

The Pendleton Town Council met in regular session at 6:30 PM on June 27, 2019, at Pendleton Town Hall, 100 West State Street, Pendleton, Indiana. All documents presented are on file in the Clerk-Treasurer's office and may be reviewed upon request. Town Council President Jessica Smith called the meeting of the Pendleton Town Council to order. Smith called for a moment of silence, and Coco Bill led the Pledge of Allegiance.

Council Members present were President Jessica Smith, Vice President Robert Jones, Chet Babb, Jessica Bastin, and Shane Davis. A quorum was established with five members present. Clerk-Treasurer Matthew Roberts was not present.

Also representing the Town were Town Manager Tim McClintick, Deputy Clerk-Treasurer Dawn Speedy, Interim Town Marshal Randy Sidwell, Fire Chief Jeff Moore, Judge George Gasparovic, Park Maintenance Foreman Donnie Meyer, and Town Attorney Alex Intermill. The minutes from the regular meeting of May 9, 2019 were approved. Resolution 2019-02, Proclamation of tornado recovery, was added to the agenda.

A MOTION TO APPROVE THE AGENDA WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

A MOTION TO CERTIFY THAT ONLY THE SUBJECT(S) NOTICED WERE DISCUSSED AT THE EXECUTIVE MEETINGS OF JUNE 12, 2019 AND JUNE 21, 2019, WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

MONTHLY CLAIMS & CLERK-TREASURER'S REPORT

Deputy Clerk-Treasurer Dawn Speedy presented claims and the treasurer's report for May 2019.

Total claims for the month of May 2019	2,281,415.81
Electric revenue receipted	614,847.51
Water revenue receipted	82,443.90
General fund balance	337,921.43
Park fund balance	2,155.56
Cumulative Capital fund balance	124,628.94
Cumulative Capital Improvement fund balance	1,331.18
Motor Vehicle Highway fund balance	285,784.42
Motor Vehicle Highway Restricted fund balance	40,335.44
Local Roads and Streets fund balance	274,758.38

General fund balance comparison as of May 31.

2017	370,584.61
2018	430,432.11
2019	337,921.43

A MOTION TO APPROVE THE CLAIMS AND THE CLERK-TREASURER'S REPORT AS PRESENTED WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

DEPARTMENT REPORTS

Fire Department – Fire Chief Jeff Moore

- Moore presented fire and ambulance reports and stated the air packs & command truck are now in service.
- The tanker is at Hoosier Fire getting graphics.
- Twelve people attended a certification class about emergency driving. More classes to come.

A MOTION TO ACCEPT THE FIRE DEPARTMENT REPORT WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

Police Department – Interim Town Marshal Randy Sidwell

- Sidwell presented his report and commended everybody involved in the disaster recovery.
- May had 425 calls, with the warmer weather the amount of monthly calls are increasing.
- PPD participates in the PHMS Reality Store every year, held on May 9 this year. PPD represents the police department and arrests at the event.
- On May 16 PPD gave a tour to about 50 Pendleton Elementary students, which is also an annual event.

A MOTION TO ACCEPT THE POLICE DEPARTMENT REPORT WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

Pendleton Town Court – Judge George Gasparovic

- Gasparovic presented his report and talked about the Choices Program.

A MOTION TO ACCEPT THE COURT REPORT WAS MADE BY ROBERT JONES AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

Park Department – Maintenance Foreman Donnie Meyer

- Meyer presented his report.
- Storm damage and major cleanup has been completed except upper trails, which are still off limits.
- Fredericks has broken ground on the capital project.
- June Jamboree was great and was record breaking.

A MOTION TO ACCEPT THE PARK REPORT WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

Town Manager Tim McClintick

- McClintick presented his report.
- Westport will be on Plan Commission July 10 agenda.
- IMI will be donating concrete and aggregate to replace damaged sidewalks in the Town and Park.
- Paving has started in some areas. We will be sending back Community Crossings Grant money and will reapply in January in order to create a more comprehensive plan.
- Tracie Dodd attended training for the new metering software.
- Commended all departments involved in the disaster recovery.

A MOTION TO ACCEPT THE TOWN MANAGER REPORT WAS MADE BY JESSICA BASTIN AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

OLD BUSINESS

Discussion concerning proposals for legal service

- Bastin said this was delayed due to the disaster and will move forward now.

