

May 27, 2003

The Ellettsville, Indiana, Town Council met in regular session at 7:30 PM, Tuesday, May 27th, 2003 at the Town Hall located at 221 N. Sale Street, Ellettsville. David Sorokoty called the meeting to order and Ray Freetage led in prayer. David Drake led in the Pledge of Allegiance.

Roll Call

David Sorokoty asked for roll call of the Council Members. Members present were David Sorokoty, President; David Drake, Vice-President; Lisa Combs-Creech, Ray Freetage and Geraldine McIntyre. Also present were Sandra Hash, Clerk-Treasurer and Rick Coppock, Engineer.

Supervisors Present: Jim Davis, Jim Ragle, Ron McGlocklin, Jeff Farmer and Mike Farmer.

Approval of Minutes of the regular meeting on May 12th, 2003

Ray Freetage moved to approve the May 12th minutes and Geraldine McIntyre seconded. Motion carried.

Action to pay Accounts Payable Vouchers

Lisa Creech moved to approve the accounts payable vouchers. Ray Freetage seconded. Motion carried.

Ordinances on Second Reading

Ordinance 03-05 Repealing and replacing chapters 805-880 of the Ellettsville Town Code regarding “Regulation of Zoning”

David Drake read the ordinance by title. Bill Land gave an overview of the zoning ordinance by reading the prologue to the document titled “Town of Ellettsville Zoning Ordinance 2003” and for the record it reads as follows:

The review of the existing Zoning Ordinance took place immediately upon the adoption of the Comprehensive Plan of Ellettsville in February of 2002. A steering committee was formed to study the existing zoning code and planning materials supplied by the Ellettsville Town Planner, Bill Land, AICP.

It was an early decision to completely replace the existing code with a new document reflecting the changing land uses in Ellettsville, the need to reflect current trends in planning, and to implement land use policies found in the new Comprehensive Plan.

The committee met for 5 long meetings and working as a team with the consultant preparing a draft which was reviewed by the Ellettsville Plan Commission in 3 Plan Commission workshops.

The new code evolved with a realization that the quality of life of the community depended in part on creating a document, which would reflect community goals. The code must promote local control, protection of private property rights and protection of the value of property investments.

Several other zoning codes were accessed for technical text and definitions: the Cities of Columbus, Franklin, Huntingburg and Ferdinand as well as Monroe and Brown Counties were used for guidance. These communities and counties were very familiar to the consultant.

The existing zoning map showing various zoning districts will not be changed at this time.

It is strongly suggested that a formal 2-year review of the Zoning Ordinance take place to keep the ordinance up to date and to change what may not be working well for the citizens of Ellettsville.

Bill mentioned that at the March 6th, 2003 Plan Commission public hearing for this zoning ordinance fences were one issue brought to the Board’s attention as not being properly

addressed. It was suggested that fences could be an amendment to the document. Bill stated that the zoning ordinance can be amended as problems or changes arise which would keep the document current. Another issue mentioned was some of the wording needed clarification. Parking, loading and driveways is the third issue that was brought up at the hearing that needs to be addressed further. The Plan Commission voted to forward the new zoning ordinance document to the Town Council for adoption. However, adoption of this ordinance has been delayed because the professor at Ball State University, Mr. Segedy has been out of town since May 11th and requested the Council postpone adopting this ordinance until the graduate students Master Plan study is complete. At the March 24th, 2003 meeting the Town Council was prepared to vote on the document and passed it as a draft version with the understanding that amendments could be made. The “hub of the wheel” is the development plan. It will need a zoning administrator who can devote the time to look at each new project and confirm compatibility with chapter 811. He would like to pass the ordinance as is and amend it as needed.

Comments:

Lisa Creech stated she’s read the document in its entirety and it is a good document.

Ray Freetage stated he has several questions and would like to table this for a couple of weeks.

David Drake said this document has been reviewed several times and is overall a good document. He feels the rules need to be established and put into effect now since the Town is growing.

