

Minutes and proceedings of the meeting of the Town Council of the Town of Hope, Indiana.

Be it remembered that the Town Council of the Town of Hope, Indiana held a called meeting at the Hope Town Hall in said town at 5:30 p.m. on November 13, 2018.

A quorum was declared present based on the presence of the following council members: Ohmer Miller (President), Jerry Bragg (Vice-President), Clyde Compton, Ed Johnson and Nellie Meek. Town Manager JT Doane and Clerk Treasurer Diane Burton was also present.

The prayer was given by Jerry Bragg.

The meeting opened with the Pledge of Allegiance led by Ohmer Miller.

Purpose of the meeting: Town Manager Contract Changes

Ohmer stated I am going to turn this meeting over to Jerry Bragg who has called this meeting. Please limit your questions or comments. It will be up to Jerry if he chooses to call on you.

Jerry stated I called this meeting because there was a few of us who wanted study and to look over this contract we have for the Town Manager position. We have a few that feel it needs to be tweaked a little bit.

Ed stated I studied the terms of the agreement for the Town Manager. There is a couple of things I feel needs to be changed. I feel the agreement should be no more than one year at a time. I think that the contract should read that the agreement can be terminated at any time with written notice of 30 days either by the board or by the employee. I looked at the Town Ordinances. The Town Ordinances states that there is a created position of a Town Administrator. The salary should be established by ordinance by the Town Council which it is. Section 2-9 states duties of the Town Administrator. This section is reserved for future legislation. There is nothing in there for his duties. We can take part of those duties off of the agreement or the job description. Clyde had a copy of the new job description established by New Focus HR. Nellie asked Diane about the new job description. Diane answered it came from New Focus HR. It is a requirement. She also looked at salaries and updated our employee handbook. That was part of the whole process. Scott Andrews questioned the title they were using. Scott clarified the Statute in Indiana refers to it as Town Manager. Scott suggested amending the ordinance. Ed stated under statutory duties in the job description, I feel like there should be something in there that says that they should promote and secure business large and small to move to Hope and/or near the area for economic development for the growth of Hope. Obviously we would like to grow our schools and we would like to grow the business footprint of this town too. I would like for it to be written in there to visit the local businesses and organizations at least annually to find out what their concerns are and to find out how we can help them improve their lives in Hope, Indiana. Not only in Hope but in the immediate area.

Nellie stated I agree on a yearly contract. I would like taking days off for meetings and IACT to be taken out of their vacation days. I think you can get this information online. The position is to be here at the

office if at all possible when the Clerk Treasurer can't be so it isn't locked up. It does state the employee shall maintain regular office hours in the Hope Town Hall. Maybe we just didn't enforce that.

Ohmer stated I would like to see accountability for time. Work off of some sort of calendar that it open for review rather than just a weekly report. I would like to see more interaction with all of the nonprofits regardless of who they are. I would like to see complete transparency. In effect that there is any question asked in regard to what is going on or what task they are working on, there can be an open discussion and not say it is something I have been asked not to speak about. We should have some knowledge of what is going on in our community. I don't think that our Town Manager needs to be a trash man. Those tasks should be delegated. I understand that the trash initiative was something that a lot of people were excited about but I think we have access to groups that can do that through the Sheriff's Department. I would like to see more hands on with the Police Department in regard to their responsibility. Also, help manage the reserves and to keep track of that.

Clyde stated there are a couple of things that have been said that I will go along with. I will leave that silent. To start with, he wasn't picking up trash. He was picking up limbs. He was not a trash man. That needs to be corrected. The only other thing I think I am going to say on this right now until I look it over; everybody that is sitting here if you were applying for this job with these limitations, would you want to work here? Ed answered with the three jobs that I have had away from home, I had a job description that was like this. I think you guys did a good job to start with when you developed this. I am not picking on JT but anyplace that I've worked, I had to work under constraints and I was evaluated on those jobs every year to six months. Two of those were government jobs. I'm not trying to tie anybody's hands but I've never seen a contract written like this where it is just open ended and nothing there. Again, I'm not picking on JT. JT, don't take this personally. I've never worked anywhere where you had a two or five year contract unless you have already worked that first year or whatever. If you come in here and you do a good job, there is no question that you are going to get it renewed. If you come in here and you go to bad mouthing the Town, we only have to put up with them for a year before we say we are not going to renew that contract. Clyde stated you keep apologizing stating you're not saying it to JT. The City Council is the one that made all this stuff up. The Town Manager doesn't have a thing to do with it. It was done by the City Council. New Focus HR did the job description. They do it all over the Nation according to the Federal Government layout. I think your comment, Nellie, about going to these meetings and not get paid for it. No. That is a part of Town business. That is part of the job description is to go out and try to improve this Town. You've seen the businesses that has come in here lately. To visit local businesses, he has been told that before and he has done it. Business growth definitely needs to be in there. Even though it is being done, it's not in there. Ed stated when I came up with this, this is not just something I figured out today. I have done this ever since I have been on the board. I have looked at this and it has been a little splinter. It keeps coming back to me that I feel needs to be clarified. That way if something happens, there is no question about it. It is in there. I have been on this board for two years. We did have one meeting where we talked about job evaluations and I think it was successful. Either annually or semi-annually we need to evaluate. Clyde stated if we are going to do that, we need to do all of the employees. Ed stated they should be. Every place that I have ever worked, they have been evaluated. Nellie stated I would suppose that Matt evaluates his employees. David evaluates his employees. Do you know, Diane? Diane answered there is no official form but there is a thought process in the increase you decide to give your employees. There is a form that they complete to give me

