

September 11, 2017

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, September 11, 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. Kevin Farris led the Pledge of Allegiance followed with a prayer by Scott Thomas.

Roll Call: Members present were Scott Oldham, President, Brian Mobley, Vice President, Kevin Farris, Brice Teter and Scott Thomas. Jim Davis, Town Manager; Sandra Hash, Clerk-Treasurer; Darla Brown, Town Attorney; and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present.

Supervisors present were: Mike Cornman, Jimmie Durnil, Kevin Tolloty, Mike Farmer and Jeff Farmer. Kip Headdy represented the Street Department.

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for regular meeting on August 28, 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.

Pre-Adoption Public Hearing of the 2018 Budget – Ordinance 2017-11

Sandra Hash, Clerk-Treasurer, presented the following summary of the 2018 budget:

- ❖ General Fund's budget is \$2,548,632. \$44,013 less than 2017. General Fund includes administration, Planning, Fire and Police Departments. Richland Township will contribute \$509,634 toward fire protection and Bloomington Hospital will contribute \$59,869 for assisting with the ambulance at the Curry Pike fire station.
- ❖ County Option Income Tax is estimated at \$675,390 which is \$2,090 more than the town received this year.
- ❖ Motor Vehicle Highway's budget is \$673,300 which is an increase of \$97,000.
- ❖ Park and Recreation budget will be reduced by \$12,500 to \$13,657.
- ❖ Local Roads and Streets will increase by \$70,000 due to additional distributions from the State.
- ❖ Cumulative Funds total \$172,300.
- ❖ Debt service for the Police and Fire Stations will be \$295,000.
- ❖ New Local Income Tax for Public Safety budget is \$151,375.
- ❖ Total budget for the civil portion of the Town for 2017 is \$4,006,829.
- ❖ Maximum Levy Growth Quotient for 2018 is 4.0%.
- ❖ Water Utility budget is \$1,873,734, a reduction of \$169,946.
- ❖ Waste Water budget is \$1,550,382, an increase of \$100,842.
- ❖ Storm water budget is \$185,315, an increase of \$49,303.

In comparison, between 2016 and 2017 the budget decreased by \$24,000. The budget is also on Gateway.

Brian Mobley asked if the next step will be to finalize approval. Ms. Hash answered the second reading and final approval will be on September 25, 2017. Mr. Oldham asked Ms. Hash to ask Monroe County or the City of Bloomington what the distribution will be for the Public Safety Local Option Income Tax ("LOIT"). Ms. Hash replied it is approximately \$200,000. If the Town is over budget the state will cut it and if it is under budget an additional appropriation can be done. Mr. Mobley asked if only the Planning Assistant, Police Administrative Assistant and the Planner will receive raises. Ms. Hash agreed, however, the increases are due to positional adjustments.

Resolutions

Resolution 17-2017 Surplus Property for the Fire Department and Street Department

Sandra Hash, Clerk-Treasurer, advised the Fire and Street Departments have equipment they no longer need. The resolution outlines the disposal of a 2001 Ford Crown Victoria which will be sold by sealed bid for the Fire Department. The Street Department will sell a 1988 Mauldin Street Drum Roller and 1974 MIL 18' Tilt Pop Trailer at public auction. Mr. Oldham asked where the public auction will be held. Mr. Headdy answered there is a consignment auction at Ted Everett Public Auctions in Monrovia.

Brian Mobley asked where Jim Davis' car is. Chief Cornman replied he is still Assistant Chief so it is still under the Fire Department.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Resolution 17-2017 Surplus Property for the Fire Department and Street Department. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

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

Kevin Tolloty, Planning Director, requested this be tabled because he has not received the application and legal description. Mr. Thomas asked where the area is located. Mr. Tolloty answered it is the Lenzy Hayes Mobile Home Park (“Lenzy Hayes”). Mr. Thomas asked if the economic revitalization is solely for Lenzy Hayes. Mr. Tolloty is waiting on a complete description from the developer considering the property. The purpose of the resolution is to provide a designation for the property to provide a tax abatement. Ms. Hash commented a tax abatement was done in the past when the old elementary school sold and was to be a business incubator. The Town made it a revitalization area and gave them a tax abatement which was also done for a Smithville Telephone building. Mr. Oldham asked if this will come back before the Town Council at the next meeting. Mr. Tolloty doesn't know how the developer wants to proceed at this time.

