

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, July 26, 2021, 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. Mike Cornman led the Pledge of Allegiance followed by a prayer by Jimmie Durnil.

Roll Call: Members present were Scott Oldham, President; Pamela Samples, Vice President; William Ellis, Trevor Sager. Dan Swafford was absent. Sandra Hash, Clerk Treasurer; Michael Farmer, Town Manager and Darla Brown, Town Attorney; were also present.

Supervisors present: Jimmie Durnil, Mike Cornman, Kip Headdy and Kevin Tolloty.

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes of the regular meeting work July 12, 2021. Trevor Sager so moved. Pamela Samples seconded. All in favor, motion carried.

Accounts Payable Vouchers

Scott Oldham entertained a motion to pay Accounts Payable Vouchers and Payroll. Trevor Sager so moved. Pamela Samples seconded. All in favor, motion carried.

2022 Budget Meeting Dates

Sandra Hash, Clerk Treasurer explained she has shared these dates with the supervisors and the dates work for them and needs council approval that the dates work for them also. The supervisors will present their budgets to council and then there will be a roundtable discussion, if desired a pre-adoption hearing will be set for September 13, 2021, and final adoption date would be September 27, 2021. Scott Oldham asked the preference of council if they would rather have the Town Manager to set budgets and present a unified proposal as opposed to sitting through a round table discussion for multiple presentations of each supervisor. Trevor Sager liked last year with the unified proposal but is fine either way. Pamela Samples prefers to hear each individual presentation. William Ellis prefers individual presentation but only needs a basic proposal and he can ask questions as needed. Scott Oldham prefers the unified meeting having experienced both in the past. He agreed if individual presentations are preferred to keep it simplified. William Ellis suggested August 19, 2021, as a roundtable discussion for all the proposed budgets. Scott Oldham set a Work Session of August 19, 2021, asking supervisors to have the details of the proposals worked out before presentations to avoid a lengthy meeting. Sandra Hash explained there will be a short slide show presentation to start the meeting.

Indiana Upland READI Grant – Stormwater and Beautification Project

Michael Farmer, Town Manager explained he has been working with Kyle Hannon from Envision Ellettsville. Kyle provided him with information about applying for a READI Grant (Regional Economic Acceleration and Development Initiative) through the state. Indiana Uplands is the region we are a part of. The grant would compliment the floodwater project and turn it into a quality place project that would allow them to do beautification along the creek bank, along the trail and other areas of the Stormwater project to attract visitors, townspeople and possibly businesses to utilize it and help with the revitalization of downtown Ellettsville. Michael Farmer would like to apply and see where it goes to add to the money used for the flood project. Council had previously requested information about any grants being applied for and he will keep them updated on the progress.

Ordinances on Second Reading

Ordinance 2021-14 to Establish an Electronic Meeting Policy

Darla Brown, Town Attorney explained this is the second reading for this Ordinance after making some suggestions for corrections after the first reading. Section 31.24 (B) states it is subject to subsection (i) and should say subject to subsections D&G. Paragraph D under 31.24 states at least fifty percent of the members must be physically present at the meeting at which a member will participate by means of electronic communication. She redacted the second sentence that said not more than fifty percent of the members may participate by an electronic means of communication at the same meeting because it didn't make sense, you can't have 3 offsite and 3 onsite at the meeting with a council of 5 members. She also felt

subsection (l) should not be included in the Ordinance when people looked it up online that states the Town whereby the town council encouraged the other departments to adopt the policy. She added a new section regarding the severance clause that reads should any part of this Ordinance be declared invalid or unconstitutional, that declaration shall not affect the part of the Ordinance which remains. Trevor Sager made a motion to approve Ordinance 2021-14 to Establish an Electronic Meeting Policy. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Pamela Samples – yes; Trevor Sager – yes. Motion carried.

Sandra Hash, Clerk Treasurer suggested changing the order to cover the items under Old Business due to Ordinance 2021-15 being a lengthy discussion. Council and the petitioner agreed.

