

December 27, 2017

The Ellettsville, Indiana, Town Council met for a regular meeting on Wednesday, December 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; Brian Mobley, Vice President; Brice Teter and Scott Thomas. Kevin Farris was absent. 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, 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 December 13, 2017. Brice Teter so moved. Scott Thomas seconded. Motion carried.

Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers. Brian Mobley so moved. Brice Teter seconded. Motion carried.

Resolutions

Resolution 28-2017 to Adopt a Written Fiscal Plan for 53-04-10-400-072.000-011 and 53-04-15-100-035.000-011 (Stewart Property)

Kevin Tolloty, Planning Director, explained there is no fiscal impact as the Town owns the property.

Scott Oldham entertained a motion. Brice Teter made a motion to pass Resolution 28-2017 to Adopt a Written Fiscal Plan for the Stewart Property. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Resolution 29-2017 Transfer of Funds

Sandra Hash, Clerk-Treasurer, explained the copier she purchased in 2004 is starting to fail. She is transferring funds to purchase a new Sharp copier. The Police Department went over on their telephone, fax and electric lines so they are transferring funds to cover those expenses.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve Resolution 29-2017 Transfer of Funds. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Resolution 30-2017 Encumbrances for 2017

Sandra Hash, Clerk-Treasurer, explained the encumbrances are for bills incurred this year and carried over to 2018, and also includes the funds for her office copier. Funds were transferred from regular electric to street lights for the purchase of four light poles. The Police Department carried over funds to cover the 8% health insurance increase for 2018. Funds were carried over for E & B Paving for paving that couldn't be done this fall. Under the LOIT Special Distribution, \$25,000 for E & B Paving for matching grant funds.

Brian Mobley asked why the Fire Department encumbered \$10,000. Ms. Hash answered the Fire Department wants to do physicals. There were sufficient funds in their health insurance line to cover the physicals but they can't get them all done by the end of this year.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve Resolution 30-2017 Encumbrances for 2017. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Resolution 31-2017 to Rename the Ellettsville Town Hall as the Jim Davis Town Hall

Scott Oldham explained the purpose of the ordinance is to rename Town Hall the “Jim Davis Government Center” to honor him for his many years of service. A proclamation goes along with it. A plaque will be made and affixed to the building.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Resolution 31-2017 to Rename the Ellettsville Town Hall as the Jim Davis Town Hall.

Scott Oldham asked if Mr. Teter would amend his motion to the “Jim Davis Government Center”. Mr. Teter so amended his motion. Ms. Hash questioned if the Resolution would have to be amended. Ms. Brown advised Resolution 31-2017 could be passed as amended or it could be changed for the next meeting.

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

Ordinances on First Reading

Ordinances on Second Reading

Ordinance 2017-12 to Annex the Ellettsville Waste Water Plant

Kevin Tolloty, Planning Director, explained this is the final step in the annexation of the Waste Water Treatment Plant. It has been through the first meeting, public hearing and multiple public meetings.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Ordinance 2017-12 to Annex the Ellettsville Waste Water Plant. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-19 to Vacate Public Way – Monroe County Public Library Request to Vacate the Alley Located Between Lots 41 and 42 in Sharp’s First Addition

Rick Coppock, Bynum Fanyo and Associates, spoke with the gentleman who had questions about vacating the library at the last meeting. He liked the fact cars wouldn’t be traveling through the alley anymore.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Ordinance 2017-19 to Vacate a Public Way – Monroe County Public Library request to vacate the alley between Lots 41 and 42 in Sharp’s First Addition. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-20 Annexation of the Stewart Property

Kevin Tolloty, Planning Director, explained this annexation was heard by the Plan Commission on December 7, 2017, and received a favorable recommendation with zoning of Agricultural 1.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve Ordinance 2017-20 the Annexation of the Stewart Property. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-21 to Amend Chapters 93.16 and 93.17 of the Ellettsville Town Code Concerning Tall Grass & Weeds

Kevin Tolloty, Planning Director, explained one of the primary changes is the notification process for violators. Currently, notices are sent by certified mail but state code allows for it to be by first class mail. It also establishes a minimum charge of \$250 for abatement and adds an administrative fee. Mr. Oldham asked how the Town will know a violator received a letter. Mr. Tolloty doesn’t know with first class mail. Ms. Brown advised the ordinance mimics the statute. The Town is required to send it to the last address of the property owner

as listed by the county auditor. An affidavit may be required to state the letters were mailed. This is sufficient notice under the state statute.

Scott Oldham entertained a motion. Scott Thomas made a motion to approve Ordinance 2017-21 to amend Chapters 93.15 – 93.17 of the Ellettsville Town Code concerning Tall Grass & Weeds. Brice Teter seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-22 to Amend Chapters 94-03 – 94.07 of the Ellettsville Town Code Concerning Abandoned Vehicles

Kevin Tolloty, Planning Director, explained the amendment changes the wording of who is responsible for the enforcement of abandoned vehicles on public ways. Currently, Town code lists the Planning and Police Departments as being responsible. The Planning Department is unable to check license plates on public ways so the amendment returns exclusive jurisdiction to the Police Department. The Planning Department will continue to enforce zoning violations on private property.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Ordinance 2017-22 to amend Chapters 94.03 – 94.07 of the Ellettsville Town Code concerning Abandoned Vehicles. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-23 Zoning Change for 703 W. Temperance from R-1 to C-1

Kevin Tolloty, Planning Director, explained this zoning request received a favorable recommendation at Plan Commission on December 7, 2017. The building on this property is being remodeled to be an antique store. The petitioner is requesting it be zoned Commercial 1 to match adjacent properties.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Ordinance 2017-23 Zoning Change for 703 W. Temperance from R-1 to C-1. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Ordinance 2017-24 to Amend Chapter 152.56 of the Ellettsville Town Code Concerning Lawn and Yard Maintenance in Residential Districts

Kevin Tolloty, Planning Director, explained this amendment received a favorable recommendation from the Plan Commission at its meeting on December 7, 2017. This chapter is in zoning but it mimics the provision for abating grass and weeds in Chapter 93. All duplications have been deleted.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Ordinance 2017-24 to Amend Chapter 152.56 of the Ellettsville Town Code Concerning Lawn and Yard Maintenance in Residential Districts. 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 is waiting on Mike Farmer to get him costs on repairing the drain underneath McNeely Street. He will talk to the Street Commissioner about other concerns.