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

Resolution 19-2017 Transfer of Funds for the Parks Board

Sandra Hash, Clerk-Treasurer, explained this resolution has been requested because of the work that has been done in old Town Hall. There were several items that didn't seem to fit under Capital Improvements. A transfer of \$1,000 from the Capital Improvements into Materials will be made.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve Resolution 19-2017 Transfer of Funds - Parks. Brice Teter seconded. Roll call vote: Kevin Farris – yes; Brice Teter – yes; Scott Thomas – yes; Scott Oldham – yes; and Brian Mobley – yes. Motion carried.

Ordinances on First Reading

Ordinance 2017-12 to Annex the Ellettsville Wastewater Treatment Plant

Kevin Tolloty, Planning Director, explained this ordinance is for the annexation of the Waste Water Treatment Plant (“WWTP”). Six public outreach meetings were held and no one attended. The next step is a public hearing scheduled for November 11, 2017. Ms. Brown noted the actual vote will take place at the Town Council meeting after the Christmas holiday.

Ordinances on Second Reading

Old Business

Flood Report

Brian Mobley is still waiting to hear from Representative Trey Hollingsworth. Rick Coppock gave him contact information for Greg Jones to discuss grants for the Town. Ms.

Hash added the Chamber of Commerce is having Representative Trey Hollingsworth for a speaker at one of their meetings and will let him know the date when it is confirmed.

New Business

Payment of Application No. 2 for the Chemical Phosphorus Removal Building

Sandra Hash, Clerk-Treasurer, explained this is a payment for the building and the engineer requested Town Council approval and signature on an affidavit. Mr. Farris asked what the affidavit says. Ms. Hash answered it states the Town is making a second payment on the phosphorus building.

Scott Oldham entertained a motion. Brice Teter made a motion to approve payment of Application Number 2 for the Chemical Phosphorus Removal Building. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ellettsville Phosphorus Removal Project – Change Orders 3, 4 and 5

Jeff Farmer, Ellettsville Utilities, presented the change orders for drains in the floor and wall coatings. There will be a minimal cost for the change orders as there is no charge for three of them. Instead of a trench drain they're proposing a different type that makes more sense and certain things they felt weren't needed were eliminated.

Scott Oldham entertained a motion. Kevin Farris made a motion to accept Change Orders 3, 4 and 5 of the Ellettsville Phosphorus Removal Project. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Peters' Property (Heritage Trail) Donation – Ellettsville Main Street

Darla Brown, Town Attorney, explained Mark and Deborah Peters intend to sell a section of property along State Road 46 for parking adjacent to the Heritage Trail to Ellettsville Main Street, Inc. ("Main Street"). An insured closing will take place on September 15, 2017 and Bethel Title is handling the closing. The Peters will sell the property to Main Street who in turn will donate it to the Town of Ellettsville. The insured closing will carry over to the Town. Main Street would like for the Town to pay a \$90 document prep fee for Bethel Title to prepare the documents for the donation from Main Street to the Town. Main Street would like for her to prepare a donation or gift agreement stating "the Town agrees to use this section of property for parks and rec or the Heritage Trail" and a lease between Main Street and the Town for the garage adjacent to the property being donated for \$1 or another nominal amount. She will let the Town Council President know if he has to attend the closing.

Leasa Siscoe, President of Main Street, added they would like to split the closing cost with the Town in addition to the document preparation fee. She spoke with Deborah Peters and they have property in Florida damaged by the hurricane so they would like to move the closing to September 14, 2017. Ms. Hash asked the amount of the closing cost. Ms. Siscoe thinks the cost will be approximately \$175. Mr. Thomas asked the purpose of the lease. Ms. Brown explained the lease is for the garage. Mr. Thomas asked if the Town will be the owners of the garage. Ms. Siscoe answered yes. The subdivision was approved and the new parcel contains the driveway cut and garage and a small portion of green space between the garage and duplex. Main Street is wanting to utilize the garage for materials needed for events along the Heritage Trail. They want the Heritage Trail area to become a place for community events and with the addition of green space and parking lot it will be utilized more in the future. Ms. Brown commented Jim Davis will do a walk-thru of the garage with Main Street representatives. She suggested a motion authorizing the expenditure of the \$90 document prep fee for the closing, splitting the

closing costs, and authorizing her to prepare a donation agreement and lease between Main Street and the Town for the garage.

Scott Oldham entertained a motion.

Scott Thomas would like assurance the Town is not purchasing something that is going to collapse after Main Street stores their materials and someone gets injured. Ms. Hash advised it will go on the Town's insurance. Mr. Thomas asked if the lease will have a provision that stipulates the condition, upkeep and what is expected for it to be usable for Main Street's storage. Ms. Brown asked Ms. Siscoe how long Main Street anticipates having the lease. Ms. Siscoe thinks it will be needed as long as their organization is in existence. She suggested a yearly lease with an evergreen clause so both parties have a way to opt out if conditions should change. Ms. Brown thinks the question alludes to the garage falling down or having to be removed after a few years. Ms. Siscoe thinks it could be renegotiated. Main Street's position is they want to contribute to the community and make events easier to do. Should the garage not be available they could work out something to accomplish the same goal. Mr. Oldham stated the lease should give the Town the option to repair or replace the garage.