Old Business

New Building Inspector Approval

Mike Cornman, Fire Chief discussed the position approved at the last meeting to hire a new Building Inspector. The position was posted and the Fire Department along with the Planning and Zoning administration conducted interviews and would like to submit the name Ron Vandeventer for approval to hire as the new Building Inspector. Ron is currently a regular part-time firefighter with Ellettsville. William Ellis made a motion to approve the New Building Inspector. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Pamela Samples – yes; Trevor Sager – yes. Motion carried.

Request for Forman promotion at the Department of Public Works – Street Division

Kip Headdy, Street Commissioner explained they advertised in house a few weeks ago for Forman at the Department of Public Works. He would like to recommend promoting Jay Humphrey. Jay has worked alongside Kip for a long time learning his job before Danny Stalcup retired and stepped up during a recent absence of Kip's and did a great job. Jay has attended some of Purdue's scholar programs for road school and is working on his certificate for road builder. Pamela Samples inquired about the pay scale. Kip explained the pay scale is currently \$27.71 to \$28.19 and he would like to put him at full scale. Pamela Samples agreed and said he is very good; she has never heard any complaints and he has proven himself. Mike Farmer agreed also. The pay scale difference is only \$.48. Sandra Hash explained there is an annual \$1,000.00 spread on the salary Ordinances this was put in place under Jim Davis when she tended to raise the top number and not the bottom and it created a large difference, so it was his suggestion to create a spread and it has been that way ever since. Trevor Sager made a motion to approve the request for promotion of Jay Humphrey to Forman, Department of Public Works – Street Division at the pay rate specified today. Scott Oldham seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Pamela Samples – yes; Trevor Sager – yes. Motion carried.

New Business

Approval for Town Council President to Sign Financial Commitment Letter for Community Crossings Matching Grant Application

Sandra Hash, Clerk Treasurer explained Denise Line has applied for the grant and the paperwork requires Town Council President's signature for her to submit the information. Denise Line, Planning explained they are applying for 2 Community Crossing grants, one is for paving various streets in Town and the other is for culvert work to be done. She must provide a letter of financial proof that shows they have the money to pay the matching portion of the grant. William Ellis made a motion to approve for Town Council President to Sign Financial Commitment Letter for Community Crossings Matching Grant Application. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Pamela Samples – yes; Trevor Sager – yes. Motion carried.

Ordinances on Second Reading – Continued

Ordinance 2021-15 to Amend the Zone Maps at 3888 West State Road 46, Bloomington, Indiana from C-3 to a Planned Unit Development

Tyler Ridge, petitioner representing the Ridge Group gave a presentation on the specifics of the Flats on 46 project. He explained there will be 6 buildings identical in nature with 168 units total and 293 parking spots. The unit blend will consist of 48 studios, 72 one bedroom and 48 two bedrooms. The studio unit will be 400-420 square feet, one bedroom will be two sizes: 555 square feet and 610 square feet and the two bedrooms will be 850 square feet and 935 square feet. There will be a 24-hour fitness center, a flex space that is an office space/conference room that could be used if you worked from home and needed to print something off or hold a video conference, an indoor/outdoor lounge, leasing manager on site, coffee bar and an outdoor park with a dog run and covered grill stations. Extra finishes will include secured building entry, Access Control and CCTV (closed-circuit television) systems at each building in the parking lots and interior of each building for not only safety but liability, stainless steel appliances, laundry centers in each unit, patio or balcony, central air and heat, granite or quartz countertops, LED (light emitting diode) light fixtures, LVP (luxury Vinyl Plank) flooring, valet trash service and high-speed internet. Location and Market Study details are: Target market to be served includes housing for 1 to 4 persons with income levels from \$25,337 to \$94,500. Industry standards are that a household cannot pay more than 35% of their income on rent / mortgage payments. Total absorption period is expected to be 12-13 months confirming a very strong demand for alternative housing. There is a need for these apartments at a rent that is consistent with the income of early career professionals or single parent families (i.e. How many people here started in an apartment?) Attraction and retention of these tenants are important to the economic development of Ellettsville and the region. The unit sizes and types are attractive to young, employed professionals desiring a comfortable, mature and convenient neighborhood close to the workplace. Background checks are required for each applicant against criminal history and sex offender databases. Project Timelines are: Construction Start - October / November 2021, (based on state release and city approvals) Construction Completion - March / April 2023, Stabilization (95% occupancy) per market study will be reached within 12-13 or by May of 2024. Photos of the building and units were presented and he compared them to the recent project in Bloomington behind the historic Woolery Mill. The 130 units available beginning January 2021 are at full capacity. He concluded his presentation by offering tours are available if anyone is interested.

