

**TOWN OF  
DAYTON, INDIANA**

**TOWN COUNCIL**

**Clerk-Treasurer Original**



**SETTLED:**

**INCORPORATED:**

**Minutes of  
October 12, 2021**

These minutes are not intended to be a verbatim transcript.  
Audio of this meeting is on file in the Town Clerk's Office.

**TOWN COUNCIL:**

Jen Manago, Town Board President  
Stan Kyger, Town Board Vice President  
Ron Koehler, Utility President  
Carla Snodgrass, Utility Vice President  
Ashley Stevenson, Council Member

**CLERK-TREASURER:**

Michelle Frewerd C/T

Board President Jen Manago, called the meeting to order. In attendance on the phone were: Council Members Ashley Stevenson, Carla Snodgrass, Ron Koehler and Stan Kyger. Also present were Clerk-Treasurer, Michelle Frewerd, Town Attorney, Reid Murtaugh, Mark Harlow and Marshal Taylor.

**Budget Adoption:**

Jen Manago made a motion to adopt Ordinance 2021-17 Budget for 2022...Stan Kyger seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

**Alley Abandonment (693/695 Walnut St):**

Ron stated that he was down there last year and saw that there was a problem, and he contacted the homeowner and the town Marshal. He stated that there are no utilities down there so he doesn't see why we shouldn't abandon it.

The council discussed with the homeowner requesting the abandonment of the alley the history of the alley and any costs that are involved with the process of filing and completing it. The homeowner stated that he hasn't but if there was any cost to the town, the homeowner would be happy to pay it. Stan asked if there needs to be survey done to show the exact property line.

Reid stated that he believes conveyance documents need to be drawn up. Ashley asked the homeowner if he would be willing to pay for those costs. He stated that he would, the only issue is the possible cost of tens of thousands of dollars to do one.

Ashley Stevenson made a motion to abandon the alleyway at 693/695 Walnut St. to Doug and Vicki Willis through conveyance method if the homeowner is willing to pay all the expenses...Ron Koehler seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

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**Attorney:**

**USO Amendment #12-** Ashley Stevenson made a motion to approve Ordinance 2021-18 USO Amendment #12...Stan Kyger seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

**2022 Benefits Ordinance-** Jen Manago made a motion to wave formal reading of Ordinance 2021-19 Adopting Vacation with Pay and Sick Leave Policies...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to adopt on first reading of Ordinance 2021-19 Adopting Vacation with Pay and Sick Leave Policies...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to adopt Ordinance 2021-19 Adopting Vacation with Pay and Sick Leave Policies...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

**2022 Salary Ordinances:**

**Elected Officials-** Michelle asked Reid for clarification since he did not respond to her attorney's email, why he believes that the council can now remove the health care stipend from the Clerk when



the council tried the beginning of last year and he told them they couldn't, but the wording of the statute and Salary ordinance has not changed.

Reid stated that he will not answer that because he does not represent the clerk, he represents the town council and his communications with the council are private between them. He stated that it's their decision to interrupt his guidance. He didn't respond to the clerk's attorney because he stated that the clerk's attorney is supposed to be limited to providing the clerk with legal advice regarding the discharging of her duties. If the clerk wanted to challenge the council's decision, she would have to hire private council.

Ashley stated that he suggests that the council go back and read the emails from Reid over a year ago regarding this issue and he believes that this decision is nothing but retaliation against Michelle.

Jen Manago made a motion to wave formal reading of Ordinance 2021-20 Salary and Compensation for Elected Officials for 2022...Carla Snodgrass seconded the motion...carried roll call vote 4-1.

Ashley Stevenson- No

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

**Non-Elected Employees-** Marshal Taylor discussed with the Town Council some possible changes to the non-elected employee's salary ordinance for 2022.

The suggested changes were:

1. to start new part time officers at the full-time rate of \$27/per hour instead of the \$22/per hour for a 6-month probationary period.
2. Give part time officers a .50 cent raise every five years.
3. IDACS coordinator pay increase from \$12.50/per hour to \$15/per hour.
4. Increase crossing guard rate from \$21/per day to \$25/per day.

### **New Attorney-**

The Town Council interviewed Attorney, Alicia Albertson, from Ryan, Moore, Cook, Triplett & Albertson, LLP. Jen felt like it went well.

Jen Manago made a motion to hire Alicia Albertson, from Ryan, Moore, Cook, Triplett & Albertson, LLP effective October 13, 2021...Stan Kyger seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Carla Snodgrass made a motion to approve the fee agreement with Alicia Albertson and to allow the Council President to sign the agreement...Stan Kyger seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

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**Town Hall Front Entrance:**

Stan thinks putting a handrail would be a problem. He made other suggestions that he believed would be better and make town hall look nicer.

**Comprehensive Planning Grant:**

There is a survey to fill out on the Town's website and Facebook page for the public to give their opinions for what they would like to see happen in Dayton.

**American Rescue Plan:**

The council needs to look at the guidelines and think about what way they think would be the best way for the money to be spent.

**Police:**

Jen got estimates for painting in the Lobby area. Nate's Handyman was \$1240, Thayer's for \$1075 and Gibson for \$1059.64.

Jen talked to Marshal Taylor, and they suggested to wait and get estimates to pay the whole building.

