

August 24, 2020

Due to COVID 19, The Ellettsville, Indiana, Town Council met for a virtual meeting on Monday, August 24, 2020 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 and Trevor Sager. Pamela Samples signed in late. Sandra Hash, Clerk-Treasurer; Darla Brown, Town Attorney, Michael Farmer, Town Manager were also present.

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

Approval of Minutes

Dan Swafford entertained a motion for approval of the minutes of the regular meeting on August 10, 2020. William Ellis made a motion. Trevor Sager seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion carried.

Accounts Payable Vouchers and Payroll

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

Resolutions

Resolution 07-2020 Final Economic Revitalization Area Resolution – KeHE Real Property

Kevin Tolloty, Planner explained this covers the land and the building for the KeHE project. The abatement is for 5 years starting out at 100% for year one then dropping 20% each year. Total amount abated is approximately 1.7 million in taxes. That is not money that will cost the town but will affect the assessed value and slow down lowering the tax rate for the next 5 years. Dan Swafford entertained a motion to approve Resolution 07-2020 Final Economic Revitalization Area Resolution – KeHE Real Property. William Ellis so moved. Trevor Sager seconded. Clark Greiner, Business Development Director for the BEDC (Bloomington Economic Development Corporation), spoke out in support of the Resolution and encouraged a favorable vote. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion carried.

Resolution 08-2020 Final Economic Revitalization Area Resolution – KeHE Personal Property

Kevin Tolloty, Planner explained this covers the personal property within the KeHE property. The total amount is 8.8 million revised from 5 million. The abatement is \$268,00.00 over 5 years. Scott Oldham made a motion to approve Resolution 08-2020 Final Economic Revitalization Area Resolution – KeHE Personal Property. William Ellis seconded. Clark Greiner, Business Development Director for the BEDC (Bloomington Economic Development Corporation), spoke out in support of the Resolution and encouraged a favorable vote. KeHE is an established corporation with 16 distribution centers for fresh, natural, and organic products and will bring many jobs to the Ellettsville area. Dan Swafford agreed. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion carried.

Resolution 19-2020 Transfer of Funds – Police Department

Sandra Hash, Clerk Treasurer explained this is a transfer requested by Jimmie Durnil, Town Marshal in the amount of \$4,000.00 from Radar, Arms and Equipment to Building Maintenance. The Resolution also request a transfer of \$3,488.00 from Radar, Arms and Equipment to Telephone and Fax because of a shortage from moving payment of Air Cards from CCD to the Telephone and Fax line. Dan Swafford entertained a motion to approve Resolution 19-2020 Transfer of Funds – Police Department. Trevor Sager so moved. William Ellis seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion carried.

Ordinances on Second Reading

Ordinance 2020-23 to amend Chapter 96 of the Ellettsville Town code Regarding Animals Permitted to be kept within the Town Limits

Darla Brown, Town Attorney explained this was discussed a few meetings ago and she has revised the Town Code to add to Section 96.02 B6 that a top is not required if the birds have been rendered flightless and will allow 9 total ducks or chickens. Roosters are not allowed

but male ducks are allowed. Scott Oldham made a motion to approve Ordinance 2020-23 to amend Chapter 96 of the Ellettsville Town code Regarding Animals Permitted to be kept within the Town Limits. Trevor Sager seconded. William Ellis expressed he has received several complaints on the issue of enforcement and noise and did not support it. Clark Greiner, BEDC, expressed his concern was with duck pools that create nasty water creating a smell. Scott Oldham stated that some people have an allergy from chicken eggs but can eat duck eggs and feels as with anything that gets adjusted or changed it can be problematic but we have to deal with problems and issues as they come along and does not feel this will be a long-term issue. Kevin Tolloty, Planner, stated he has not received many complaints, usually the same people and they complain of chickens running wild, getting in gardens and noise from a rooster. Denise Line, Assistant Planner reported the complaints she has had is the number of animals and the space they were kept in. Public comment from Valerie Dewar expressed her concern with noise and ducks during mating stating it is often violent causing a spectacle to neighbors. Clark Greiner (BEDC) confirmed the information given by Valerie Dewar and stated the main purpose of having a male duck would be if people were selling fertilized eggs to breed specialty ducks. After some discussion they decided it would be best to take male ducks out of the amendment. Scott Oldham amended his motion to approve Ordinance 2020-23 to amend Chapter 96 of the Ellettsville Town code Regarding Animals Permitted excluding male ducks. Trevor Sager seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – no; Trevor Sager – yes; Pamela Samples - yes. Motion carried. Dan Swafford asked Kevin Tolloty to please keep them informed if they received complaints.

