

## June 11, 2018

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, June 11, 2018, 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; and Brice Teter. Kevin Farris and Scott Thomas were absent. Darla Brown, Town Attorney; Mike Farmer, Interim Town Manager; and Rick Coppock, Bynum Fanyo & Associates, Town Engineer; were also present.

**Supervisors present were:** Mike Cornman, Danny Stalcup, Jimmie Durnil, and Kevin Tolloty. Denise Line represented the Clerk-Treasurer's office.

### Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes for the regular meeting on May 29, 2018. Brice Teter made a motion to pass the minutes from the regular meeting on May 29, 2018. Brian Mobley seconded. Motion carried.

### Accounts Payable Vouchers

Scott Oldham entertained a motion for action to pay Accounts Payable Vouchers for June 11, 2018. Mr. Mobley asked questions on claims which were answered by the supervisors. Brian Mobley made a motion to pass accounts payable vouchers for June 11, 2018. Brice Teter seconded. Motion carried.

### Resolutions

#### Resolution 10-2018 – Transfer of Funds for the Police Department

**Town Marshal Jimmie Durnil** asked Ms. Line to read the following transfer of funds: Transfer of \$1,000 from Building Maintenance to Computer & Software and \$5,000 from Building Maintenance to Vehicle and Equipment. Mr. Durnil commented the transfers were needed for a \$1,500 payment for LeadsOnline.

Scott Oldham entertained a motion. Brice Teter made a motion to pass Resolution 10-2018 – Transfer of Funds for the Police Department. Brian Mobley seconded. Roll call vote: Scott Oldham –yes; Brian Mobley – yes; and Brice Teter – yes. Motion carried.

### Ordinances on First Reading

#### Ordinance 2018-11 to Amend the Ellettsville Town Code Establishing a Policy for Electronic Funds Transfers and Online Banking

**Denise Line, Clerk-Treasurer's Office,** explained the Town has been receiving tax receipts and state payments through electronic transfers for some time. Now, the Town has to pay credit card payments online. The ordinance covers that process.

#### Ordinance 2018-12 to Amend Ordinance 2017-18 by Adding the Health Savings Account Contributions for the High Deductible Health Plan Participants

**Denise Line, Clerk-Treasurer's Office,** explained the state requires amending the salary ordinance to cover the amount the Town puts into the Health Savings Accounts ("HSA") for those employees who participate in it. Mr. Teter asked if this has any affect on the budget. Ms. Line answered no. There were enough funds leftover for the HSAs and it lowered the cost of insurance premiums.

#### Ordinance 2018-13 Investment Policy

**Denise Line, Clerk-Treasurer's Office,** explained this is a state requirement. The investment policy is to be reviewed and renewed every three to five years and the ordinance accomplishes that goal. Mr. Oldham asked if the Town is reissuing the same thing. Ms. Line answered yes.

**Ordinance 2018-14 Voluntary Annexation of 4223 W. State Road 46 and 4235 W. State Road 46 (3 Acres) C-3**

**Kevin Tolloty, Planning Director**, explained this is a voluntary annexation of the former Chase Bank and auto dealership adjacent to it. Plans are to redevelop the Chase Bank into a pet grooming business. It received a unanimous vote for a favorable recommendation of Commercial 3 zoning at the June 7, 2018, meeting of the Plan Commission. Mr. Oldham asked if it is known what will happen to the old car lot. Mr. Tolloty answered the owner will keep it for storage.

**Ordinances on Second Reading**

**Old Business**

**Stoneview Life Station Documentation**

**Darla Brown, Town Attorney**, explained documentation has been signed by a representative of the Stoneview Homeowners Association including easements for ingress/egress and utilities and the donation agreements. Although not listed separately on the agenda, if they're inclined they can pass the resolution or wait until the next meeting. Two separate votes are needed for the resolution and to authorize Scott Oldham to sign the documentation. All agreed to vote on the resolution and authorization.

Scott Oldham entertained a motion. Brice Teter made a motion to approve the resolution approving acceptance of the title to a sanitary lift station and easement. Brian Mobley seconded. Roll call vote: Scott Oldham –yes; Brian Mobley – yes; and Brice Teter – yes. Motion carried.