permission to make that change. Nellie stated if your employees were doing something that you felt was not right to be doing, you would be able to have a talk with them. Diane stated I can't speak for the others. I believe they have those conversations as things come up. If there is an improvement that they feel needs to be addressed, it is done at some point. Whether it is at that point or when the problem arises.

Jerry stated I agree with some of what has been said tonight too. I'm all for evaluations. Everybody needs to be evaluated at what they do. Any person that is in this job needs to be evaluated to see if they are just sitting there or if they are out there seeking. We do need to see what our businesses need. We don't want to lose what we have. I think that person needs to be out there doing that. I think with an evaluation you can see. Are they going above and beyond what their duties are? I have known people who had a job and they just sit in a chair. We don't want that. We can even do the evaluation quarterly. I agree with one year term. I know a lot of times, like JT trying to work on getting this company here, he had months dealing with it. I think a six month evaluation would be good so you can look at are they striving or are they kicked back. Nellie stated we should evaluate Matt, David and JT. Jerry stated on duties; the Town Manager shall hire employees according to the pay schedule. Section 3, B & C; whoever is in that position shall do all the hiring. I think instead of just Town Council, it goes back to the Supervisors we were just talking about. Nellie asked if there is a group that does that. Matt answered no. We just do it ourselves. Matt expanded on his process. Jerry clarified that I think the supervisor and the Council should be involved.

Scott Andrews stated the duties that are listed here are the duties verbatim of what is in Indiana Statute as of what the powers and duties of a Town Manager are. Indiana Statute states unless a written order or an ordinance of a Legislative Body provides otherwise, the Town Manager; then it lists all these duties. The Job Description that Clyde has, you can make that into an ordinance. Then that would supersede what is in the Statute. The Statute is kind of a default. Unless you say otherwise, this is what the duties are. Ed questioned again about the terminating in thirty days by written consent. Scott stated there is a statute on that as well. There is a statute that talks about the term of employment of a Town Manager. It indicates that a Town Manager may be employed to serve at the pleasure of the legislative body or a definite tenor not to exceed the longest remaining term in office of a member of the legislative body which would be a four year term in which case the manager can be dismissed only for cause. If you have a term, regardless of what it is, you have to have a termination only for cause.

Jerry requested an executive meeting to work on the contract details. Scott stated if you like, I can work on a new draft based on the notes that I've just taken. Scott stated he can have it completed probably before the next meeting. There was a discussion on dates. It was decided to wait until the next meeting.

PUBLIC COMMENT

Randy Sims, 805 Main Street, I think if JT is going to AIM meeting representing the Town he needs to be paid for it and not taken out of his vacation time. He is representing the Town and he needs to be paid for it. Hester Frady stated I agree. Randy stated I have worked with JT since he has been here. He is excellent to work with. I support him 100%. Jessica Barrett asked what an AIM Meeting is. Nellie answered an Association of Cities and Towns. JT corrected Accelerated Indiana Municipality. Tom

