

## January 11, 2021

Due to COVID-19, The Ellettsville, Indiana, Town Council met for a virtual meeting on Monday, January 11, 2021 by Zoom. Dan Swafford called the meeting to order at 6:30 p.m. Mike Cornman led the Pledge of Allegiance followed with a prayer by Jimmie Durnil.

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

**Supervisors present:** Jimmie Durnil, Mike Cornman, Danny Stalcup and Kevin Tolloty.

### Approval of Minutes

Dan Swafford entertained a motion for approval of the minutes of the regular meeting on December 28, 2020. Trevor Sager so moved. Pamela Samples seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

### Accounts Payable Vouchers and Payroll

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

### Election of Officers 2021

**Pamela Samples** made a motion to elect Scott Oldham as President. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – abstain; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

**Scott Oldham** made a motion to elect Pamela Samples as Vice President. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

### Board of Zoning Appeals (BZA) appointed by Town Council – Russ Ryle term ended 2020

Scott Oldham stated Russ Ryle indicated he wanted to continue. William Ellis thanked Russ for his comments during Council meetings and BZA meetings. Dan Swafford made a motion to appoint Russ Ryle for the Board of Zoning Appeals. William Ellis seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

### Park and Recreation Board – 1 R appointed by Town Council – Serena Pettyjohn term ended 2020

Jimmie Durnil stated Serena Pettyjohn indicated she wanted to continue. William Ellis made a motion to appoint Serena Pettyjohn to the Park and Recreation Board. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

### Annual Appointments by the Town Council

#### Monroe County Emergency Management Advisory Board – Mike Cornman

Scott Oldham asked Mike Cornman if he wanted to continue. Mike Cornman indicated yes. Dan Swafford made a motion to appoint Mike Cornman to the Monroe County Emergency Management Advisory Board. Scott Oldham seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

#### Monroe County Solid Waste Management Board – Dan Swafford

Scott Oldham asked Dan Swafford if he wanted to continue. Dan Swafford indicated yes. Trevor Sager made a motion to appoint Dan Swafford to the Monroe County Solid Waste Management Board. William Ellis seconded. Roll call vote: Dan Swafford – abstain; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

#### Ellettsville Chamber of Commerce – Mike Farmer

Scott Oldham asked Mike Farmer if he wanted to continue. Mike Farmer indicated yes.



Dan Swafford made a motion to appoint Mike Farmer to Ellettsville Chamber of Commerce Board. Scott Oldham seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

#### **Metropolitan Planning Organization – Pamela Samples**

Scott Oldham asked Pamela Samples if she wanted to continue. Pamela Samples indicated yes. William Ellis made a motion to appoint Pamela Samples to the Metropolitan Planning Organization. Trevor Sager seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

#### **Resolutions**

##### **Resolution 27-2020 to amend Resolution 14-2018 regarding the Governor Park Tax Abatement Regarding a Date Extension**

Darla Brown, Town Attorney explained this was presented at the last council meeting and tabled until an end date to the extension could be provided. If necessary, they can request a second extension, but the Council did not want an open-ended completion date. The revision of the Resolution stated that Allied Real Estate Partners, LLC has an extension of time to complete the Project, up to and including February 28, 2023 from the original date of February 28, 2022. Trevor Sager made a motion to approve Resolution 27-2020 to amend Resolution 14-2018 regarding the Governor Park Tax Abatement Regarding a Date Extension. William Ellis seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

##### **Resolution 01-2021 Cancellation of Warrants**

**Sandra Hash**, Clerk Treasurer explained this is the cancellation of checks that have been outstanding for two years. The State has guidelines on when checks can be written off and with a Resolution they can be. Most checks are refund of deposits on the water and sewer accounts and checks are returned through the mail unable to locate with no forward address. Total amount is \$1,563.61 for water and \$102.47 for sewer. Dan Swafford made a motion to approve Resolution 01-2021 Cancellation of Warrants. Trevor Sager seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

