

The Ellettsville, Indiana, Town Council met for a regular meeting on Monday, May 13, 2024 at the Ellettsville Town Hall Meeting Room located at 1150 West Guy McCown Drive. Scott Oldham called the meeting to order at 6:30 p.m. Jimmie Durnil said the prayer followed by the Pledge of Allegiance led by Kevin Patton.

Roll Call: Members present were Scott Oldham, William Ellis and Pamela Samples. Dan Swafford and Trevor Sager were absent. Michael Farmer, Town Manager and Darla Brown, Town Attorney were also present. Noelle Conyer, Clerk Treasurer was absent.

Supervisors participating: Kevin Patton, Kip Headdy, Jimmie Durnil, Denise Line and Jeff Farmer. Denise Line filled in for Noelle Conyer.

Approval of the Minutes for the Regular Meeting April 22, 2024

Scott Oldham entertained a motion for approval of the minutes of the regular meeting April 22, 2024. William Ellis so moved. Pamela Samples seconded. All in favor, motion carries.

Accounts Payable Vouchers and Payroll

Scott Oldham entertained a motion to pay Accounts Payable Vouchers and Payroll. William Ellis so moved. Pamela Samples seconded. All in favor, motion carries.

Open bids for new construction of DPW building

Darla Brown, Town Attorney explained she had 4 bids.

- **Fox Construction Bloomington - \$4,448,700.00 Base**
Alternate bid #1 \$49,570.00 for upper floor.
Alternate bid #2 \$81,848.00 deduction to delete the canopies at the south and east elevations.
Alternate bid #3 \$120,000.00 deduction to reduce garage length by 32 feet.
Alternate bid #4 \$6,420.00 deduction to provide wall to wall suspended acoustical ceiling.
Alternate bid #5 adding \$544,880.00 to provide salt barn and cold storage buildings.
Alternate bid #6 adding \$62,400.00 to provide site fencing and automatic gates.
Alternate bid #7 adding \$41,850.00 for a service pit in the garage.
- **CDI Inc. Terre Haute - \$6,255,000.00 Base**
Alternate bid #1 \$73,500.00 deduction to delete a portion of the upper floor and windows.
Alternate bid #2 \$91,000.00 deduction to delete the canopies at the south and east elevations.
Alternate bid #3 \$124,000 deduction to reduce garage length by 32 feet.
Alternate bid #4 \$9,000.00 deduction to provide wall to wall suspended acoustical ceiling.
Alternate bid #5 adding \$779,000.00 to provide the salt barn and cold storage buildings.
Alternate bid #6 adding \$95,000.00 to provide site fencing and automatic gates.
Alternate bid #7 adding \$35,000.00 for a service pit in the garage.
- **Strauser Construction Bloomington - \$4,770,600.00 Base**
Alternate bid #1 \$89,000.00 deduction to delete upper floor and 2 BB windows.
Alternate bid #2 \$72,700 deduction to delete the canopies at the south and east elevations.
Alternate bid #3 \$117,000.00 deduction to reduce garage length by 32 feet.
Alternate bid #4 \$6,000.00 deduction to provide wall to wall suspended acoustical ceiling in lieu of suspended acoustical ceiling clouds.
Alternate bid #5 adding \$506,400.00 to provide salt barn and cold storage buildings.
Alternate bid #6 adding \$62,700.00 to provide site fencing and automatic gates.
Alternate bid #7 adding \$38,600.00 for a service pit in the garage.

- **BA Building Associates Inc. Bloomington - \$4,968,700.00**

Alternate bid #1 \$103,000.00 deduction to delete upper floor and BB windows.

Alternate bid #2 \$45,000.00 deduction to delete the canopies at the south and east elevations.

Alternate bid #3 \$105,000.00 deduction to reduce garage length by 32 feet.

Alternate bid #4 \$8,500.00 deduction to provide wall to wall suspended acoustical ceiling in lieu of suspended acoustical ceiling clouds.

Alternate bid #5 adding \$458,000.00 to provide salt barn and cold storage buildings.

Alternate bid #6 adding \$72,000.00 to provide site fencing and automatic gates.

Alternate bid #7 adding \$31,143.00 for a service pit in the garage.

