

April 26, 2021

Due to COVID-19, The Ellettsville, Indiana, Town Council met for a virtual meeting on Monday, April 26, 2021 by Zoom. Due to some technical difficulties, Scott Oldham called the meeting to order at 6:42 p.m. Jimmie Durnil led the Pledge of Allegiance followed by a prayer.

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

Supervisors present: Jimmie Durnil, Mike Cornman, Kip Headdy and Kevin Tolloty.

Approval of Minutes

Scott Oldham entertained a motion for approval of the minutes of the regular meeting on April 12, 2021 and the Work Session April 19, 2021. William Ellis so moved. Trevor Sager seconded. Roll call vote: Scott Oldham – yes; Pamela Samples – abstain; William Ellis – yes; Trevor Sager – yes; Dan Swafford – abstain. Motion carried.

Accounts Payable Vouchers and Payroll

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

Resolutions

Resolution 12-2021 Transfer of Funds Cumulative Capital Development Fund – Police

Amber Ragle-Wright, Deputy Clerk, explained this is a transfer needed for the Police Department from the Building Maintenance Appropriation to Equipment/Radio Upgrades in the amount of \$3,500.00 to cover purchase of cameras. Trevor Sager made a motion to approve Resolution 12-2021 Transfer of Funds Cumulative Capital Development Fund – Police. William Ellis seconded. Roll call vote: Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes; Trevor Sager – yes; Dan Swafford – yes. Motion carried.

Ordinances on First Reading

Ordinance 2021-10 to Create Fund 179 for the American Rescue Plan Act (ARP)

Darla Brown, Town Attorney explained this is a simple Ordinance to create the fund required for the Town to receive money from the Federal Government for the American Rescue Plan Act.

Ordinance 2021-11 to Update Chapter 51 of the Ellettsville Town Code Regarding Rates and Charges

Darla Brown, Town Attorney explained from last meeting there was a disconnect between what the Town's Utility Office was charging and what the Ordinance said that the Town should be charging. The Town revised its rates in 2016 and was required to do a True Up with the IURC and a tracker was added in 2017. This is a cleanup of what the Ordinance states, once published by American Publishing, that will match what the Town should be charging. Nobody has been overcharged and they are using the correct amounts, but the Ordinance needs updated to match the true up.

Ordinances on Second Reading

Ordinance 2021-09 to Amend Water Rates and Charges: increasing the meter deposits, adding 6 and 8 inch meters, fire protection charges for 4 and 6 inch municipal hydrants and automatic sprinkler charges for 10 and 12 inch lines

Darla Brown, Town Attorney discussed that this was explained at the last council meeting. Town Manager Michael Farmer had asked Baker Tilley to do a 30-day filing with the Indiana Utility Regulatory Commission (IURC) to change the rates and charges for increasing the meter deposits, adding 6 and 8 inch meters, fire protection charges for 4 and 6 inch municipal hydrants and automatic sprinkler charges for 10 and 12 inch lines. This Ordinance is to bring it inline with the charges from the IURC. Michael Farmer added that the main reason for this Ordinance is prior to KeHE the Town did not have charges for the sizes of lines they

putting in. It will be beneficial for unknown future projects by adding charges for larger sizes. It is not an increase to current customers. William Ellis made a move to approve Ordinance 2021-09. Dan Swafford seconded. Roll call vote: Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes; Trevor Sager – yes; Dan Swafford – yes. Motion carried.

Old Business

1 Appointment to the Ellettsville Building Corporation

There have been one of two seats filled for the Ellettsville Building Corporation board. There were no nominations. Council discussed possibly having some names at the next council meeting. It will be placed on the next agenda.

New Business

Site Plan for the Utility Garage located beside Town Hall and Request for Proposal for the Building Design

