TOWN COUNCIL MINUTES
March 24, 2020

Present were council members Greg Stinson, President; William Lopez, Vice President; Erik Wagner, Brian Finley and David Phillips, and Attorney Greg Sobkowski. and. Absent were Fire Chief Jay Craig, Police Chief James Spanier, Public Works Director Sarah Olson, Building Commissioner Michael Barry and Park Director Brian Bugajski.

APPROVAL OF MINUTES
Finley made a motion to approve the February 25, 2020 minutes and Phillips made the second, motion carried 5-0 motion passed.

APPROVAL OF CLAIMS
Lopez made a motion to approve the claims as presented and Wagner made the second, motion carried 5-0 motion passed.

COMMENTS FROM THE FLOOR
None

CLERK TREASURER REPORT
None

ATTORNEY REPORT
None

POLICE DEPARTMENT REPORT
Lopez asked council to approve a CEDIT (LIT) request for the police department for Code Red Services in the amount of $1,675.20, Phillips made a motion to accept the CEDIT (LIT) request for Code Red Services in the amount of $1,675.20 and Finley made the second, vote 5-0, motion passed. Stinson stated that the stay at home order regarding police, all services will continue as usual there will be no cuts.

FIRE DEPARTMENT REPORT
Wagner asked council to approve Jay Craig's request to carry over 5 days of vacation. Finley made the motion to carry over 5 days' vacation for Chief Craig and Lopez made the second, vote 5-0, motion passed. Stinson also stated that fire department services will also continue with its operations. They have adjusted certain policies for first responder they will be doing screenings and sending only one individual at a time and wearing certain protective gear to be safe.

PUBLIC WORKS REPORT
Stinson made an announcement regarding the stay at home order, there will be a reduction in services only covering essential tasks such as meter readings, storm drain cleanings and things that they have to do and along with emergency responses.

PARK DEPARTMENT REPORT
Phillips said that the Easter Egg hunt that is scheduled for April 4th will be cancelled. He presented a request from the council to approve a photo shoot from Pictures a Moment of Time, SHE Design LLC and Spare Room Studios to take pictures of the Gazebo and Community Building use them in their marketing materials. The town would also be allowed to use them as long as we give credit to the photographers. Stinson noted that this would be a good idea to have professional pictures available to promote the park and building. Finley made the motion to approve and Wagner made the second, vote 5-0 motion approved. Stinson also made a statement under the stay at home order, the park department itself will be closed for the next two weeks but the park will be open to the public to take walks etc. Brian will still be working from home on his cell phone or emails. The Community Building will be closed.

BUILDING DEPARTMENT REPORT
Stinson presented 17 new contractors for approval, Finley made a motion to approve and Lopez made the second, vote 5-0, motion passed. Regarding the stay at home order the town does not have an electronic process to deal with permits and contractor's licenses, Barry will not be doing inspections or code enforcement over the next two weeks. Barry has to meet person to person regarding these so for right now the town will be suspending the permits and licenses during the stay at home order. If they have questions, they can call Barry and he will make arrangements under special circumstances and will allow people to proceed if needed by submitting the application and will accept the payment later. If there is an emergency the contractor should proceed, the town will not stop work, they would be expected to submit the application and would pay later.

OLD BUSINESS
None

NEW BUSINESS
COMMUNITY BUILDING REFUND POLICY
Stinson stated that the Hawthorne Community Building is closed for the duration of the stay at home order. Stinson is wondering if we should look to extending the closure even if the Governor lifts the stay at home order on April 7th, the Governor still has schools closed until May 1st, Stinson asked the council to extend the order to May 1st. Finley made a motion to extend Hawthorne Community building closure until May 1st and Phillips made the second. Wagner suggested that they amend the motion to extend the closure at least thru May 1st or until restaurant and bars are re-opened for

dining inside. Finley amended his motion to extend Hawthorne Community building remain closed until May 1st or until bars and restaurants are permitted to re-open for dining inside and Phillips made the second, vote 5-0, motion passed. The next business regarding the Community building is a refund policy. Currently our agreement states that Brian does not have permission to give full refunds, Stinson suggests that the council waive that and give full refunds to anyone that has had to cancel and since the town has closed the building. He thinks that the council should give Brian the authority to give full refunds for anyone that has been impacted by this. Phillips made a motion to give Brian the authority to give full refunds to renters that have been impacted by the Covid-19 virus and Wagner made the second, vote 5-0, motion passed.

