2019. If an offer should get accepted on the other property then the loans could be consolidated. Mr. Oldham noted resolutions for the purchases of 104 W. Vine Street and 105 E. Vine Street are being considered. Do they want to proceed with the resolutions as the purchase price for one of them is uncertain? Ms. Hash requested they authorize the loan for 105 E. Vine Street. There was a discussion on different financing options: 1. Five-year loan with a balloon payment; 2. Five-year loan with a balloon payment and then a



second five-year loan to finance the balloon payment; and 3. A ten-year loan. Mr. Teter opined they're voting on an incomplete resolution. Mr. Farris concurred. What's the status of the Phase 1 study? Mr. Farmer answered it has been completed and a company gave them a list of actions to be taken which have all been resolved. The remediation will cost \$250, and it will be done in-house with Bloom Environmental. Mr. Oldham suggested a motion stating the loan should not exceed the cost of the five-year loan with the balloon.

Scott Oldham made a motion to approve the purchase cost of \$102,500 for the property and \$400 for the bank fee with an amortization schedule not to exceed \$116,078.49. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

**Resolution 27-2018 Authorizing a Loan from Peoples State Bank for a 2018 Ford Explorer Police Interceptor and 2018 Dodge Durango with Equipment**

**Marshal Jimmie Durnil** clarified the resolution is for the purchase of one Ford Explorer and one Dodge Durango. Two high mileage Dodges will be sold for \$6,000. Mr. Mobley asked if the \$6,000 will go toward the loan. Marshal Durnil doesn't think so because it will go back to the CCD Fund. Mr. Oldham asked if they didn't want the trade-in. Marshal Durnil did not ask but that is his understanding. Mr. Mobley confirmed they will purchase 1 white car and 1 black car. Marshal Durnil agreed.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt Resolution 27-2018 Authorizing a Loan from Peoples State Bank for one 2018 Ford Explorer Police Interceptor with equipment and one 2018 Dodge Durango with equipment. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

**Resolution 28-2018 to Purchase Real Estate – 104 West Vine Street**

**Sandra Hash, Clerk-Treasurer**, advised the Town Attorney prepared an offer to purchase 104 W. Vine Street. Mr. Farris asked if the offer had been accepted. Mr. Farmer answered no. Mr. Oldham explained the resolution authorizes Mike Farmer and the Town Attorney to approach the property owner with an offer to purchase. Mr. Farmer asked the amount of the offer. Mr. Farmer answered \$130,000. Mr. Oldham asked if the offer includes two properties. Mr. Farmer replied the offer is for the property on Vine Street. The property along the creek on McNeely Street appraised for \$10,000.

Scott Oldham entertained a motion. Brian Mobley made a motion to adopt Resolution 28-2018 to Purchase Real Estate - 104 West Vine Street. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

**Ordinances on First Reading**

**Ordinance 2018-36 to Utilize Stormwater Fees for the Purchase of Real Property**

**Sandra Hash, Clerk-Treasurer**, explained the loans for the purchase of real property will be paid from stormwater fees.

**Ordinances on Second Reading**

**Old Business**

**Flood Report**

**Brian Mobley** explained the Town is attempting to purchase properties. Once the properties are purchased the next step in flood mitigation will be determined.

**2019 Agreement to Provide Community Access Television Service ("CATS") to the Town of Ellettsville**

**Scott Oldham** advised the problem the Town has with CATS is technical in nature. Has the problem been alleviated?



**Michael White, Bloomington Community Access Television**, explained they're on three different video service providers, I-Phones, Android phones and over satellite. When did the problems occur and on what provider? Mr. Oldham answered Comcast has had an issue with the meeting broadcasts for several weeks but the exact dates are uncertain. It is uncertain if the problem is exclusively with Comcast. Mr. White will speak with Comcast. CATS signed an agreement with WTIU to assist with an upgrade path for the main engineering master control which should be done by the end of this year. Video service providers such as Comcast don't allow for public educational governmental ("PEG") channels to be conveyed in HD. The most dependable way to view the meetings is on the CATS website, CATSTV.net, in full HD and it is problem free. In the future, they hope the legal path for transmission of PEG channels over their respective video service providers in HD will come to pass. At this time, there is no statewide legal path for it. They think this is a great service for Ellettsville and have been broadcasting meetings since 2001. All meetings since 2001 are on their website. Mr. Mobley commented the Town is paying full price and they want to ensure the local people with Smithville will be able to view the meetings. There was a discussion on Smithville and the service CATS provides for the Town.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt the 2019 agreement to provide Community Access Television Service to the Town of Ellettsville through CATS. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

