

September 26, 2022

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, September 26, 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. William Ellis led the Pledge of Allegiance followed with a prayer by Jimmie Durnil.

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 and Darla Brown, Town Attorney were also present.

Supervisors participating: Kip Headdy, 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 September 12, 2022. Dan Swafford so moved. Pamela Samples seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – abstain; 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. Trevor Sager 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 2022-11 to amend Chapter 95 of the Ellettsville Town Code to Clarify the Powers of the Parks and Recreation Board of the Town of Ellettsville

Darla Brown, Town Attorney explained this is an Ordinance she drafted after Marshal Jimmie Durnil stated that the Parks Board was willing to give up the right to issue bonds. This changes Section 1 chapter 95.05, Board Powers that states the board shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct programs as are generally understood to be Parks and Recreation functions. In addition, the Board shall have all the powers listed in I.C. 36-10-3 et seq. with the exception of the power to issue bonds pursuant to I.C. 36-10-3-24.

Pre-Adoption Hearing for the 2023 Budget – Ordinance 2022-14 for Appropriations and Tax Rates for 2023

Sandra Hash, Clerk Treasurer explained the Budget has been posted on the Gateway and the total adopted budget for all the tax funds is \$6,259,306 and the ARPA Fund is the Coronavirus Recovery Fund is \$784,054. She further explained that makes the tax rate .6677. The budget is advertised high but the Indiana Department of Local Government Finance will reduce the rate down to .5067. Sandra stated this was the public hearing to hear from the public with any concerns. Scott Oldham expressed the budget is well put together and funded meaning we have the money to pay for it and it is appropriately a just budget that pays due diligence to all requirements along with the value and retention of our employees. He thanked Sandra Hash, Michael Farmer and all the supervisors to make sure everything was covered before talking about anything further. No vote is necessary, it is a pre-adoption hearing and the next meeting will be the second reading for the Ordinance and vote. Scott Oldham clarified that next meeting the vote will be for yay/nay vote for the entire budget should it get voted down it would go back to this year's budget because they have no opportunity to modify it unless it's done this evening.

Old Business

Youth League Sports

Scott Oldham revisited the topic of the Youth Sports League. There have been some questions lately that he thought were resolved in regard to the Town being asked to form and run a Youth Sports League mimicking the current League that is undergoing some trials and tribulations. He

feels it is appropriate place for the Town to be involved but also needed. It has been a rocky road for the league, parents and kids and it is now time for the Town to step in and work with the Trustee and the school corporation to preserve the league so it will grow and continue to be around 50 years from now. Although it is not at all affiliated with the current league, there is involvement requested from the parents and members of the current league which he feels should be an Advisory Board to work together with the Parks Department and the Clerk's office to allow them to run the programs for the Town but the Town will handle the finances. Eventually as the program grows they will be able to offer scholarships and financial assistance to those who want to participate and are unable to. Scott feels strongly that if the Town does not step in and take over the league, the kids won't have things to do and that will lead to mischief and result in hiring more Police to maintain the destruction. He explained the Clerk's Office will shepherd everything until the first of the year and then hire a part-time person to take care of it. This is the first time ever that all entities are willing to step in and work together to make this work so the Town has to stop dragging its feet on their part. Pamela Samples questioned liability. The Town will have to carry more insurance but the Town has no more liability than before. Dan Swafford feels we need something in writing and feels it is being rushed through. Dan is uncertain of the feelings of the old league and wanted to make sure it wasn't a hostile takeover that we would receive backlash from. Dr. Jerry Sanders, superintendent RBBCSC spoke and explained that he is happy to be involved in this project. He feels that the community needs combined efforts for parents to be comfortable or they will go somewhere else for their children's needs. The leagues need the Town to provide a feeder system for our High School Sport's to be successful. He supports the Town in this and feels there are many more benefits than risks and we need to move forward with it. The school's part would be opening the facilities at the Primary and Intermediate Schools and working with coaches. Noelle Conyer spoke from the audience as a parent and current volunteer of the Ellettsville Youth Sports. She feels the partnership with the Town would be amazing and it would build the confidence back up. There is a lot of excitement and the volunteers are moving forward and getting things in order. She knows there is concern with liability but there is parental support and the desire for additional activities so it would be a good thing for the Town. She explained the current board was not present because they were unaware of being on the agenda but she assures the council that it isn't a hostile takeover. Dan Swafford would like to talk to the current board. Ron Vandeventer spoke, he coaches baseball for the current league and has a grandson in the league. He attended the volunteer meeting the other evening and they are ready to move on with or without the Town but they feel the Town could draw in more kids than without them. He encouraged the council to move forward and get on board. He also mentioned the Richland Township Trustee has made it clear that every kid will get the opportunity to play. Jimmie Durnil mentioned the Trustee is 100% on board and ready to go. Valerie Dewar spoke and she was a very old era of the Ellettsville Youth Sports on a mother/daughter team and she thinks the Town should move forward also. She is concerned the council is using the minutia as a way of getting around the business. Dan Rarey on behalf of the Envision Ellettsville project explained that during the survey people mentioned Parks, recreation, trails and activities for kids. He is in support and encouraged the Town to move forward and take control. He feels it would really build on our school's reputation. Gerry Hash spoke from the audience and he grew up in Ellettsville and bleeds red, black and white. From a personal perspective he feels getting people involved in sports can make or break a kid in life and really change the environment when people come to Ellettsville. Scott Oldham made a motion to direct the Parks and Recreation Board to form and run a Youth Sports League and to seek and identify those individuals as part of an advisory board to run the day to day running of it further that the council will direct the Parks Department to take all necessary action that they feel appropriate to continue to run a Youth Sports League into the future using a non-reverting fund or coming to the board for other funds as they see fit over the years. Trevor Sager seconded. William Ellis expressed his appreciation on all the public comment on this matter and it has changed his mind on the decision. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Flood Report

