

## July 22, 2019

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, July 22, 2019 at the Ellettsville Town Hall Meeting Room located at 1150 W. Guy McCown Drive. Brian Mobley called the meeting to order at 6:30 p.m. Pam Samples led the Pledge of Allegiance followed with a prayer by Jimmie Durnil.

**Roll Call:** Members present were Brian Mobley, President; Dan Swafford, Vice President; Scott Oldham and Pam Samples. Darla Brown, Town Attorney; Mike Farmer, Interim Town Manager; Sandra Hash, Clerk-Treasurer and Rick Coppock Bynum Fanyo & Associates, Town Engineer were also present.

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

### Approval of Minutes

Brian Mobley entertained a motion for approval of the minutes of the regular meeting on July 8, 2019. Scott Oldham so moved. Dan Swafford seconded. All in favor, motion carried.

### Accounts Payable Vouchers and Payroll

Brian Mobley entertained a motion to pay Accounts Payable Vouchers and Payroll for July 8, 2019. Scott Oldham so moved. Dan Swafford seconded. All in favor, motion carried.

### Professional Excellence Awards

**Jimmie Durnil, Town Marshal** presented Mark Crouch a Service Award for years of service. He was recognized for his years of dedicated, invaluable service from July 2016 to February 2019 as a part time officer after his retirement. His loyalty and dedication to duty and his professional attention to duty has not been un-noticed. Mark thanked the council and supervisors.

**Jimmie Durnil** also awarded Zachary Michael a Professional Excellence Award for Lifesaving for responding to a heroin overdose call July 5, 2019 for an 18 year old male. After administering Narcan nasal spray and performing CPR, a second dose was necessary and the young man had a pulse and began breathing on his own. He was recognized for services rendered in an outstanding manner excelling at his regular assigned duties that resulted in the saving of a life. Due to the rising opioid overdoses, it has been found necessary for all officers to carry Narcan.

### Flood Report

**Andrew Miller, Christopher Burke Engineering** presented an overview for the flood plan analysis for Jack's Defeat Creek. Town of Ellettsville, Indiana hired Christopher B. Burke Engineering LLC (CBBEL) to perform hydraulic modeling of Jacks Defeat Creek using HEC-RAS and to evaluate the "Mitigation Technical Assistance Report" dated March 2017 prepared by the Indiana Department of Natural Resources (IDNR). CBBEL prepared a hydraulic model (unsteady state) for the section of Jacks Defeat Creek from 440 feet upstream of Maple Grove Road to approximately 180 feet downstream of Woodyard Road. The report recommends the most cost effective phasing for improvements, provides schematic designs to construct the most beneficial improvements and permit the proposed improvements. Jacks Defeat Creek poses considerable risk to Ellettsville as the constricted stream twists through town. A significant number of homes and businesses are subjected to flooding which is believed to be primarily caused by the channel being very confined, with insufficient bridge capacity. The Indiana Department of Natural Resources conducted a preliminary investigation into the types of flooding mitigation measures that may result in a meaningful reduction in flooding risk. It is our understanding that the Town of Ellettsville would like to further refine complete detailed modeling of the IDNR-proposed measures and evaluate additional flood risk reduction measures. A total of five individual alternatives were evaluated and combined into eight groups to analyze their effectiveness at flood reduction.

1. Downstream detention
2. McNeely Street culverts
3. Main Street area improvements



4. Vine Street shelving
5. Upstream detention

The importance of thoughtful project phasing cannot be over-stated; as a result, our project phasing assessment will include consideration of flow conveyance, stream stability, and funding requirements. Complete history and recommendations for phasing of projects along with detailed analysis is on file in the Clerk-Treasurer's office.

**Michael Farmer, Interim Town Manager** explained that one property necessary to complete all recommendations is still pending purchase, but other business owners are willing to utilize their properties for shelving. There will be cost involved initially, but it is doable and in the long run the progress to reduce flooding will be significant.

**Scott Oldham** inquired about the county owned land downstream that needed cleaned out having an impact on results after all is said and done. Mr. Miller believes it would not have a significant impact due to the elevation.

### **Ordinances on First Reading**

#### **Ordinance 2019-17 Farris Voluntary Annexation – 5000 North Lakeview Drive**

**Kevin Tolloty, Planner** explained this was a 100% voluntary annexation proposed to be zoned C3 to match the zoning all around it. It will not be effective until 1/1/2020 due to the census. Indiana code doesn't allow anything to be annexed during that time.

### **New Business**

#### **Litten Estates, Phase III Bond Release**

**Kevin Tolloty, Planner** explained the developer is requesting the cash bond for the remainder of Litten Estates for sidewalks, erosion control and street trees in the amount of \$5,787.50 be released. Everything has been completed to our satisfaction so they request the bond be released.