New Business

Shut off Policy – Utilities

Michael Farmer, Town Manager discussed the moratorium on shut offs has been lifted effective August 14, 2020 and would like to get the boards opinions on moving forward on this matter. They currently have 734 customers out of approximately 5500 customers past due on their bills. The total amount past due is \$86,335.74. The biggest part of that number is current month but there are some that go back into January. After running numbers today, it decreased to 694 leaving a balance of \$83,078.84. Initial repayment was set at 6 months. He stated some bills are \$50.00 past due and there are a few at \$500.00 so they may need a longer time to repay on the larger past due balances. Scott Oldham suggested extending it to 12 months if there was no financial burden to us. Michael Farmer stated the Town is not experiencing financial burden from the past due balance so extending the repayment time would not jeopardize finances. Michael Farmer suggested coming up with a plan based on balance due. The process could be cumbersome to staff to manage tracking and feels it is unnecessary for smaller balances to be spread out over a 12-month period. William Ellis feels it should not be extended for customers past due from January and February since COVID did not really start affecting people until March, those customers could be dealt with separately. Michael Farmer answered questions about late fees, disconnects and the billing process and asked how council would like to proceed. It was agreed that past due amounts exceeding \$240.00 will be allowed to repay over 12 months with no additional late fees and a payment of at least \$10.00 per month. Late fees and disconnects will be business as usual beginning September 16, 2020. Michael Farmer will make an outline for the next meeting for clarity.

Dismissal

Michael Farmer, Town Manager addressed the violations of an employee of the Utilities Department. Council was emailed detailed information regarding violations and he feels the violations are serious enough he is recommending dismissal. There have been attendance violations, attendance history, failure to follow Town policy and failure to comply with rules related to COVID-19 shutdown. The employee has been written up in the past for some of the same violations. She was not in attendance for questions and is currently on paid leave until a decision was made. Darla Brown, Town Attorney made the council aware the next council meeting was not until 3 weeks and the decision to hire and fire is the decision of Town Council. If there were further council questions they could meeting in an Executive Session or proceed with the vote. William Ellis made a motion go ahead with the vote. He does not want to make the employee have to wait any longer and be under more stress having to wait. Pamela Samples seconded. Roll call vote: Dan Swafford – no; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

William Ellis made a motion to dismiss the employee. Scott Oldham seconded. Roll call vote: Roll call vote: Dan Swafford – no; Scott Oldham – yes; William Ellis – no; Trevor Sager – yes; Pamela Samples – yes. Motion carried. Michael Farmer concluded with his request to change Town Code and come up with an acceptable procedure to dismiss any employees other than Police and Fire in the future that are not so cumbersome and public. Dan Swafford feels it should be discussed prior to Council Meetings they meet in an Executive Session. He will prepare a proposal from suggestions discussed and advice of Darla Brown, Town Attorney.

Forest Management – Town Hall Property

Michael Farmer, Town Manager wanted to make the board aware and discuss preparation of construction of the new service building, they have picked a site on the 10 acres Utilities owns on Townhall property. An area of 500 feet by 500 feet will need to be timbered and cleared. He has contacted a forester and they have identified trees within the 500 feet area that can be timbered and sold. They also were asked to identify other trees on the entire 50 acres owned by the Town for possible timbering to offset some of the cost incurred with the construction of the new building. He recommends doing it now before the wet season and while only the temporary road is in place. Timber prices go up and down and he wants to preserve the trees and wildlife as much as possible, but they could make up to around \$50,00.00 to do the entire 50 acres. He will bring a formal plan to council soon.

Fire Department – Lieutenant

Mike Cornman, Fire Chief announced he is promoting 2 people to rank of lieutenant. He explained when he became chief and with the previous chief there was a void in ranking officers on duty each day. This absence has created some leadership issues and his goal is to have 3 ranking officers on duty for each station daily, so things do not run a fowl. He is short 4 officers at this time and has ducked the issue long enough, but he does have to do it in steps to budget for it. He has budgeted for 2 and would like to promote sergeant Raymond Warthan and sergeant Mark White to Lieutenant. Both have been with the department for 5 years and several years as volunteer before that. Trevor Sager made a motion to approve the request of promotions of 2 new Lieutenants. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – no; Trevor Sager – yes; Pamela Samples – yes. Motion carried.

