

January 14, 2008

The Ellettsville, Indiana, Town Council met in regular session on Monday, January 14, 2008, at the Fire Department Training and Conference Room. Dan Swafford called the meeting to order at 7:30 p.m. David Drake led the Pledge of Allegiance and Phillip Smith led in prayer.

Dan Swafford introduced the new Town Council members; Brian Mobley and David Drake.

Roll Call: Members present were Dan Swafford, President; Dianna Bastin, Vice-President; David Drake, Brian Mobley and Phillip Smith. Sandra Hash, Clerk Treasurer; Mike Spencer, Attorney and Rick Coppock, Town Engineer were also present.

Supervisors Present: Mike Cornman, Jim Ragle, Jay Humphrey, Russell Harris, Mike Farmer, Jeff Farmer and Frank Nierzwicki were present.

Liaisons

Dan Swafford announced the Town Liaisons as follows:

Police Department – Brian Mobley

Fire Department – David Drake

Street Department and Planning Department/Grievance Officer – Phillip Smith

Utility Department – Dianna Bastin

Approval of the minutes

Dianna Bastin made the motion to approve the Minutes for the Regular Meeting December 26, 2007 and the Organizational Meeting January 7, 2008. David Drake seconded. Motion carried.

Action to Pay Accounts Payable Vouchers

Phillip Smith made a motion that we pay the Accounts Payable Vouchers. David Drake seconded. Motion carried.

Approve 2008 Meeting Dates

David Drake made the motion that we approve the Meeting Dates for 2008 as listed. Dianna Bastin seconded. Motion carried.

Commission Appointments

Dan Swafford stated there needed to be a vote for two Plan Commission members. We will take care of this at the end of the Commission Appointments.

Parks and Recreation Board: Michael Griffey. Dan Swafford stated Ron Wayt could not be on the Parks and Recreation Board since he will be serving on the Plan Commission. There is a Republican vacancy on the Parks and Recreation Board.

Board of Zoning Appeals: Darlyne Sowder has been appointed. There is a Republican vacancy on the Board of Zoning Appeals and this person needs to live in the town limits.

Redevelopment Commission: Frank Buczolic, Darby McCarty, Phillip Rogers, Darlyne Sowder and Matt Stille.

Plan Commission:

Dan Swafford explained the governmental appointment vote for Phillip Smith and Sandra Hash was omitted during the Organizational Meeting. Terry Baker and Ron Wayt were assigned to the Plan Commission as citizens.

Dianna Bastin made the motion for Phillip Smith. David Drake seconded. Roll call vote: Dan Swafford – yes; Dianna Bastin – yes; David Drake – yes; Brian Mobley – yes; Phillip Smith – yes. Motion carried 5-0.

Dan Swafford stated Sandra Hash was not voted on. Phillip Smith nominated Tom Cornman for this position. Dan Swafford clarified Sandra Hash was assigned during the Organizational Meeting but a vote was not taken. Mike Spencer stated a motion needs to be made of the person you want to appoint to the Commission.

David Drake made a motion we reappoint Sandra Hash to the Plan Commission. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Dianna Bastin – no; David Drake – yes; Brian Mobley – yes; Phillip Smith – no. Motion carried 3-2.

The following discussion took place before the vote

David Drake believed this was taken care of at the last meeting and printed in the paper. He has nothing against Tom Cornman. It would make more sense for Sandra to be on the Plan Commission, if she wants to be, because she prepares the agenda and transcriptions. Sandra clarified she does not do the agendas for the Plan Commission. Frank Nierzwicki, Director of Planning Services prepares the agenda.

Phillip Smith stated the reason he nominated Tom Cornman was because of his experience on the Utilities Department. Brian Mobley asked if there needs to be a political affiliation. Dan Swafford said no.

Monroe County Ambulance Advisory Board – Jim Davis
Monroe County Emergency Management Advisory – Jim Davis
Monroe County Solid Waste Management Board – Dan Swafford
Ellettsville Chamber of Commerce – Sandra Hash

Ordinances on Second Reading

Ordinance 07-15 to amend Section 36.220, 36.230, 36.231 and appendix B of Chapter 36 of the Ellettsville Town Code

Brian Mobley spoke with the Town Marshal and this ordinance needs to be taken off the table.

Brian Mobley made a motion to permanently table this. Phillip Smith seconded.