NEW BUSINESS

Affirm Disaster Declarations signed May 28 & 29, 2019

Resolution R19-02 Proclamation of Memorial Day Tornado Recovery

A MOTION TO ADOPT RESOLUTION R19-02 WAS MADE BY ROBERT JONES AND SECONDED. MOTION CARRIED WITH A VOTE OF FIVE TO ZERO.

Presentation by SMCF regarding Bright Future Fund

- Lisa Floyd gave a recap of SMCF disaster response
- SMCF used their online portal to accept donations from 203 donors in the amount of \$42,163. These funds will be managed by SMCF and used for the ongoing recovery efforts through grants for charitable purposes.
- SMCF added a volunteer portal on their site, and had more volunteers than they could assign.
- SMCF also facilitated crisis communications, resulting in daily updates.
- SMCF continues to host the long term recovery group.

EMA presentation regarding emergency alert system

- Tom Ecker said Madison County also signed two Disaster Declarations.
- McClintick commended Ecker for his involvement in the disaster recovery, organizing both the Town and the County.
- EMA registered & organized over 500 people and groups in two days.
- 12 day cleanup in Pendleton.
- 9 tornados on Memorial Day, along with many wall clouds and funnels that did not touch the ground.
- The cell that passed through Pendleton grew to an EF4 by the time it hit Dayton, OH.
- EMA alert systems
 - EMA recommends NIXEL notification system for emergency alerts, a state of the art system. Sign up at Madisoncoema.org
 - EMA recommends using more than one alert system.
 - Red Cross & TV stations have notification systems also.
 - EMA also recommends weather radios with battery backup. The Town also offers these to electric utility customers for \$20, and EMA offers them too.

- EMA does not recommend outdoor weather sirens any more. This is very old technology, and cannot be heard indoors.

PUBLIC INPUT

- Julie Schnepf, PBA President, thanked everyone for the recovery, so businesses could reopen as quickly as possible. Schnepf asked the community to shop local and asked Town Council to shop local and to let local businesses quote for the Town. Schnepf asked what will be done to deal with storm water problems. McClintick said Town uses a local IT company now. Smith said the long term recovery group will be helping those residents still in need, information will be available soon.
- Sami Thatcher, Old SR 132, said the Town Council needs to be transparent, respectful, and needs to start listening to the residents who have elected them.
- Dave Avey, Asbury Street, said the Town Council has not treated employees fairly or the same, specifically referring to Marc Farrer being terminated, demoted, and Tim McClintick having no consequences for similar actions. Intermill said Fire & Police personnel must be dealt with in a public meeting, other employees do not.
- Julia Avey, Asbury Street, said she didn't understand why Farrer and his supporters have to pay for the attorney who tried to fire him, stating that money could pay for tornado sirens to keep them safe instead.
- Bernice Avey, Asbury Street, said she sent a copy of the Town of Pendleton Employee Manual to State Senator Mike Gaskill, State Senator Todd Young, State Representative Bob Cherry, Department of Labor, OSHA, and EEOC. Avey said she highlighted the violations in a transcript of employee complaints and presented a copy to Town Council.
- Susan Dugan-Meltzer, Franklin Street, apologized for how she spoke to McClintick. Dugan-Meltzer stated that on Friday after the tornado, town employee Hunter Barger started to tear down her shrubs with a bulldozer, so she asked him what was happening and he replied by saying he didn't give a (care) what she thought and he was going to do it anyway, while using profanity. Dugan-Metzer asked about the Town's protocol for employees who speak to residents this way, and asked what disciplinary action was taken, and asked what the Town was going to do about the shrubs now. Dugan-Metzer said she and her husband have filed two police reports concerning this, once after the first encounter and again after he retaliated. Dugan-Metzer said she has contacted an attorney for a personal damage claim. Smith said the employee was reprimanded & there were witnesses that say it didn't happen. Dugan-Metzer said she had video. McClintick said he would fix the shrubs.
- Dinah Shirley, Surrey Drive, stated that some employees were publicly shamed while others were swept under the rug, specifically referring to Marc Farrer and Tim McClintick. Shirley talked about Hunter Barger not doing his job, Jeff Barger and Tim McClintick allowing it, while other employees who reported this were disregarded. Shirley asked at what point you do what's best for the Town and not egos. Why are

Hunter Barger, Jeff Barger, and Tim McClintick still employees even though there is proof they are not performing their duties, while hard working employees are leaving. When do you step down from not doing your duties? When do you stop the corrupt behavior and do the right thing? Smith said she would not publicly comment on personnel matters.

