

October 10, 2017

The Ellettsville, Indiana, Town Council met for a regular meeting on Tuesday, October 10, 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. Jimmie Durnil led the Pledge of Allegiance followed with a prayer by Scott Thomas.

Roll Call: Members present were Scott Oldham, President, Kevin Farris and Scott Thomas. Brian Mobley and Brice Teter were absent. 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, Danny Stalcup, Kevin Tolloty, and Mike Farmer.

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on September 25, 2017. Kevin Farris so moved. Scott Thomas seconded.

Sandra Hash advised at the last Town Council meeting, Brian Mobley made a statement the Planning Assistant would earn \$23,000 after a raise. She wants the minutes corrected to reflect the actual combined salary of \$36,875.80 after the Planning Department raise. After a discussion, it was decided to add the following to the statement made in error *“Although a Council member stated the salary was \$23,000 in actuality it is \$36,875.80.”*

There was no vote taken on the first motion to approve the minutes.

Scott Oldham requested a motion to approve the minutes as amended. Scott Thomas so moved. Kevin Farris seconded. Motion carried.

Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Kevin Farris made a motion to pay the Accounts Payable Vouchers. Scott Thomas seconded. Motion carried.

Open Bids for the Fire Department’s 2001 Ford Crown Victoria – VIN 2FAFP71W41X185177

Darla Brown, Town Attorney, advised one bid was received on September 29, 2017, at 11:57 a.m. from Michael Stalcup for \$327. Mr. Oldham asked if the bid had to be accepted. Ms. Brown suggested it be tabled until she has had a chance to determine whether or not the bid has to be accepted.

Scott Thomas made a motion to table this until further clarification from the Town Attorney. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Resolutions

Resolution 2017-23 Proposing an Ordinance Modifying Local Income Tax Allocations in Monroe County and Casting Five Votes in Favor of the Ordinance

Darla Brown, Town Attorney, explained this is a resolution to propose an ordinance. The resolution will be on the Bloomington Common Council’s agenda for Wednesday, October 11, 2017. Bloomington Common Council, an entity of the Monroe County Income Tax Council (“Tax Council”), proposed the ordinance. It is being circulated to other entities on the Tax Council for their consideration. The resolution will be on the agenda of the Town Council meeting on October 23, 2017, for consideration. The resolution is a summary of the Tax Council’s recommendation as a result of their meeting this past August.

Scott Thomas asked what had effectively changed. Mr. Oldham answered the percentage increase to Central Dispatch provides for six new dispatch personnel which results in a net loss to the Town. Mr. Thomas commented initially the local income tax was proposed to fund Central Dispatch. Mr. Oldham said it included money to provide mobile data terminals for fire departments.

Ordinances on First Reading

Ordinance 2017-16 to Annex 61.75 Acres Along W. Harbison Road

Kevin Tolloty, Planning Director, explained the annexation was presented to the Plan Commission on October 5, 2017, and received a 4 to 1 favorable recommendation. The ordinance and fiscal plan resolution will be on the agenda for a second reading at the October 23, 2017, meeting. Mr. Oldham asked if by annexing the Stewart property owned by the Town, does it make sense to do the annexations all at once or one after the other. Mr. Tolloty replied an annexation ordinance cannot be adopted for 14 days after the public hearing so it has to wait until the second meeting. The 14-day countdown starts from the date of the public hearing which is generally at the Plan Commission meeting.

Ordinances on Second Reading

Ordinance 2017-13 to Amend Sections 152.085 and 152.089 of the Ellettsville Town Code Concerning Industrial Districts

Kevin Tolloty, Planning Director, explained the sections were changed to correct grammar and to allow outdoor gun ranges at government operated facilities. These changes go together with the annexation of the Waste Water Treatment Plant which will be zoned Industrial 2 (“I-2”). There are three other properties located on Vine Street zoned I-2 and they’re all under the required acreage for anything being proposed in the amendment.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt Ordinance 2017-13 to amend Sections 152.085 and 152.089 of Ellettsville Town Code concerning Industrial Districts. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-14 to Amend Section 153.057 of the Ellettsville Town Code Concerning Appeals to the Plan Commission

Kevin Tolloty, Planning Director, explained this was heard by the Plan Commission on October 5, 2017, and it received a unanimous favorable recommendation. Section 153.057 would be repealed entirely because it allows Plan Commission cases to be appealed to the Plan Commission. Mr. Oldham asked if cases would be appealed to Town Council. Mr. Tolloty answered appeals would be to the circuit court. Ms. Brown added it would be appealed through a Petition for Judicial Review or a writ.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve Ordinance 2017-14 to amend Sections 153.057 of Ellettsville Town Code concerning Appeals to the Plan Commission. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-15 to Amend Section 152.125 of the Ellettsville Town Code Concerning Development Plans

Kevin Tolloty, Planning Director, explained this amendment was heard at Plan Commission on October 5, 2017, and received a unanimous favorable recommendation. Currently, the development plan review process requires two Plan Commission hearings and one Town Council hearing. Indiana Code gives exclusive authority for development plans to the Plan Commission. This amendment will align Town Code with Indiana Code.