William Ellis inquired about additional equipment needed. Michael Farmer said there will be additional equipment needed but nothing that will be a huge expense. William Ellis made a motion to table for review. Pamela Samples seconded. Roll call vote: Scott Oldham -yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

Resolutions

Resolution 17-2024 Additional Appropriation General Fund

Jimmie Durnil, Town Marshal explained this is an additional appropriation in the amount of \$75,000.00 to enter into a mutual agreement with the Prosecutor's Office to supply the Police Department with a Detective/Technician for an undetermined amount of time. There is no cost to the Town and is provided by the Prosecutor's office and the Grant. Darla Brown, Town Attorney introduced Erika Oliphant Monroe County Prosecutor and Levi Minnick. Erika Oliphant explained she received a grant in 2022 from the Indiana Prosecuting Attorney's Council to establish and maintain a High Tech Crimes Unit in Monroe County to serve 11 counties in Indiana. They process digital evidence such as cell phones and laptops. Her director is Levi Minnick who is stationed at Indiana University Police Department but are looking forward to relocating and expanding the operations in partnership with the Ellettsville Police Department. They will reimburse the Town for Levi's salary and benefits and they get a renewal of the grant every 2 years are fully funded through 2025 and expect to continue receive funding and hopefully more each time. There have been 276 cases submitted and 511 pieces of evidence processed by Mr. Minnick and his team. Darla Brown continued to explain that the purpose of the Appropriation is to ensure that there is enough money appropriate for Mr. Minnick's salary. The Town will pay the salary initially and we will invoice the Prosecutor's office and they will reimburse the Town through the Grant funds. William Ellis made a motion to approve Resolution 17-2024 Additional Appropriation General Fund. Pamela Samples seconded. Roll call vote: Scott Oldham - yes; William Ellis – yes; Pamela Samples – yes. Motion carries. Chief Durnil thanked Erika Oliphant, Darla Brown, Zachary Michael, George Robinson and Levi Minnick for all the work to get this going.

Resolution 18-2024

Resolution 18-2024 to Approve a Purchase Agreement with Macqueen Equipment, LLC for the Purchase of a New Aerial Fire Truck

Kevin Patton, Fire Chief explained they have issues with purchasing new vehicles because once they find the vehicle they want it has to go through the council to approve it and it is gone when they go to purchase it. RDC (Monroe County Redevelopment Commission) has agreed to purchase the vehicle. The Town will finance it and the RDC will pay the Town through a contract. This allows him to get on the list to order it. Currently they are 32-36 months to get it. Darla Brown, Town Attorney explained since she prepared the Resolution the price went from \$2,172,704.00 to \$2,383,200.00 so she has provided a revised proposal from Macqueen so instead of the RDC contributing not to exceed \$2.2 million it is now not to exceed \$2.4 million. The new vehicle, in comparison to the old vehicle, it has a shorter wheel base allowing easier access to parking lots and goes below grade more. It has a lot of functions that the current one doesn't. They will keep the current one because it is recommended they have 2 for the size of the area they cover. Pamela Samples made a motion

to approve Resolution 18-2024 to Approve a Purchase Agreement with Macqueen Equipment, LLC for the Purchase of a New Aerial Fire Truck as amended. William Ellis seconded. Roll call vote: Scott Oldham -yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

Resolution 19-2024 Joint Resolution with RBBCSC for land donation

Darla Brown, Town Attorney explained developer Chris Smith received at the April Plan Commission meeting approval for a preliminary plat for a development called Harman Farms that butts up to Richland Bean Blossom Community School Corporation property and the school corporation has agreed to donate a strip of land to the Town to construct a 60' wide Right of Way to connect Harman Farms and Sycamore Drive. She prepared a joint Resolution, a Quit Claim Deed and provided a schematic from Bynum Fanyo showing where the road would go. Darla has not heard back from Christine Bartlett, Attorney for RBBCSC School Board. Scott Oldham made a motion to approve Resolution 19-2024 Joint Resolution with RBBCSC for land donation pending all legal questions are answered and permissions being given to Darla Brown's satisfaction. Pamela Samples seconded. Roll call vote: Scott Oldham -yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

Ordinance on First Reading

Ordinance 2024-13 to Authorize Creation of Fund for the Parks and Recreation Department