#### **Ordinances on First Reading**

##### **Ordinance 2020-29 Town of Ellettsville's Response Plan for COVID 19**

**Darla Brown**, Town Attorney explained this has been kept as a First Reading due to the number of amendments being done from the original policy. At the previous meeting, Council had requested to redact the portions of the policy that put limitations on the employee's ability to travel. She changed the policy redacting paragraph 2.5 and Section 4.4 and in Section 4.3, she changed it to read from any additional approval for paid sick leave shall be at the discretion of the Town Council to the employee's Department head and the Town Manager. Sick leave is in addition to what is required currently by Federal law on the Family's first Coronavirus Response Act and the additional time the Town Council plans to give the employees. One small change included adding an expiration date to expire when the Governor of Indiana revokes or resends the declaration of public health emergency or the Town Council passes new policies. Scott Oldham asked for the changes to be retroactive to 1-1-2021. Council agreed since it was an amended version of an original, they would pass the Ordinance on First Reading instead of delaying it out another two weeks. Darla Brown stated that was ok to do if there would need to be a motion to pass on first reading and then a motion to approve the amended policy. William Ellis made a motion to approve Ordinance 2020-29 Town of Ellettsville's Response Plan for COVID-19 on first reading. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried. Dan Swafford made a motion to pass Ordinance 2020-29 Town of Ellettsville's Response Plan for COVID 19 retroactive to 1-1-2021. Scott Oldham seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

#### **Privilege of the Floor**

**Russ Ryle**, member of the Plan Commission asked a procedural question regarding the Plan Commission agenda there was an item about amending or giving permission to variance from an approved plan. He wondered why it was taken to the Plan Commission instead of the



Board of Zoning Appeals. The reference was for the Centennial Park Waiver and Darla Brown, Town Attorney stated the Town Code does allow the Plan Commission to grant waivers for development plans. Kevin Tolloty, Planner explained the difference in a variance and a waiver is variances are anything under chapter 152 which is zoning, and waivers are under chapter 153 which is subdivision regulations. The way the state sets it out, anything with a subdivision regulation goes through Plan Commission instead of BZA.

### Supervisors Comments

**Sandra Hash**, Clerk Treasurer discussed the Property and Liability Insurance. It was not on the agenda, but it is time to renew and she included it in the packet. It was discussed at the Supervisor's meeting and Lisa Sloane from The May Agency was present to answer any questions. The Supervisors have recommended the Intact Policy. Sandra Hash would like to get a motion to accept it. She discussed the biggest difference in the proposed policies was the deductibles. Liabilities, employment practices, law enforcement deductibles were half the price of the other policies. Council agreed to trust the decision of the supervisors. William Ellis made a motion to accept the proposal for Intact for the 2021 Property and Liability Insurance at a cost of \$121,969.00. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

**Michael Farmer**, Town Manager discussed the Work Session for Tuesday, January 19, 2021. Regular Work Session's are on Monday but due to Martin Luther King Jr. Day it was scheduled for Tuesday. Discussion will include Ordinance enforcement and changes to Ordinances, a fleet management program and possible contract with Enterprise for vehicle purchases and annexation around Ellettsville. He expects the meeting to be long so be prepared. Council agreed Zoom would be better due to the agenda and possible attendance being higher for an in-person meeting. Work Sessions are open to the public by Zoom but not open for comment or discussion. Sandra Hash will send out the Zoom link and agenda.

**Michael Farmer** also discussed they have made preparation to clear cut the property for the new maintenance building at the Townhall. He has a proposal from a timber company to cut and remove the trees leaving the stumps and tops for the Town to clear out as expected. He has a sum and was prepared to reveal that and move forward but he thinks he would like to get a second proposal. The Town will get paid for removal of approximately 100 trees in the 400 by 400-foot area. This proposal also includes removing 28 trees in or around the area that are dying or injured. All the ash trees will be removed due to the emerald ash borer. There is not a clear estimate of a timeline on the entire project, it will depend a lot on funding. Darla Brown, Town Attorney stated there will be public bidding and they would need to advise the IURC (Indiana Utility Regulatory Commission) on funds redirection. Michael Farmer thanked Dan Swafford for his leadership and support this year.

### Council Comments

**William Ellis** thanked Dan Swafford for everything in 2020 and feels they are in a good position for 2021.

### Adjournment

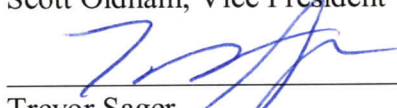
Scott Oldham entertained a motion to adjourn. Dan Swafford so moved. Trevor Sager seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples - yes. Motion carried. Scott Oldham adjourned the meeting at 7:06 p.m.

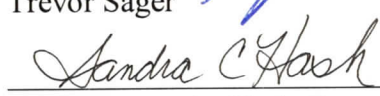
  
Dan Swafford, President

  
William Ellis

  
Pamela Samples

  
Scott Oldham, Vice President

  
Trevor Sager

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