

Town of Hamilton

900 S Wayne St – PO Box 249

Hamilton, In 46742

DRAFT – NOT YET ADOPTED

October 21st, 2019- Town Council Meeting

7:00pm

1. Council President Mary Vail called the meeting to order at 7:02 pm.

Roll call: Councilors Mary Vail, Steve Blum, and Nancy Renner were present. Gerry Martin, Danny Lingo and Town Attorney Dan Brinkerhoff were absent.

The Clerk Treasurer, Hester Stouder was present to record the meeting. Town Manager Brent Shull was also present..Attached is a list of audience members.

2. Ordinance 2019-5 – Budget Adoption – 2020 – Clerk Treasurer Hester Stouder presented the 2020 budget for adoption. Councilman Steve Blum motioned to introduce Ordinance 2019-5 on 1st reading. Nancy Renner seconded the motion, motion carried.

Steve Blum then motioned to suspend the rules and adopt on 2nd & 3rd reading. Mary Vail seconded the motion, motion carried with unanimous approval.

3. Ordinance 2019-6 - - Salary Ordinance – 2nd & 3rd reading –

Councilman Steve Blum motioned to suspend the rules and adopt the Salary Ordinance on 2nd & 3rd reading. Nancy Renner seconded the motion, motion carried with unanimous approval.

Prior to closing the meeting, Council President Mary Vail said the Council would like to approve a contract for employment to Ben Kraft for water services. Steve Blum began to motion to approve the contract. Prior to the motion becoming official, Clerk Treasurer Hester Stouder asked if the Council had received quotes, per the Town's purchasing policy and if they were approving an employee or a contract from a business.

Council President Mary Vail said they advertised back in September and had received two quotes, one from Mr. Kraft for \$60/hour for up to 45 hours a month and one from Services By Stouder for \$75/hour. Confused, the Clerk said the Council advertised to hire an employee in September, to fill the vacancy of the Water Superintendent. They didn't advertise to contract for services.

Council President Mary Vail clarified that it was for a contract, not an employee. And because it was a temporary service, they weren't obligated to follow the purchasing policy.

Because two amounts were cited as being received, the Clerk asked for the paperwork with the details for the record. The Council said the Town Manager had

that information, along with anyone else who may have been contacted, as he, Dan Brinkerhoff and Bill Etzler all worked on finding a contractor. Because Brent was finishing up in an exit interview, the Council waited a few minutes until he was available and could join the meeting. When he did, Council President Mary Vail asked Brent to get the paperwork from the 2 contractors who provided quotes for services. He did not have the information with him and left to his office to look for it.

While waiting for the paperwork, a recap of the meeting thus far was given, at which point the Justin Stouder, owner of Services by Stouder said he did not formally provide a quote to the Council and the rate of \$75 was incorrect. He went on to say, prior to his resignation as Water Superintendent, he provided a quote for services to the Council, Town Manager and Attorney at \$45 to show up and \$35 per hour thereafter. It was not part of the formal bid process referred to earlier.

Councilman Steve Blum asked him directly if he was contacted to provide an official proposal. Mr. Stouder said he was not.

Mr. Blum said he thought that was odd.

Mr. Stouder went on to say the certified operator who has been the backup in the department's emergency preparedness plan, Wes from Sandhill labs in Angola was also not contacted to provide a proposal.

The Clerk then noted the information regarding Services By Stouder was conflicting and the Council has historically always requested more than one quote to show they are acting responsibly with public funds. They just went thru this concerning the paving on Lane 282, even postponing the approval until Brent could provide two quotes.

She went on to say the Council is charged with governing the community as elected officials and should be able to account for why they are doing what they are doing when making a motion, not defer to Dan for answers.

During the discussion and while waiting on Brent to return with paperwork, audience member Tina Bosse asked the Council to confirm that the Town Attorney advised them to approve a contract for services with an outside vendor at what was now known to be a higher amount.

Councilman Steve Blum said yes, that was the advice given and the reason for his motion.

He then restated his motion to approve the contract for services with Mr. Ben Kraft per the advice of the Town Attorney, citing there was no conflict with the purchasing policy. Council President Mary Vail seconded the motion, motion carried with unanimous approval. The contract, per the Council President would start 10/22/19 and was not to exceed 6 months.

Council President Mary Vail stated again that the Town Attorney advised them the rules were different and any questions regarding the practice should be saved and asked of the Town Attorney when he is present at the November meeting.

Public Comments/Questions concerning ADA or other items of Business -

With no other comments or items of business, the motion to adjourn was made by Steve Blum and seconded by Mary Vail adjourned at 7:27 pm.

Hester Stouder, IAMC - Clerk Treasurer

Mary Vail -Council President