Katie Stein, Smith Design Group, site civil engineers for the Ridge Group explained the PUD (Planned Unit Development) outline plan. The site is two parcels within the Ellis Ridge subdivision approved in June of 2021. The changes that she will be discussing from the C3 zone to a PUD are matching the setbacks, because they are adjacent to single family on the east and west side, they are proposing to double the setbacks from 20 to 40 feet for the buildings. Also, there is a maximum height of 45 feet that is proposed and this PUD is proposing to go a maximum of 40 feet and the proposed buildings that the Ridge group intends to put on these lots is 37 feet, so they are reducing their height in that regard. Parking with the Ellettsville Ordinance and the C3 zone requires for multi-family 2 parking spaces are to be provided per unit. Since 70% of the units are studio apartments, they took the parking requirements similar to the City of Bloomington and Monroe County and manipulated them to fit what the Ridge Group needed for their units. Per the PUD, they would need to have 255 spaces and they have 293 for extra for visitors, overflow and people using the park. Also, within Ellettsville they are required to landscape and buffer. There are no set standards outlined in the Ordinance so they have set standards in the PUD that they will commit to from a landscape and buffering standpoint. The only buffering will be adjacent to the existing single-family developments that are on the East and West of this development. The existing trees will not be counted toward the buffer yards they are proposing. The interior landscape will be similar to the City of Bloomington and the landscape architect will be sure they meet those requirements. It will cover parking lots, interior plantings, foundation plantings and parking islands. The community park will be in the center and adjoining neighborhoods will be welcome to use.

Lynn Coyne representative for the petitioner from Bunger & Robertson Attorneys at Law, introduced himself for any questions and clarified the parking they are requesting it be reduced from 336 that is required to 293. He explained that a PUD changes what a C3 requires them to do that they don't want to do to reduce those requirements.

Public Comments:

Nick Brehl, lives on the eastern edge of Ellis Ridge Development with his wife, special Education teacher at Richland Bean Blossom School, and his 2 children, expressed his opinion that the proposed 168 apartments will have a dramatic and negative impact on the value of their homes in the vicinity and the increased traffic will lower property values. The traffic directed through Ashbrook contains no sidewalks or even lines on the road to exit on 46 at a stop sign increasing the risk to the community, residents and patrons of this development. Other consideration is for the 3 commercial properties and the 14 homes on the 17 acres, it is a substantial increase in density in the area. The units will infringe on the homes in the area due to the height topographically the balconies will overlook their properties. He stated the petitioners claim it fills a critical housing need in Ellettsville, but the 1-bedroom apartment will rent for \$965 a month and when he looks at the average income according to the US Census Bureau is \$37,000.00 for his zip code and Ellettsville is \$52,000.00 for a medium household. A number of different government and charitable organizations say that affordable housing is 30% not 35%. He feels this is not affordable housing for people who live in Ellettsville and compared it to a teacher with a master's degree, explaining they couldn't afford a one-bedroom apartment but could afford to buy a \$250,000.00 home. Ellettsville should be looking to uplift the middle class and the community because home ownership and education are the routes to the middle class. William Ellis asked if these were built before he bought his home would he have still moved here to which he replied "no".