**Allowance Docket:**

Jen Manago made a motion to approve the allowance docket for September 2021...Carla Snodgrass seconded the motion...carried voice vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

**Claims:**

Jen Manago made a motion to approve invoices from BL Anderson for \$260 and \$25...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice from Blue 360 for \$84.75...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

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Jen Manago made a motion to pay Bridget Caldwell \$70.56 for mileage...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #229530 for \$2530 and #231250 for \$577.50 from CCHA...Carla Snodgrass seconded the motion...carried roll call vote 4-1.

Ashley Stevenson- No

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #330961 from Central Square for \$141.02...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #7448 from Crew Car Wash for \$275...Carla Snodgrass seconded the motion...carried roll call vote 4-0.

Ashley Stevenson- Out of room

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Stan Kyger made a motion to reimburse Jen Manago \$119.88 for Drop Box...Carla Snodgrass seconded the motion...carried roll call vote 3-0.

Ashley Stevenson- Out of Room

Stan Kyger- Yes

Jen Manago- Abstained

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #27136 from FJF Services for \$114...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

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Jen Manago made a motion to approve invoice #2092 from Keys Heating and Cooling for \$90...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoices #595 for \$2500 from Kleinpeter Consulting...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoices #29218 for \$22.22 from Menards...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #876 from Murtaugh Law for \$900...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Stan Kyger made a motion to reimburse Jen Manago \$69.28 for Postage...Carla Snodgrass seconded the motion...carried roll call vote 4-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Abstained

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #06806312 from Positive Promotions for \$176.45...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

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Jen Manago made a motion to approve invoices #1374644 for \$3500 and #1374204 for \$441.36 from Utility Supply...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve invoice #2029 from Wildcat Tree Service for \$550...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

**Approval of Reports:**

Jen Manago made a motion to approve the following reports from August 2021; Appropriation Report, Bank Reconciliation, Fund Report and Revenue Report...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Jen Manago made a motion to approve the following reports from September 2021; Appropriation Report, Bank Reconciliation, Fund Report and Revenue Report...Carla Snodgrass seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Clerk-Treasurer Original





**Approval of Minutes:**

Jen Manago made a motion to approve the following meeting minutes:

August 09, 2021, Utility Board

August 09, 2021, Town Council

September 13, 2021, Utility Board

September 13, 2021, Town Council

...Ron Koehler seconded the motion...carried voice vote 4-1.

Ashley Stevenson- No

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Clerk-Treasurer Original



**Public Comment:**

None.

**Council Comment:**

Ashley stated that there was a roof leak that ran down into the ladies restroom and the entrance that goes upstairs. Has workers come out and patch up the problem. Will be monitoring during rain to make sure that it got patched up. The roof on town hall is old and needs to be looked at to replaced in the near future.

Ron would like Ashley's opinion on what should happen upstairs, and they need to look into getting rid of some of the old records.

Ron addressed the cost of the rental cost for farmers who rent town land to farm. He believes that they should up the cost to \$300 an acre.

Ron Koehler made a motion to increase the land rental from \$200 to \$300 per acre starting 2022 and have a letter sent to the farmers immediately to notify them of the increase...Stan Kyger seconded the motion...carried roll call vote 5-0.

Ashley Stevenson- Yes

Stan Kyger- Yes

Jen Manago- Yes

Carla Snodgrass- Yes

Ron Koehler- Yes

Ron asked Ashley about getting prices for canopies for the back door and side door of town hall.

Ron stated that there is another pond on the back of Baker's Farms that the homeowner back there is stating that the pond is overflowing when it rains, and the water is running onto his property. The Town Council discussed the concern of the homeowner.

Ron thanked Reid for working with the council for the past couple years and good luck in the future.

Jen stated that on September 29<sup>th</sup> that she sent Michelle an email requesting a signed receipted copy of the voting ordinance to make sure that it got filed, she stated that Michelle sent her back the plain signed copy. Once Jen clarified what she wanted, Michelle stated that she was going to file it the following week but told Jen that she could go ahead and file it if she wanted to, but Jen stated that she has not received it. Michelle stated that she had already it filed with the people that she needed to file it with. Jen asked her if she would send her the email confirming that the ordinance had been received and Michelle stated that as soon as she received back the original documents that she requested from Jen she would be happy to. Jen has refused to provide those documents to the clerk.




Jen accused Michelle of not filing the paperwork that she was supposed to and trying to sabotage the town from receiving \$365,000. Michelle stated that was not correct, it is on camera that Jen asked for the correct year budget form which Michelle got from the safe. Michelle offered to resubmit these documents and Jen stated that she would do it. The Clerk filled out the original documents, which Jen double checked before signing and the clerk sending. The clerk was never notified that there was an error that needed to be corrected until the meeting when Jen asked for that document. Jen only gave the clerk the scanned copy of the documents, not the original signed documents that the clerk is responsible for storing at her elected duty.

Arbour Homes contacted Jen for a meeting and Jen didn't like their plans and they didn't give on what they wanted.

Jen thanked Reid for his time with Dayton.

**Jen Manago adjourned the meeting.**

**Attest:**



**Michelle Frewerd**  
**Clerk-Treasurer**

**Clerk-Treasurer Original**