Scott Thomas asked if Plan Commission decisions come to Town Council for approval. Mr. Tolloty answered not necessarily because Indiana Code specifies certain things to be approved by plan commissions as a final authority and the same with certain Board of Zoning Appeals matters. Development plans fall under a final authority that is given to the Plan Commission. The amendment references state code. Ms. Brown added it makes certain the local ordinance manages the code because the Plan Commission has exclusive jurisdiction over development plans and plats.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt Ordinance 2017-15 to amend Sections 152.125 of Ellettsville Town Code concerning Development Plans. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Old Business

New Business

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

Darla Brown, Town Attorney, circulated the Lease Agreement to Town Council members and Leasa Siscoe, President of Ellettsville Main Street (“Main Street”), after the last Town Council meeting. She has not received any comments from Ms. Siscoe or requests for revisions. The proposed Lease Agreement is between the Town and Main Street for the Peters Garage on the property donated by Main Street. When does the Lease Agreement need to start? After a discussion it was decided the Lease Agreement would be effective beginning November 1, 2017. Mr. Oldham asked if there is an evergreen clause so it won't have to be revisited every year. Ms. Brown included language stating “*Each term automatically renews for subsequent periods of the same length unless either party gives the other written notice of termination unless 30 days prior.*” Ms. Hash requested the first page be changed to reflect October for the date signed. Ms. Brown will make the change. Mr. Oldham asked if it means they would have to wait until October 1st or before to notice the Town wants to sever the relationship. If something were to happen and the garage needs rebuilt or something else they would have a small window of time to do so. There have been ideas of turning it into something more façade-wise than just a garage. Ms. Brown will add “*Significant maintenance repairs or construction as planned by the Lessor. Lessor reserves the right to give lessee notice to vacate 30 days prior to construction with the intent to reoccupy.*” All agreed.

Scott Oldham entertained a motion concerning this as amended. Kevin Farris so moved as amended. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Run Reduction for the Fire Department

Fire Chief Mike Cornman presented “EMS Calls Reduction”:

- Goals: To reduce the amount of calls to a level that would be commensurate to the department's budget and call profile. To have the Fire Department respond to Life Threatening calls as determined by the 911 dispatchers.
- Currently: Ellettsville Fire Department is dispatched to every 911 call for EMS. About 70% of the time it is not a "life" or "death" situation.
- Ellettsville Fire Department Budget \$1,111,789
 - Combined Assessed Valuation \$545,918,369
 - Total Call Volume 1,958 (avg 5 calls per day)
 - Daily staffing of 5 personnel (2 Sta)
- Northern Monroe FPT Budget \$2,776,423
 - Combined Assessed Valuation \$461,890,633
 - Total Call Volume 854 (avg 2 calls per day)
 - Daily staffing of 5 personnel (1-2 Sta)
- Van Buren Township Fire Budget \$1,586,685
 - Assessed Valuation \$492,887,000
 - Total Call Volume 1,294 (avg 3.5 calls per day)
 - Daily staffing of 4-5 personnel (2 Sta)
- Perry-Clear Creek FPD Budget \$2,192,877
 - Assessed Valuation \$886,419,129
 - Total Call Volume 1,246 (avg 3.4 calls per day)
 - Daily staffing of 7-8 personnel (2 Sta)
- We maintain and test nearly all equipment.
- The amount of simultaneous calls is ever increasing, i.e., they had three calls at the same time today. Two weeks ago while on a non-life threatening call, they had an active alarm at the Richland Senior Citizens. The alarm went off for a reason...there was a fire.
- 2016 Data:
 - EFD Total Calls 1,958
 - 1211 of those were EMS calls (62%)
 - 245 were classified "Life Threatening"
 - 966 were classified as "Non-Life Threatening"
 - Based on 2016 data for 2018

- 2000 total calls
 - 966 "Non-Life Threatening" being reduced
 - Would bring our total call volume to an estimated 1,034
 - 245 of those would be "Life Threatening" (24.5%) of the total calls.
- Current Protocol for Life Threatening Calls

The following problems require the Dispatch of 301 or 303 and the City of Bloomington Fire Department:

 - MVA with injuries 10-50 PI
 - Cardiac Arrest
 - Chest pain and difficulty breathing
 - Unconscious
 - Drowning
 - Electrocutation
 - Gun shot
 - Stabbing
 - Incidents where subject(s) are trapped
 - Hazardous materials incident
- Proposed Protocol for Life Threatening Calls

The following problems require the Dispatch of 301 or 303 and the City of Bloomington and Ellettsville Fire Departments:

 - MVA with injuries 10-50 PI
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Jeff Schimmer, Dispatch Supervisor, said this wouldn't be a big deal to do. The community is divided into 12 zones and it wouldn't be difficult to change the calls from every call to only life threatening. Budgets are not increasing and everyone is at their limits. This is a long-term issue as far as funding. They still need personnel but think the 1,000 calls a year they're projecting is more in line with current staffing. This will result in two to three calls a day which is similar to other agencies. He is requesting permission to change protocol at this time.