Linda Summers thanked the neighbors for coming and sharing their concerns. She has spoke to a lot of neighbors and there were a lot that would not attend because they felt it wouldn't make a difference and their minds were already made up when it came to developments like these. She does not believe that and feels what they say is very important and council would listen. Her main concern is the traffic. Traffic on 46 is ridiculous already and from where she lives on Ashbrook trying to go left out of Deer Park towards Bloomington can be very difficult. She does work in Bloomington. The proposed plan only allows a right turn which would tempt her to use the middle lane to do an illegal U-turn instead of going down and turning around. The thoughts of traffic from the apartments are ludicrous and the route around to get to a light on Centennial are complicated. She feels a light at 46 would be best but knows it is not possible. She asked to please consider not approving these apartments to cut down on the congestion. Single family homes are great and concluded with saying everyone knew the property would get developed but let's not make the problem worse with the traffic. William Ellis asked if these were built before she bought her home would she have still moved here to which she replied "no". She never dreamt there would be 168 apartments close by. William Ellis added the council does want to hear feedback and public comment.

Eric Selburg, lives on the same street as Linda Summers, explained traffic drives over the speed limit now and is concerned with adding a lot more traffic with no sidewalks and a narrow street, that it will become dangerous to walk his dog and something bad will happen.

Tom Spoonamore built his house on Ashbrook Lane in 1994 knowing someday they would develop around him. When development started in Woodgate, causing multiple issues but opening the road up through to Ashbrook caused dangerous situations like running the stop sign and speed issues. He can't imagine what adding these apartments will do to the area. He stated, they do look nice, but it isn't the right place for them. He answered William Ellis' question before he asked, with "no, I wouldn't build a house there if these were built before he bought his home".

Tyron Cooper, lives on Deer Park Drive and asked Town Council to please consider the human aspect of this development. He has children that play out there, people walk and jog along there and we should consider what that is going to do for the area. He answered William Ellis' question before he asked, with "no, I wouldn't build a house there if these were built before he bought his home".

Craig Koontz thanked council for listening to the community and their concerns. He purchased his home 25 years ago and has dealt with a lot over the years. His concern is no sidewalks and with the diverse community of senior citizens, dog walkers, children and many people walking to get to businesses across the highway, it will become increasingly dangerous for them. He agrees the project looks beautiful and they have done a great job presenting, however it creates an unsafe situation when he already has experienced dangerous situations walking his dogs. He also disagrees with the right-hand turn onto 46. Safety is his main concern and asked to please consider that.

Scott Oldham asked Kevin Tolloty about the connector at Ashbrook being county or Town. Kevin explained it is the Town so Scott stated if they wanted to install traffic calming they could do that. Kevin Tolloty also explained that the connection on Centennial Drive from Centennial Park is almost done so that will alleviate a lot of traffic coming out of Woodgate and Centennial Park that now has to go down Deer Park to 46. Kevin said it will add some traffic through Deer Park and out to 46, but you will have a reduction coming from people already using Deer Park. Scott Oldham asked if there was an access point to Centennial Drive directly from the development. Kevin explained there is an access point, but the apartments don't hit it directly. It is supposed to be being worked on and hopes it is sooner rather than later, but there is no guarantee on that.

Brian Thomas, resident on Rindle Lane west of the proposed development feels his neighbors covered all his concerns pretty well and has always known it would eventually be developed. He feels it is a bad location and the congestion will become worse and is concerned for safety. He understands the need for apartments, but he doesn't want it to be another Bloomington and it would be a great single family home addition. He asked council to vote no to the Ordinance and stated he would not have bought a home there knowing this information. He specifically looked at the zoning for that purpose before he purchased his home.

Reneé Kiser, lives on Centennial Drive feels they should add a stop light at Deer Park for the reasons discussed many times this evening. The proposal will create on Centennial what is happening on Ashbrook creating a large community of traffic and with the new opening on Centennial, it has already caused issues at a busy highway already.

Scott Oldham stated to the public that the Town has no control over a stop light on Deer Park, it is controlled by Department of Transportation and the state has that power.