Darla. Brown stated the second motion is to approve the donation agreement between the Town of Ellettsville and the Stoneview Homeowners Association. Brice Teter so moved. Brian Mobley seconded. Roll call vote: Scott Oldham –yes; Brian Mobley – yes; and Brice Teter – yes. Motion carried.

**Flood Report**

**Brian Mobley** is still negotiating with Rick Coppock and will meet with Mike Farmer on a property. Everything is on hold at this time.

**Samantha Burnette Request to Keep Ducks at Her Residence**

**Samantha Burnette** requested an exception to bring her ducks home. There was a complaint filed and she was unaware there was an ordinance prohibiting waterfowl. She was also unaware her ducks are waterfowl because they're afraid of water above 2" to 3" deep. Her research found fowl pertains to two biological orders of birds: Land fowl which are quail, chicken and peasannts and water fowl which are ducks, geese and swans. Poultry refers to any domesticated bird used for meat and eggs. Her family uses duck eggs because they're cholesterol free. She has two autoimmune diseases and high blood pressure as does her husband. They not only use the ducks for the eggs but also for responsibility for her children. They have permission from neighbors to the west to place ducks near their property as they enjoy them. They will be in an enclosed area so they won't run free. She has five ducks and they do not have a long life span. When they die, she will not get more ducks.

**Brian Mobley** has spoken with Ms. Burnette. The ducks are not a nuisance, they were in a pen. The people who complained made a comment they were running free but they were not. He spoke with the Planning Department and they don't have an issue with it. It's a good educational experience for the children. Mr. Oldham commented it was a long process when they began discussions on chickens, ducks, etc. Can the Town specifically waive one property? Ms. Brown prefers with regard to ordinances that they try to enforce them uniformly and the Town's ordinance does not distinguish between waterfowl or land fowl. It's her understanding Ms. Burnette had the ducks before the Town passed the ordinance. Mr. Oldham asked if by allowing one exception would it set a precedence for anyone who wants ducks. Ms. Brown thinks if the Town Council wants to grant an exception it could be on the grounds she had the ducks at the time the ordinance was passed.

Mr. Oldham asked if it was complaint driven. Mr. Tolloty answered yes. Ms. Burnette explained an ongoing dispute with her neighbors to the east. Ms. Brown thinks if the Town Council allows this there should be stipulations such as not increasing the flock and when they pass it's the end of the flock. Mr. Oldham confirmed there is a medical necessity. Ms. Burnette stated the eggs are cholesterol free and they haven't purchased eggs for three years.

Scott Oldham entertained a motion. Brian Mobley made a motion to waive the ordinance for Samantha Burnette to have her five ducks with the understanding that after the flock has passed away there will be no others and they will be detained. Brice Teter seconded. Roll call vote: Scott Oldham –yes; Brian Mobley – yes; and Brice Teter – yes. Motion carried.

## **New Business**

### **Smart 911 – Mike Cornman, Fire Chief**

**Fire Chief Mike Cornman** gave a presentation on Smart 911, a program that augments the enhanced 911 system used in Monroe County and across the nation. Monroe County Emergency Dispatch Center is a participant in Smart 911. Last year, 75% of the calls made to call centers were with cell phones. Cell phones cannot be populated to a location. They can triangulate a certain area based on the cell tower but it doesn't have any information other than the telephone number. With Smart 911, the user can create their own profile or as many that are needed for the home. It includes medical history, houses where pets are located and more. Smart 911 sends emails every six months asking if people want to still be part of the service. People have to respond to the email and if not, it kicks them out. It will save time in an emergency, tells where everybody is at, what is going on and it is private and secure. If people have voice over internet protocol that looks like a telephone it is not a landline, goes through the internet, is the same as a cellular phone and doesn't tell where they're located. People can go to [www.smart911.com](http://www.smart911.com) to sign up.

