

## May 13, 2019

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, May 13, 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. Scott Thomas led the Pledge of Allegiance followed with a prayer by Jimmie Durnil.

**Roll Call:** Members present were Brian Mobley, President; Scott Oldham, Pam Samples and Scott Thomas. Dan Swafford absent. Sandra Hash, Clerk-Treasurer; Darla Brown, Town Attorney and Mike Farmer, Interim Town Manager. Rick Coppock absent.

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

### Approval of Minutes

Scott Thomas made a motion for approval of the minutes of the regular meeting on April 22, 2019. Scott Oldham seconded. All in favor, motion carried.

### Accounts Payable Vouchers and Payroll

Scott Thomas made a motion to pay Accounts Payable Vouchers and Payroll. Scott Oldham seconded. All in favor, motion carried.

**Jimmie Durnil** presented the Police Officer of the Year 2018 to Officer William Jay Humphrey.

### Ordinances on Second Reading

#### **Ordinance 2019-13 amending Ordinance 2018-33 Fixing of Salaries for Budget Year 2019 by adding Part Time to Planning**

**Sandra Hash**, Clerk Treasurer explained the part time position for Planning was previously approved in the minutes, but she realized there was not a part time line in the salary ordinance so this was only to add it and there were no changes. Scott Thomas made a motion to approve Ordinance 2019-13 amending Ordinance 2018-33 Fixing of Salaries for Budget Year 2019 by adding Part Time to Planning. Scott Oldham seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried.

#### **Ordinance 2019-14 to amend Section 36.222.1 of the Ellettsville Town Code Regarding Shift Bidding Preferences**

**Scott Thomas** reflected from a couple of weeks ago a change in the administrative chief deputy position to clean up the position and delineating the specifics of the job. This ordinance is to specify it is a day job and to do a name change in the ordinance.

**Scott Oldham** expressed his concern with this change stating this locks in the current occupant of this position to days. It is currently covered by seniority and will only bring up issues in the future when a new occupant takes the position making the position a day shift position regardless of status in the department. Scott Thomas made a motion to approve Ordinance 2019-14 to amend Section 36.222.1 of the Ellettsville Town Code Regarding Shift Bidding Preferences. No second. Motion failed. Scott Oldham made a motion to reject Ordinance 2019-14 to amend Section 36.222.1 of the Ellettsville Town Code Regarding Shift Bidding Preferences. Pam Samples seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – no. Motion carried.

#### **Ordinance 2019-15 to amend Section 98.05 (C) (10) of the Ellettsville Town Code Regarding Mass Gatherings**

**Mike Cornman** explained the amendment is needed to add the wording, “in accordance to the 2014 Fire Code section 403”. This protects the people having the mass gathering and the Town clearly outlining he is acting by the Fire Code and not just his order. Brian Mobley entertained a motion to approve Ordinance 2019-15 to amend Section 98.05 (C) (10) of the Ellettsville Town Code Regarding Mass Gatherings. Scott Oldham so moved. Brian Mobley seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried.



## **Old Business**

### **Flood Report**

**Brian Mobley** discussed there was a formal letter in process to get with Chad Stephens so they will wait to hear back once that is complete.

## **New Business**

### **Coffey Trust (Town of Ellettsville) Encroachment Agreement**

**Darla Brown**, Town Attorney explained that the trust of David James Coffey owns property adjacent from the Fire Station on Curry Pike. The trust wants to sell the property. When a survey was completed it was discovered 2 of the mobile homes were encroaching on Town of Ellettsville property. One mobile home is encroaching 3.9' and the other is encroaching 5.9' on to the Fire Station property.

**Scott Thomas** discussed his opinion by agreeing with leaving the mobile homes as is unless there was a fire or they were destroyed, but does not agree with keeping it forever. In the result of a fire or any other means causing the homes to be moved, he feels replacement should not be allowed. He asked if the property could be sold with existing encroachments if or when a time presented itself to sell the property.

**Mike Cornman**, Fire Chief, explained that the lots were there when they built the Fire Station and it has no impact on the future plans for the land.

**Mike Farmer, Interim Town Manager**, agreed that documents are signed like this all time and it would be in our best interest to sign it as is.

**Scott Oldham** expressed his opinion agreeing with Scott Thomas that it is ok to leave it as is for now, but in the result of a change to the homes, it should be changed.

