

## September 25, 2017

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, September 25, 2017, 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. Brice Teter 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, and Brice Teter. Scott Thomas was absent. Jim Davis, Town Manager; Sandra Hash, Clerk-Treasurer; and Darla Brown, Town Attorney, were also present.

**Supervisors present were:** Mike Cornman, Jimmie Durnil, Danny Stalcup. Denise Line represented the Planning Department.

### Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for regular meeting on September 11, 2017. Kevin Farris so moved. Brice Teter seconded. Motion carried.

### Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Brian Mobley had questions on claims answered by the supervisors. Kevin Farris made a motion to pay the Accounts Payable Vouchers. Brice Teter seconded. Motion carried.

### Resolutions

#### Resolution 18-2017 Designating Certain Real Estate as an Economic Revitalization Area

**Denise Line, Planning Department,** explained there is a proposed development for the Lenzy Hayes property. The developers will be filing a tax abatement with the Town to be approved by the Town Council at another meeting. At this time, they are requesting the property be designated an economic revitalization area to enable the developer to file a tax abatement application. Mr. Farris asked if the economic revitalization area affects the taxes currently being paid. Ms. Line answered no, not at this time. Mr. Farris asked if the designation would only affect future taxes if they approve the tax abatement. Ms. Line said that is correct. The abatement will go with the development. Should the deal fall through another developer could seek a tax abatement because the revitalization designation will stay with the property. Mr. Farris stated declaring it a revitalization area makes the tax abatement feasible. Ms. Line agreed. The resolution only enables the area to be made a revitalization area and has no effect on whether or not the tax abatement will be approved. It enables the process.

**Brice Teter** clarified that businesses along State Road 46 along the north side of the property will be affected. Is it one big parcel of land that includes those businesses? Ms. Line replied no, it will only affect the Lenzy Hayes property. Lenzy Hayes will be relocating some of the mobile homes to another area on the property.

**Brian Mobley** asked if they're keeping the mobile homes. Ms. Line answered some of them. Mr. Oldham asked how many mobile homes. Ms. Line replied it is unknown at this time. It appears the mobile homes will be moved more east on the property. Mr. Mobley is concerned the number of employees will be 2.5 people. He spoke to a lot of business owners downtown and around. This is not feasible for Ellettsville. There is a waiting list for senior citizens to get into homes. If it is built it will fill up. The tax abatement is usually designed to bring 100 or more jobs to a town and for Ellettsville to only get 2.5 additional employees is not feasible concerning the Emergency Management Services and police runs they may have to do. The mobile home park was a nightmare for him 20 years ago. He doesn't see it happening or giving a tax abatement that will be built and be full anyway. If it was Otis Elevator or Cook he would be jumping at it.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt Resolution 18-2017 Designating Certain Real Estate at Lenzy Hayes as an Economic Revitalization Area. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – no; Kevin Farris – yes; and Brice Teter – yes. Motion carried 3-1.

**Scott Oldham** asked when the developers will come before the Town Council concerning the tax abatement. Ms. Line thinks the second resolution will be presented in October. Ms.

Brown explained by statute a second hearing is required for the Town Council to take final action and modify, confirm or rescind a resolution. Notice will have to be published 10 days before the date of the hearing. She will get with the Planning Department to determine when the hearing will be. Mr. Oldham also has concerns about the tax abatement. The next meeting will be the final meeting where they decide whether or not there will be a tax abatement. Ms. Brown interpretation of the statute is that it will be one more hearing. At that hearing the Town Council will decide the abatement and modify, confirm or rescind the resolution. If they decide to do the tax abatement they will do it at that hearing and modify and confirm the resolution. Mr. Farris asked if it has to be heard at the Plan Commission. Ms. Line answered no, it is the Town Council's decision. Mr. Oldham asked if that is for the tax abatement and then it would not have to go to the Plan Commission at this point. Ms. Line replied that was correct. Mr. Oldham asked those who have concerns over the proposal to address them to Kevin Tolloty so he can work with the developer prior to it coming before the Town Council.

### **Resolution 20-2017 Transfer of Funds**

**Town Marshal Jimmie Durnil** requested a transfer of funds for the Parks Department to cleanup bills for the finishing of the floor, ceiling tiles and an upstairs light that was needed for the Certificate of Occupancy. It will be transferred within the Parks Board budget. Ms. Hash explained the transfer will be from the Electric line to Town Hall Improvements.

