

THE TOWN OF DAYTON INDIANA

The Dayton Town Council Met Monday December 19, 2011 At 7pm in the Dayton Town Hall. Council Members present were Mike Boas, Mike Harris, John Swick, and Ron Merkel. Joe Bumbelburg, Town Attorney was not present.

Mr. Harris called the town meeting to order.

Mr. Swick made a motion to approve the minutes as written. Mr. Boas seconded the motion and the motion carried.

Mr. Swick made a motion to approve the Registry of Claims. Mr. Merkel seconded the motion and the motion carried.

Mr. Swick made a motion to adopt Resolution 2011-6, "A Resolution Transferring Money from Budgeted Funds to the Rainy Day Fund". Mr. Boas seconded the motion and the motion carried.

Mr. Swick made a motion to adopt "The Following Transfers of Appropriations for Consideration" worksheet. Mr. Merkel seconded the motion and the motion carried.

Mr. Nice introduced Ms. Crecelius. She explained that she was "Idacs coordinator" for Dayton. She must be employed by the police department and is the first defense as far as all the terminals being used properly. She maintains the paperwork so that it is in order for the state audit. She explained other duties of her job. She is the coordinator and instructor for Tippecanoe county. Mr. Leininger asked how many hours per week she would work for Dayton. Ms. Crecelius replied that no more than 12 hours per month would be needed.

Mr. Harris opened the two bids for the police car for sale. One bid was for \$1111.00 and the other for \$515.00. Mr. Swick made a motion to reject both bids for being too low. Mr. Merkel seconded the motion and the motion carried.

Mr. Swick made a motion to retain "Ball, Eggleston Law Firm" as the towns legal firm. Mr. Boas seconded the motion and the motion carried.

Mr. Emerson of Turkey Run Court asked if Dayton had an opening to help with the winter snow plowing. Mr. Merkel asked him if he would stop by the office and fill out an application. Mr. Swick asked if Mr. Emerson could do other odd jobs like painting curbs, putting up road signs, and other odd jobs for the town.

Mr. Boas asked about moving the portable sign in front of the liquor store because it blocked the view of State Road 38 when pulling out of Dayton Road North. Mr. Harris said he thought that the sign should be removed.

Mr. Merkel said he had Mr. Nice do traffic surveys at several locations in Dayton to see where we needed stop signs and four way signs. One location that needed signage was at Washington street. Mr. Swick added that we needed speed zone signs down on Dayton road South because speeding that was going on.

Mr. Merkel spoke about the "SHIP" contracts with the State and Dayton for the matching funds for sidewalks and street signs. They needed to be signed and sent to the state. Mr. Merkel also said that the bids for the new Dayton pole barn and the repaving work on the streets would be rebid around February 2012.

Mr. Swick and Mr. Harris talked about the need to have a vote on what the police cars could be used for, Personnel use or business use only. Mr. Swick made a motion that the police cars were to be used for business use only. Mr. Boas seconded the motion and the motion carried by a 4-0 vote of the board.

Mr. Swick said that after the meeting a presentation would be made on the new GPS systems for the police cars. Mr. Leininger said that he had the information. Ms. Crelius (?) said that the GPS system should be under the sheriff's department. Mr. Leininger spoke that this was a passive system. Mr. Swick asked how would the town council know about the use of the police car if the GPS was under the sheriff's department.

Mr. Harris said that the new system was for the town board's knowledge of what was going on. Mr. Harris explained that Mr. Nice did not know about the incident that happened at the Methodist church on Saturday. The county knew about it but did not let the town know what was happening. If we run a GPS through them then we will not get the information, this GPS is for us not the county.

Mr. Swick said that no one should worry or object about this system if they are doing their job. Ms. Nice said that the sheriff's department should monitor the system for their safety. Mr. Swick replied that the sheriff's department does not tell the town council where the car is. Ms. Nice said that the sheriff's department can monitor the car at all times and show where the car is at all times. Mr. Leininger explained what the system could do and not do.

Mr. Emerson asked that if the GPS was put on the cars how would the high water bills be affected. Mr. Swick replied that this system costs only about \$300. And the system that the police department wanted was about \$20,000. Ms. Brown said that this would not affect the water rates because it comes from a different fund.

Mr. Merkel said it was important to know the history here that there was some question of where the police cars were used, at the wrong time, or maybe not being used for duty, and so to stop all the questions about it the council decided that if the guys were using the cars like they say they are, then let's put a GPS in them and no one can complain. We can go over there anytime we want and see where it is. Mr. Merkel added that he had full faith that these guys were not abusing it, so he didn't think people were saying that these guys were a bunch of crooks and we were going to get them. It is a very cheap like \$250. that we don't have to pay for monthly fees for the active, so we chose to go this way just to see where we were with it. Mr. Boas added that it helps our officers when someone says that they were in trouble or broke into the house, then we can say were they actually were.

Mr. Leininger said that it helped the reporting process whenever someone runs.

Mr. Harris said that if we had a police car running around in Lafayette that needs to be out here in Dayton then we are spending the money for gas in Lafayette. So that is how we are trying to save the money by keeping it here in town.

