

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, April 25, 2022, at the Ellettsville Town Hall Meeting Room located at 1150 W. Guy McCown Drive. Jimmie Durnil led the Pledge of Allegiance followed by a prayer. William Ellis called the meeting to order at 6:30 p.m.

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

**Supervisors participating:** Jimmie Durnil and Kevin Tolloty were present. Mike Cornman and Kip Headdy participated by Zoom.

**Approval of Minutes**

William Ellis entertained a motion for approval of the minutes of the regular meeting April 11, 2022 and the Executive Session April 19, 2022. Scott Oldham so moved. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford asked to separate the motions since he was not at the Executive Session he wanted to abstain from the vote. Scott Oldham amended the motion to approve the minutes for the regular meeting April 11, 2022. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Scott Oldham made a motion to approve the minutes for the Executive Session on April 19, 2022. William Ellis seconded. Darla Brown, Town Attorney explained that since they were not voting on an Ordinance, lack of quorum is acceptable. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – abstained. Motion Carried.

**Accounts Payable Vouchers and Payroll**

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

**Ordinances on Second Reading**

**Ordinance 2022-03 to amend Chapter 51 of the Ellettsville Town Code to Increase the Rates and Charges for Water Service**

**Darla Brown**, Town Attorney explained the City of Bloomington increased its rates for water and since the Town buys their water from the city, the Town had to raise its rate as well. That is called a tracking factor. Baker Tilley petitioned the Indiana Utility Regulatory Commission (IURC) under a 30-day filing to increase the rates to make them commensurate with what the City of Bloomington is charging and increasing the Town’s rates. The 30-day tracking factor was approved by the IURC and it resulted in a tracking factor of \$.85 per 1,000 gallons. She further explained that recently the legislature passed a bill that did away with the Utility Receipt tax. This topic is on the agenda under New Business. In two months, there will be another Ordinance with a different rate. It was preferred by Sandra Hash, Clerk Treasurer that the council pass this Ordinance since Bloomington Water is already charging the Town the extra \$.85. The rate can be changed easily on the billing when the rate changes again as a result of the new bill from the legislature. Scott Oldham made a motion to approve Ordinance 2022-03 to amend Chapter 51 of the Ellettsville Town Code to Increase the Rates and Charges for Water Service. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Motion Carried.

**Old Business**

**Quotes for Updating the Personnel Policy**

**Sandra Hash**, Clerk Treasurer explained she was asked to check references on the quotes she had received for updating the personnel policy. They are from New Focus, HR and Waggoner, Irwin, Scheele & Associates (WIS) who did the Town’s recent wage study. She has spoken with Greencastle and Decatur. They are very pleased with New Focus. They provide annual updates to keep them in compliance, assisted with job descriptions, salary ordinances, salary surveys and even assisted with a personnel issue through the Human



Resources services that is offered by the hour. She also reached out to Monroe County who uses Waggoner. Waggoner has not updated their policy since 2008. The County Legal Department maintain it. They recently re-contracted with WIS for a Wage study. Sandra explained she has looked through both policies and comparatively they are both getting the legal information in there that is needed, updating fair labor standards, lactation policies and she suggests for the price they go with New Focus. New Focus price is \$5,000.00 and Waggoner is \$14,840.00 to \$16,600.00. Dan Swafford inquired about the price difference. Sandra explained the content is comparable between New Focus HR and WIS. When checking online WIS caters more to counties and she was unable to find where they had written a policy for a city or town. Counties are typically bigger group of people which could be part of the price difference. She really liked that both policies have a chart for people of different shifts, 8-hour, 12 hour and 24-hour shifts and how they accrue PTO (Paid time off) combined in one place. Our policy is confusing and in many cases you have to flip between several sections. Sandra also has previous association with Kristen at New Focus. Kristen is on the Clerk Treasurer List Serve which is statewide and when anyone has HR questions, she often answers them at no charge. She also contacted her when the Town changed payroll periods and asked for recommendations. Within a few days she had suggestions at no charge. She recommends them for this reason and that New Focus has reasonable rates and great references. Nothing negative and all positive. Scott Oldham prefers the different company from who done the wage study for checks and balances. Scott Oldham made a motion to approve hiring New Focus for updating the personnel policy. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Motion Carried. Sandra will let everyone know on the timeframe once the paperwork is completed and they get back to her.