Geraldine McIntyre said the Planning and Zoning Board has already spent a lot of time on this document and agreed with David that the document needs to be put in place.

David Sorokoty commented it is time to move forward with this document even if he doesn’t agree with everything in it, there is a lot of useful information in it and it should be passed.

Geraldine McIntyre moved to adopt Ordinance 03-05. Lisa Creech seconded. Motion carried 4-1. Ray Freetage voted against adopting.

Ordinance 03-09 Additional Appropriation

Lisa Creech read the Ordinance in its entirety. Ray Freetage moved to adopt Ordinance 03-09. David Drake seconded. Motion carried. The following appropriations will be increased by the following amounts:

G-225 Office Machines \$2,500.00

F-213 Office Supplies \$3,300.00

P-443 Arms, Radar and Equipment \$6,000.00

For a total in the General Fund of **\$11,800.00**.

Ordinance 03-10 Reduction of Appropriation

Ray Freetage read the Ordinance in its entirety. Geraldine McIntyre made a motion to adopt Ordinance 03-10. Lisa Creech seconded. Motion carried allowing the reduction of the CCD line.

CCD-380 Trailer Rental \$2,728.00

CCD-444 Police Vehicles \$1,921.00

For a total reduction in the Cumulative Capital Development Fund of **\$4,649.00**.

Old Business

Drug Abuse Resistance Education (D. A. R. E.) / Life Skills Program

David Sorokoty opened the topic by stating that the Town Council did not say the D. A. R. E. program should end. Ron McGlocklin brought the issue to the Council informing

them that because of his budget and manpower that he was going to have to discontinue the program.

The following individuals spoke in favor of keeping the D. A. R. E. program in the schools:

Carissa Ooley, Kyle Brinegar, Austin Hover, Mary Bass, 5th grade teacher; Stephanie Campbell, Devyn Purtlebaugh, Morgan Pruitt, Lindsey Scott, Acacia Seitzinger, Jess Giles, Tarra Mayle, Kirstin Bryant, Morgan Brooks, Jade Jones, Kayla Reed, Danielle Armenti, Michaela Williams, Jaclyn Chaplin, Audrey Teran and Meranda Prince.

The group collectively commented that the D.A.R.E. program has had a Positive influence on them and they have learned a lot from the program about drugs as well as tips on how to live their lives healthy and more successful. In fact, it has kept a lot of kids from doing drugs by learning the effects of drug use, it's fun and they don't want to lose this program because if we wait to teach kids about drugs then the possibility of experimental drug use is increased.

Another point mentioned was that having a Police Officer in the school for this program was good for the children to learn not to be afraid of police officers. An officer teaching the children about drugs and drug prevention has more of an impact on the students. Also the current "life skills" taught in the classrooms do not deal with drug prevention.

It was stated by having one less officer on the streets now to teach D.A.R.E. may prevent the need for more officers in the future. Discontinuing the program could increase the crime and violence rate, which will hurt the community.

David Drake spoke with Jim Graft who teaches the Life Skills program for Monroe County Community School Corporation. He said this program deals more with drug and alcohol abuse than the D.A.R.E. program. It is the same program the Monroe County Sheriff's Department is going to start.

D.A.R.E. Officer Brian Mobley spoke as a concerned citizen and recommended the Council look into the D.A.R.E. / Life Skills program. He said he thought this was a very important program for the youth of our community.

Rex Vent, Monroe County Sheriff's Department D.A.R.E. Officer passed out essays from students about the program. He and Brian have been researching the "Life Skills" program and were fairly certain they would be making the transition to that program which is also a drug education program. D.A.R.E. has not been updated for a while and the new "Life Skills" program may be more suitable for the ages currently taught, it is more mature. The program was designed to be taught by the teachers and Police Officers. The tentative focus of the program will be toward fifth graders and require an officer to be available approximately three hours a day.