Scott Thomas applauds Chief Cornman for the amount of work he put into the presentation and he agreed. It has to have a significant impact on the lifespan of the equipment. Chief Cornman thinks it can with squad trucks. However, he calculates the savings to be 3% to 4% on things such as tires on smaller vehicles. Mr. Farris asked when this plan would be implemented. Chief Cornman answered upon approval. Central Dispatch has approved this and there is a meeting on October 11, 2017, for something unrelated so it can happen quickly. Mr. Oldham asked if their intent is to also run when 204 is out of station. Chief Cornman replied that's the ambulance and they can't do so now with the current system. However, if there are no ambulances available to respond the local fire department would automatically get sent. There will be a longer than normal delay if they send the local fire department. He hopes when the GPS or automatic vehicle locator, included in the updated system sometime next year, will send the fire station automatically when an ambulance is not close which would be a better use of their resources. At this time, dispatch does not know where the ambulances are physically located. Mr. Oldham asked when 204 is out of station does the tone still drop for them. Chief Cornman answered yes and noted they do not monitor the ambulance service frequency. Mr. Thomas asked if they need to give notice of the EMS call reduction. Ms. Brown thinks this is a policy change. Mr. Oldham commented this is the Chief's desire, is well thought out, is well articulated and he doesn't second guess the Chief.

Scott Oldham made a motion to vote in support of the Chief's decisions as he finds necessary in relation to this or other policies within the department. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Community Crossings Matching Grant – Approval of Contracts for Projects

Denise Line, Planning Department, is requesting formal approval to have the Town Council President sign the proposals for the street projects awarded in the Community Crossings Match Grants. At the September 25, 2017, the street projects were described in detail and are as follows: Ashbrook Lane, Deer Park culvert repair, Matthews Drive, Padding Park Subdivision streets and Richland Manor Subdivision streets. Two proposals were received and E & B Paving was the lowest. In addition, approval is also requested for the proposals from Core & Main, IMI, Spencer Concrete Products, Inc., E & B Paving and

Bloomington Quarry who are the suppliers for the force work to be done on the stormwater drainage project on Deer Park Drive in Spring Valley Subdivision.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve the Community Crossing Matching Grant approval of contracts for projects. Kevin Farris seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Approval of Street Paving Contracts for Cooper Court, Crandall Avenue, Guy McCown Drive, Town Hall Parking Lot and Deer Park Drive

Danny Stalcup, Street Commissioner, explained because we received 64% of what was requested in the Community Crossing Matching Grant he has funds remaining from the 25% match which is sufficient to pave the streets except the Town Hall parking lot because it will be paid from the bond. It is the same proposal from E & B Paving as those awarded from the grant. Ms. Hash noted this will go toward the 50% of MVH funds being expended for street repair. Mr. Farris asked if all of Deer Park Drive will be paved. Mr. Stalcup answered yes.

Scott Oldham entertained a motion. Kevin Farris made a motion to adopt the approval of street paving contracts for Cooper Court, Crandall Avenue, Guy McCown Drive, Town Hall parking lot and Deer Park Drive. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Kevin Farris – yes; and Scott Thomas – yes. Motion carried.

Proposed Annexation of the Stewart Property

Kevin Tolloty, Planning Director, explained this was brought up at the Plan Commission meeting on October 5, 2017, and was not part of the agenda. Since the Town owns the property, and before moving forward with any annexations, he needs consent from the property owners. He has no recommendation because the property will not generate taxes or anything else whether it is in Town or not. Mr. Oldham asked if it provides a few more people the opportunity to voluntarily annex. Mr. Tolloty answered yes, it extends the Town's boundaries. All agreed to the annexation.

Town Council Comments

Town Manager's Comments

Supervisors Comments

Privilege of the Floor

Darla Brown, Town Attorney, thanked the Ellettsville Police Department, Owen County Sheriff's Department and the Monroe County Sheriff's Department for taking good care of the Hilly Hundred riders.

Adjournment

Scott Oldham entertained a motion to adjourn. Kevin Farris so moved. Scott Thomas seconded. Scott Oldham adjourned the meeting at 7:13 p.m.

Scott Oldham, President

Brian Mobley, Vice President

Kevin Farris

Brice Teter

Scott Thomas

Sandra Hash, Clerk-Treasurer, IAMC, MMC