Kevin Farris made a motion in accordance with what Darla Brown stated above concerning the Peters' property, the Heritage Trail donation and Ellettsville Main Street. Brice Teter seconded.

Sandra Hash clarified Ms. Brown is requesting permission to prepare the documents for the donation agreement and lease agreement, a \$90 document fee and one-half of the closing fee. Ms. Brown said that was correct. The Town Council is authorizing the expenditure of Town funds for the \$90 document prep fee and the closing costs. She will prepare the donation/gift agreement and the lease.

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

Automatic Aid Agreement Between the Town of Ellettsville and Northern Monroe Fire Territory

Fire Chief Mike Cornman explained at a prior meeting Town Council approved an automatic aid agreement between Van Buren and Ellettsville. The Insurance Service Office informed them that they need a written agreement. The same agreement needs signed with Northern Monroe Fire Protection Territory ("Northern Monroe") formerly known as Bloomington Township. The agreement, however, is slightly different from Van Buren Township because southeast of the Northern Monroe has been cut-off by I-69. Building a fire station near the Williams and Sample Roads area of I-69 is in the works but it will take some time to do so. Northern Monroe has asked for an automatic aid agreement not only in the areas of Richland Township borders but further. Basically, they're asking for automatic aid from west of I-69 and south of Sample Road. They've driven the area and can get there five minutes faster than Northern Monroe on Old State Road 37. Northern Monroe has calculated it will result in 60 to 65 additional calls a year. Prior to this agreement Ellettsville already had an automatic agreement with them responding to those areas with approximately 32 calls a year. He estimates it will result in 30 to 40 additional calls a year. The Fire Department can easily handle the additional calls and are of the opinion this is something they have to do. It is split between structure, vehicle and grass fires and medical runs. He is recommending and requesting consideration of the Automatic Aid Agreement between Ellettsville and the Northern Monroe Fire Protection Territory. The agreement complies with the Insurance Service Office.

Brice Teter asked how long the coverage will be needed. Chief Cornman answered it may take two years or longer. According to their Fire Chief they will revisit this after their station is built. Ellettsville may continue to cover certain areas because they're closer in proximity. Mr. Farris asked where they're thinking about building the station. Chief Cornman replied near Simpson Chapel west of I-69. Mr. Oldham thinks

Bloomington Fire Department has a station less than half mile from that area. Is there some agreement to pass it off? They're going to pull trucks from Ellettsville to the City of Bloomington leaving that entire section uncovered when there is a station a lot closer. Chief Cornman knows when there is a structure fire the City of Bloomington Fire Department would still respond to those areas under the automatic aid agreement. His understanding is the Northern Monroe is going to continue with automatic aid and Ellettsville would also be a part of it. Mr. Oldham stated Ellettsville is taking the area from Sample Road south, who is covering

the northern part of it. Chief Cornman replied Northern Monroe can still get to their part of it in a decent amount of time.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve the Automated Aid Agreement between the Town of Ellettsville and Northern Monroe Fire Territory. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – abstained; Kevin Farris – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried 4 – 0 with 1 abstention.

Town Council Comments

Brian Mobley reminded everyone of the Monroe County Fall Festival from September 21 – 23, 2017. The parade will be on Saturday, September 23, 2017. What time will they block off the streets for the parade? Marshal Durnil is uncertain at this time. It may be around 9:30 a.m. or 10:00 a.m.

Brian Mobley extended prayers to the victims of Hurricane Irma. Never forget Patriot Day a National Day of Service and Remembrance for 9/11.

Town Manager's Comments

Jim Davis, Town Manager, advised the sound deadening boards have arrived for the Council Chambers. The television and computer have been installed in the Council Chambers. An email has been sent to Representative Trey Hollingsworth's assistant regarding the status of the highway markers and striping on State Road 46. He has not yet received a response to his email.

Supervisors Comments

Privilege of the Floor

Adjournment

Scott Oldham entertained a motion to adjourn. Kevin Farris so moved. Scott Thomas seconded. Scott Oldham adjourned the meeting at 7:14 p.m.

Scott Oldham, President

Brian Mobley, Vice President

Kevin Farris

Brice Teter

Scott Thomas

Sandra Hash, Clerk-Treasurer, IAMC, MMC