

## November 27, 2017

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, November 27, 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; Kevin Farris, Vice President; Brice Teter and Scott Thomas. Kevin Farris was absent. Jim Davis, Town Manager; Sandra Hash, Clerk-Treasurer; and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present.

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

### Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on November 13, 2017. Scott Thomas so moved. Brice Teter seconded.

### Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Brian Mobley made a motion to pay Accounts Payable. Scott Thomas seconded. Motion carried.

### Public Safety Service Certificates of Merit

**Fire Chief Mike Cornman** presented a Unit Commendation Award and corresponding pin to Deputy Marshal Alva Bohall.

*“Deputy Marshal Alva Bohall, who doesn’t belong to a single unit and acted as one to accomplish a task in meritorious manner in assisting on bringing a life into this world on June 28, 2017.”*

Officer Bohall responded along with the Fire Department to a person giving birth at the station. Firefighters were there and Officer Bohall assisted. It was a pleasant outcome. The Fire Department gave their awards over the summer.

**Town Marshal Jimmie Durnil** explained on November 14, 2017, Richland Senior Citizens Apartments (“Senior Apartments”) Manager, Marilyn Harris, contacted the Ellettsville Police Department and requested a unit to tow a Chevrolet pickup parked on the west side of their complex. After Deputy Chief Bowlen had the vehicle removed, he became aware of a missing elderly male from Lawrence County who was determined to be the owner of the Chevrolet pickup. Deputy Chief Bowlen contacted Marshal Durnil and advised he was en route to the scene to attempt to locate the missing male in a wooded area adjacent to the Senior Apartments. After being notified of the situation Marshal Durnil requested maintenance personnel, Scott Blaze and Justin Harris, from the Senior Apartments use their four-wheel drive maintenance vehicle to assist Deputy Chief Bowlen in the search. Approximately 15 yards into the woods, Charles Donald Johnson, was located asleep but then appeared to be alert and knew his name. In his opinion, Mr. Johnson’s life was saved by the action of these individuals on that day. Deputy Chief Anthony Tony Bowlen was presented with the Public Service Certificate of Merit and maintenance personnel, Scott Blaze and Justin Harris, were each presented with the Citizens Commendation as follows:

Presentation of Public Service Certificate of Merit to Administrative Deputy Chief Bowlen: *“The Public Service Certificate of Merit is hereby awarded to Deputy Chief Anthony Bowlen for outstanding performance as merit recognition for service which was beyond the requirements of normal assigned duties on November 14, 2017, which resulted in saving the life of Charles Donald Johnson. Awarded by Town Marshal Jimmie Durnil.”*

Presentation of Ellettsville Police Department Citizen Commendation to Scott Blaze: *“The Ellettsville Police Department Citizen Commendation is hereby awarded to Scott Blaze, as a civilian rendering valuable courage and assistance to members of the Ellettsville Police Department, particularly in a case on November 14, 2017, which resulted in saving the life of Charles Donald Johnson. Awarded November 27, 2017, Jimmie Durnil, Town Marshal.”*

Presentation of Ellettsville Police Department Citizen Commendation to Justin Harris: *“The Ellettsville Police Department Citizen Commendation is hereby awarded to Justin Harris, as a civilian rendering valuable courage and assistance to members of the Ellettsville Police*

*Department, particularly in a case on November 14, 2017, which resulted in saving the life of Charles Donald Johnson. Awarded November 27, 2017, Jimmie Durnil, Town Marshal.”*

**Scott Oldham** extended congratulations and thanks to all involved.

### **Public Hearing on Request to Vacate the Northwesterly Public Alley between Lots 41 and 42 in Sharps 1<sup>st</sup> Addition**

**Rick Coppock, Bynum Fanyo and Associates representing the Monroe County Public Library (“Library”)**, requested to vacate half of the alley adjacent to west side of the Library. Their intention is to expand the Library by approximately 25% across the alley and into a large lot they also own. There is a sewer line in the alley which will be rerouted as part of their project and connect with the sewer in front of the building on the east side. Mr. Oldham asked when construction was expected to commence. Mr. Coppock answered they’re in the process of doing the design so it will be sometime late spring.

**Brian Mobley** remembered the Park Board President spoke about utilities and light poles. Mr. Coppock sent the request to the Library and someone from the Town needs to meet with their architect to discuss what assistance is needed. Mr. Oldham thinks the discussion was it would be contingent on the Library providing the lighting to improve Memorial Park. Marshal Durnil thinks if they’re going to vacate the alley they should have lighting around the Memorial and flag. He had previously provided three options to the Library for helping the Parks Board illuminate Memorial Park.

**Darla Brown, Town Attorney**, advised this is scheduled for a second hearing at the first meeting in December. She will prepare an ordinance to vacate a public way. The lighting is a separate issue. If the Library Board of Trustees agree to do something with the lighting she can prepare an agreement or contract.

**Paul Dodge, 703 W. Vine Street**, asked what is going to happen. Mr. Oldham explained the Library has asked the Town to close the alley so they can build across it. Mr. Dodge asked if they’re going to expand the Library into the vacant lot. Mr. Oldham answered yes. that is their intention. Mr. Dodge asked if there will be a fence. Mr. Oldham replied it is not in the Town’s purview and suggested he speak with Mr. Coppock who can explain the project. The Town Council is considering whether or not to vacate public property for the Library’s use.