Pat Stoffers stated the school decided to discontinue the D. A. R. E. program in October 2002. He had e-mailed Superintendent Kain an article about the "Life Skills" program last November 2002. Mr. Kain responded the new "Life Skills" program was already in place for the 2003-2004 school year and research has showed that the D.A.R.E. program is ineffective. He gave a brief outline on the statistics that verified the program was not effective. The signs around Town are misleading because as stated it is ineffective and a decision was already made by the school to implement the "Life Skills" program, which statistically has shown better results. The community will benefit two ways by switching to this program, first of all the school will get to teach a substance abuse program that is effective and secondly the Town gains back a full time officer on the streets. He closed by saying the "Life Skills" was most effective according to the website when taught by teachers, counselors and peers not police.

Ron McGlocklin thanked the students for their support of the D. A. R. E. program but reiterated that it is going to be phased out and replaced with a new, better program called “Life Skills”. The students should have been informed that D.A.R.E. was being discontinued and if the students still wanted that program then they could have attended school board meetings because it was too late now. It was the school’s decision to discontinue D.A.R.E. not the Town’s. Ron read a letter he’d obtained from the school Superintendent Steve Kain from Mr. Rubush that explained the school had decided to remove the D.A.R. E. program replacing it with the Life Skills program. Ron agreed with David Sorokoty that the program could be effective with an officer teaching the program if the manpower was available to allow for this.

David Sorokoty thought the kids want a drug program with a preference of an officer helping teach the program. They deserve one of Ellettsville’s officers in the program and by having an officer participate in the school community the children would get to know him and respond well to him in emergency situations.

Ron McGlocklin stated the Ellettsville Police joined the program in 1995 but Ellettsville is a growing community creating an increase in calls. He doesn’t feel he has the manpower to participate in these drug prevention education programs. He really needs another officer to fulfill the demanding needs of the Town. He would like to discuss the issue of budgeting for another officer. He needs more information about the “Life Skills” program to know how many hours would need to be dedicated to it and to review the curriculum especially if they do participate in the program.

David Sorokoty commented that Ellettsville has taken pride in its community activities and school system and feels the police department can still meet this goal. The community wants a decision about Ellettsville’s Police participating in a drug prevention program and suggested that Ron find a way to make an officer available for this program. He suggested hiring someone to do the clerical aspect for the department so it would free up the officer who is doing that position currently. He whole-heartedly was for the kids and it is our responsibility to teach the kids for the good of their future.

Rex Vent said he and Brian Mobley had met with Ron McGlocklin in February to explain the transition to the “Life Skills” program and gave him the information that was available at that time, stating that they were unsure about the younger classes agenda but that they were primarily targeting the five graders.

Lisa Creech said Ron should have pursued the information since it effected his department. She added that an officer’s influence in a child’s life is very important. She agreed with Ron after looking at the schedule that the Council should consider adding another police officer.

Geraldine McIntyre said Ron should have discussed the D.A.R.E. program with his liaison and asked why he had not shared the information about “Life Skills” with the Council. She said the kids and the Council should have been informed better. She feels that the D.A.R.E. did a lot of good and that Ellettsville Police should be involved in the schools’ new “Life Skills” program.

Ron McGlocklin said he thought it was the school’s responsibility since it was their programming. He stated he had met with Ray Freetage recently after getting a copy of the school letter and they had discussed this issue as well as others.

Ray Freetage said he had checked the website for the “Life Skills” program and it is designed to provide students with the necessary skills to resist social peer pressure to smoke, drink and use drugs, enabling kids to effectively cope with social anxiety. It will help build self-esteem in the children so they can say “no”. He feels a program such as this is very important because if some kids don’t have the benefit of being taught drug prevention at home then this program reaches those kids and a few hours of an officer’s time would be worth it to teach “Life Skills”. He’s spoken with Ron, as the liaison,

about hiring another officer and the biggest concern is where the money is going to come from and suggested to have a plan about finding the money first.