Scott Oldham entertained a motion. Brice Teter made a motion to pass Resolution 20-2017 Transfer of Funds within the budget for the Parks Board. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; and Brice Teter – yes. Motion carried.

### **Ordinances on Second Reading**

#### **Ordinance 2017-11 Final Adoption of the 2018 Budget**

**Sandra Hash, Clerk-Treasurer**, read the budget summary at the Town Council meeting on September 11, 2017. No one has requested information or had any questions on the 2018 Budget. Mr. Farris asked if the budget was posted. Ms. Hash answered the budget summary was posted on the web page and the budget is on the Gateway. The September 11, 2017, meeting was considered the public hearing for the budget.

**Brian Mobley** conveyed Scott Thomas would not vote for the budget if he was present. The Planner will receive a raise of \$3,630 which will give him a salary of \$55,640, the Planner's administrative assistant gets a \$2,187 raise resulting in a salary of \$23,000 (amended on 10-10-2017 to actual salary of \$36,875.80), the Police Department part-time budget line is \$50,000 and the Police Department Administrative Assistant is getting a \$3,988 increase bringing her salary up to \$34,762. The Fire Chief sometimes has to shut down Station 8 because he doesn't have enough people to work but the Police Department has hired several police officers. Over the last 10 years all of the money has gone to the Police and not the Fire Department. The Fire Department has been denied a full-time firefighter and can't fill shifts. It's not correct to give people raises and then have to shut down a fire department. The Police Department has never been shut down. He figured a way to save money and give people raises across the board and it was denied. He feels the raises are unjustified. He hopes who got raises and who did not is remembered at election time.

**Brice Teter** appreciates Mr. Mobley's comments and passion. It's how they determined to spend and you can't make everybody happy all the time. Mr. Farris added it is not a perfect world.

**Scott Oldham** thinks some of Mr. Mobley's comments were disingenuous. This budget does not add police officers. Whether they're working two people or twenty, the number of hours are the same and does not increase. The increases that did come about were from the Public Safety Local Option Income Tax ("LIT") but not extra people just extra hours being funded for both police and fire in part-time. It may look like the Police Department is hiring more people but they're not. He wishes there was more money to

give everybody a raise. This year the budgeting was left to the supervisors for them to tell them who needed a raise to make competitive in the wage brackets they're in. Some of the employees are hovering dangerously close to the poverty line. They tried to make improvements to keep a few long term employees who give service well beyond what they're being paid.

Everyone in Ellettsville gives service well beyond what they're being paid. He wishes the Town had a larger tax base to adequately compensate everybody. The Town Council is not slighting the Fire Department or any individual employee with this budget. Hard decisions had to be made for the financial sovereignty of the Town in the future. Next year, it will be re-evaluated.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt Ordinance 2017-11 as the Final Adoption of the 2018 budget. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – no; Kevin Farris – yes; and Brice Teter – yes. Motion carried, 3-1.

## **Old Business**

### **Flood Report**

**Brian Mobley** spoke with Greg Jones' secretary who requested the Indiana Department of Natural Resources ("DNR") report to review. They will meet with him and Rick Coppock to go over the report to determine if they will be financially able to assist the Town with grants for the flooding.

## **New Business**

### **Lease Agreement Between the Town of Ellettsville and Ellettsville Main Street – Heritage Trail Garage**

**Darla Brown, Town Attorney**, advised Leasa Siscoe with Ellettsville Main Street has asked to table this until the next meeting because she did not receive a copy of the proposed Lease Agreement to review. She is requested that it be tabled until the first meeting in October.

**Leasa Siscoe, Ellettsville Main Street**, explained the closings on this property we concluded in September. Thank you to Ms. Brown for preparing the necessary documents and working with Bethel Title. Closings costs were less than \$200 for the Town's portion because they were able to combine both closings one. The Town is officially the owner of the Peters' property. She, Jim Davis, Jimmie Durnil and Kip Headdy conducted a walk-thru of the garage. She submitted a grant application to the Community Foundation of Bloomington and Monroe County to leverage funds for the Town of Ellettsville to put in an actual parking lot. They should know in the next couple of months where they stand with the grant application. Thank you to the Town of Ellettsville because there is not easy access to the Heritage Trail.