Michael Farmer, Town Manager explained they will need a Site Plan, Grading Plan, Rule 5 Stormwater Retention and Runoff for IDEM and construction documents to pave the way to have an architect to design the building and put together plans for the new Maintenance Building. He requested council pleasure on asking the contractor for Bynum Fanyo Associates to put together the construction documents, Site Plan and Rule 5. He will also need permission to set up a request for proposal for architectural design of the building and the plans that go with it. Bynum Fanyo Associates will not be involved with that part of the process. He will discuss that with Darla Brown, Town Attorney and whoever does the construction documents so he can get a request for proposal out. Jeff Fanyo has given him several recommendations for architectural companies so there will be plenty of response getting a bid to do the work. William Ellis expressed he would like to have a request for proposal (RFP) for both so that it is open to everyone. Pamela Samples agreed. Michael Farmer stated he has never had to do this in the past and he would have to work with Darla Brown on the proper paperwork for the bid process. Darla Brown stated in regard to services, municipalities are allowed to engage services of professionals in any way they see fit. That includes architects, engineers, lawyers etc., but the request for proposal for building design and the site plan can be done either way, solicit bids/request proposals or appoint someone to provide the services. Dan Swafford inquired about the cost. Mike Farmer explained that normally it costs around \$17,000.00 but since Bynum Fanyo already has extensive history of working with the Town, they could do it for less than \$10,000.00. Dan Swafford appreciates both opinions but does not want to cut anyone out of a chance. Michael Farmer stated he was fine with the decision and stated it would make his life easier if it eliminated conflict and detractors but was unsure if Bynum Fanyo would put in a bid. He stated he is familiar with several other great Engineering Companies locally that would more than likely show interest in bidding. Trevor Sager feels with the transparency it should opened for bidding. Scott Oldham disagrees and feels that he would select them due to the long history with Bynum Fanyo and the familiarity with Ellettsville and numerous successful projects over many years. He does, however, understand the transparencies and it is up to the discretion of the council. Pamela Samples made a motion to request for proposal for Site Plans for the Utility Garage located beside Town Hall and request for proposal for the Building Design. William Ellis seconded. Roll call vote: Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes; Trevor Sager – yes; Dan Swafford – yes. Motion carried.

Council Meetings – Return to in person meetings or remain virtual

Dan Swafford feels there has been good attendance with the Zoom meetings and is convenient but believes things need to start opening up and returning to somewhat normal life since so many people are vaccinated now. He would like to have both options open to the public. **Trevor Sager** does not see the rush to be back in person. He feels we are in a better place than 6 months ago, but the Zoom provides a safe host for not only council but the public as well. His vote is to stay with Zoom. **Michael Farmer** stated there is plenty of room to social distance for the public and the board. **Darla Brown** stated there could not be more than 50 people and would need to be posted per the CDC guidelines so they could legally turn them away if that occurred. **Scott Oldham** is all in for returning to in person but would like to wait until June 1st to get past the second wave of Covid spikes. He feels since the crowd is generally older, he does not want to expose someone that is in the higher risk category. He does feel it is okay to open the building to people paying Utility bills or asking

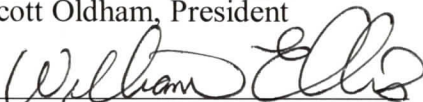
questions but that is different than 30-40 people in a room together for an hour. **Darla Brown** would have to check if both in person meetings and Zoom are allowed. **Russ Ryle** from the public stated it is his understanding that in the state legislature a bill was introduced permitting the public to attend governmental meetings and comment digitally when appropriate. Monroe County offers a website that lists all meetings and invites the public digitally. He is curious to know after the mandate ends if they will still offer the option of meetings digitally along with the in-person meetings. He had emailed William Ellis to check on the status of the bills introduced. **William Ellis** will check on them for him and report back at the next council meeting. Russ is in hopes that the digital option remains and stated under the American with Disabilities Act, government is supposed to make reasonable accommodations so that people with disabilities such as himself can attend governmental meetings and feels digital meetings are a reasonable accommodation and would challenge it if it were denied. The results have proven greater participation with the digital meetings and feels they would be better to keep them. **Scott Oldham** mentioned seeing on a blog from Association Cities and Towns that one council member can attend by Zoom a certain number of times per year but that is the only one that passed to his knowledge, but they will find out. **Valerie Dewar** from the public expressed her thoughts that she has been vaccinated so she would gladly attend in person and felt Zoom has been a wonderful accommodation. She feels the Zoom meetings create a lax in manners so she is anxious to return in person meetings, but the hybrid option would be best for everyone. **Pamela Samples** would like to return to in person meetings. **William Ellis** would like in person meetings but does not want to take away the option for others that otherwise cannot attend. Pamela Samples made a motion to table until the next meeting to give Darla Brown the opportunity to check on the option of in person meetings with the Zoom option. William Ellis seconded. Roll call vote: Scott Oldham – yes; Pamela Samples – yes; William Ellis – yes; Trevor Sager – yes; Dan Swafford – yes. Motion carried.

Adjournment

Scott Oldham entertained a motion to adjourn. Dan Swafford so moved. Pamela Samples seconded. Roll call vote: Scott Oldham – yes; William Ellis – yes; Trevor Sager – yes. Motion carried. Scott Oldham adjourned the meeting at 7:18 p.m.

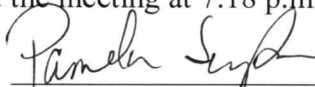


Scott Oldham, President



William Ellis

Dan Swafford



Pamela Samples, Vice President

Trevor Sager



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