

# May 14, 2007

The Ellettsville, Indiana, Town Council met in regular session on Monday, May 14, 2007, at the Fire Department Training and Conference Room. Dennis Williamson called the meeting to order at 7:30 p.m. with prayer and the Pledge of Allegiance.

**Roll Call:** Members present were Dennis Williamson, President; Dan Swafford, Vice-President; Dianna Bastin, Ted Robertson and Phillip Rogers. Sandra Hash, Clerk Treasurer and Mike Spencer, Attorney was also present.

**Supervisors Present:** Jim Ragle, Jay Humphrey, Jeff Farmer and Frank Nierzwicki were present.

## Approval of the minutes

Dianna Bastin made a motion to approve the minutes of the Regular Meeting April 23, the Executive Session April 26 and Special Session May 7 all in 2007. Phillip Rogers seconded. Motion carried.

## Action to Pay Accounts Payable Vouchers

Dan Swafford made a motion we pay the Accounts Payable Vouchers. Dianna Bastin seconded. Motion carried 5-0.

## Resolutions

### Resolution 07-07 to adopt a Fiscal Plan for Richland Square I

**Frank Nierzwicki**, Director of Planning Services Town of Ellettsville presented a resolution to annex a portion of Richland Square area consisting of 4.98 acres. This is a voluntary C-3 annexation with a favorable recommendation from the Plan Commission.

Dianna Bastin made a motion we adopt Resolution 07-07 to adopt a Fiscal Plan for Richland Square I. Phillip Rogers seconded. Motion carried 5-0.

*The following discussion took place before the vote was taken*

Dan Swafford asked who was interested in this area. Frank stated IU Credit Union was interested in this area but he needs an application before that is considered. Ted Robertson asked why only a portion of the strip mall is being annexed. Frank explained this is a voluntary annexation, adjacent to the Town, fits the requirements and this is all the petitioner wants to do at this time. He added the shopping center and out lots are owned by the same person.

## Ordinances on First Reading

### Ordinance 07-06 to annex the area known as Richland Square I

**Frank Nierzwicki** announced this is the ordinance to go along with the resolution just presented.

## Ordinances on Second Reading

### Ordinance 07-03 amending Ordinance 06-20 concerning the annexation of the Early Childhood/Lifeway Baptist/Chapel Hill Wilderness LLC

**Frank Nierzwicki** explained this ordinance will correct a legal description from last year's annexation. The Plan Commission gave it a favorable recommendation.

Dianna Bastin made a motion we approve Ordinance 07-03 amending Ordinance 06-20 concerning the annexation of the Early Childhood/Lifeway Baptist/Chapel Hill Wilderness LLC. Phillip Rogers seconded. Motion carried 5-0.

*The following discussion took place before the vote was taken*

Dan Swafford asked if anything has changed. Frank said "nothing has changed".

**Janie Shipley** asked "how far is going to be annexed in". Frank outlined the area being annexed. Ms. Shipley asked why this was being annexed in. After some discussion it was

clarified this was a voluntary annexation by the owners of the specified properties and the Town was not annexing properties of others.

Don Kuster asked what the zoning of this annexation will be. Frank Nierzwicki answered the current zoning for this property is Agriculture and will remain this way. Mr. Kuster asked about the Street, Fire and Police Departments taking care of this property. Dan Swafford explained when the property owner decides to develop on the land; they will need to get approval through the Plan Commission and Town Council first.

#### **Ordinance 07-04 to adopt Supplement 2007 S-4 to the Town of Ellettsville Code of Ordinances**

**Sandra Hash** explained this supplement includes all the ordinances that have been passed during the year 2006. The ordinance accepts this supplement to the code. Dennis clarified this is done every year. The updates are available for pick-up at Town Hall for all Code of Ordinance books. The internet site has already been updated.

Dianna Bastin made a motion we adopt 07-04 Supplement 2007 S-4 to the Town of Ellettsville Code of Ordinances. Dan Swafford seconded. Motion carried 5-0.