**Sandra Hash, Clerk-Treasurer**, inquired about the drainage issue addressed at the previous council meeting. She questioned why it was the responsibility of the Town and not the developer to repair since it is in an unfinished portion of a subdivision and the yards aren't even in yet. **Darla Brown**, Town Attorney, explained it isn't the Town's responsibility, it was just being done as a courtesy. **Scott Oldham** and **Sandra Hash** both questioned that if we do it for one, what will prevent others from wanting the same. **Brian Mobley** mentioned a similar issue that was corrected by the Town in the Meadowlands. Ms. Hash stated it was a little different because it was not only the landowner involved but the whole street. **Scott Oldham** feels that it is great that the Town is willing and able to help, but by doing these things he is afraid it open up the Town for future issues. This is not in reference to the bond release request for Litten Estates, but did present the question of releasing the bond before construction was complete. **Kevin Tolloty** explained all construction was complete in Phase III and all checks were complete. **Darla Brown**, stated she doesn't believe you can refuse the release of a bond for an unforeseen possible drainage issue as long as everything required was completed. Dan Swafford made a motion to approve Litten Estates, Phase III Bond Release. Scott Oldham seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – yes; Scott Oldham – yes; Pam Samples – yes. Motion carried.

#### **Letter of Credit Reduction, Greenbrier Meadows, Phase IV, Section I**

**Kevin Tolloty, Planner** explained it was split into two sections, Section I and Section II. Section I is still finishing up on construction of a couple of homes. They are wanting to have the letter of credit for Section I released and the remaining items from Section I join into the new letter for Section II resulting in one letter of credit that covers all of Phase IV, Section I & II. It will be reducing the letter of credit. The current letter of credit is \$82,769.00 and of that excavation and stone for the roads, sidewalks, street signs ordered and curb ramps. Items pending and will be covered under the new letter of credit are asphalt top coat and street trees along with Section II. Dan Swafford made a motion to approve the Letter of Credit Reduction, Greenbrier Meadows, Phase IV, Section I. Pam Samples



seconded. Roll call vote: Brian Mobley – yes; Dan Swafford – yes; Scott Oldham – yes; Pam Samples – yes. Motion carried.

### **Council Comments**

**Brian Mobley** mentioned there is a caucus slated for Friday, July 26 at 6:00 at Arby's in Ellettsville to fill the vacancy on the council for Scott Thomas.

**Brian Mobley** also mentioned seeing they had broken ground on the new parking lot for Heritage Trail. **Michael Farmer** explained thanks to a grant provided from Main Street, they have started on the lot. There is some contouring of the ground required by the DNR, (Department of Natural Resources), before the stone is in. It should take about 2 weeks. He has talked to **Jimmie Durnil**, Parks Board president, about some esthetics and possibly some playground equipment and a picnic table. **Scott Oldham** inquired about lighting. Sandra Hash, mentioned lighting on the trail has not been successful. Mr. Farmer will address that with Main Street.

**Pam Samples** questioned the Stewart property and if it was going to be mowed soon. Mike Farmer explained the farmer is behind and hoping to cut it soon. Once it has been cut the Street department will clean up around the area. She further mentioned that the Town wouldn't allow a homeowner to let his grass go for that long so we shouldn't let that go. Mike Farmer stated hopefully it will be taken care of soon and next year they won't let it go like that for this long.

### **Supervisor Comments**

**Mike Cornman, Fire Chief**, discussed surviving the recent heat wave. As part of the Monroe county Comprehensive Emergency Management Plan they set up cooling stations in their conference and administrative areas of the Fire Station Thursday through Sunday. Advertisement was listed on the local radio stations, social media and the Herald Times. It was basically a place anyone could come in and cool down from the heat if needed. They didn't have any visitors.

**Jimmie Durnil, Town Marshal** wanted to invite everyone to come visit the History Center, it is really looking nice. The center is open on Tuesday's from 1:30-4:00 and for Food Truck Wednesday from 4:30-7:30.

**Michael Farmer, Interim Town Manager** discussed budgets are being presented soon. There is a supervisor meeting on Wednesday, July 24, 2019 at 9:30 to discuss and finalize any changes. There is also a Budget meeting for all on July 31, 2019 at 6:00 p.m. **Sandra Hash, Clerk-Treasurer** will send out a packet with all the information prior to the meeting complete with notes explaining changes. There isn't a huge shift this year due to the consolidation of departments to form Public Works. He stated he or **Sandra Hash** would be happy to answer any questions before the meeting as needed.

**Kevin Tolloty, Planner** apologized for any random emails that were received from him, his email was hacked so do not open any attachments. Please contact him with any questions. He also wanted to thank **Denise Line** and **Marty Stephens, Richland Township Trustee**, for working together on a property that had a number of code enforcement violations of an elderly property owner. They have made excellent progress so far in getting those taken care of.

**Michael Farmer, Interim Town Manager** thanked Smithville Telephone and B-Town IT Services for working together and taking care of the email issue so quickly.

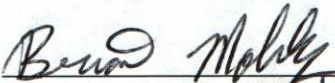
### **Privilege of the Floor**


**Valerie Dewar, Commissioner for Boy Scouts of America Troop 119**, was present along with assistant Scout Master Don Francis and 4 scouts working for their Citizenship in the community badge. She thanked everyone for giving them a great knowledge of how our Town works and for the Police Department recognizing those officers who protect our community and put their lives on the line. This is part of making great leaders of tomorrow and maybe one of them will serve on the council in the years to come.





**Adjournment**

Brian Mobley asked the 4 scouts to come forward and they entertained a motion to adjourn. Dan Swafford so moved. Scott Oldham seconded. Brian Mobley adjourned the meeting at 7:31 p.m.

  
Brian Mobley, President

  
Dan Swafford, Vice President

  
Scott Oldham

  
Pam Samples

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