**Kevin Farris** asked if the garage was empty. Ms. Siscoe answered it was. Mr. Davis commented the garage was in decent shape. There is some soffit work that needs done around the side of the garage, doors and windows and it needs a good cleaning. There is no electricity for the garage.

Scott Oldham entertained a motion to table. Kevin Farris so moved. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; and Brice Teter – yes. Motion carried.

### **Animal Shelter Interlocal Agreement for Fiscal Year 2018**

**Darla Brown, Town Attorney**, explained the contract is the same as 2016 with regard to the amount. The amount requested for 2018 is \$21,299.67 an increase from \$19,760.86 in 2016.

**Brice Teter** asked the reason for the increase. Ms. Hash answered it is based on the number of animals turned into the Animal Shelter.

Scott Oldham entertained a motion. Brice Teter made a motion to pass the Animal Shelter interlocal agreement for fiscal year 2018. Kevin Farris seconded. Roll call vote: Scott

Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; and Brice Teter – yes. Motion carried.

### **Community Crossings Grant Award Announcement**

**Denise Line, Planning Department**, is pleased to announce the Town of Ellettsville has been awarded \$213,494.15 from the Community Crossings Matching Grants. The state received \$260 Million in grant requests but could only fund \$150 Million. She wrote 13

grants for street improvements as chosen by the Street Department. On September 20, 2017, INDOT awarded the Town of Ellettsville five of the thirteen projects submitted. Ellettsville's 25% match is \$71,164.72 and the total for the projects is \$284,658.88. The grant award is 64% of the initial grant request of \$332,903.52. In comparison, Monroe County received 30% (\$303,437.50 of \$1M) and Bloomington did not receive any grants. The projects consist of the following:

1. North Deer Park Drive culvert repair between West Springwood Court and West Ashbrook Lane which will be repaired by Town employees and equipment. The grant reimburses us for materials.
2. West Ashbrook Lane in its entirety from where it intersects with North Deer Park Drive to the dead end.
3. North Matthews Drive starting approximately 40' north of West Main Street to 6150 North Matthews Drive.
4. Paddington Park Subdivision beginning with N. Paddington Way from E. Meadowlands Drive to dead-end, continuing on E. Briarwood Lane to N. Hanover Glen from the dead-end to E. Brittany Way; E. Brittany Way from N. Paddington Way to N. Diana Drive and N. Dover Cliffs from E. Brittany Way to N. Paddington Way.
5. Richland Manor Subdivision starting at S. Poplar Drive at W. Water Street ending at W. Hickory Drive; W. Poplar Court from S. Poplar Drive to dead-end; S. Cedar Drive in its entirety from S. Poplar Drive to N. Sycamore Drive and N. Beechwood Drive starting at S. Cedar drive and ending at S. Ridge Springs Lane.

At the Town Council meeting on October 10, 2017, Danny Stalcup will be requesting formal approval for the five paving proposals for the grant award and proposals for three streets we were not awarded grant funding for but the Street Department has the funds available to do the work. Thank you to the following for their assistance with the grants: Sandra Hash, Danny Stalcup, Kip Headdy, Kevin Tolloty, Town Marshal Jimmie Durnil and Deputy Marshal Zach Michael.

**Kevin Farris** asked if the work will be done this season. Mr. Stalcup answered there is no way to get it all done this year. The contractor said they can get a good start on it but probably won't finish until next spring. Mr. Farris asked if the work will go in the order it was presented. Mr. Stalcup replied not exactly. The Deer Park culvert was their main concern for this grant round. A grant for the paving of Deer Park Street was not awarded but the Street Department will pave it from Town funds. The Street Department will have funds leftover from the matching portion of the grants that were not awarded to do three additional projects with MVH funds. Ms. Hash added this will help the Town meet a state requirement passed in July requiring 50% of MVH money received by the end of the year to go into road infrastructure. Mr. Oldham congratulated all involved. Mr. Davis advised the parking lot at Town Hall will be paved from the bond money.