#### **Offer to Purchase 104 W. Vine Street**

**Sandra Hash, Clerk-Treasurer**, explained the offer to purchase was prepared by the Town Attorney.

Kevin Farris made a motion to adopt the Offer to Purchase 104 W. Vine Street. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

#### **New Business**

##### **Fire Department – Sergeant Promotion**

**Chief Mike Cornman** explained over the last two years the Fire Department has been updating job descriptions which led to the discovery of positions that have not been filled. They opened three Sergeant positions which is the junior officer on the shift. The additional pay is \$250 a year and is in the 2019 budget. The Board of Officers recommended Raymond Warthan and Mark White for Sergeant but could not come to a conclusion for the third position. Therefore, three names have been added to a waiting list for Sergeant not to exceed one year: Matt Siebot, Travis Abram and Jason Webb.

**Brian Mobley** asked if they are full time employees. Chief Cornman answered yes. Mr. Mobley asked why it has taken so long to fill three openings. Chief Cornman explained there have been several changes over the last five years. He was a shift officer and changed his schedule to Monday through Friday. Two of the positions have been open since before he took over as Fire Chief. Mr. Mobley asked why the positions did not get filled when he became Fire Chief. Chief Cornman answered the Fire Department wanted to redo job descriptions before filling the positions. When there is an emergency scene, they divide the duties as part of the process. They have people who don't fill the role of officer until they're called upon to do so.

Scott Oldham entertained a motion. Kevin Farris made a motion to approve Mark White and Raymond Warthan for Sergeant and a waiting list for Jason Webb, Travis Abram and Matt Siebot which expires on December 31, 2019. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – no; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried, 4-1.

Brian Mobley left the meeting.



**Contract for Mowing Services between the Town of Ellettsville and the Richland Township Trustee for Marci Jane Lewis Park and the Richland Bean Blossom Sports Complex**

**Sandra Hash, Clerk-Treasurer**, explained the Contract is for a total of \$3,000 and the term is 2019 through 2022.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve the contract for mowing services between the Town of Ellettsville and Richland Township Trustee for the Marci Jane Lewis Park and Richland Bean Blossom Sports Complex. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

**Addendum to Lease Agreement between the Town of Ellettsville and Richland Township Converting the Office Space of the Planning Department to the Street Department at 102 South Park Street**

**Sandra Hash, Clerk-Treasurer**, explained when the Planning Department moved out of the building, the Richland Township Trustee (“Trustee”) sent an agreement to cancel the lease. The Town decided to keep the extra space for storage. The Trustee prepared an addendum to the current lease which allows the Street Department to have the extra space and the rent remains \$1/year.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve the Addendum to the Lease between the Town of Ellettsville and Richland Township Converting the Office Space of the Planning Department to the Street Department at 102 South Park Street.

**Sandra Hash** noted the address for the Street Department is 104 South Park Street and the Addendum will be changed accordingly.

Brice Teter seconded the above referenced motion. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

**Town Council Comments**

**Scott Oldham** congratulated the Ellettsville Marching Mustangs for the State Title.


**Supervisors Comments**

**Marshal Jimmie Durnil** advised they’re in the process of finishing the lighting in Memorial Park. The sidewalk in front of the cannon will be repaired.

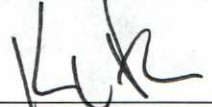
**Kevin Tolloty, Planning Director**, announced the Metropolitan Planning Organization (“MPO”) will be issuing a call for projects for the 2020 – 2024 planning period and it is an 80/20 match. If anyone is interested in transportation projects being funded through the MPO they’re to send him an email.

**Adjournment**

Scott Oldham entertained a motion to adjourn. Kevin Farris so moved. Brice Teter seconded. Scott Oldham adjourned the meeting at 7:21 p.m.

  
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Scott Oldham, President

  
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Brian Mobley, Vice President

  
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Kevin Farris

  
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Brice Teter

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Scott Thomas

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