Michael Farmer stated at the next meeting he will be presenting a proposal from Christopher Burke to put out requests for bids for the project and to oversee the construction. Darla Brown,

Town Attorney has a draft of the proposal and is approximately \$32,200.00 and would be paid with ARPA funds and on the next agenda.

Envision Ellettsville

Dan Rarey explained they had their final steering committee meeting last Thursday and they are moving forward. They will transition to a 5-member board and a series of task force groups. The groups are organized and they are Connectivity, Branding, Beautification, Gathering Businesses and Housing. They will be made up of members from the general public, the original committee, Town staff and officials and invites everyone to volunteer based on what their interest would be. They would like to know by September 30th if you have an interest. Once the task forces are created and completed they will meet and phase in the task forces so they all don't start at once. Leasa Siscoe echoed what Dan said and expressed appreciation to everyone who has participated in the Envision Ellettsville project so far and encouraged everyone to volunteer for the task forces.

New Business

Doctor Gerry Hash – Speeding Issue on Highway 46

Gerry Hash, citizen of Ellettsville that lives by Bender Lumber talked in length about the speeding issue in Ellettsville. He has dealt with it for 5 years and is very frustrated. He questioned if anyone else was dealing with this issue and if anything is being done about it. He stated that the Envision Ellettsville project mentions we want to give them a reason to stop in Ellettsville. He feels that we can't get them to stop if they don't slow down. Scott Oldham explained that if it were a Town road they could control the speed limit but it is a state highway controlled by INDOT (Indiana Department of Transportation). The only method we have to offer is to enforce it by writing tickets. That is not popular because it sucks our manpower. There has been attempts from the Town with no result but encouraged him to petition INDOT himself.

Leasa Siscoe discussed she has volunteered with Mothers Against Drunk Drivers for 15 years and she has seen things change due largely to grass roots effort when people call or write to their state legislature that is in communication with INDOT. People have the power and the more people we get on board the more power we have. She encouraged Dr. Hash to communicate and to keep trying until he sees a change. Dan Swafford requested Kip Headdy to look into getting radar speed signs. Jimmie Durnil, Town Marshal mentioned those signs are costly and require a permit or permission from the state to put them up. Kip stated there is a process since it is INDOT that does require permits, he said there is a lot of red tape since it's the state but is happy to look into it. Dan Swafford feels it would be worth it for safety. Dr. Hash agreed and even offered to donate to the cost of the signs if that's what it came down to. Kip will check on prices, permits and the different kinds of signs and have something at the next council meeting.

Jim Parrott – Housing Code Issues – 1115 West Main Street

Mr. Parrott addressed the council regarding a verdict rendered from the property at 1119 West Main Street. He explained that in 1955 his grandfather built the house he now resides in. This property has countless memories and he has completed numerous upgrades. Over the last 10 years he has called the Police Department, Fire Department, Health Department and Animal Control numerous times regarding the property next door resulting in fines that have probably not been paid or even appealed. He has made countless calls and visits to Planning. He was upset to find out recently that the Planner he had been dealing with was no longer with the Town. Years ago, he had dealt with free roaming chickens, rabbits and ducks on the property, barking dogs, a shrub completely cut in half and Warren Hoobyar took care of those issues in a matter of days. He has trapped over 50 mice, found a dead opossum in his basement that came in from that side of his house. He can't spend any time outside due to the mosquitos and the moles have riddled his property line. He can't even sell his home because of the encroachments and the state of the property next door. Due to a recent survey from the owner that he didn't authorize, he lost 2/3 of his driveway and has a truck parked so close he can't mow between the houses. The survey was based on right of way markers and you can't set a property corner by right of way markers. This was only a few examples and he could go on and on, but he can't move forward until the Town moves forward. He sat through the litigation