**Jimmy Dean Coffey** spoke from the audience that it has never been a problem in the past and honestly never known until the survey and he had no issue leaving it as is. He offered a third option of as long as the property is used as a mobile home park the encroachment would remain, but if the property changed in use, such as a subdivision, the encroachment would no longer be valid.

**Scott Thomas** made a motion to accept the first draft as outlined by Darla Brown, Town Attorney to approve the Coffey Trust (Town of Ellettsville) Encroachment Agreement providing an updated agreement is presented before the next council meeting for review. Scott Oldham seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried.

### **Automatic Aid Agreement between the Ellettsville Fire Department and Monroe Fire Protection District**

**Mike Cornman**, Fire Chief explained that recently the City of Bloomington ceased all automatic aid outside the city limits. Previously when the City of Bloomington ran automatic aid outside their limits, the Ellettsville Fire Department station located at Curry Pike, ran automatic aid calls for Perry Clear Creek and Van Buren much more than they do now. Perry Clear Creek has presented to adopt the previous agreement run the area of South Cory Lane between Second and Third Street and the Joe Lamb addition on South Cory Lane just south of highway 45. This is equivalent of 20-25 calls per year. He stated that they are too far away to offer aid to us so other than personnel and mutual aid they can't offer anything in return. Eventually he feels it will become a mutual aid between stations as opposed to departments. He is asking the council to sign the agreements to approve the automatic aid with Perry Clear Creek. Brian Mobley made a motion to approve the Automatic Aid Agreement between the Ellettsville Fire Department and Monroe Fire Protection District. No second. Motion rejected. Scott Oldham explained the difference in mutual aid and automatic aid. Automatic aid means all calls would go directly to Ellettsville Fire Department, whereas mutual aid would be to assist if needed. There is no objection to mutual aid. Mike Cornman further explained that Monroe Fire District chief would send a fire engine to Richland Township for a structure fire automatically if that was the issue. No further comments.



### **Bloomington Economic Development Corporation Membership**

**Sandra Hash**, Clerk Treasurer explained they were invited to become a member. Membership is \$1,500.00 per year for a non-voting member or \$5,250.00 for a voting member. If interested, she suggested budgeting this for next year instead of doing it now in the middle of the year due to several unexpected expenses from appraisals this year. They have been active with Ellettsville recently meeting with the Chamber and Town Council. Mike Farmer feels it is in our best interest to join for the future of Ellettsville and our relationship with the BEDC, (Bloomington Economic Development Corporation). Scott Oldham and Scott Thomas agreed, stating the future is in Ellettsville and this relationship is necessary for the future and would be in favor to budget for a voting membership fee in 2020.

**Valarie Dewar**, Chamber of Commerce Director spoke and agreed with the Town becoming a member from the business perspective of Ellettsville. She feels the Town should move forward and not wait until 2020 because things are moving fast and the Town needs to act on it.

**Sandra Hash**, Clerk Treasurer explained the membership would typically be taken from the dues and membership line but that line is depleted for this year from AIM (Association of Indiana Municipalities) dues and the Chamber of Commerce dues. She would ask if the dues could be pro-rated for the year and if so she would have to find a different line to take it from.

**Scott Oldham** made a motion to table the decision to become a member until further questions are clarified regarding membership dues, payments and finding the money for it are answered. Scott Thomas seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried.

### **Seasonal Temporary Help – Utilities**

**Mike Farmer**, Interim Town Manager, explained they have lost several people in the last 12 months including a seasonal carry over from 2018 due to being under manned and some medical issues. He would like to hire 3 people. They have already interviewed. The employees will be shared with the Street Department under the Department of Public Works. He further asked the council to hire Dillon Plumber and Jordan Lentz as temporary, full time employee laborers for 9 months, no benefits, with the option of insurance after the proper waiting period. They would be hired through the Utilities and shared with the Street Department. Brian Mobley entertained a motion to hire Dylan Plummer and Jordan Lentz. Scott Oldham so moved. Scott Thomas seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried.

**Mike Farmer** continued by explaining the request of the third employee to hire as a less skilled laborer for mowing, sweeping etc. He asked to hire Nathan Cardwell as a temporary, full time laborer II. Brian Mobley entertained a motion to hire Nathan Cardwell. Scott Thomas so moved. Scott Oldham seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried. He would also like to speak about the hiring process for the future before next year. He feels the process is too delayed and can cause other opportunities to arise for the potential employees during the waiting process.