#### **Envision Ellettsville Update**

**Dan Rarey** reminded everyone of their event on May 17<sup>th</sup> from 5:00-7:00 at the Ellettsville Town Hall. The event is posted on the Envision Ellettsville Facebook page, they have 538 followers and growing. He encouraged everyone to attend and share the event. Christa Curtis arranged for an event planner from Cook to help. He congratulated Mike Farmer, Denise Line, Kip Headdy and the Town on getting awarded the Next Level Trails Grant. Trails was the number one item listed on the survey. The celebration is going to be a huge event with snack, a food truck and maybe a balloon. He thanked everyone for their support.

#### **New Business**

##### **Police Department request to hire a Chief Deputy**

**Jimmie Durnil**, Town Marshal thanked council for the interviews and meetings and introduced George F. Robinson III with a brief description of his career. George was born and raised in Louisville, Kentucky, he attended Dupont Manual High School and came to Bloomington to attend school and was a IUPD officer in the late 60's early 70's and then went back to Louisville for a career with the Louisville Police Department where he retired as a detective. He returned to Bloomington with IUPD in 1996 as a sergeant and retired in 2016 as an operation lieutenant. Since then, he has been waiting for his next opportunity to serve the residents of Indiana. He asked approval of council to hire George Robinson as the next Chief Deputy. Dan Swafford inquired if the position was posted, Jimmie Durnil confirmed George was recruited. George thanked council and appreciated the opportunity to continue his law enforcement career. George's wife is a dispatcher at the Bloomington Police department. Scott Oldham made a motion to approve George F. Robinson III as the Chief Deputy Marshal of the Ellettsville Police Department. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Motion Carried. Sandra Hash, Clerk Treasurer administered the Oath to officially swear him in.

##### **Water Utility Decrease in the Schedule of Rates and Charges to Reflect the Removal of Utility Receipts Tax**



**Sandra Hash**, Clerk Treasurer stated the following: The Utility Receipts Tax was repealed as of July 1, 2022. This reduces the water rate to reflect that reduction. In order to file with the IURC the President needs to sign the verified statement in support of change in schedule of rates and charges along with the legal notice. After IURC approval a new rate ordinance will be presented to the Council for final approval. Darla Brown, Town attorney explained they need a motion to have the Town Council president sign the authorization for Baker Tilley and the IURC to proceed in this matter. Scott Oldham made a motion. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Motion Carried.

#### **Community Crossings Matching Grant Award**

**Denise Line**, Assistant Planner announced the Town has been awarded a Community Crossings Matching Grant Award in the amount of \$264,552.00 for paving streets in Ellettsville. The total cost to pave the streets is \$352,736.00 and Ellettsville's match is 25% at \$88,184.00 coming from Motor Vehicle Highway Restricted Roads and Alleyways fund. The funds from the grant will pave 14 streets. INDOT (Indiana Department of Transportation) awarded 224 grants totaling over \$107,000,000.00. The Street Department will be ready to accept bids in May. Kip Headdy, Street Commissioner explained he submitted 21 streets to be paved so he is happy with 14 and will advertise the bids in May to accept the bid at the June 13<sup>th</sup> meeting. Denise Line explained that INDOT is requesting a motion to authorize the Town Council president sign the Grant agreement so she can provide them with the minutes. She would like to request a motion to have the president to sign any Grant agreements. Dan Swafford approved but requested she keep the council informed of any Grant awards so they are aware of what is going on. Scott Oldham made a motion to give blanket authority to council president to sign Grant awards. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Motion Carried.

#### **Next Level Trails Grant Award**

**Denise Line**, Assistant Planner announced the Town has been awarded the Next Level Trails Grant Award in the amount of \$1,131,933.00 adding 2.11 miles of accessible trails for pedestrians and bicyclist in Ellettsville. The trail will measure 12' wide with the trail head starting behind Town Hall and it will provide a connection to the Karst Park Greenway Trail. Grant funds will be used for design engineering, trail construction, restrooms, bridges, signage, bicycle rack, trail head kiosk and other small amenities. Total cost is \$2,160,961.00 and our match is \$1,029,028. 00 which is 47.6% of the total project cost. Our match is comprised of an in-kind match of labor and equipment, generous donations totaling \$8,000.00 and ARPA funds. Trail is to be constructed by June 7, 2024. The state received 61 applications and awarded 38 grants totaling \$65,000,000.00 for 77 miles of new trails. Denise will apply for other grants to provide lighting along the trail and some other items not covered in this grant. Council thanked her for all the hard work.