#### **Ordinance 07-05 to amend Ordinance 06-25 fixing of the salaries for budget year 2007**

**Sandra Hash** summarized the ordinance stating the only change made is to expand the Deputy Marshal salary rate from \$1,331.25 to the maximum \$1,634.62 biweekly.

Dianna Bastin made a motion that we adopt Ordinance 07-05 to amend Ordinance 06-25 fixing the salaries for the budget year 2007. Phillip Rogers seconded. Motion carried 4-1.

#### **Supervisor's Comments**

**Dianna Bastin**, on behalf of the Street Department, gave the other Council Members a document summarizing the 2006 brush pick-up including 2007 to date.

#### **Public Comments**

**Dennis Williamson** asked the public to keep their comments to three minutes or less so everyone will have a chance to speak. Dan Swafford asked for comments to be civil and watch the language.

**Sherry Hayes** commented on a few items:

- Asked about "fiscal responsibility".
- She understands there was a fax line installed for the Director of Planning Services. They are paying for this monthly with no fax connected and she wants to know why.
- What is the impact going to be on the budget now that the salary range has been widened for the Deputies?
- Made comments about the Subdivision Ordinances and the new home being built in the Meadowlands had the sidewalks poured right up to the street.
- Gave her point of view on the Marshal demotion. From a management view point felt there was no paper trail, no proof of progressive discipline and was unconscionable. She recommended the Council attend Management Seminars.

**Doug Norton** pointed out two members were on the last Council with three members being new. He felt in a short time there have been stern allegations toward the Marshal. He told a story about wanting to jump into the water at a lake cottage. His father reminded him to test the depth of the water first and he feels this Council didn't test the water before jumping in. "The Marshal serves at the pleasure of the Town Council" was announced at the last meeting so Mr. Norton stated "the Town Council serves at the pleasure of all of us". The public should have been surveyed before making this decision.

**Myra Lee**, resident of Richland Manor for 22 years has issues with the Council:

- Has known Ron McGlocklin to do a good job
- Planning Commission getting a new vehicle before being approved
- Trash in Richland Manor: 404 and 435 Poplar Drive and 340 Cedar Drive

**Janie Shipley** asked if they were promoting within the Police Department for the new Marshal. Dennis Williamson said the position would be advertised. Ms. Shipley asked where the money will come from to pay the new Marshal if not promoting within. Dennis Williamson stated this position will be a contract service and the public can contact their Ward Representative with input on the Marshal hiring.

**Justin Mullis** understands the Council has a difficult job to do and unpopular decisions to make. He believes only past and present disgruntled employees were interviewed. No one has asked him how he feels about Ron McGlocklin; he would have said Ron is a very generous person who doesn't know about politicking. He also believes removing the Town Marshal divides the community and further festers the feeling of distrust. Mr. Mullis suggested placing the Town Marshal position up for hire every few years to allow new applicants to challenge each other and the current Marshal. He wants the best for the community.

**Doug Norton** stated if the Marshal is replaced, it would be a travesty not to promote Captain Jay Humphrey.

**Don Kuster** presented a petition to the Council to review. He spoke about when he was a State Police Officer and Town Marshal. He talked about his past dealings with Ron McGlocklin in the early 1980s. Ron worked for one year with only a car and gas. He commented on:

- Few hours between shifts
- Radios thrown into the water
- Free coffee
- The K-9
- Reid Dallas using the Police Department
- The Fire Chief in uniform at the voting post on Election Day
- Loss of Police Officers: Stone, Fleener and Berry
- Hiring of Director of Planning Services without the job being posted
- Speaking with Ward 4 representative Dianna Bastin

He stated not only is the Police Department torn up but also the community and the four of the Council Members should resign.

