



February 5, 2024
Common Council

Present:

Mike Hartman, Mayor
Tracey Hawkins, Council District 1 and Council President
Kristie Laub, Council District 2
Darren Alloway, Council District 3
Gale Ryan, Council District 4
Bill White, Council at Large
Angela Eck, Clerk-Treasurer
Jimmie Eck, Fire Chief
Scott Lanning, Wastewater Superintendent
Vivian Likes, City Planner
Donald Stuckey, City Attorney
Matt Traster, Police Chief

Absent

Mayor Hartman opened the regular session of the Common Council at 7:35 pm at 215 South Broadway.

Pledge of Allegiance

The minutes from the January 15th meeting were presented. Council Member Ryan made a motion to approve the minutes and Council Member Hawkins seconded the motion. The motion passed with all in favor.

Mayor Hartman swore in new Police Officers Martin Wood and Jason Creech.

DeKalb County Commissioner Mike Watson asked the Council if they had any more questions pertaining to the Memorandum of Understanding Regarding the Pooling of the Opioid Settlement. There was discussion.

Council Member Laub made a motion to approve the Memorandum of Understanding and Council Member White seconded the motion. The motion passed with all in favor.

A Proposed Ordinance to repeal Ordinance 1682, An Ordinance Establishing an Ethics Policy for Representative of the City of Butler, was introduced for the third time. Council Member Ryan stated that he sees no reason to repeal the Ethics Policy. Council Member Hawkins agreed with Council Member Ryan.



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City Attorney Don Stuckey stated that Ordinance 1682 has several problems with it. One of those problems being that it states that elected officials can be terminated for not following the policy, which is not enforceable. The Ordinance states that an ethics committee will be formed and also sets an ethics standard higher than state law. Mr. Stuckey went on to state that he could modify the Ethics Policy to meet his concerns.

Council Member Alloway stated that he sees no purpose in having an Ethic's Policy because the State of Indiana already has one.

Council Member Hawkins stated that the employee handbook from her employer does have an ethics section. Council Member Alloway's employer does not have an ethics section.

Mr. Stuckey stated that the new proposed employee handbook does have the state statute in it and that he has no problem leaving that as is.

Mrs. Likes asked if the state statute deals only with the financial aspects of ethics. Mr. Stuckey replied in the affirmative and went on to give an example. He gave an example of a person sitting on a City of Auburn board that also owns a title company in Auburn. This individual files an annual Conflict of Interest form so that the City of Auburn can continue to use the business for title services.

Mayor Hartman stated that he wants the Council to move forward with the recommendation of the City Attorney and to repeal the Ethic's Policy.

Council Member Ryan made a motion to approve the Ordinance repealing Ordinance 1682 and Council Member Alloway seconded the motion. The motion passed with all in favor. Clerk-Treasurer Eck assigned number 1787 to the proposed ordinance.

Proposed Resolution 24-654, Rules for Conducting Council Meetings was introduced. Council Member Hawkins made a motion to approve Resolution 24-654 and Council Member Ryan seconded the motion. The motion passed with all in favor.

City Planner Vivian Likes presented her 2023 Year End Report, Attachment 1.

Council Member Hawkins stated that she would like to work on the next tax abatement with Mrs. Likes.



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Police Chief Matt Traster stated that the Police Department Year End Report is on Google Drive. He also reported that the two new officers have signed three-year contracts.

City Attorney Don Stuckey reported that he filed suit against former police officer Imad Alkhulaqi yesterday for failure to reimburse the City after breaking his employment contract.

Code Enforcement Officer Mike Fry presented his January report.

Street Superintendent Mark Cline reported 4 plowable snow events in January. He did call in Mayor Hartman and Scott Lanning to assist with weekend plowing.

Wastewater Superintendent Scott Lanning reported that things with Bowen are wrapping up. He also brought up concerns about the way Mediacom lays lines in easements. It has been a nightmare. There was discussion.

Clerk-Treasurer Eck asked the Council if they had any questions about the contract for "Conditional Sale of Cemetery Lots". There were none. Council Member Hawkins made a motion to approve the use of the form and Council Member Alloway seconded the motion. The motion passed with all in favor.

Clerk-Treasurer Eck presented \$15,000 Surety Bonds for Justin Smith, Eric Dohner and Diana Mutzfeld. Council Member Hawkins made a motion to approve the Surety Bonds and Council Member Ryan seconded the motion. The motion passed with all in favor.

Council Member Alloway made a motion to appoint Eric Dohner to the Redevelopment Commission and Council Member White seconded the motion. The motion passed with all in favor.

Council Member Hawkins made a motion to appoint Eli Fuentes to the Redevelopment Commission and Council Member Ryan seconded the motion. The motion passed with all in favor.

Mayor Hartman reported that he has appointed Bob Beck and Justin Smith to the Redevelopment Commission. He is still searching for one more person to appoint.

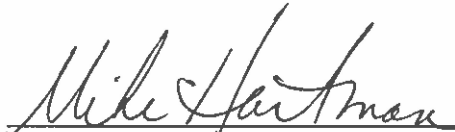
Mayor Hartman reported that new exterior doors will be installed in 6 to 10 weeks at City Hall and the EMS.



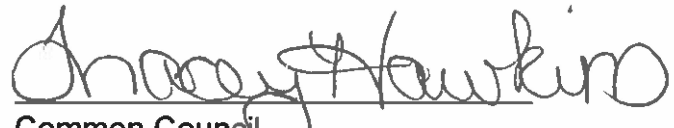
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Council Member Hawkins made a motion to appoint Eric Wilson to the Plan Commission and Council Member Ryan seconded the motion. The motion passed with all in favor.

Council Member Hawkins made a motion to adjourn at 8:32 pm and Council Member White seconded the motion. The motion passed with all in favor.



Mayor



Common Council



Clerk-Treasurer