### **Resolutions**

#### **Resolution 22-2017 to Adopt a Written Fiscal Plan for 5255 N. Union Valley Road - Burckes**

**Kevin Tolloty, Planning Director**, explained this is a voluntary annexation request. There will be no additional cost the Town and the annexation will have a positive impact. The property is assessed at \$400,000 and the stormwater fee will be \$240 per year. Chief Cornman asked what the zoning will be. Mr. Tolloty answered it will be split zoned for agriculture and light commercial.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Resolution 22-2017 to Adopt a Written Fiscal Plan for 5255 N. Union Valley Road – Burckes Annexation. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

### **Ordinances on First Reading**

#### **Ordinance 2017-18 Fixing of the Salaries for Budget Year 2018**

**Sandra Hash, Clerk-Treasurer**, explained the three changes were raises for the Administrative Assistant at the Police Department, Planning Assistant and Planner which were budgeted for. Everyone else’s salaries will remain the same as 2017 except those due longevity pay in 2018.

**Brian Mobley** will vote no because he does not feel there should be particular people to get raises for a community that everybody does a good job. They should be across the

board. He believes there would be consideration for money in the budget if they would have looked for it. He understands other Council members will vote that way.

## **Ordinances on Second Reading**

### **Ordinance 2017-17 to Annex 5255 N. Union Valley Road – Burckes Annexation**

**Kevin Tolloty, Planning Director**, explained this annexation request was heard by the Plan Commission on November 2, 2017, and received a favorable recommendation with zoning being split Agricultural 1 and Commercial 1. Mr. Oldham asked if the intent for this property is known. Mr. Tolloty answered the petitioner is trying to sell it.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Ordinance 2017-17 to Annex 5255 N. Union Valley Road – Burckes Annexation. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas - yes. Motion carried.

## **Old Business**

### **Flood Report**

**Brian Mobley** had contacted Rick Coppock, Mike Farmer and Danny Stalcup to discuss moving ahead with cleaning out a drain and filling it with gravel at W. McNeely Street and N. Matthews Drive. They will clean it out on a monthly or bi-monthly basis. He and Mr. Coppock discussed looking at different issues to move ahead with projects in areas that flood.

## **New Business**

### **Letter of Credit Reduction – Hidden Meadow, Phases 2 and 3a**

**Kevin Tolloty, Planning Director**, explained there are separate Letters of Credit with Phase 3a expiring this month and Phase 2 expiring in January 2018. The developer has requested to combine the Letters of Credit. For Phase 2, the sidewalks and street trees have been completed and the only item remaining is the top coat of asphalt. In Phase 3a, all of the street signs have been ordered and a majority of the sidewalks, curb ramps and street trees have been put in but the top coat of asphalt will need to be done. The reductions are \$50,000 which results in a Letter of Credit of \$42,020 with a 25% contingency of \$10,505 for a total of \$52,525.

Scott Oldham entertained a motion. Brice Teter made a motion to approve the Letter of Credit reduction for Hidden Meadow, Phase 2 and 3a. Brian Mobley seconded. Roll call vote: Scott Thomas - yes; Brice Teter – yes; Brian Mobley – yes; and Scott Oldham – yes. Motion carried.

## **Town Council Comments**

**Brian Mobley** asked the progress on the Stewart property annexation. Mr. Tolloty answered it will be going to Plan Commission and Town Council in December.

**Scott Oldham** reminded everyone Santa on Sale Street will be in December. He proposed allowing the Town Manager and the Fire and Police Chiefs permission to close the streets as necessary for public welfare. In the future, he would like to have a discussion on providing notice to the Town Council but not necessarily needing permission to close the streets. All Town Council members agreed.

## **Town Manager's Comments**

### **Supervisors Comments**

**Sandra Hash, Clerk-Treasurer**, advised open enrollment for insurance was today and they had a good turnout. Employees have until Friday, December 1, 2017, to return their paperwork. They offered a health savings account and have had 12 employees sign up for it so far. It will result in a savings in the premiums for the employee. The savings the

Town will receive in premiums will be offered as a contribution to the health savings account of the employees.

**Fire Chief Mike Cornman** commented people like to use fresh-cut Christmas trees. The trees should not be used for more than 30 days and should have plenty of water. If trees dry out they’ll quickly spread a fire. People can visit [www.NFPA.org](http://www.NFPA.org) for additional information on how to care for their tree.

**Privilege of the Floor**

**Chris Fisher, Ellettsville Main Street, Inc.,** thanked the Street Department for putting up Christmas decorations. They appreciate the cooperation of the Town in letting Main Street do Santa on Sale Street which will be held on December 9, 2017, from 8:00 a.m. to 1:00 p.m. Breakfast is served at the Masonic Lodge, there are crafts, Santa Claus will be at the Library, activities, Thurman’s Body Shop will be serving cookies, and Richland Bean-Blossom Senior Housing will have the cabin open and decorated. Santa Claus will arrive on a fire truck at 9:30 a.m.

**Marilyn Harris** advised Charles Donald Johnson was in the audience. Mr. Johnson’s family expressed their appreciations and gratitude for those who saved his life.

**Adjournment**

Scott Oldham entertained a motion to adjourn. Brice Teter made such a motion. Scott Thomas seconded. Scott Oldham adjourned the meeting at 7:00 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