**Scott Oldham** advised the following was under Supervisors Comments and would be moved to New Business:

### **Temporary Seasonal Employees – Sam Durnil and Payton Thomas**

**Mike Farmer, Interim Town Manager**, advised every year Ellettsville Utilities hires temporary seasonal employees to help with mowing grass, yard work and any other duty to help free up full time employees. Last year Sam Durnil was hired and brought back this year. Payton Thomas was hired for this year. He requested approval to hire Payton Thomas.

Scott Oldham entertained a motion to retroactively hire Payton Thomas. Brice Teter so moved. Brian Mobley seconded. Roll call vote: Scott Oldham –yes; Brian Mobley – yes; and Brice Teter – yes. Motion carried.

## **Town Council Comments**

**Brian Mobley** spoke with the Planning Department and if someone has an issue with tall weeds or abandoned cars to please email or call them anonymously with the address of the complaint. The Planning Department will then check on it.

**Brice Teter** urged everyone to sign up for Smart 911.

## **Supervisors Comments**

**Fire Chief Mike Cornman** advised Lt. Doug Bartlett retired a few months ago. They advertised internally to fill the position and three people who were qualified applied for a transfer from part-time to full time. After testing and interviews, they selected Matt Siebott. Mr. Siebott was a regular part-time firefighter and has been with the Fire Department for eight years. He requested approval to hire Matt Siebott with a starting salary of \$44,038.47 and it is within the salary ordinance. Mr. Mobley asked if it is as a firefighter and not a lieutenant. Chief Cornman said that was correct.

Scott Oldham entertained a motion. Brian Mobley made a motion to accept Chief Cornman's recommendation for the firefighter full time. Brice Teter seconded. Roll call vote: Scott Oldham –yes; Brian Mobley – yes; and Brice Teter – yes. Motion carried.

**Kevin Tolloty, Planning Director,** stated code enforcement complaints can be anonymous. Mr. Oldham mentioned he has received several complaints about closed business but it is not something they can action under the code. Mr. Tolloty added if there is something people think might be a complaint they can call and the Planning Department can tell them whether or not it's something the Town can do anything about.

**Kevin Tolloty, Planning Director,** advised the Comprehensive Plan is nearing completion. He urges everyone who hasn't looked at it to do so. It will be before Town Council either the end of July or August. It has been through numerous reviews before the Plan Commission. Please let him know of any comments or thoughts. Mr. Mobley asked if a current draft could be emailed to them before budget season.

**Kevin Tolloty, Planning Director,** stated the developer of the senior apartment complex proposed for the Lenzy Hayes property is preparing to resubmit paperwork for funding within the next one to two months. The developer may be asking for a change to the tax abatement. Chief Cornman asked if it will be a complete resubmission. Mr. Tolloty answered yes, but the scope of the project will remain the same. The developer is fine tuning their application to get a few more points.

**Mike Farmer, Interim Town Manager,** advised the secondary waterline is connected. A couple of tests that need to be done. The waterline will be activated within the next week. With a dry, hot spring they're almost at capacity every day. Over the weekend, they used 1.1 million gallons per day. The need that originated after the 2012 drought has not subsided. It has been a good project and was under budget. Phase 2 will start in two weeks and it will increase water quality and pressure to Forest Park Heights. Mr. Oldham thanked utilities' crews because they worked long and hard during all seasons to make the secondary waterline happen. Mr. Farmer mentioned they saved a lot of money because of the easements they obtained.

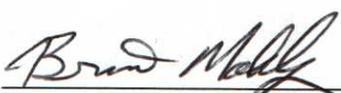
**Mike Farmer, Interim Town Manager,** observed the interviews at the Fire Department and was impressed with how thorough and professional the interviews were. He was really impressed with the three applicants and how professional they were.

### Privilege of the Floor

### Adjournment

Scott Oldham entertained a motion to adjourn. Brice Teter so moved. Brian Mobley seconded. Scott Oldham adjourned the meeting at 7:05 p.m.

  
\_\_\_\_\_  
Scott Oldham, President

  
\_\_\_\_\_  
Brian Mobley, Vice President

  
\_\_\_\_\_  
Kevin Farris

  
\_\_\_\_\_  
Brice Teter

\_\_\_\_\_  
Scott Thomas

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