**Reid Dallas** spoke about the Pledge of Allegiance stating "justice for all"; allowing a defendant to defend himself. He asked if any of the Council ever worked with Ron or spent a day with him. He suggested spending time with someone before making accusations against them. Reid Dallas announced he is Ron's son-in-law who ran for State Representative; spoke about the 12 page document available to the public mentioning his name and committee. He outlined and clarified the accusations regarding him. The document did not mention anything about the safety of the community and raised the question "isn't this political"?

**Angela Leathers** grew up in Ellettsville. Ron McGlocklin is not only the most outstanding Marshal this community has had but he is also a good man. She stated "there is no proof of any of this". She is disappointed in the Council and has no respect.

**David Sorokoty** was on the Town Council as President, Vice-President, as a member for two years during the flooding of the Police Department. He talked about how all the Supervisors came together during the tornado; especially Ron McGlocklin bringing in volunteers and road crew. The five supervisors are the backbone of this Town and until you experience their jobs with them you have not seen enough. David Sorokoty went on to comment about the charges against Ron McGlocklin. Have the charges become more important than the crime itself? He believes Ron was demoted just on charges. Has research been completed on other supervisors? There are worse charges on other supervisors in the past. We have all made mistakes on the job. David Sorokoty raised his son in this drug and gang free community which works together. He believes when Ron McGlocklin is demoted, the community will divide up and the unity will no longer be there. He recommends giving Ron his job back. David Sorokoty commented on the flooding and said there was no equipment thrown onto the floor. He went on to say everyone makes mistakes, the Council made a mistake and they can all be corrected by giving this a second thought.

**Marlie Dallas**, father of Reid Dallas, questioned the procedure the Council follows. Was there a fact finding meeting or what grievances are against Ron? This community is behind Ron McGlocklin and the Council should give him back his job.

**Charles Jacobs**, resident 709 Musket Drive is a Reserve Officer for Ellettsville. He resigned as the Reserve Commander a month ago. He stated the Council destroyed the Police Department during the last six months during all of their investigations leaving a hostile work environment. Mr. Jacobs addressed two of the accusations made. (1) The radios; an officer from the Police Department came to an Executive Session and told them about the radios being thrown into the water. Why didn't the officer report that because that was a crime? The radios in question are still at the Police Station in a box in the storage room. No one asked him about the radios. (2) The Ellettsville Police Incorporated entered into a contract with Monroe County Fair Board to provide security. This was a contract between Charles Jacobs and the Fair Board for a 501c3 non-profit organization having nothing to do with Chief McGlocklin. The Reserve Officers had to provide their own equipment and protect the community for free. He worked with the past Town Council President (Patrick Stoffers) to make that right. Patrick Stoffers worked hard and put together a budget so the Reserve Police Officers of this community can be provided uniforms and equipment. To say that Ron McGlocklin contracted with the fair was a lie. There are two officers in the department that are unhappy and continually go to the old and present Council making accusations. The past and present Council acted on those accusations without following the proper grievance procedure or Personnel Policy and that is how we got to where we are at. A fine and proud department is now destroyed.

**Raymond Freetage** served on the Solid Waste Board, School Board, Town Council and was Police Liaison. He went to the site where the new station was being built everyday for four months just to see how things were going. Mr. Freetage encouraged the Council to visit and tour the new police station. It is important for the policemen, in this community, to have the respect of the Council and the citizens. On a personal note he expressed his love for Ron McGlocklin. Mr. Freetage worked with Ron, since day one, to find what was needed to make a first-class police station. He went on to say all three of his children went to Ellettsville Schools and it is heartbreaking to be moving to Ohio. The events of the last few weeks has made a blot on his heart and he asked the Council "be the men and women that God made you here to be; he didn't put you here on the Council to tell the citizens of this community how good you are or how bad they are, that is not the purpose". He hopes the Council will have a conscience heart that cares about the community more then they care about themselves.

**Ed Bitner**, resident on Main Street said everyone makes mistakes and told a story with an example. He then compared Ron McGlocklin's job position as town Marshal to a used car; Ron is a used car that is properly running and properly tuned. He directed a few comments towards the Council discussing different Council members' elected status, whether they would stay or even be reelected.