Mr. Emerson asked if the council knew where the cars were with the radio system that was already in police cars. Mr. Swick replied that no, not for us. Mr. Merkel said that the only way to track the cars was with active GPS and we do not have that now. Mr. Swick said that this will help them track their mileage and the fuel going into the cars also. Right now when he makes his report on mileage he has to figure it all up. He has to get the invoices out and the mileage off of the cars and put the numbers into his report. This would be a way of double checking out this.

Mr. Leininger said that this was nothing more than being a valuable tool. Ms. Nice said that obviously you were involved in this before anybody else was. No one ever talked to me about doing this and I'll be starting this next month. Mr. Merkel replied that Mr. Leininger was consulting because he is involved in the computer industry and is an expert in the field. Well obviously he has an interest in the town board Ms. Nice replied. Well here is another thing added Mr. Swick. With you being his wife or spouse, it's gets into where it could be a conflict of interest on what is done in the police department. When Joe (Bumbelburg) comes in the next month he will tell us about what you

can or not say when it comes to the police department. So what is decided now is what is done and when you come next month you can have your say, but I don't think you will be able to say much about the police department. Ms. Nice said that she understood. Mr. Swick replied that right now you are a private citizen and can say what you want. Ms. Nice said that she thinks it sucks and did not think that was fair just because one bad apple can spoil things for everybody.

Mr. Swick said that the board is trying to get to where he can run his department efficiently. Mr. Nice said that you are not making it real easy John. Mr. Nice said that part of his agreement was that the car was to be for his own use. Mr. Swick replied that he never saw your agreement, I never even saw a letter saying that you would accept that job. All I know is that last month you were in Florida. Now it works both ways Don. Right Mr. Nice replied, Mr. Boas can testify to that. Mr. Boas said that his last statement with Don was that he could the car but not abuse it, and that basically I tried to explain that I trust him that he is not going to put 8,000 miles on that car, not going to take it to Indianapolis for family, ok he takes it to Lafayette, that's six miles.

Mr. Nice said that was part of the conditions that he takes the job. Mr. Swick said that when we voted on it, it was not in there. I had a paper that was presented to be voted on that Don will accept and that had nothing about the car in it. Mr. Merkel said that we had a lengthy discussion at that time, and we said we would give it a six month trial and then it turned into this. Mr. Nice said that he did not want someone saying that he was driving that car off duty when he is actually working for the town. He said he would park the car out at the barn and it could stay out there. Mr. Swick said that was up to you.

Ms. Nice said that he is not another dummy. If you want him to run the department then let him run the department. Mr. Swick replied that we were trying to let him run the department but evidently he's not got a good handle on it, there is reports that his officers come to check in and...Ms. Nice spoke up and said that if Ron Koehler has a problem with what he sees out there then he needs to go to the department head and talk to him about it. Ron Koehler asked how the hell did I get into all this conversation Tammi? Mr. Harris asked for quite.

Mr. Boas said his last statement was that Don could use the car but not abuse it. Mr. Merkel said he did not understand that we talked about giving it a six month trial and now... Mr. Swick spoke up and said that the six month trial was to see what the use of the car was and the cost of it. Mr. Merkel said that we needed to define the use of it. If someone sees him downtown eating at his breakfast place they are going to complain, if they see him eating somewhere else they are

going to complain, that is what we need to define. If we don't then there are going to be complaint constantly.

Mr. Boas said if he goes into the sheriff's department to deliver something and on his way back he wants to stop and eat... and that's fine Mr. Harris said, it is just when I am in there on 18th street and 350 at 10 o'clock at night and here comes our police car from 231 then what the hell is it doing clear over there at 10 o'clock at night? That is abuse, I don't care who is in charge of it, but somebody is not watching who they are supposed to be watching. Mr. Boas asked if it was deputies or Don.

Mr. Harris said that if Don was off duty and at home then he did not expect Don to be out watching, because that is what this GPS is telling us what his deputies are doing. It is for our protection so we can keep track of it.

Mr. Boas added that he thought if the cars were used in a professional way and the deputies didn't drive it out of town... Mr. Harris said it is just like me, if I not plowing snow and I have something personnel to do I just don't take the damn truck to town, I go get my own vehicle and go to town and do it.

Mr. Duncumb said he may have been doing a follow up out on Old Romney road... Mr. Boas said that when you write up a report and tell Don then Don can say he had to go do a follow up if someone asks. If everyone knows then it will be a lot easier to explain if your car is seen out there and we can say he was out there doing a follow up and investigation. Mr. Boas said that the police department needs a fair shake.

Mr. Harris said that all the GPS will do is take all the questions out of it. Mr. Leininger said that the active GPS would do exactly the same. It is up to you guys to decide. On the active system the board members or others involved in the safety of the town can log in on any computer system with the right security codes and see where a vehicle is. So if it is spying from the sheriffs department that's what happens to the active system. I'm pretty sure they view it as hey I'm here in trouble, come find me and so it is a valuable tool. If we find out a year later that we should be in the active mode, the cost difference is frankly dramatic from the couple hundred dollars per car.

Mr. Swick made a motion to adjourn the meeting. Mr. Merkel seconded the motion and the meeting was adjourned.

Attest:

Clerk-Treasurer

Presiding Officer