David Drake commented that the decision to switch to “Life Skills” has already been made and the only thing that needs to be decided is whether to keep an Ellettsville officer in the schools. He added it is important for our community to keep an officer in the schools making the police approachable for kids. He thinks the Council and Ron can find a way to make it work.

David Sorokoty thanked the students and teacher for supporting the D.A.R.E. program and assured them the Council would see to it that an Ellettsville Police Officer would be teaching “Life Skills” in the schools in the fall.

Announcement: Council Meetings to be held at off-site locations

- June 9, 2003 at Edgewood Intermediate School in the large Conference Room
- July 14, 2003 at the Endwright Center

Supervisor’s Comments

Jim Davis informed the Council the department needs to hire additional part-timers to fill vacancies and requested permission to hire from his volunteer list instead of advertising the positions. This does not change the budget in anyway. David Sorokoty said he needed to follow the same procedure as the other departments and advertise.

Ron McGlocklin met with Sherm Bynum and looked at the police station building site. They are going to do soil testing for compaction capabilities.

Privilege of the Floor

Dean Kelley spoke for his wife Bonnie Kelley, owner of Nite Owl Silk Screening. He summarized a written statement she prepared and requested a formal apology from Jay Humphrey and Ron McGlocklin for their actions and suggested if they would stop harassing local businesses that they could find the time for D.A.R.E. He said that Bonnie received a call from the Los Angeles, California D.A.R.E. Offices about her copyright infringement and they were very understanding and willing to support her for supporting their program. Written authorization for her signs is being sent to her. Her statement reads:

On May 23rd at 12:25 pm I received a call from the Westside General Store (caller ID). The caller identified himself as Jay, who I knew was Jay Humphrey of the Ellettsville Police department. He asked me if I had printed “the signs”. I asked him “What signs”. He said “The DARE signs”. I replied that I had indeed printed the signs he was asking about. He then asked, “Did someone order them”. After answering that, yes, they had been ordered; he stated, “May I ask who ordered them”. I told him that the order had placed anonymously. He then wanted to know how they had been paid for. I told him that I was going to receive a money order through the mail as payment. He then questioned me as to who had picked up the signs. At this point I told Jay that this order was intended to be anonymous and I felt that in the best interest of my business I should keep it that way. Jay then told me that DARE was a copyrighted logo and I could be in trouble for printing it. He then stated that a certain officer was being insubordinate and could be suspended for his actions. He then stated that I had been mislead and he would hate to see me drug down with the aforementioned officer. HE then stated that the town council was not in support of the DARE program and that in fact the DARE program doesn’t even exist, it is being changed to Life Skills, He then added that Life Skills would be taught in the schools by the teachers. He also stated that our police department does not have the man power to commit an officer to teach this program two months out of the year, and that he had been the DARE officer for five years. I told him that I was in support of the DARE program and that I thought it had been

very helpful for my daughter. I added that I thought it was a shame for the program to leave our community. He then reiterated that it was no longer the DARE program, but Life Skills. He then gave his stated reason for calling. He said that since he knew me personally that he wanted to give me a “heads up” on the truth and that he was afraid I had been misinformed. He stated that this entire issue was just one officer making this a personal thing. I told Jay that even if I had been misinformed, I still supported the DARE program and thought it should stay in our local schools.

Jay Humphrey apologized to Bonnie and her husband saying he did not intend to offend them. When he was the D.A.R. E. officer he thought it was a great program and he just felt the signs misrepresented the information because that program was being phased out by the school’s choice and replaced with “Life Skills”. He said that Ron fully supported D.A.R.E. but they both realize there is a scheduling problem and they do not have the manpower. He added the department would be requesting to hire another officer at budget time.

Adjournment

David Sorokoty asked for a motion to adjourn. Geraldine McIntyre moved to adjourn. Lisa Creech seconded, motion carried. The meeting was adjourned at 9:12 p. m.

David Sorokoty, President

David Drake, Vice President

Lisa Combs-Creech

Ray Freetage

Geraldine McIntyre

Sandra C. Hash, Clerk-Treasurer