- Kellie Borgman, Friends for Paws, Adams Street, thanked police & fire for helping get her pets and nine foster pets out of her home during the disaster. Borgman said she had asked Town Council previously for a plan of action for an animal shelter, and asked for a plan of action now. Borgman had to manage these animals plus all the animals affected by the disaster without any plan or shelter. Police, Fire and Borgman were able to create a shelter for the animals during the disaster. Borgman said after the residents on her street were evacuated, they had no information due to a lack of communication, and then they had to walk to PHHS through downed power lines and all the damage. Borgman also spoke in favor of an outdoor warning siren. Smith said they will include this in their discussions and plans for the future. Bastin thanked Borgman for putting a shelter in place during the disaster and said she received many compliments on this.
- Sandy Butler, Fall Creek Way, thanked Town employees and volunteers. Concerning Farrer & McClintick, Butler said the actual issue was that Farrer was reprimanded and McClintick was not. Butler said she was about to build an addition on their home and asked if the Town has a qualified building inspector with current license. McClintick said Jeff Barger has gone through some code classes and attends training courses. McClintick said he has been certified in building inspection. McClintick said the State does not require a municipal building inspector to be licensed, but McClintick has gone through all the certifications. Butler said with about 300 homes needing inspections after the disaster recovery, not having a certified or licensed inspector is a liability for the Town. McClintick said they are looking into that, and he had gone through all the certification courses for residential inspection for a former job. Butler asked when McClintick was certified, McClintick did not have an exact date. Smith said the Town does have certified inspectors who can sign off on inspections. Butler asked to see the licenses. Smith will look into it. Butler asked if Town has a growth plan in place for the new additions. Smith said that is part of the Comprehensive Plan that was updated a year ago, and is on the website. Butler asked if Town Council members have all read the employee manual, and they all said yes. Shane Davis is new and is currently reading the manual. Butler asked why Town Manager was allowed to sit in employee interviews when some complaints were about him. Butler said that is a violation of the handbook. Butler asked how much the budget is overdrawn on attorney fees. Chet said the budget was about \$72000 and as of May 31, \$106500 was spent on attorney fees.
- Jane Sabie, State Street, said she has problems leaving her drive due to speeding on State Street. With the lights, she get a break in traffic every eight minutes, but with the new roundabouts traffic will be nonstop. Sabie asked for a 30 mph limit on State Street from Town to I69.

- Sherri Doubt, Water Street, said speeding on Water Street by the soccer field is a problem. Doubt asked for 20mph from library to park. The police department will set up the mobile radars on Water Street and gather data.
- Nancie McKechnie, Porto Bella Road, said the same employee referenced earlier, also used profanity to her renters on 900 S. McKechnie was told two years ago that the Town trees in front of her property would be taken down, and they are still there, and now she is being told they will be taken down when we have a dry day. McKechnie said that same employee cursed out her renters because the Town trees were interfering with the electric lines. McKechnie said if you slept on the job in the navy, you would be demoted or kicked out or sent to the brig. This situation is disheartening because Town employees need to work for the town, and not curse out residents.
- Jack Radford, 425 W, asked why the Town Council meeting date and time was changed. Smith said she postponed the meeting due to a fundraiser on meeting night, and wanted staff to have time after the tornado to get reports together. The time was changed because the Redevelopment Commission had a meeting scheduled at 6. Radford asked why meeting minutes are not read during the meeting. Smith said minutes are available on the website. Radford said as of 5pm, minutes are only posted through February. McClintick said they don't post them until after they are approved. Radford said the minutes need to be read at the meetings.
- Debby Nunley, Pendleton Avenue, said when the Town Council gives vague answers and appears to want to end the meeting a lot, it upsets people. Nunley said the only member she trusted was Chet Babb.
- Helen Reske, Pendleton Avenue, asked when a decision would be made concerning Westport Homes. It is on the Plan Commission agenda for July 10 at 7pm.
- Cole Keesling, Garden Drive, said an employee stole dirt from the Town's sidewalk project, with Town trucks. Keesling said he wanted to know more about the dirt, how much it cost and if McClintick knew about it. Keesling asked Town Council to read the employee complaints again and take them very seriously. Keesling said he is going to file a police report about the dirt.

ADJOURNMENT

- There being no other business brought before this Town Council, the public meeting adjourned at 8:30pm.

Prepared by


Dawn Speedy
Deputy Clerk-Treasurer

Approved by


Jessica Smith
Council President