

Town of Hamilton

7750 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

December 14th, 2009 Town Council Meeting

7:30pm

1. Council President Brent Shull called the meeting to order at 7:30pm.

Roll call: Councilors John Damron, Will Nuttle, and Brent Shull were present. The Clerk Treasurer, Hester Stouder was present to record the meeting. Also present was Town Manager Milton Otero and Town Attorney Dan Brinkerhoff. Absent members included Dick Bacon and Jeff Bireley. Attached is a list of audience members.

2. Reading & Approval of December 7th, 2009 Minutes – Councilman John Damron made a motion to approve the minutes as presented. Will Nuttle second the motion; motion carried with majority aye votes.

3. Clerks Report -

- A. Claims – Clerk Treasurer Hester Stouder presented the claims for approval. Councilman Will Nuttle made a motion to approve the claims presented, John Damron seconded the motion, motion carried.
- B. End of Year Finances – Clerk Treasurer Hester Stouder asked if contracts could be available for anything the Council would like encumbered, to be ready for the December 29th meeting. President Brent Shull asked how much money was still available in the sidewalk fund? The clerk responded saying she knew of a little over \$3,000.00 was still available. The council directed the Town Manager to get a contract in place so the money can be added to what has been appropriated for 2010. The Clerk also confirmed the request for transfers into the Rainy Day fund, specifically the remaining budgeted amount from the Parking Lot project. The Town Manager Milton Otero said yes, he would like this money put in the Rainy Day Fund. The paperwork for all transfers to the Rainy Day fund will be presented to the council at the year end meeting on December 29th, 2009.

4. Old Business –

- A. Purchasing Policy Discussion – Clerk Treasrer Hester Stouder summarized the policy for those in attendance. She explained the purpose, records that will need to be kept and gave examples of audits that will occur periodically. Her and the Town Attorney went over the policy prior to the meeting and most of the corrections he suggested were made, however he did suggest simplifying the section that explains purchases made within the zoning limits of the Town of Hamilton, without changing the intent. Neither one of them had any solutions at that time, but will share them with the board when they do. Some discussion

took place, with a few questions being asked. John Damron made a motion to approve the policy with the understanding that only the language in the “zoning limits” section may be simplified at a later date. Will Nuttle seconded the motion, motion carried with all members voice aye votes. The policy will be effective immediately.

5. New Business –

- A. PTO – Both Town Manager Milton Otero and Councilman John Damron presented to the council Policies on Paid Time Off. At the request of President Brent Shull, the council compared both policies to each other. Differences that were observed are as follows; wording of time served and earned vacation, number of day accumulated in a sick bank, referring to a prior ordinance –vs- the personnel policy, removing bereavement, not listing individual Holidays, timeframe the employee would get paid for time not being rolled over, if time could be used in hour increments and how requests are made for getting paid in advance for vacations. Most of the changes were not negotiable but the council did discuss the question of a PLB or Paid Leave Bank. They reviewed the current policy and shared each of their opinions on how it should be handled with the new PTO policy. Councilman Damron agreed to keep a 30 day bank but was in favor of eliminating payouts for sick days not rolled over, a “use it or lose it” approach. Councilman Will Nuttle was concerned with employees having that many days at their disposal to use and recommended eliminating any type of Paid Leave Bank, with no rollover allowed and no payout for days unused. President Brent Shull agreed with keeping a bank, but suggested making the bank days available as sick days, for such things as surgery, pregnancy, etc.. At this time Councilman Damron said he would like to hear the entire council’s position on what could be a monumental change and proposed postponing the discussion, scheduling another meeting and getting the other councilman to attend or be available by phone. The others agreed and a meeting was set for December 21st, 2009 at the Town Hall at 6:30pm.
- B. Time off Pay – President Brent Shull explained how the Holiday Pay for the Police Department was in need of some overdue clarification and changes. He commented on Officer Warners input from other departments and read an email he sent regarding his perspective on the situation. The board reviewed the current policy and Councilman Damron read his suggested changes to the policy per Milton’s request. All members agreed changes need made, but added this to the agenda for Monday so all members of the board could have input. *** *At this time Councilman Damron read another suggestion to the personnel policy regarding cell phones. He was thanked for his suggestions requested by the Town Manager.*
- C. Councilman Will Nuttle presented a number of ways the Council could cut costs. They included the composte site, car washes, cleaning services, seasonal labor for the street department, reducing the number of police cars to 3, cutting back on street lights, and having a central tool crib. No action was taken at this time as he asked the members of the board to think about them with preparation to discuss them at th December 29th meeting. During this time Town Manager Milton

Otero said he knew it would not be looked upon favorably, but there was support from Indiana Statue if the council wanted to eliminate Holiday pay for it's employees. The board agreed it was unfavorable and took no steps to approve the idea. Councilman Nuttle also recommened changes to the personnel policy highlighting the cell phone section, support agencies in chapter 17 and keeping current records of vaccination found in chapter 21. He asked the council to review chapter 17 and make suggestions at one of the upcoming meetings.

- D. Councilman John Damron said he knew some things needed corrected in the Town Managers contract and would like to see them changed. He asked if the President, Vice President, Attorney and Town manager would get together to work on those changes that would reflect what he feels was the intention of the council in April of 2008. If possible he would like to have an ammended contract availbale by next Mondays meeting. All members agreed and those mentioned will set up a conference call for later in the week.

Public Comments/Questions –

Mrs. Lindsay Brown from the Evening Star asked what items would be discussed regarding the Town Managers contract. After clarifying it was pertaining to verbage in the contract and details could be found in the minutes, audio and Town Managers contract from April of 2008. Damron recommended she request these items from the Clerks office and then she would be able to see what the intention of the council was and because the two don't match, what needs to be changed. Town Manager Milton Otero spoke up to say it was regarding his PTO and then corrected his statement to say it was because of his rollover days. She did request the items mentioned and they were given to her after the meeting adjourned.

With no other comments or items of business, the motion to adjourn was made by John Damron and seconded by Will Nuttle. The meeting adjourned at 8:20 pm.

Hester Stouder- Clerk Treasurer

Brent Shull – Council President