in June 2021 and witnessed every excuse and appeal that the defendant could come up with that was ruled against and nothing has changed. He's frustrated and wants action. Denise Line, Planner explained the trial was in June of 2021 and the judge rendered his court order November of 2021. The attorneys had to issue their findings affect in conclusions of law and since then there has been continuances and an appeal filed on June 17, 2022. This property is the Lowers property in the case of Town versus Robert Lowers. Mr. Parrott is upset about the length of the process and feels it should have never gone that far and wants something done. Unfortunately, Darla Brown explained he has the right to appeal and there isn't much she can do but wait it out.

Agreement between the Town of Ellettsville and the Richland Bean Blossom Community School Corporation for the School Resource Officers

Jimmie Durnil, Town Marshal explained the school board approved last Monday for 2 resource officers. The school will pay full salary for one officer and the Town will pay \$50,000.00 on the other officer and the Town will supply the vehicle and equipment. They are trying to get a third officer but for now it is just to renew the agreement for the 2 existing officers. Dr. Jerry Sanders thanked the Town for the partnership. He was worried about the grant from Homeland Security since so many other school corporations had applied but they received full funding. He is trying to find additional grant money to obtain another officer but is very appreciative of the ones they have and they are a vital part of the safety of the school system. Scott Oldham made a motion to approve the Agreement between the Town of Ellettsville and the Richland Bean Blossom Community School Corporation for the School Resource Officers. Dan Swafford seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried.

Privilege of the Floor

Ron Vandeventer thanked the Town Council for starting the process to adopt the budget. It is a big step forward with many more ahead of us including the salary ordinance. He asked to keep in mind that hopefully our salaries may be going to go up but so will our insurance. He also thanked everyone who worked the Fall Festival.

Supervisor Comments

Sandra Hash, Clerk Treasurer thanked all the employees that attended tonight's meeting and encouraged everyone to come back often.

Jeff Farmer discussed the bids for the UV lights opened at the previous meeting. He has reviewed the bids and called engineers who have used both companies and the lowest bid was BL Anderson by around \$10,000.00 and recommended accepting that bid. Dan Swafford made a motion to approve the bid from BL Anderson for the UV lights. Scott Oldham seconded. Roll call vote: William Ellis – yes; Scott Oldham – yes; Trevor Sager – yes; Dan Swafford – yes; Pamela Samples - yes. Motion Carried. He also mentioned he was able to be a part of the Fall Festival parade. He admired the hard work and the good fun for the kids that they will always remember.

Michael Farmer, Town Manager thanked all the employees that build streets, water and sewer infrastructure, take complaints, take care of bills and problems that come up every day. He couldn't believe the number of complaints they receive. We are in charge of the life blood of this Town and can't express his appreciation to those that experience it every day.

Jimmie Durnil, Town Marshal and Parks Board President thanked the board for approving the Youth Sports League and for Dr. Hash for bringing attention to the speeding issue and he will make sure they make a good effort to have extra patrol and get the traffic slowed down in that area.

Kevin Patton, Fire Chief discussed that two of the Durango's they had ordered are in, completed and on the street. He is still waiting on the third to be in.

Sandra Hash also thanked Chris Clouse for helping assist her with the Zoom meeting. Michael Farmer stated that is also a great example of how multi-talented our employees are.

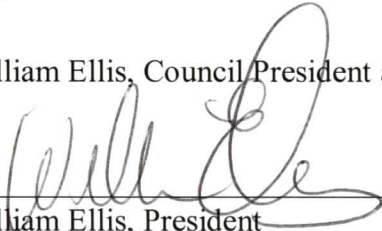
Council Comments


Pamela Samples thanked all the employees and wants to let everyone know they are appreciated when they often feel they are not. She looks forward to working with the Parks Board and getting to know them and thanked Envision Ellettsville for all they are doing.

William Ellis thanked the employees, adding as part of the new wages how hopefully they can attract better quality of employees that will stay. It may be painful at first with the salaries but it will build a foundation to attract and keep the best and brightest preventing us from constantly running short-handed.

Adjournment

William Ellis, Council President adjourned the meeting at 8:17 p.m.



William Ellis, President

Trevor Sager, Vice President

Scott Oldham

Pamela Samples

Dan Swafford

Sandra Hash, Clerk Treasurer, IAMC, MMC