The following discussion took place before the vote

Dianna Bastin explained this is the proposal for rank changes in the Police Department. The Marshal decided to withdraw it.

Janie Shipley asked for more information on what this was. Dianna further explained the Marshal was going to “mirror” rank structures from other departments. Based on public opinion, the Town Marshal felt people didn’t understand it and wouldn’t approve. Ms. Shipley asked “he was going to make changes but now he’s decided to leave it like it was?” Dianna said “yes, as far as I know”.

Russ Ryle, Reeves Road resident proposed to the Council that the next time the structure of the Code is reviewed; the first sentence should state “all officers shall have completed the Indiana Law Enforcement Academy Basic Course”. He also suggested a committee be put together to review current codes and structures based on the Town’s needs and an analysis of what towns, similar in size to ours, are doing. He feels the Town Council would benefit from having a guest speaker, an attorney familiar in this area or someone from the Indiana Law Enforcement Academy, to get a broad consensus of input acceptable to all the citizens of Ellettsville.

David Drake asked if tabling this, indefinitely, is something the Council is allowed to do. Is there something, more final, so the citizens won’t wonder if this will come up again?

Mike Spencer stated “permanently table” is an odd phrase. What happens if it comes back in a different form? Ordinances can always be changed. There were aspects of this ordinance that did not deal with the structure; does this mean those items can’t be brought back up? Mike Spencer believes this ordinance is “being withdrawn”. This does not mean it can not be brought up again. It seems to Mike Spencer the Town Marshal’s desire is to withdraw the ordinance and not act on it.

Dan Swafford stated Ordinance 07-15, the motion to table it, has been deleted and we are going to bypass the Ordinance and withdraw it.

Ordinance 07-17 to amend Chapter 36.005, 36.121, 36.204, 36.228, 36.122, 36.126, 36.205, 36.229 and 36.127 of the Ellettsville Town Code concerning PTO, Holidays, Paid Sick Leave and Other Leaves

Sandra Hash summarized Ordinance 07-17, which makes changes to the personnel policy. The Ordinance clarifies if an employee gives written notification of intent to separate, resign or retire from employment and is vested in the Town’s retirement after June 30, they will receive their remaining Paid Time Off and Holiday Pay in a lump sum on the next regular payroll after the date of separation. The paid holidays are rearranged in chronological order. The language regarding paid Sick Leave in the Civil, Fire and Police Departments are standardized and allows sick leave to be granted in two hour increments. Grandparents are added to Bereavement Leave as immediate family and clarifies a Fireman will receive one twenty-four hour shift for any family member.

Mike Cornman stated the Personnel Policy is reviewed annually. There was nothing new added; just clarification.

David Drake made a motion that we adopt Ordinance 07-17. Dianna Bastin seconded. Roll call vote: Dan Swafford – yes; Dianna Bastin – yes; David Drake – yes; Brian Mobley – yes; Phillip Smith – yes. Motion carried 5-0.

New Business

Agreement between Sycamore Ridge Landfill and the Ellettsville Waste Water Treatment Plant for sludge disposal

Jeff Farmer, Ellettsville Utilities presented an agreement between Sycamore Ridge Landfill, where all the sludge is taken, and the Town of Ellettsville. Last year the fee was \$17 a ton and this contract is \$21 a ton; eleven hundred tons are hauled a year and Sycamore Ridge is the only one that accepts sludge. The increase will be \$4,400 a year but it will remain under \$30,000 a year. One hundred trips are made a year using our own equipment and man power to keep costs down.

Dianna Bastin made the motion that we accept the agreement between Sycamore Ridge Landfill and the Ellettsville Waste Water Treatment Plant for sludge disposal. David Drake seconded. Roll call vote: Dan Swafford – yes; Dianna Bastin – yes; David Drake – yes; Brian Mobley – yes; Phillip Smith – yes. Motion carried 5-0.

Council Comments

Dianna Bastin thanked Sandra Hash for the new meeting agenda books.

Adjournment

Dianna Bastin made a motion to adjourn. David Drake seconded. Motion carried. Dan Swafford adjourned the meeting at 7:58 p.m.

Daniel Swafford, President

Dianna S. Bastin, Vice-President

David Drake

Brian Mobley

Phillip Smith

Sandra C. Hash, Clerk-Treasurer