Barrett, 624 Robbins, stated I am right with Randy. Any job I've ever had if I go to something representing my company or something where I'm getting more training to help me do my job, it was always appreciated and paid for. I don't think it should be something that should be taken out of vacation time. Nellie said if it's something for training but if it's not, that's different. It just depends on what the meeting is and what it is about. Randy Sims asked so if you ask him to go out and represent Hope and it is not from 8:00 to 5:00, what time does that get posted against. Nellie stated I don't know what you are talking about there. Randy stated you say you want the office open from 8:00 to 5:00 if he has a meeting beyond 5:00 and he is looking for new business and beating the doors down, is that just on his own time. Nellie answered I think you have misunderstand that too because Diane is here most of the time during the day. When she goes to lunch then there is no point in closing and going at the same time. I have never worked at a place where we just closed it up and left for lunch. If somebody else is there, they stay and keep it open. That was my point. If she is here, he is still able to go out for meetings and things. Diane is usually here during the day. If she is not, her Deputy is. Randy stated but she only works two days, is that right. Diane confirmed. Nellie stated basically when Diane is not here. Diane corrected she only works one morning when I'm not here unless I have a training. You can't regulate what trainings and meetings I go to. Nellie stated she understood. Randy stated Diane is an elected official. She is not bound by the Council. Nellie stated that still doesn't change the fact that if Diane is here, to have it open during the day. That is what I am saying. Instead of just closing it and leaving. If there is a meeting that he can schedule at 2:00 then why not do that while Diane is here. If they find that it won't work, then we will figure out something else. Michael Dean stated today as an example we actually had a lunch with a business client. They requested because they work too, they wanted to do it during lunch. During that time Diane had to go to lunch. I made sure we had it here in Town but still it was closed for an hour. Nellie questioned it had to be at the same time. Michael Dean confirmed. Michael Dean stated it was for Hope Heritage Days topic that we were discussing. I didn't know him and JT did so I asked for him to be there to make the introductions and things like that. That was a situation that literally just happened today. Nellie stated normally you can set your time. Russell Burton, 535 Seminary Street, going back to lunch and JT being here, most places close an hour for lunch. The Utility Office does it. If you need somebody here all the time, maybe you should bring Michele in more. Why do we have the Utility Office up there and not down here? Hester Frady stated they leave for lunch. Clyde stated that is a good point. Nellie said I was here one day and Michele said people were in and out all the time. It's not right for the people to come to the Town Hall and then not be able to get in. Russ stated you can have a lunch hour then no one will come down here at that time. Jerry said that is something that we really need to look into and then decide what we want to do on that situation and go from there. If we decide to do it, it's needs to be posted and be done with it. Nellie stated I don't think that doing that from 12:00 to 1:00 would make a big difference because then if there would be a meeting at 2:00 then Diane's gone then you've got them gone then. That really is not a workable solution. Russ stated you need more help then. Nellie stated possibly but when it states it in the contract that you keep it open then you need to try to do that. There is no sense in leaving at the same time. Jerry stated we will look into that. Hester stated that's why you need more help. Michael Dean said even just posting it.

Chuck Caldwell, 312 Union, stated mine is not necessarily on the contract. I am just amazed. I didn't realize that we didn't have any kind of yearly evaluation or performance review. That's a two sided thing. I have a set of goals every year. I have a performance review every year. Not only does that allow

your manager to give feedback and say these are the things you are doing, but it is also a time for your employee to come back to you and say that I also see that I need. It is a disservice to your employee and the organization as well. Generally what we do is a self-evaluation. That is basically your time to brag on yourself and say these are the things that I got done. Clyde stated I totally agree there needs to be one every year or every six months. If that's going to be that way, I think it needs to be a neutral body. We have five people, some Democrats and some Republicans, up here that are going to use personal thoughts instead of looking at this is what was done. I think if you are going to do that, it needs to be a neutral body to do it, not the Council. Nellie stated I don't think we do a Democrat Republican thing sitting here. Clyde stated we don't per say, but you know there is a divide in this Council. Up front that is the way it is. Everyone knows it. Everyone in the Town knows it. Nellie agreed. Clyde stated I think a neutral body of doing that would be much more realistic than us doing it. Nellie stated but they wouldn't be working with the person to really know what goes on. That is where we will have to start paying attention if we do it. Clyde stated I still think that divided is not going to be fair.

Russ Burton stated I just think on the contract you need to be careful on the stipulations you put on the person. If for some reason somebody else applies for the job, you might not get anybody. We need to be careful there on what we do. Ed Johnson stated I kind of agree with what you are saying but the other side of that is you come in and apply for the job and I give you the description. Russ added I think accountability is good but you want to be careful. You are just going to be having blinders on. Chuck Caldwell stated I kind of see where Russ is coming from. I see where Ed is coming from. You do have to be careful that you don't put a set of blinders on where this is what I do. Quite honestly I know from my experience on Hope Heritage Days. Sometimes you have to look wide to try to find out what is something that will be great for us. Just like Randy said, I have worked with JT since he came in. It has been excellent working with him. I do know that he has a wide vision to look for things. Michael Dean stated I will say from Heritage of Hope standpoint too both with JT and his predecessor, it's been very nice to have somebody in that chair that we can go talk to about town things that we have ideas of and run it past them. What we need to do. Get advice. Throw ideas off of. I don't even know what I did before then as far as the Town Council goes. How do you get anything through other than coming to a Town Board Meeting? How did we do anything before? We have done a lot of things, from the Christmas lights to the things we are doing for Heritage Days. It is nice to have somebody in that chair that then if they feel it is necessary to go to the Town Board with it, they can tell you guys about it or say you need to come to a meeting. JT has been good to work with and the other one. Having somebody to talk to about these kind of things in that chair has been really good.

Nellie stated we are the ones that take the complaints and we take the good things. Then we just have to decide overall. I have had those from people on your board too. You know that.

Ohmer stated please bear in mind that we are here as decision makers. We are trying to make the best decision for the community and for the town and for everybody involved. That is our goal here. We are not out to persecute anybody. We're out here to do the best for our community.

Jerry thanked those who attended for coming.

Meeting adjourned at 6:21 p.m.

Diane B...

Attest

Debra Compton

William E. Johnson

Jerry Berger

Heather Hesk

Oliver Smith