Jimmie Durnil, Parks and Recreation Board President explained the creation of this fund is for a checking account to allow electronic payments for events such as the 5k race in the fall to allow individuals to register for the race. Clerk Treasurer, Noelle Conyer suggested it to be done this way so the funds are not co-mingled with the General Fund. William Ellis made a motion for Ordinance 2024-13 to be submitted for First Reading. Pamela Samples seconded. Roll call vote: Scott Oldham -yes; William Ellis – yes; Pamela Samples – yes. Motion carries. William Ellis made a motion to move Ordinance 2024-13 be adopted on the same day as introduced. Pamela Samples seconded. Roll call vote: Scott Oldham -yes; William Ellis – yes; Pamela Samples – yes. Motion carries. William Ellis made a motion that Ordinance 2024-13 be adopted. Pamela Samples seconded. Roll call vote: Scott Oldham - yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

New Business

Authorization for Town Manager to Sign Agreement for Community Crossings Matching Grant

Denise Line, Planner explained that the Town was awarded a Community Crossing Matching Grant in the amount of \$208,111.05, the Town's match is \$69,370.35 total project cost is \$277,481.40 to mill and pave 9 streets in Ellettsville. She is requesting approval to allow the Town Manager to sign the agreement. She needs a formal authorization to send the minutes to INDOT. William Ellis made a motion to approve for the Town Manager to sign the Agreement for Community Crossings Matching Grant. Pamela Samples seconded. Roll call vote: Scott Oldham -yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

Tax Abatement Compliance Recommendations for 2023 KeHE, LLC & Indiana WEH, LLC

Darla Brown, Town Attorney explained that in 2020 the council passed a Resolution which designated an economic revitalization area and approved a statement of benefits form and authorized periods of abatement for real property improvements. At the time it was Scannell Properties LLC. Annually the taxpayer is required to submit a form showing compliance with the statement of benefits for real estate improvements. The form before the council is a form that states the council has reviewed the taxpayer's compliance statement of benefits form and agrees with it. William Ellis moved that KeHE is in compliance with the statement of benefits for their abatement. Pamela Samples seconded. Roll call vote: Scott Oldham - yes; William Ellis – yes; Pamela Samples – yes. Motion carries.

Discussion of Formation of Redevelopment Commission

Darla Brown, Town Attorney discussed she put together a short summary sheet for Town Council relevant to the Indiana Code to guide them on the steps they need to take to form a Redevelopment Commission. She did sight the presentation from Baker Tilley as a source and everyone should have a copy of the Indiana Elected Municipal Official's Handbook stating in chapter 17 there is a discussion of Redevelopment Commissions that will be helpful. Relevant code sections are found at 36-7-14-1 and there are 50 sections. Basically, the duties of a Redevelopment Commission are to combat blight, promote land use in a way that best serves the Town, investigate, study and survey areas that need redevelopment. The powers of the RDC include acquire real and personal property, hold, use, sell, lease, rent or otherwise dispose of properties. Sell, lease or grant property acquired for redevelopment purposes for public ways, parks, trails, levy's, sewers, playgrounds and schools. Repair, maintain, remodel and improve structures. Contract for the construction of improvements, accept loans, grants and other forms of financial assistance. Any Municipality can adopt an Ordinance establishing a Department of Redevelopment Commission so if the Town is interested in that it is the first step and within a month of passing the Resolution you have to meet and decide on the procedures of the Redevelopment Commission. It is a 5-member board, 3 members are appointed by the Town Council President and 2 are appointed by the council serving one term. The president will also appoint a non-voting advisor from the school board from the school corporation that includes all or part of the redevelopment district. The board members must be 18 years of age, live in the area that you serve and post a bond. Meetings of a Redevelopment Commission are subject to the open-door law and the public records law and may be conducted electronically. The RDC has its own budget and but is subject to oversight by the Town Council and may remove a board member without cause. The fiscal officer of the RDC is the Clerk Treasurer. The RDC can hold executive sessions. Once you appoint the RDC they may establish a TIF allocation area that requires the RDC to prepare a development plan, adopt a declaratory resolution and plan, receive Plan Commission approval, the Town Council would have to approve the Plan Commission action, then publish notice of the public hearing, deliver tax impact statements and conduct the public hearing. Baker Tilley will help prepare the tax impact statements. You will have reports that will be due throughout the year and Baker Tilley will help prepare those. The TIF uses as Baker Tilley explained can be used capital construction, property acquisition, public infrastructure, professional services, debt service, Police and Fire. TIF funds should not be used for operating expenses or maintenance costs. Once you establish a TIF it expires 20 years after the adoption of the declaratory resolution. To clarify, you have to have a RDC to start a TIF but don't have to commit to one. She suggested meeting with the Town Manager, herself and Baker Tilley to discuss thoughts and go from there. She also suggested discussing with Baker Tilley the financing because if we aren't going to create a TIF district then why are we creating an RDC. There needs to be a global plan before the Ordinance establishing RDC is prepared. William Ellis asked about the Town Council also being the RDC. Darla Brown explained she did not find anything in the statutes that said that but also didn't find anything that prohibited it. She said to keep in mind that under Indiana Code a member of the RDC can get paid but there is that prohibition against 2 lucrative offices. Recommendations are that if they want to appoint themselves as the members of the RDC they must pass a Resolution to receive no pay. She referenced a handbook by Baker Daniels that has copies of the statutes and written in non-legal language explaining pitfalls, suggestions for wording for letters to property owners and practice tips. William Ellis stated that he would only support it if the Town Council are the members of the RDC. There were questions on what the council must approve and was suggested to table until all members were present and questions were clarified. It will be rediscussed at a later time and no need to a motion to table since it is only a discussion.