2021 Budgets

Sandra Hash, Clerk Treasurer explained she had sent each council member the Budget Form 1 by email for each department that included the requests for increases. She began the Proposal of the 2021 Ellettsville Budget with the 16-line statement. Working from the General Fund, Line one listed the Total Budget estimate for incoming year at \$3,267,738.72. The General Fund is the largest fund. It contains Public Safety and Administration. The 16-line statement includes 18 months of financing to cover the expenses and revenue for the year of 2021 and the last 6 months of 2020. The 2020 expenditures remaining total \$1,728,689.83. There is an additional appropriation necessary in the amount of \$80,000.00 for a 27th pay at the end of the year. In order to pay the employees timely it is necessary to process the payroll in 2020 instead of 2021. There has been one additional appropriation for the School Resource Officer with the funds provided by the school in the amount of \$75,000.00. The combined total is \$155,000.00 shown on line 3. The total expenses (funds required) is \$5,151,428.55 (Line 5). The cash balance is \$1,577,443.82 (Line 6) as of June 30, 2020. The Town should receive approximately \$530,985.20 (Line 7) in taxes by the end of the year. The remaining miscellaneous revenue for this year is \$985,368.00 (Line 8a) and for next year it is \$1,835,781.00 (Line 8b) making revenue \$4,929,578.02 (Line 9). Comparing Line 5 to Line 9 is how much money we must pay those expenses. That total is short \$221,850.53 (Line 10). This is the amount of taxes we will have to raise in 2021 to pay the existing expenses for the next 18 months. The Levy with the 4.2% increase will be \$1,210,633.11 (Line 12). If everything works out the leftover cash balance will be \$988,782.58 (Line 11)

William Ellis questioned the .5900 on the tax rate (Line 17) being for the published budget upcoming and how it compares to where we are. Sandra Hash explained the rate for 2020 was .4813 so that goes up a little bit but she must do that to capture the maximum levy. Once everything is settled out next year and the true figures are seen the rate will be lower than what she is projecting. Per guidelines from the state, one thing she does is reduce the assessed

value by 10% to be sure she captures the full levy. The .5900 is with a 10% reduction of the assessed value. The next page showed Balance History beginning in 2012 of Budget Projections and Actual ending balances after the 18-month period. 2012 - 2014 were under but beginning in 2015 and every year following they have gained. The last 10 years projected balance has increased by \$726,493.00 and the actual operating balance by \$782,201.00. Part of those increases are due to special Local Income Tax Distributions totaling \$185,000.00 over the last 3 years. This cannot be counted on every year. In addition to that in 2017 they received LIT (Local Income Tax) Public Safety which paid for one Officer and one Firefighter instead of being paid from the General Fund. Page 5 explained the Department of Local Government recommends a 20% cash balance. The 2021 cash balance is projected to be 30%. There is also a cushion in the Rainy-Day Fund of \$182,840.41 to provide for any unforeseen emergencies. Page 6 detailed Total Budget Increases per Department (includes Wages & Benefits) with a total of \$230,037.75: Administration (\$16,419.97), Planning (\$29,554.20), Fire (101,600.89) and Police (\$82,800.00). Page 7 details all other Funds Budget Increases. MVH increases slightly (\$7,160.74), MVH Restricted is down because of the mandate a few years ago that all the motor vehicle receipts that 50% of those went to a special fund to be spent on nothing but road repair (\$-23,517.00). Matching money from Community Crossing Grants also come from there. Parks is increasing to provide a better park system for Ellettsville (\$10,500.00). The Town Manager has a goal to improve the Trail and create a park like setting on the Stewart Property with the increase. Local Roads & Streets decreased (\$-20,500.00) is a stand-alone fund completely funded with Local Roads & Street revenue from the state funneled through different road taxes. No change in Fire Cumulative fund or Law Enforcement Fund. Cumulative Capitol Development is up (\$31,000.00) to accommodate the new Building Inspection department to get a new truck. Stormwater (\$2,365.60) & Public Safety LIT (\$10,854.73) increase are for wage increases. Page 8 listed wage and benefits increases only totaling \$205,564.40 being the biggest part of the \$230,037.75 total budget increase by department. The wage increases are based on the suggestion from the Wage Study that was completed earlier this year and adding a longevity pay. MVH (\$7,750.74) Public Safety LIT Fire (\$2,561.77) and Public Safety LIT Police (\$8,292.96). Page 9 compares the increase in revenue in 2021 over what we have been receiving. The Growth Quotient Factor is \$48,797.11 and the Miscellaneous Revenue is \$40,044.00 totaling \$88,841.11. 3-year average of unspent appropriations is \$141,074.00. 2019 went down to \$107,681.20. The reduction to Cash balance will be impacted a little but with the gains they have had it will be modest at \$31,196.64. That total is from 2021 Increases to Revenue (\$88,841.11) General Fund Increases over 2020 Budget (\$-230,037.75) and 2020 Projected unspent Appropriations (\$110,000.00). She concluded her presentation with mentioning the Wage Study recommending some Excluded and Exempt positions. Those positions are not able to receive overtime or compensatory time off. The Council holds the decision to approve all the Wage Study or disapprove of some of the recommendations. She added that the budget will not be voted on until the last meeting in September with a pre-adoption hearing at the first meeting in September. She does have to advertise the budget and so she will need approval to proceed with this information and enter it in the Gateway, advertise the budget and complete the final budget ordinance. Advertisement must be 10 days before the first hearing September 14th. Entering the information on the Gateway generates the Budget Ordinance. Trevor Sager thanked everyone for all the work on the budget. He loved the Wage Study results but is concerned with the exemptions. He feels everyone should be compensated whether it is comp time or overtime. Dan Swafford feels the longevity pay should wait for 5 years to pay on new employees instead of paying every year. He is also concerned with the longevity pay being a huge added increase to the budget every year. He does not like to offer those things and then have to take it away later during bad times. He agrees with compensation of overtime but feels that employees should manage overtime by leaving early or coming in late to avoid for situations such as council meetings instead of taking overtime. Scott Oldham asked if the budget included overtime. Sandra Hash confirmed it was included in the budget. William Ellis commented he is not in favor of waiting 5 years on the longevity pay. Dan Swafford requested an increase in pay for the Plan Commission. They have not had a raise in 5-7 years and suggested a \$5-\$10 increase per meeting attended. Kevin Tolloty, Planner mentioned the BZA (Board of Zoning Appeals) get paid \$0.00 for meetings. They are meeting regularly now so he is suggesting some sort of payment for those members. Dan Swafford asked Kevin Tolloty to research other BZA members pay and report it at the next meeting. Sandra Hash added if that were the desire, she would work with Kevin Tolloty to get those figures and modify the budgets accordingly because they would not meet before she publishes. Scott Oldham was concerned