**Ron Wayt** is a new citizen to Ellettsville and funeral director at Chandler Funeral Home. Some topics he brought up were:

- He has heard some stories from G.L Chandler, former Board member, about other supervisors. Mr. Chandler instituted the "liaisons", while he was Town President and believes the current Council has made a sham of it. The liaisons job is to ask Department Supervisors what they may need and not to micromanage.
- He recently purchased a home on Chester Drive and is proud to be a citizen of this community and helping people when they need it the most. Mr. Wayt met Ron McGlocklin during the open house for the new police station and was very impressed with the building.
- He asked if the officer that reported the radios being destroyed "does he still work for the police department?" He asked why this officer was not demoted or terminated for fraud himself. Ron McGlocklin was demoted on "here say".
- Ron Wayt is also the President of the Fall Festival this year. He was the head of the Commercial Booths last year and told of the many hours Ron McGlocklin volunteered his time. Since becoming President of the Fall Festival there has been only one Board member attend any of their meetings. He informed the Council

that Ron McGlocklin is the one who donates his time to get the permit for the parade and the barricades for the street closures for the Fall Festival.

- The charges were brought up before the current members were on the Council. He feels the current Council did not research the allegations. He would like to see a public committee instituted on the new hiring of the Town Marshal. The public should have opportunity to make comments.
- He addressed Phillip Rogers. He was “disgusted” to see Phillip Rogers’s attitude towards the crowd and Mr. Kuster during the Special Meeting. It was unacceptable and feels an apology needs to be made.

**Captain Jay Humphrey**, Ellettsville Police Department was not going to comment but felt he needed to. Ron McGlocklin made Jay his Captain seven years ago and there are some officers who are not happy. He stated to the public he was not interested in the Marshal position. The pay is not worth what all the supervisors have to put up with. Jay has been very proud to work under Ron and felt they have done a fantastic job together. Ron deserves another chance.

**Mark Davis** spoke in support of Ron McGlocklin. He has known Ron since the early 1970s and they served on the Fire Department together. He stated “once you destroy morale, it is very difficult to be build it back”. It is not too late to reverse your decision and make an amendment on the demotion. If the “right decision” is not made he hopes Ron applies for the position again.

**Merle Lagneaux** stated “Ron has been seriously misused by the Council”. He has known Ron since he was a young man who has grown to be a person who has tremendous character, is trust worthy, loyal and an excellent person. The Council acted more on personal agenda than the Town agenda. He laughed at the charges listed against Ron McGlocklin. The Council should reconsider, take the interest of the city and realize the action was erroneous.

**Pat Holt** stated every charge and allegation made against Ron McGlocklin has been totally dismissed tonight. The people of Ellettsville have spoken loud and clear; the Council needs to hear them. She recommended the resolution be rescinded to bring this Town back together.

**Officer Eric Chaudion** with the Ellettsville Police Department agrees with Chuck Jacobs’s comments about the department being destroyed and divided. The Council needs to bring someone in to bring the department back together.

There was yelling in the audience for Ted to make a motion to bring the Marshal back.

**Merle Lagneaux** spoke again. He attended the Special meeting on May 7, 2007 and feels the same thing is occurring. The people are consistently asking the Council to speak up and be heard.

Ted Robertson asked if he could make a motion and Mike Spencer stated he could make any motion he wants.

Ted Robertson respectfully requested to make a motion that we nullify Ordinance 07-05 to amend 06-25 fixing the salaries for budget year 2007 if possible. No second. Motion dies.

**Adjournment**

Dan Swafford made a motion we adjourn the meeting. Dianna Bastin seconded. Motion carried. Dennis Williamson adjourned the meeting at 9:10 p.m.

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Dennis Williamson, President

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Daniel Swafford, Vice-President

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Dianna S. Bastin

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Ted Robertson

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Phillip D. Rogers

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Sandra C. Hash, Clerk-Treasurer