### **Police Request to Hire a Part-Time Police Officer – Joshua David Kreigh**

**Town Marshall Jimmie Durnil** requested to hire Joshua David Kreigh and sworn-in as a part-time officer with the Town of Ellettsville. Mr. Kreigh is an arson investigator with the Indiana Fire Marshal's Office and is fully accredited with the Indiana Law Enforcement Academy. He is going to lose Logan Frye who was hired about one month prior. Mr. Kreigh's training period will be cut in half because of his experience. Mr. Oldham confirmed the hiring of Mr. Kreigh will not add to the Police Department budget. Mr. Durnil agreed.

**Brian Mobley** asked what happens if the Police Department runs out of money. What will they do with all of the part-time people? Marshal Durnil answered right now they only have three. Mr. Oldham added if there is no part-time money the officers simply cannot work. Ms. Hash stated there should be ample funds in the budget, between the LIT and General Fund, to fund the part-time officers. Mr. Mobley asked if Mr. Kreigh has a full time job what his day hours will be. Marshal Durnil answered he works days.

Mr. Mobley asked if he will have weekends off. Marshal Durnil replied yes. Mr. Mobley asked what shifts he will work. Marshal Durnil is uncertain at this time but will either be the late or evening shift.

Scott Oldham entertained a motion. Kevin Farris made a motion to hire the police recruit and part-time officer Joshua David Kreigh. Brice Teter seconded. Roll call vote: Kevin

Farris – yes; Brice Teter – yes; Scott Oldham – yes; and Brian Mobley – no. Motion carried, 3-1. Sandra Hash administered the Oath of Office to Joshua David Kreigh.

### **2018 Agreement to Provide Community Access Television Service to the Town of Ellettsville**

**Michael White, General Manager of Community Access Television Service (“CATS”)**, explained CATS is a unit of the Monroe County Public Library. CATS has the support of four partners: Monroe County Public Library, City of Bloomington, Town of Ellettsville and Monroe County. CATS requests the same percent of increase from all partners which is 4% based on the Assessed Value Growth Quotient. The differential between the franchise fees received between 2015 and 2016 is the 4% increase which is \$617 over the previous year.

**Brian Mobley** commented the contract states CATS is to cover Town board meetings, Plan Commission, Board of Zoning Appeals and school board. Mr. White presumes school board means Richland-Bean Blossom Community School Corporation (“RBBCSC”) which CATS telecasts. Mr. Mobley asked if RBBCSC pays the Town for their meetings being televised. Ms. Hash answered RBBCSC does not pay the Town who pays CATS. The Town of Ellettsville, however, receives the franchise fees. RBBCSC does not receive any fee from the cable franchises. Comcast and Smithville pay 5% of their quarterly proceeds. Since the Town receives franchise fees which is used to pay CATS contract then they lump RBBCSC telecasts in with the Town agreement.

Scott Oldham made a motion to table this discussion. There has been another organization contact the Town to do the same telecasts as CATS. They would like to make a presentation at a Town Council meeting. Brice Teter made a motion to pass the Animal Shelter interlocal agreement for fiscal year 2018. Ms. Hash commented in order for our website to be ADA compliant the Town has to have access to those videos. At this time, the Town is connected with the Monroe County Library who stores the telecasts indefinitely.

Kevin Farris seconded the aforementioned motion. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; and Brice Teter – yes. Motion carried.

### **Town Council Comments**

**Brian Mobley** thanked the Monroe County Fall Festival. He had a chance to sit in the reviewing stand and it was very hot. Hopefully, next year it can get bigger. Ms. Hash commented attendance was down this year due to the heat.

**Brian Mobley** asked Jill Thurman if *The Ellettsville Journal* will be closing. Ms. Thurman answered it will be closing on Friday, September 29, 2017. The paper will continue, just the office is moving. Mr. Farris asked where the office is relocating to. Ms. Thurman replied the employees had a choice to either go to *Spencer Evening World* or *The Herald-Times* for anything you want to go into *The Ellettsville Journal*. Mr. Farris asked if *The Herald-Times* purchased *The Ellettsville Journal*. Mr. Thurman answered the company who owns *The Herald Times* purchased it. The newspaper will be printed in Bloomington and the size of the paper will be the same as *The Herald-Times*. The paper will now have color printing and an online presence. The content will remain the same because they want it to remain a community paper. Ads can be placed in person at *The Herald-Times* or *The Spencer Evening World* or by email to the same address but eventually they may change. Ms. Hash stated Ellettsville history lives in the office of *The Ellettsville Journal*. What will happen to the archives? Ms. Thurman replied *The Herald-Times* is going to store the past issues. Recently, they found out newspapers from 1939 to 1970 are on microfilm and are available at the Monroe County Public Library. Hoosier Times has plans to digitize all of the newspapers. All of the photographs will be