New Business

Agreement between the Town of Ellettsville and Boyce Systems for License Renewal and Maintenance Fees

Sandra Hash, Clerk-Treasurer, explained there was a lot of historical data in the old software that didn't convert to the new software. They have a maintenance agreement with Boyce Systems ("Boyce"), the old software company, so they have the right to use the information. Normally, they bill the Town but this year that have provided an agreement

to renew the process. The Utilities Office Manager agrees with maintaining an access to the old information.

Scott Oldham asked when the Town switched software providers was there an agreement the old documentation would transfer to the new. Ms. Hash answered yes. A majority of the data did transfer. She prefers the old software for fixed assets because it is on a cash basis as required by the State Board of Accounts but the new software is on an accrual basis. The Utilities Office Manager uses the old software for historical information on older accounts. Mr. Oldham thought the contract terms included data being converted. Ms. Hash stated the data was converted but some of the detail didn't transfer. Mr. Teter asked if over time the data can be pulled and archived. Ms. Hash replied it could be printed, however, the fixed asset program on the new system doesn't work for her. Mr. Teter asked when they moved to the new software system. Ms. Hash answered it was 2013. Mr. Teter asked if someone has contacted the software company to find out if they have made any updates. Ms. Hash answered they get updates monthly but the historical use has not been addressed. Mr. Oldham stated they're not supporting a legacy system when part of the original contract called for the data to be converted to the new. Ms. Hash commented the information is stored on the Town's server but they will disconnect access to it if the maintenance fee is not paid. Mr. Thomas asked Mr. Farmer if he could get with Utilities to do research on this. Mr. Farmer answered he will contact their IT person to discuss it so the Town Council can make a decision.

Scott Oldham entertained a motion. Brice Teter made a motion to table the agreement between the Town of Ellettsville and Boyce Systems for License Renewal and Maintenance Fees. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Pay Application No. 5 for the Chemical Phosphorus Removal Building

Scott Oldham asked how many more payments they can expect. Mr. Farmer answered the building is almost complete. Ms. Hash stated the contract was for approximately \$500,000 so they should be getting close to paying it off.

Scott Oldham entertained a motion. Brice Teter made a motion to approve Pay Application No. 5 for the Chemical Phosphorus Removal Building. Scott Thomas seconded. Roll call vote: Scott Oldham – yes; Brian Mobley – yes; Brice Teter – yes; and Scott Thomas – yes. Motion carried.

Town Council Comments

Brian Mobley asked Mr. Farmer how the water project is going. Mr. Farmer answered they have one easement to get because the property owner is out of the country. His thought is to get a right of entry so they can finish the project. Approximately 500' of pipe remains to be put in. Once it is completed in the spring they will run 8" water main off the secondary water line to Forest Park Heights and Forest Park Farms which will increase their fire flows, water pressure and water quality. That project will take two and a half months.

Brian Mobley asked when the Fire Department will receive their ISO rating. Chief Cornman has received it but needs to review it because it is an updated rating schedule.

Scott Oldham asked the Fire Chief if he could give them a sense of how many times they had to make a run into another area when that fire department was unavailable. Chief Cornman answered he can do a partial list because they recently started tracking when other departments aren't available versus on another call. He will have that information at the next meeting.

Town Manager's Comments

Supervisors Comments

Mike Farmer, Ellettsville Utilities, reminded everyone it's cold outside and not to let their water freeze. There are steps you can take to keep your water from freezing such as closing vents, insulating exposed lines, keeping cabinet doors open so inside heat can get to the pipes and if there is an emergency they have 24/7 on call staff. During really cold weather

they will not send anyone to thaw out or check waterlines until the next morning. If water pipes should burst they will come out immediately.

Sandra Hash, Clerk-Treasurer, provided a summary sheet of all beginning balances from 2010 through 2017. Since 2010, the General Fund has grown from \$103,000 to \$716,000. They’re definitely doing a good job working in the right direction. She prepared a year-end budget analysis which shows what the supervisors did not spend of their appropriation. In the General Fund, after encumbrances, there is \$155,000 remaining in unspent appropriations. This helps when there is not a balanced budget. If they do not spend all of their money and gain in their operating balance then they’re moving in the right direction. It appears the operating balance will increase by \$71,000 for 2018. A Cash Summary was provided showing the beginning balance for every fund at the beginning of this year, the total of receipts and expenditures and the ending balances which will be affected by the encumbrances.

Scott Oldham thanked the Street and Utilities Departments for snow removal.

Town Marshal Jimmie Durnil thanked everybody for this year. For the second year, the Police Department has won the Battle of the Badges and they’re challenging the Fire Department to get ready for this year.

Privilege of the Floor

Adjournment

Scott Oldham entertained a motion to adjourn. Brice Teter made such a motion. Scott Thomas seconded. Brian Mobley adjourned the meeting at 7:07 p.m.

Scott Oldham, President

Brian Mobley, Vice President

Kevin Farris

Brice Teter

Scott Thomas

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