Town Hall Use Listening Session for Vote Centers

William Ellis discussed that because of a resolution adopted by the Monroe County election board, Monroe County has a member committee on vote centers that suggested they needed to get out into other areas of the county. He suggested Town Hall to discuss vote centers. Vote centers are where anyone in the county can vote on election days and not just in your

~~precinct. He suggested July 10th or 24th for the discussion. Michael Farmer stated he just needed to request it and he would sign off on it to reserve the Town Hall.~~

Supervisor Comments

Michael Farmer, Town Manager explained the Town has experienced 11 main breaks in the last 4 days. Crews were pretty wiped out on Friday and there was another one. One of the breaks was a 12” main break that is a primary transmission line into Town that caused a big disturbance in the system that caused the residual breaks. He commended the Department of Public Works for all their hard work. He received grievances on the distribution of information during the breaks so they are looking at a system that will contact all customers to provide information on the status and boil orders.

Jimmie Durnil, Town Marshal invited everyone to the Memorial Day service at Memorial Park on May 27th at 11:00. He explained they are very fortunate this year to honor US Army Lt. Colonel Thomas Kapczynski on his dedication to the Town and military service. Also, we have retired Vice Admiral Adam Robinson CPE Director, VA Pacific Islands Health Care System in Hawaii to be the featured speaker.

Kip Headdy, Street Commissioner explained he did complete the purchase discussed at the last meeting for the vehicle and it is in the fleet and good to go.

Denise Line, Planner discussed the MPO is having a Citizens Action Committee meeting at the Monroe County Public Library on May 22nd at 5:30-6:30. It is a section of the MPO (Monroe County Metropolitan Planning Organization) to get input on streets and MPO activities etc. in Monroe County.

Denise Line, Planner mentioned the UDO Open House date is being rescheduled from May 31st to June 21st. She had a meeting with Darla Brown and Kip Headdy and Shawn at Taylor, Williams, Siefker Design Group, who is doing the UDO, and went through everything page by page and they have a plan. She will send out a copy by next Friday for any changes.

Council Comments

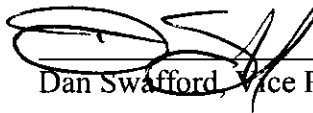
William Ellis thanked the DPW for all their hard work during the main breaks.

Adjournment

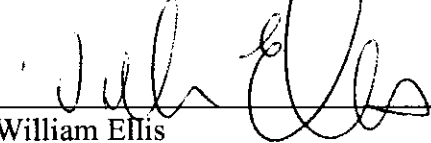
Scott Oldham, Council President adjourned the meeting at 7:22 p.m.



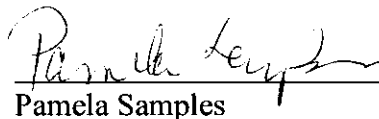
Scott Oldham, President



Dan Swafford, Vice President

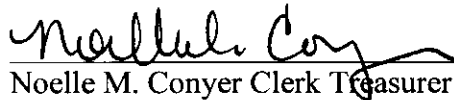


William Ellis



Pamela Samples

Trevor Sager


Noelle M. Conyer Clerk Treasurer