organized and accessible at *The Herald-Times*. Hoosier Times will honor the contract with Ellettsville Main Street to preserve the photographs for the Town. Mr. Oldham thanked Ms. Thurman and the staff of *The Ellettsville Journal* for their years of service. They've done an excellent job of preserving Ellettsville history through the decades. From everyone in Ellettsville, thank you and congratulations to the new owners. Ms. Hash added *The Ellettsville Journal* has been a wonderful partner to the Monroe County Fall Festival.

**Brian Mobley** knows in the future the Town will be annexing the Mitchell property. He asked Ms. Line to check with the Planning Director to find out if the Stewart property can be annexed at the same time. Ms. Line commented the Planning Department had not been

given the directive to annex the Stewart property and the Mitchell property will be annexed in October. Mr. Mobley asked Ms. Hash to add this to the next Town Council meeting agenda.

### **Supervisors Comments**

**Town Marshal Jimmie Durnil** mentioned it was brought to his attention they have a half to one-third acre field between the Village Inn and the Heritage Trail that could be utilized for parking during the Monroe County Fall Festival.

**Fire Chief Mike Cornman** is concerned about run volume versus the amount of personnel available on duty at the fire stations. They have examined their run volume and some of the things they do on the calls they receive. It is customary when someone calls 911 for the local fire department to respond if it is a life threatening situation. When people do call 911, however, it may not truly be life threatening. The 911 system utilizes a metrix when someone calls to determine whether or not it is a life threatening call. Since the Fire Department has started running first responder services in 1997, they have been responding to every single 911 call for Emergency Medical Services ("EMS"). They realize from an audit of over 100 calls over the summer, that a lot of the things they do are really not necessary or an emergency. There is a standard where they only respond on life threatening calls as covered by the dispatch system. The City of Bloomington currently utilizes this system. If it is a life threatening call pertaining to airway, breathing or circulation problems they dispatch the local fire department. Now, Ellettsville responds to every single call. Unless they get more people they need to do a reduction in calls. It is not the best use of their resources responding on the single resource ambulance call and it needs changed. He is of the opinion they need to go to life threatening type calls only as determined by the central dispatch system. It does work for the City of Bloomington and he thinks it could work in Ellettsville. The Town does not have a safety board so the Town Council serves as one. This is a difference in daily operations and he can make the change. He will be seeking guidance or approval to allow him to make the change from responding to the single resource type calls and respond to life threatening only. It is estimated this would reduce their run volume by 700 to 800 calls a year. Mr. Mobley thinks this is a good idea since the Fire Department is short staffed. Chief Cornman advised he will have a formal presentation at the Town Council meeting on October 10, 2017. They will still respond to life threatening calls or any time there is not an ambulance available they will respond automatically. Mr. Oldham asked how many runs were due to an ambulance leaving a location at the same time as the Fire Department. Chief Cornman answered 72% of the time. Mr. Oldham asked if there would be a reduction of time on scene. Chief Cornman replied it would be very rarely.

### **Privilege of the Floor**

**Dianna Choate, President of the Monroe County Fall Festival ("Fall Festival")**, thanked the Town Council for allowing the Street and Utilities Departments to help with the setup and cleanup of the Fall Festival. Thank you to Fire Chief Cornman for all of the volunteers from the Fire Department and the best Chief Durnil could do with the short help he had. The Fall Festival was successful and she appreciates Mr. Mobley representing the Town Council on the parade reviewing stand.

### **Adjournment**

Scott Oldham entertained a motion to adjourn. Brice Teter so moved. Kevin Farris seconded. Scott Oldham adjourned the meeting at 7:35 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 Hash, Clerk-Treasurer, IAMC, MMC