

August 22, 2022

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, August 22, 2022, at the Ellettsville Town Hall Meeting Room located at 1150 West Guy McCown Drive. William Ellis called the meeting to order at 6:30 p.m. Jimmie Durnil led the Pledge of Allegiance followed with a prayer.

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

Supervisors participating: Jimmie Durnil, Denise Line, Kevin Patton and Jeff Farmer were present.

Approval of the Minutes

William Ellis entertained a motion for approval of the minutes of the regular meeting August 8, 2022, the Budget Workshop August 10, 2022 and the Work Session August 15, 2022. Dan Swafford so moved. Trevor Sager seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Accounts Payable Vouchers and Payroll

William Ellis entertained a motion to pay Accounts Payable Vouchers and Payroll. Scott Oldham so moved. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Resolutions

Resolution 12-2022 Transfer of Funds – Police Department

Jimmie Durnil, Town Marshal explained it is a standard getting close to the end of the year shortage transferring from one line to cover another. Transfer requested is \$3,671.87 from Arms, Radar & Equipment Maintenance to Arms, Radar & Equipment. Scott Oldham made a motion to approve Resolution 12-2022 Transfer of Funds – Police Department. Pamela Samples seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Resolution 13-2022 to Donate a Vehicle

Kevin Patton, Fire Chief explained the Town of Gosport's EMS vehicle is unsafe and has been taken out of service. The Fire Chief reached out to Fire Department and inquired about donating the 2007 Ford Explorer that was going to be put up for bid. The vehicle would be used for the volunteers taking care of Wayne, Harrison and Montgomery Township. It will make a good vehicle for them for at least a couple of years. Scott Oldham made a motion to approve Resolution 13-2022 to Donate a Vehicle. Pamela Samples seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Ordinances on First Reading

Ordinance 2022-10 to create a non-reverting fund for the Parks Department

Darla Brown, Town Attorney explained this in an Ordinance she put together after re-reading the last Town council meeting minutes and the council comments from the Work Session last Monday. The fund established in 1998 for the Department of Parks and Recreation will be renamed and the purpose of it will be expanded for not only donations but for any other funds for non-capital improvements. Scott Oldham requested changing the wording in Section 3 from The Director of the Town of Ellettsville Department of Parks and Recreation to Town Manager or his or her appointee but not to exclude the Parks Board. There was confusion on it being only a receiving fund. Darla Brown explained it is only for accept funds and it can only be used to disburse funds designated in this Ordinance. Sandra Hash, Clerk Treasurer requested adding designation of funds in case the Parks Board was

ever dissolved. Jimmie Durnil, Town Marshal requested giving up the right to bond being removed for the same reason. Darla Brown stated she can think about how to add that in this Ordinance or as a separate Ordinance. William Ellis suggested Town Council be the designee of who is responsible for receiving the funds and disbursements. Scott Oldham mentioned the designee does have to be someone present daily operationally and council is not. The Clerk's office cannot hold deposits for over 48 hours. Sandra Hash explained a non-reverting fund means there is no tax dollars going in it is only money from miscellaneous things and will stay there until needed and doesn't require appropriation or state approval. Disbursements will be like any other department where the department head will bring bills and will issue a check. The fund currently has a \$250.00 balance and is used for Shelter Rental deposits, cash in, cash out. The fund has the youth sports program in mind but could be used for anything. Scott Oldham explained that this change to the Town Manager or his appointee stemmed from discussion at a Work Session and the Clerk Treasurer stated she didn't want to handle it. Sandra Hash, Clerk Treasurer stated she was resistant at first but is more understanding of it now and is fine with handling it. Scott Oldham withdrew his suggestion of changing the Director of the Town of Ellettsville Department of Parks and Recreation to Town Manager and replace it with Clerk Treasurer or his or her appointee.

Ordinances on Second Reading

Ordinance 2022-08 to Modify Water Rates deleting the Utility Receipt Tax

Darla Brown, Town Attorney explained this Ordinance has been modified to include the water tracking factor of \$.85 per 1,000 gallons which the Town of Ellettsville pays because the Town purchases its water from the City of Bloomington Utilities. The Ordinance draft seen at the last meeting said that the new rates were subject to and now the rates include the water tracking factor. Utility customers will now know exactly what they are paying when it is published online at American Publishing and on the website. Scott Oldham made a motion to approve Ordinance 2022-08 Schedule of Water Rate and Charges to Decrease Rates from implementation of House Enroll Act 1002 Repealing the Utility Receipts Tax. Trevor Sager seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Ordinance 2022-09 Certifying Ward Boundaries