we could maintain the increases every year. Sandra Hash feels it is doable. If projections go lower next year, the employees will understand if they were not able to give an annual raise. If something unexpected comes along, we always receive some growth factor in property taxes and the taxes are a strong tax so she feels confident that we can maintain this and if there is a dip they will have to hold off in 2022. The \$205,564.40 increases with benefits is the truer picture. The only variance other than the Wage Study is with the Building Inspector increase. The \$10,320.00 is from adding an additional part-time employee to accomplish Commercial Building Inspections as opposed to private contracting. Kevin Tolloty added that they budgeted for 29 hours a week and has recently raised that to 32 hours and has found he is well over projected building permits they will bring in twice the revenue they expected. Its more work than anticipated but the increase will balance out with the extra permits they are doing. He feels they will easily profit \$40,000.00 to \$50,000.00 in permit fees. Dan Swafford feels it will be wash and great extra revenue. He feels the same as Scott Oldham, concerned with supporting the increases every year. William Ellis feels if the Town can have growth and support it this year during COVID-19 it is not a gamble on the future but a matter of the Town Council not doing their job to bring in new growth. The Town has a great opportunity to grow and increase assessed value with KeHE coming in. Scott Oldham expressed his final comments as he is concerned with voting yes to the budget but if the experts say it will work, he will trust them. He does feel strongly that the council needs to take actions on annexations to the Town. If the Town is going to grow, they are going to have to add land. Dan Swafford agreed.

Privilege of the Floor

Russell Ryle loved the budget presentation and feels the Town is on solid ground. He would love to see an overview for the development of the 50 acres behind Townhall before they start cutting out trees. He expressed concern about cutting too many and taking years to replace them. He also enjoys the Zoom meetings and would love to continue with those even after the pandemic brings meetings back to the Town Council meeting room.

Supervisors Comments

Michael Farmer, Town Manager thanked Sandra Hash and Amber Ragle-Wright for all their hard work on the budgets. He thanked Pat Wesolowski and Walter Reska for putting out the vegetable stand by Jiffy Treet. It really provides the hometown feel and adds a lot to the Town. He also confirmed to Russell Ryle there will be a plan for the trees and development of the land and will make sure things are done properly.

Council Comments

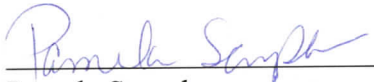
Trevor Sager expressed his concern on the call to defund the police. He feels that any elected official who supports removing funds or manpower from law enforcement agencies are acting in a reckless manner and he can assure the citizens of Ellettsville that the Town Council will never vote to defund our Police Department. He values their dedication and thanked them for their service. **Jimmie Durnil**, Town Marshal thanked Trevor for his comments and appreciates everyone's support.

Adjournment

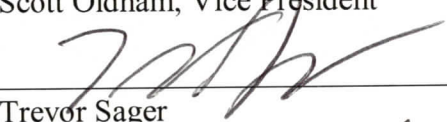
Dan Swafford entertained a motion to adjourn. Scott Oldham so moved. William Ellis seconded. Roll call vote: Dan Swafford – yes; Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion carried. Pamela Samples left the meeting prior to adjournment. Dan Swafford adjourned the meeting at 8:30 p.m.

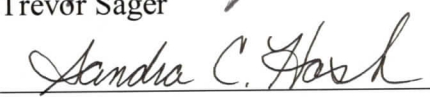

Dan Swafford, President


William Ellis


Pamela Samples

Scott Oldham, Vice President


Trevor Sager


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