FAMILY MEDICAL LEAVE AND SICK DAY POLICY

Stinson said that he and Attorney Sobkowski were talking a few weeks ago before Congress passed the Family First Act about how to deal with employees if they needed to stay at home for whatever reason that they would still get paid to care for family members or child care situations. The federal government created the rules and the town will abide by those rules. Stinson stated that the rules have not come out yet, they have 15 days after signing, the Attorney stated that the effective date is April 2nd. Stinson noted that the town would implement it right away. He said under the current policy we offer 12 weeks of FMLA but it is not paid and it will now become paid for 10 of the 12 weeks. The first two weeks of FMLA are unpaid under this act and the other 10 weeks are paid at a reduced rate of 66 2/3% which is the current rate as a workmen's compensation situation. The employee has to be off for 10 days before they can receive this. The first part of this will give employees an additional 12 weeks if they used the original twelve weeks of FMLA. The first two weeks unpaid and the additional 10 weeks at the 66 2/3% rate and this applies to employee who has to away from work to take care of a child who is out of school that has no day care because of the virus. The second part of the act grants an additional 2 weeks of sick leave with pay to employees and this has to be used as the traditional uses of FMLA, if the employee is sick himself or to take care of a sick dependent because of the Covid-19 virus. This gives an additional 2 weeks of sick leave with pay. As a practical matter the employee receives 12 weeks of paid, the first two weeks with full pay and the additional 10 weeks at reduced rate of 66 2/3%. Phillips asked if documentation is required and Stinson stated he doesn't think they made a policy on that so it would revert back to what the employee handbook says. Sobkowski states that the Department of Labor is not specific but right now all children are out of school and so the town can accept a statement from the employee to verify the need for the leave. Must validate a doctor's note that the employee needs to stay home or a note that the employee may return to work. Sobkowski said that the council should approve this Family First Act, Stinson said this Family First Act is to expire at the end of this year. Stinson feels that the town only needs to temporarily amend town policy to conform to the Family First Act until the end of this year, Wagner made a motion to approve the Family First Act, and it will expire at the end of this year and Finley made the second, vote 5-0 motion passed.

ORDINANCE 2020-04 – Allowing employees to work remotely
Stinson did 1st reading of Ordinance 2020-04 by title only and asked for a motion to suspend the rules to perform second reading since this time sensitive, Wagner made a motion to suspend the rules and have second reading and Finley made the second, vote 5-0 motion passed. Stinson read Ordinance 2020-04 for second time by title only and Stinson stated that this ordinance needs to be adopted because under current code we do not have a provision for employees to be able to work from and get paid. Stinson asked for a motion to adopt Ordinance 2020-04, Lopez made a motion to adopt Ordinance 2020-04 and Finley made the second, Stinson asked for discussion. Stinson noted that the reason this being adopted because under the town's current code employees can't work from home and receive pay. This will be in place in case of emergency and the president has the authority to declare a state of emergency and this state of emergency can exist for up to 14 days to allow the town to call a council meeting and at that time the council has to approve declaration of emergency and to approve the policy that the employees can continue to work from home with pay, This is a temporary measure in case something happens the president declares an emergency and the employees can be sent home in the interim and the council can convene and either agree with the president and authorize it or they can rescind the order and the state of emergency is dissolved and the employees must return back to work. Stinson asked for a motion to adopt Ordinance 2020-04 Lopez made a motion to approve Ordinance 2020-04 and Finley made the second, vote 5-0 motion passed. Stinson made an announcement as president he declared a state of emergency related to Covid-19 and the governor's executive order 2020-08 stay at home order and hereby allowing employees to work from home that have non-essential positions. The employees with essential positions will continue to report to work. Stinson asked the council if they agree to the state of emergency Phillips made a motion to agree to the state of emergency and to continue the state of emergency and Finley makes the second, vote 5-0, motion passed. The council as a body has declared a state of emergency and puts this ordinance into effect and now allows employees that can do their job functions from home and get paid.

DISCUSSION OF TOWN MEETINGS
With the stay at home order from the Governor and if this progresses and gets worse the Governor has issued certain guidelines that lets towns to alter how they do meetings. He has given permission that the council can hold town meetings with only one council member present and the rest of the council joining via conference call, Meetings will be open to the public but those attending need to practice social distancing. If it gets to the point of telephonic the council would provide a phone number and allow the public to call in. This would only go into effect if public safety is compromised that we are not safe together.

SEWER SHUT OFF POLICY
This has already been addressed by the Governor that no utilities can be shut off. Stinson wants the council to address that during this crisis and residents are facing

many unknown economic developments that the council waive any late fees and penalties as a temporary solution on any unpaid sewer bills. Stinson asked for a motion to suspend any late fees and penalties on any unpaid sewer bills during this Corona crisis and the council deem that the crisis has ended Finley made that motion and Wagner made the second, vote 5-0 motion passed.

COUNCIL COMMENTS

Stinson has an announcement that he is in receipt of the annual Tax Increment Financing report for Redevelopment Commission for Indiana Code 36-7-14-13 that is due April 15th and on file in town hall/ Stinson also stated that the Town hall will be staffed from 8:30 am until Noon and closed to the public. Public Works will move to reduction in services only covering essential tasks such as meter readings, storm drain cleanings and things that they have to do and along with emergency responses. Park Department will be closed but the parks will remain open. Police and fire departments will all services will continue as usual there will be no cuts. Phillips made a motion to adjourn and Finley made the second, vote 5-0 motion passed,

Dated this 28TH day of APRIL, 2020.

Greg Stinson, President

William Lopez, Vice President

Erik Wagner

Brian Finley

David Phillips

ATTEST Karen Spanier

Karen Spanier, ~~Deputy Clerk~~ pro-Tem