Darla Brown, Town Attorney requested to table, she is still working on it with a County Attorney and Karen Wheeler, Monroe County Voter Registration to go through the statute that discusses certifying your current boundaries. Scott Oldham requested Darla Brown to look at what is being built in the current Wards and try to estimate what the population increase will be based on that. Darla believes that is what Kevin Tolloty did when he done the boundaries. The issue was whether it was a 10% difference. She stated it is strictly based on the last census and she is not aware of anything under the statute that allows you to change boundaries based on anticipation of population change. There was some confusion with the maps and Darla Brown will try to clean up the map. Dan Swafford made a motion to table Ordinance 2022-09 Certifying Ward Boundaries. Scott Oldham seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Flood Report

Mike Farmer, Town Manager stated he has received all the permits to begin flood mitigation on Vine Street. He started the process of getting easements and will meet will Andrew Miller of Christopher Burke Engineering to discuss the next steps. He also plans to meet with Darla Brown to put together bid packets and Rick Coppock to hopefully break ground this year. He confirmed that all the plans were approved by Christopher Burke as requested.

New Business

2023 Supplemental Fire Service Agreement between the Town of Ellettsville and Richland Township

Kevin Patton, Fire Chief explained this is the contract for 2023. The Richland Trustee increased by 5% to cover salaries, the equipment line and the vehicle he's paying for stayed the same. Dan Swafford made a motion to approve the 2023 Supplemental Fire Service Agreement between the Town of Ellettsville and Richland Township. Pamela Samples seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Affordable Septic and Repair Request to use Ellettsville Wastewater for Disposal – Steve Phelps

Steve Phelps, new owner of Affordable Septic explained he currently uses Bloomington Wastewater Treatment Plant. He has owned the company for a year and is requesting to use our facility for his septic dumping. He had discussed this with Jeff Farmer and understands volumes and PH levels and wondered if it could be divided up between the current users. Jeff Farmer explained he was not in favor of taking on the 4th hauler when it was presented awhile back but after review, it was approved. They have never had issues with ammonia levels and 25 years later it has never exceeded NPDES (National Pollutant Discharge Elimination System) permits. He has seen in the fall and spring a rise in the ammonia removal limits. Since then, they have considered cutting back on how much gets dumped at the plant. So far it has worked out fine with the reporting. The payments from the haulers are paying for the sludge removal and the landfill fees. He has had others ask and it gets tricky because Bynum Fanyo gets to dump there. The rates are a lot cheaper than Bloomington but it gets to a point where you have to trust his judgment to say no. Baker Tilley does the rate study for the dumping fee. Bynum Fanyo dumps there so he doesn't feel it is right for him to set the rate. As part of the new upgrades at the Wastewater Plant there will be a more sophisticated dump station where a card will be swiped to track the amount getting dumped instead of the honor system and will be automatically billed. Bloomington has a 15 million gallon per day (MGD) plant to the south and a 5 MGD plant in the north. We currently have a 2.3 MGD plant and currently treat 1.2 million and take the most flow of both those plants. City of Bloomington plant only operates 8-5 so that hampers customers being able to dump there. Jeff explained he doesn't want to take on anymore and stated septic sludge is hard to treat and is nasty. Bynum Fanyo replaced Larry Todd after he passed, they do all lot of the work for free with the septic truck on call 24/7 and pay the most by a mile so it is a trade-off for them to dump there. Mr. Phelps asked if it could be split between all the haulers because he faces not being able to help customers on the weekend or after 5:00 if he is loaded and gets a call and the City of Bloomington is closed. Jeff Farmer mentioned it isn't the capacity that it affects so much but it's the ammonia. The current rate is \$4.00 per thousand for septic and \$30.00 per thousand for digested sludge. City of Bloomington is at least double that but charges per truck. The average truck is 2500 to 5000 gallons. The other issue is the current haulers have keys to the gate and come and go as they please so it becomes a trust issue to keep handing out keys for people they don't know. Dan Swafford feels it is for the residents of the community and at what point does it become unfair to the taxpayers who paid for the plant and it is playing favors. Jeff feels for the haulers and it's hard to say no, but Ellettsville cannot keep taking on more and more. It isn't the cost but the effluent that goes into the creek that he is concerned about. Jeff explained there is a current problem with sewage and where you can dump sludge. Council feels it isn't fair to restrict the people they already allow to dump in order for someone new to dump there. Sandra Hash, Clerk Treasurer recalled the same conversation and concerns the last time someone asked to use our dump station. Jeff Farmer suggested to table it so he can get everyone some useful information on everything including cost to upgrade the system. Council apologized for not being able to provide an answer today but they need more information to be able to give an educated answer, it is a serious issue that needs the thoughts it deserves.

Request to Rent the Vine Street Properties for U Haul Storage – C J Hatton

Sandra Hash, Clerk Treasurer explained C J Hatton called her office and Dan Swafford requested it be put on the agenda for discussion. He is requesting to rent the empty parking lots on Vine Street to park U-Hauls. Michael Farmer said no, there is too much risk with

the uneven, broken surface, no barricades along the back Creekside and upcoming surveying. Sandra believes it was only for when the students came back to accommodate the influx. Dan Swafford inquired about seeing semi-trucks parked there before. Michael Farmer stated it was not something approved and if it is trespassing there is no liability but the Town has never given permission for anyone to park there. He also mentioned they will be putting up fencing once construction begins.