Lynn Coyne explained the property came on the market zoned C3 and chosen for that reason. C3 has a long list of commercial uses meaning the traffic from high intensity commercial use was already zoned into this land. Mr. Blackwell got his subdivision. When they wanted to build 168 apartment units, you can see the list of uses, multi family is an exception, permitted is apartments over commercial. They did not want that, they wanted just apartments. Apartments over commercial generate a lot more traffic than just apartments. There is a 70% reduction on this project that could be built by right in a C3 zone. Basically, saying that if this project doesn't go through and these lots go to someone else, they could build something bigger under the C3 zone so this project will actually reduce traffic and reduce the impact than what the current C3 zone allows.

Scott Oldham asked if this were denied, would they build apartments over commercial? Mr. Coyne answered with "possible. The Ridge group has contracted Mr. Blackwell to buy subject of the project being approved. If the project was not approved the choice would be to buy it or not buy it. If they don't buy it, it could be purchased by someone else, or they could consider doing that and it would be just a straight up build and not have to go through the extensive Plan Commission and Town Council that they have been through.

Scott Oldham was shocked to see the C3 zoning allowed an outdoor amusement park along with health fitness facility and outdoor playground. Mr. Coyne explained C3 is the highest development of commercial development with the highest traffic impact.

William Ellis understands the risks of being built C3 and he would encourage everyone who is responsible for allowing what is in a C3 to reconsider what is allowed in a C3. He feels it was a mistake from previous councils and plan commissions and doesn't understand the logic in putting this type of zoning adjacent to single family homes. He stated he is a definitive no on this change. Ellettsville was built on single family dwellings and doesn't need to change mid field in hopes this will be growth. The public and community are Ellettsville and doesn't want to risk what it will bring.

Trevor Sager appreciated everyone that came to the meeting and all the information provided but feels it should be a 5-member vote and with the absence of Dan Swafford he motioned to table. Pamela Samples seconded. Before voting, William Ellis added he felt the public should have an opinion whether they want to delay it. He felt the meeting was advertised and the absence of the council member should not delay the vote. He also mentioned Zoom capability and Darla Brown, Town Attorney stated Dan would not have been able to attend by Zoom since the Zoom policy was adopted at this meeting.

Scott Oldham inquired to Kevin Tolloty on how long the property has been zoned C3. Kevin Tolloty, Planner, explained it was early 2000's when it was annexed to the Town.. William Ellis asked if they could change what is allowed in a C3 zone and keep the zoning as C3. Darla Brown stated even if it were changed, it wouldn't affect the current owner and this proposal, they would be grandfathered in. She is unsure if it would rule out any other development that they would sell it for, she will have to check on that. Sandra Hash stated for informational purposes, the land has been vacant and for sale since the re-zone in 2005 or 2006. Scott Oldham further questioned the lots up front and whether they would be used for commercial. Kevin Tolloty explained that they are set aside for commercial use, but nothing has been identified and not a part of this plan. He is unsure if Lot 19 could be subdivided. Kevin Tolloty confirmed Scott Oldham's question that potentially there could be 3 commercial developments there and the property East is also zoned C3 but not a part of this project. It also has no known defined use and only a single residence home sits on the property. There are no known plans for that property and the homeowner (Nick Brehl) was present at the meeting and spoke. Motion and second were present. Roll call vote: Scott Oldham – yes; William Ellis – no; Pamela Samples – yes; Trevor Sager – yes. Motion tabled until next meeting August 9, 2021. Scott Oldham asked Kevin Tolloty for a brief history on the property and the Street department to do a traffic count on Ashbrook and Deer Park for the next meeting.

Council Comments

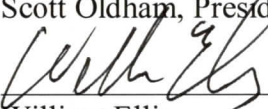
Pamela Samples congratulated Jay Humphrey on his new position and hopes he enjoys it.

Adjournment

Scott Oldham entertained a motion to adjourn. William Ellis so moved. Trevor Sager seconded. Scott Oldham adjourned the meeting at 7:48 p.m.



Scott Oldham, President



William Ellis



Dan Swafford



Pamela Samples, Vice President



Trevor Sager



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