### **Truck Purchases – ½ Ton Pickup – Utilities**

#### **F550 Dump Truck – Department of Public Works**

**Mike Farmer** explained he has 2 trucks he would like to purchase. The Utilities department has a set purchasing schedule for equipment in a 10 year plan approved by the board and the Indiana Utility Regulatory Commission (IURC). He has 4 quotes to replace a 7 year old Chevy 4x4 pickup truck. Lowest quote is \$36,497.00 and the money is available in the vehicle replacement line. The combined balance of the Water and Wastewater vehicle replacement funds are \$193,000.00. Brian Mobley entertained a motion to approve the purchase of a ½ ton pickup truck. Scott Thomas so moved. Pam Samples seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried.

**Mike Farmer** explained the second truck is a dump truck originally to replace the dump truck in the Utility fleet and as part of the Department of Public Works, (DPW) presentation of a cost saving measure. They will replace the dump truck and prepare it to use for snow removal in winter and regular use in summer for Utilities. It is their match to the DPW fleet inventory. It is to replace the 1984 dump truck. They have one quote of \$78,840.00 total. \$49,090.00 for



the truck and \$29,750.00 for the additional equipment for snow removal. They attempted to get more than one quote with only one response. It would have to be ordered and may be available by winter. Brian Mobley entertained a motion to purchase a Ford F550 dump truck and dump equipment from Ruxer Ford in the amount of \$78,840.00. Scott Oldham so moved. Scott Thomas seconded. Roll call vote: Brian Mobley – yes; Scott Oldham – yes; Pam Samples – yes; Scott Thomas – yes. Motion carried. Mr. Farmer further added the truck will be signed Department of Public Works so they are moving forward with this department. The old trucks will be sold and will be a match to the truck recently purchased by the street department.

**Scott Thomas** asked for a change to Town code or Ordinance to add the DPW before signage is done to the trucks. Sandra Hash stated there are accepted photos of the decals in Town code. She asked if they were accepting the DPW now or waiting for the full year as previously discussed in the fall of 2018. Scott replied the date would have to be researched, but adding the department to the code would be harmless even if it wasn't accepted. The truck will be white as opposed to the red truck recently purchased by the street department. Mike Farmer stated all future trucks will be white if he continues as Town Manager.

**Kip Headdy** of the Street Department spoke, stating from the original meeting discussing the DPW, it was determined the trucks ordered were going to be red or white to separate the divisions of the DPW. He asked for clarification. Mike Farmer explained in the future they would all be white trucks, but there would still be defined departments within the DPW. Kip asked if he needed to cancel the lettering he had scheduled until this was changed. Sandra Hash explained to amend Town Code it had to be done by and Ordinance on 2 readings or a unanimous vote to approve in one reading. It was suggested to reschedule the lettering until all the details were worked out at the next meeting.

### Supervisor Comments

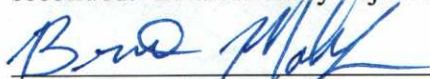
**Jimmie Durnil** discussed the Memorial Day Program at Memorial Park beginning at 11:00 am on May 27, 2019. He encourage everyone to come and check out the work done to fix up the cannon. The History Center will also be open from 11:00 am to 2:00 pm.

### Privilege of the Floor

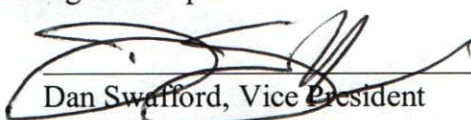
**Valarie Dewar**, Chamber of Commerce wanted to thank everyone involved the recent Breakfast discussion. She feels positive conversation about the future plans for the Town are happening and on the move. Whether we want to or not, we want to grow and thrive which means we have to be evolve rather than stagnate. If we aren't proactive then someone else may determine our future. For that reason she is glad the Town is considering the membership to the BEDC. The Chamber will continue to support all collaborative efforts for the advancement of our Town to be a place to come home.

### Adjournment

Brian Mobley entertained a motion to adjourn. Scott Thomas so moved. Scott Oldham seconded. Brian Mobley adjourned the meeting at 7:39 p.m.



Brian Mobley, President



Dan Swafford, Vice President



Scott Oldham



Pam Samples



Scott Thomas



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