

January 28, 2008

The Ellettsville, Indiana, Town Council met in regular session on Monday, January 28, 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.

Roll Call: Members present were Dan Swafford, President; Dianna S. 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: Jim Davis, Jim Ragle, Gary Darland, Mike Farmer and Frank Nierzwicki were present.

Approval of the minutes

Dan Swafford entertained a motion to approve the minutes for the Regular Meeting January 14, 2008. David Drake so moved. Dianna Bastin seconded. Motion carried.

Action to Pay Accounts Payable Vouchers

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

Resolutions

Resolution 01-08 Cancellation of Warrants (Old Outstanding checks)

Sandra Hash read Resolution 01-08 in its entirety. IC 5-11-10.5 states all outstanding and unpaid checks for a period of two years as of December 31st and no later than March 1st of each year is void. There are four checks from Water Department totaling \$76.19; three water refunds of \$46.19 and one water meter deposit of \$30.00.

David Drake made a motion we approve Resolution 01-08. Brian Mobley seconded. Motion carried.

Resolution 02-08 to create a Cash Change fund at the Police Department

Sandra Hash explained several years ago it was standard procedure for the citizens to pay for police reports at the Police Station. During the building of the new police station, payments were received at the Clerk's office. The new police station is handicapped accessible whereas the Clerk's office is not and they have a receptionist Monday through Friday. This resolution will set up a \$25 "change fund". The Police Receptionist will collect and receipt all fees and then bring the funds to the Clerk's office, with in 48 hours, to be deposited.

Dan Swafford entertained a motion to pass Resolution 02-08 to create a Cash Change fund at the Police Department. Dianna Bastin made the motion. David Drake seconded. Motion carried.

The following discussion took place before the vote

Brian Mobley asked if the money will go into the Police Fund. Sandra explained all receipts for gun permits, vehicle inspections and background checks go into a non reverting fund for Law Enforcement training. Dianna clarified with Gary Darland that reports will only be picked up Monday through Friday when the receptionist is working. Sandra will post a notice, of this change, in the newspaper and also downstairs in Town Hall.

Ordinances on First Reading

Ordinance 08-01 to amend Ordinance 07-14 Fixing of the Salaries for Budget Year 2008 to remove the position of Assistant Deputy Chief from the Police Department

Sandra Hash explained the position titled "Assistant Marshal" was created in the Salary Ordinance. Since the request for this position was withdrawn, this ordinance will remove the position from the Salary Ordinance. Sandra clarified the Salary Ordinance listed it as "Assistant Marshal" and the Ordinance, itself, listed it as "Assistant Deputy Chief".

Ed Bitner, Main Street, asked if there was a dollar figure attached to the “Assistant Marshal” position. Sandra did not have the amount but explained there was no additional increase to the Police budget. There was money “shifted” around and added to that salary. The money will go back into the “Part-time” line. Dianna stated none of the money attached to this position came from additional appropriations from the tax-payers. All money was found inside the police budget.

New Business

Three Year Generator Maintenance Agreement between Cummins Crosspoint, LLC and the Ellettsville Police Department - \$771.25 annually with options of Battery/\$51.00 and Coolant /\$165.00 for a total of \$987.25 annually

Brian Mobley discussed the maintenance schedule of the generator with Gary Darland. Mike Spencer reviewed the contract and stated the options of adding a Battery or Coolant Program needs to be decided. David Drake asked Gary if he wanted to add the options and were they necessary. Gary believes “we are okay for now”. The system is new and the battery should have a five year life. Dan Swafford feels the Battery Program option should be added since the contract is for three years.

David Drake made a motion that we approve the maintenance agreement with Cummins Crosspoint for the Police Department generator and include the plan maintenance agreement price of \$771.25 along with the Battery Program for \$51.00 a year and the Coolant Program for \$165.00 a year. 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.

The following discussion took place before the vote

Russ Ryle, Reeves Road resident, asked when the generator was last turned on to see if it works. Gary Darland said “once a week; 11:00 every Friday”. Russ asked if the generator turns on automatically in the event of a power failure. Gary answered “it’s automatic”.

Contract for Employment – Michael Spencer, Attorney

Sandra Hash read the contract in its entirety. The contract is between the Town of Ellettsville and Michael J. Spencer, Attorney. The annual retainer will be for \$8,500 and will include attending meetings and handling routine matters on behalf of the Town. The Town will pay the Attorney and his staff on an hourly basis for the following items: any work pertaining to water and sewer and any complex matter requiring either litigation or expenditure of an inordinate amount of time. The contract listed the hourly rates as follows: Senior Attorneys \$130; Associates \$110; Legal Assistant \$50. Mike Spencer has been the Attorney for the Town since 1984 and there is no increase from last year.

David Drake made a motion that we approve the contract with Michael Spencer as Town Attorney. Brian Mobley seconded. Roll call vote: Dan Swafford – yes; Dianna Bastin – yes; David Drake – yes; Brian Mobley – yes; Phillip Smith – yes. Motion carried 5-0.

Lease Agreement between the Department of Planning Services and Richland Township Trustee for office space

Frank Nierzwicki, Director of Planning Services presented a Lease Agreement with the Township. The office space is for the Planning Department located adjacent to the Street Department and is approximately 900 square feet. The lease is for \$100 per month plus electrical bills for the building and will be in effect until December 31, 2029. This agreement has been approved by the Township office and reviewed by Mike Spencer. The Planning Department will meet with people at the Fire Department who need handicap accessibility.

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

Brian Mobley stated the remodeling work will be done by the Street Department.

Supervisor Comments

Request approval to hire Part-time Firefighters

Jim Davis requested to hire part-time firefighters. Part-time employment is continual with the Fire Department. Jim gave a summary on the people who have left the department and the number of people who have been hired. The part-time employees currently cover 19,550 (plus) hours. Five individuals were given a general written aptitude test, an agility test and were interviewed to be accepted as volunteers. Five other applicants were given the same tests and were also interviewed by the Board of Chief Officers along with the Council Liaison and had a separate interview conducted by a board of firefighters. Jim is asking for approval to move seven people from the volunteer list to part-time and place three potential employees on a hire waiting list for one year. The part-time employees would be Bob Loviscek, Ryan Dyer, Matt Stewart, Mike Hendricks, Kevin Rader, Marty Cornwell and Russell Glenn. The waiting list would be Charlie Belden, Jr., James LaFever and Matt Davis.

David Drake pointed out the Town is lucky to be able to find people, this qualified, for part-time jobs. Several are full-time firefighters in other locations and will need little training. Jim Davis stated one of the firefighters lives in Ellettsville and another lives in Westbrook Downs.

David Drake made a motion we hire those people listed as part-time firefighters. Dianna Bastin seconded: Dan Swafford – yes; Dianna Bastin – yes; David Drake – yes; Brian Mobley – yes; Phillip Smith – yes. Motion carried 5-0.

Adjournment

Dianna Bastin made a motion to adjourn. Phillip Smith seconded. Motion carried. Dan Swafford adjourned the meeting at 8:00 p.m.

Daniel Swafford, President

Dianna S. Bastin, Vice-President

David Drake

Brian Mobley

Phillip Smith

Sandra C. Hash, Clerk-Treasurer