

The Pendleton Town Council met in special session at 6:00 PM on January 7, 2020, 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.

Oath of Office

Oaths of Office were taken by the following elected officials.

- Judge George Gasparovic by Judge Hoppe
- Council Member Chet Babb by Judge Gasparovic
- Council Member Shane Davis by Judge Gasparovic
- Council Member Steve Denny by Judge Gasparovic
- Clerk-Treasurer Willie Boles by Judge Gasparovic

Roll Call and determination of a quorum

Council Members present were Robert Jones, Chet Babb, Jessica Smith, Shane Davis, and Steve Denny. A quorum was established with five members present.

Clerk-Treasurer Willie Boles was present. Also representing the Town was Town Manager Tim McClintick, and Deputy Clerk-Treasurer Dawn Speedy.

Election of officers

Chet Babb introduced Jeffrey Graham, attorney for Graham, Hopper, Farrer, & Wilson. They have offices in Pendleton and Elwood. Jeff also lives in Pendleton. Graham handled the nominations for officers.

A MOTION TO NOMINATE CHET BABB AS PRESIDENT WAS MADE BY DAVIS. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

JONES – YES

SMITH – NO

BABB – YES

DAVIS – YES

DENNY – YES

**A MOTION TO NOMINATE SHANE DAVIS AS VICE PRESIDENT WAS MADE BY DENNY.
MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.**

JONES – YES

SMITH – YES

BABB – YES

DAVIS – YES

DENNY – YES

Discussion regarding legal services

Babb & Denny met with Jeff Graham to discuss their services, and Babb would like to hire them. Babb suggested taking a vote on the matter.

Kristen Case asked if Alex Intermill was terminated and asked if it was legal to do so. Case asked if the new attorney had been hired yet. Case said she thought this was a lack of transparency & asked Town Council to listen to residents. Babb said the new attorney had not been hired yet.

Janice Bennett asked who fired the attorney, and said this should have been done by all members, not just some. Babb said he communicated with all members about the matter, except Smith who did not reply to his message. Graham had previously suggested to Babb to give Intermill a heads up about this matter, out of courtesy. However, until a new attorney is hired, the old one is still in place. Graham said open door policy had not been violated.

Bernice Avey said she thought the old attorney should be fired and this one should be hired.

Smith asked about Graham's rates. The \$3500 retainer will be in place, only if Graham bills up to that amount each month. Smith asked Graham about their services and pricing. Graham said they bill at a lower rate than Bose McKinney & Evans, and they consult with other firms for bonds.

Babb said Graham's firm was one of four law firms who applied for the job last year after the request for attorney resumes was made public. Babb reviewed all the resumes. Graham's firm was reasonably priced and local so Babb met with them.

Connie Whetsel asked when the old attorney's contract expired. Smith said it's not a contract but a fee agreement, which can be let go any time.

Shane Davis said he felt Graham's firm was the best fit for the Town.

A MOTION TO MAKE A CHANGE OF LEGAL SERVICES WAS MADE BY JONES AND SECONDED BY DENNY. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

**ROBERT JONES – YES
JESSICA SMITH – NO
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES**

A MOTION TO APPROVE AND ACCEPT A NEW TOWN ATTORNEY WITH GRAHAM, HOPPER, FARRER, & WILSON FOR LEGAL SERVICES WAS MADE BY DENNY AND SECONDED BY JONES. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

**ROBERT JONES – YES
JESSICA SMITH – NO
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES**

Denny said as a new Member he wants to be proactive. Getting a new attorney in place was important to start off 2020 in a positive manner, and had nothing to do with transparency.

Board and Commission appointments

Sammi Thatcher replaced Shane Davis on **Board of Storm Water Management** by Municipal Executive (ME).

Jamila Zafar replaced Jerry Kelly on **Board of Zoning Appeals** by ME.

Jake Gardner replaced Amy Turner on **Economic Development Commission** by ME.

Craig Campbell was reappointed to **Historic Preservation Commission** by ME.

Bruce Ring was reappointed to **Historic Preservation Commission** by ME.

Dan Trauthwein replaced Justin Farrell on **Historic Preservation Commission** by ME.

Bryan Williams was reappointed to **Park Board** by ME.

Ana Blake replaced Steve Denny on **Park Board** by ME.

Kyle Eichhorn was reappointed to **Plan Commission** by ME.

A MOTION TO REAPPOINT KYLE EICHHORN TO PLAN COMMISSION WAS MADE BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

**ROBERT JONES – YES
JESSICA SMITH – YES**

**CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES**

Carol Hanna was reappointed to **Plan Commission** by ME.

A MOTION TO REAPPOINT CAROL HANNA TO PLAN COMMISSION WAS MADE BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

**ROBERT JONES – YES
JESSICA SMITH – YES
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES**

Jenny Sisson replaced **Mike Romack** on **Plan Commission** by ME.

A MOTION TO APPOINT JENNY SISSON TO PLAN COMMISSION WAS MADE BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

**ROBERT JONES – YES
JESSICA SMITH – YES
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES**

Dave Cravens replaced **Jessica Bastin** on **Redevelopment Commission** by ME.

Lynn Mellinger replaced **Michael Wright** on **Redevelopment Commission** by ME.

Adam Truman replaced **Josh Ring** on **Redevelopment Commission** by ME.

Craig Campbell was reappointed to **Redevelopment Commission** by Fiscal Body (FB).

A MOTION TO REAPPOINT CRAIG CAMPBELL TO REDEVELOPMENT COMMISSION WAS MADE BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

**ROBERT JONES – YES
JESSICA SMITH – YES
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES**

Steve Denny was reappointed to **Redevelopment Commission** by FB.

A MOTION TO REAPPOINT STEVE DENNY TO REDEVELOPMENT COMMISSION WAS BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

ROBERT JONES – YES
JESSICA SMITH – YES
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – ABSTAINED

Mike Romack was reappointed to **Redevelopment Authority** by ME.
Jenny Sisson replaced Aaron Holden on **Utility Rate Advisory Board** by FB.

A MOTION TO APPOINT JENNY SISSON TO UTILITY RATE ADVISORY BOARD WAS MADE BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

ROBERT JONES – YES
JESSICA SMITH – YES
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES

Gabrielle Brown replaced John Dzelme on **Utility Rate Advisory Board** by FB.

A MOTION TO APPOINT GABRIELLE BROWN TO UTILITY RATE ADVISORY BOARD WAS MADE BY BABB. MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS.

ROBERT JONES – YES
JESSICA SMITH – YES
CHET BABB – YES
SHANE DAVIS – YES
STEVE DENNY – YES

Taylor Metz was reappointed to **Tree Committee** by ME.
Christi Kelly was reappointed to **Tree Committee** by ME.
Kerry Dodd replaced Kate Edwards on **Tree Committee** by ME.
Sammi Thatcher replaced Mike Romack on **Waterworks Board** by ME.
Donnie Meyer replaced Jessica Bastin on **Waterworks Board** by ME.
Jo Dewitt replaced Josh Ring on **Waterworks Board** by ME.
Tim Pritchard replaced Steve Bill on **Fall Creek Regional Waste Board** by ME.
Robert Jones was appointed to **Main Street**.

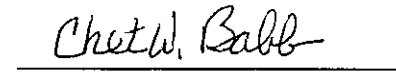
ADJOURNMENT

There being no other business brought before this Town Council, the public meeting adjourned at 6:40pm. The next regular Town Council meeting is January 9, 2020.

Prepared by


Dawn Speedy
Deputy Clerk-Treasurer

Approved by


Chet Babb
Council President