Drive Clean Indiana Alternate Fuel Audit

Michael Farmer, Town Manager discussed a company he talked with recently named Drive Clean Indiana whose main goal is to reduce emissions from oil-based vehicles. They have a coalition that converts vehicles from gas or diesel to propane and electric vehicles (EV). He feels eventually they will have to look at EV technology but for now it's competitive and expensive and the country and especially our small town is not there yet. He however is interested in looking into conversions to propane fleets. It improves emissions, burns cleaner so maintenance costs go down and allows for more sustainability during fuel shortages. He is interested in looking into it further, do an audit of our fleet and explore federal money available to write grants to get the money for the conversions. He wants to lower emissions and save a little piece of the world. Scott Oldham has driven a propane powered vehicle and it was not fun. He said it was dangerous to fill up causing burns, it's not simple to attach but hopes there has been technological improvements since then but even with gasoline powered vehicles right now, getting the chip to get the vehicle made is a problem so he feels that these vehicles would be even more problematic the next couple of years. Michael Farmer doesn't have all the background but just wanted to discuss it briefly for something to consider or look more in to in the future.

Log Cabin (West Vine Street)

Denise Line, Planner discussed Richland Senior Housing offered the Town the Old Log Cabin. When she done the Next Level Trails Grant the Old Cabin was going to be an enhancement for the trail. They were going to put it at the old train depot that was originally located at Main Street but it is in a flood zone. She thinks that moving the cabin to the back corner of the trail where it turns East would be a nice location for it. She has contacted Smithville for Wi-Fi along the trail to put up cameras so it would be secure. She is looking for approval to proceed with the Preservation Grant. She will include moving the cabin as part of the grant but isn't sure if it will cover it. Scott Oldham suggested calling Habitat for Humanity about moving it, they have a lot of experience in moving structures. There are some structural repairs needed but it may be something the moving company would want to repair instead of getting somewhere else to do it. The cabin was moved here in 1966 from Greene County and built in the early 1800's. Valerie Dewar's son did an Eagle Scout project on the history and total inventory. She has a copy if they would need it for insurance purposes.

Supervisor Comments

Michael Farmer, Town Manager requested to hire Nathaniel Bryce Douglas (Bryce) as Laborer I as a result of a resignation in the Utility Department. He holds a DSL operator license for Water and a CDL, has experience in the Street Department, Utilities and Stormwater. He would make a perfect laborer for the Town. His range of pay is \$23.65 to \$24.14 and requests we start him at \$24.14. Trevor Sager made a motion to hire Bryce Douglas as Laborer I at the rate of \$24.14. Scott Oldham seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples – yes. Motion Carried.

Michael Farmer, Town Manager also mentioned he is requesting a quote from ME Simpson Company they do water audits and are a leak detecting group out of Valparaiso. They worked for the Town in 2014 at that time we had 105 miles of pipe compared to 120 now. Our current water loss is 22% and according to IDEM and IURC they recognize anything under 15% as acceptable and 10%

is excellent. Last time it was around \$41,000.00 to use them but it will save \$7,000 to \$9,000 a month once the leaks are detected and corrected. Last time they found 6-8 major main breaks that was completely unknown and several small leaks. It will be money spent but necessary and the payback will be 7 months.

Jimmie Durnil, Town Marshal announced he has 2 officers graduate the ILEA training, one with honors. They will replace the 2 vacancies the department has had for 6 months to a year. One officer is required to do a PERF examination and they will have the results next week. He is pleased to move forward.

Michael Farmer discussed the Planning Commission meeting September 1, 2022 the Envision Ellettsville will be meeting with them to walk through the process and invited council to attend for questions.

Jeff Farmer discussed next meeting they will opening sealed bids for the UV unit; it wasn't advertised soon enough to open at this meeting. He also has 3 bids for asphaltting the drive at the Wastewater Treatment Plant. He emailed those copies so he will discuss that also along with painting quotes at the next meeting.

Denise Line, Planner announced the Next Level Trails Grant kicked off on August 11th so everything is in the works for that.

Council Comments

Scott Oldham requested traffic counts on 1st & Ritter Street. It is creating issues for Seven Oaks School during pick up and drop off making line of sight difficult in those areas. He suggested considering a 4 way stop there. William Ellis believes we have those counts from a recent issue with speeders. Jimmie Durnil will check with Kip Headdy on getting those.

Adjournment

William Ellis, Council President adjourned the meeting at 8:01 p.m.

William Ellis, President

Trevor Sager, Vice President

Scott Oldham

Pamela Samples

Dan Swafford

Sandra Hash, Clerk Treasurer, IAMC, MMC