#### **Discussion on Redistricting the Ellettsville Town Council Wards due to 2020 Census**

**Kevin Tolloty**, Planner explained that every 10 years after a census it is necessary to adjust the council wards to equal the population. He had to make a few changes from the census blocks which change shapes quite often causing issues with the way the districts are configured. This is just the first draft but wanted to get as much done as possible since he will be leaving the Town in a few weeks. He was able to keep everyone in their council district. He can do some shuffling, but he tried to keep it equal based on the new development. Scott Oldham requested additional time to review it and due to missing council members. Sandra Hash expressed concern since Kevin Tolloty is leaving and only has one more council meeting he will attend. Council had a few questions regarding population and current status of properties that may have slipped through. Kevin Tolloty explained he can change it to be more equal now but in five years with all the new developments it will be very lop-sided. Kevin explained it doesn't have to be done now, he just wanted to get it started before he left. William Ellis inquired about voting per district and compared it to the County Commissioners. Sandra Hash clarified that we vote in all wards. There is only a small



window after a census that you can change to everyone being at large and not worrying about districting. There would have to be a special census done if redistricting is desired from buildings and annexations, but it is quite expensive. Kevin Tolloty explained that typically, it just gets tacked on to whatever ward they were adjacent to. Scott Oldham thanked Kevin for getting this started and council will contact him with questions but feels they should wait until the other two council members are present to vote.

#### Privilege of the Floor

**Rick Coppock**, Bynum Fanyo discussed the Senior Housing project the connection fee for the sewer. They were quoted a price in April of 2021 and now the fee has increased. They are questioning what the fee will be. It is a significant increase for them from 53,000 to 88,000. This figure was put in their budget and is now time to pay it, but the cost has increased. This was brought to council to decide. The sewer hook on fee isn't paid until the project is near completion. Council asked to table to get more information. Dennis Fisher spoke and feels they are not a new customer and should be grandfathered in. Council should have a decision at the next meeting.

**Denise Line**, Assistant Planner announced Food Truck Wednesday will start in May, she will have a firm date at the next meeting. Dan Swafford inquired about the end date due to lack of interest based on the last time. Denise explained it will only go through August and be every other week from 4:00 to 8:30. The Street Department will close the street around 3:30 and breakdown everything afterwards. Denise has ordered a couple of easy set up tents to use. Dan also asked about overtime it would require. Kip Headdy, Street Commissioner explained he has 2 guys come in and it is a 2 hour call out every other week. William Ellis inquired about the food and beverage tax and if Ellettsville is getting any of that from the food trucks. It was determined that it should be checked into. Darla Brown, Town Attorney will do some checking.

#### Supervisor Comments

**Sandra Hash**, Clerk Treasurer explained she placed an ad in last Friday's paper to re-establish the Cumulative Capital Development Fund (CCD). The CCD Fund was established in 1994. The maximum tax rate is .05 for the fund. As the assessed value raised, the rate for the fund gradually reduces. Every 3 to 4 years the fund has to be re-established to maintain the rate. It was last re-established in 2019. The current rate is .0439. This will re-establish it and raise it to .05. This fund is where the new Police cars are purchased from. The public hearing and resolution will be at the May 9<sup>th</sup> meeting followed by a 30-day remonstrance period which requires certification of no remonstrance from the auditor.

**Kip Headdy**, Street Commissioner discussed he has received a few phone calls and emails regarding the resurfacing of Mustang and Sycamore drive. He has been in contact with E&B Paving and they are wanting to wait until school is out before beginning.

#### Adjournment

William Ellis entertained a motion to adjourn. Dan Swafford so moved. Scott Oldham seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Dan Swafford – yes. Motion Carried. Meeting adjourned at 7:27 p.m.

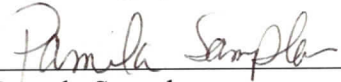
  
William Ellis, President

  
Scott Oldham

  
Dan Swafford

  
Sandra Hash, Clerk Treasurer, IAMC, MMC

  
Trevor Sager, Vice President

  
Pamela Samples