

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, September 1, 2020, 6:30 PM

The meeting was opened with the Pledge of Allegiance

President Kauffman called the meeting to order with Vice President Budreau, Council Member Rush, Council Member Colanese, Council Member Doll and Clerk-Treasurer Susan Moffitt present.

Also in attendance were Andrea Halpin, Jared Huss, Jill Doll, John Mrozinski, Stephanie Murphy, Oliver Davis, Derek Dieter, Mary Countryman, Rich Kopkowski, Jack Daly, Dan Caruso, Amy Radcliff, Bob Middlebrook, Carol Middlebrook, Randy Clark, Pete Agostino, Josh Schweizer and members of the NCFD, Dave Combs, Chris Deak, family of Jess Fisher.

President Kauffman announced that we are recognizing Officer Jess Fisher and an equally brave bystander, Brian Smith, for their heroic actions on August 5th rescuing a driver from a burning car. NCFD Chief Josh Schweizer presented both Jess and Brian with plaques commending their bravery in working together to pull the driver from a vehicle that was on fire following an accident on August 5th. Marshal Dave Combs presented both Jess and Brian with certificates of commendation for their heroic actions on August 5, 2020. The mother of the victim was in attendance as well to personally thank both men and express her gratitude for what they did to save her son from his burning vehicle that night.

Approval of Minutes

Council Member Rush moved to approve the minutes of August 14, 18, 19, 22 and 27. The motion was seconded by Council Member Doll. Council Member Doll abstained from August 27, President Kauffman abstained from August 18 and Vice President Budreau abstained from August 14. Motion passed.

Visitor Comments

- Jack Daley

Jack stated that he has been here throughout the IEC invasion and has read the rewritten statement of the Town and feels that it is radically different than the previously approved one and it is very disappointing. He stated that this happened without any participation from the Town that he is aware of and the Council has a chance here and must think about repercussions down the line. These people have made promises and reneged before. Jack quoted Churchill: When the situation was manageable it was neglected, and now that it is thoroughly out of hand we apply too late the remedies which then might have effected a cure.... Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong - these are the features which constitute the endless repetition of history. Jack stated he was saying to wise up. Wise up.

- Dan Caruso

Dan stated that on Feb. 18, 2020 he left here feeling wonderful following the town resolution for the moratorium until there is any input in the process and in the development of a new master plan. Things have changed over 20 years. You don't amend a 20 year old program, you write a new one. You don't keep adding on to what has become a bad idea. Quoting the previous Council statement... "in seeking alignment""a moratorium on implementation on the IEC" ..."request more meaningful and intensive involvement..." Dan said that he doesn't know what has happened since February 18, well, he does know. And the county has been saying for three months they will publish the info and he was told again last week they are working on it. He stated that they are working on taking our farmland. We need to stand our ground.

- Carol Middlebrook

Carol informed the Council she is here to ask if it would be possible to decrease the speed limit on East Front Street from Arch to Filbert or maybe all the way to the west end. She informed the Council that on her block there are 15 kids with 13 of them ranging from 7-14 years old and the cars speed down the street so fast that it is ridiculous. The speed limit is 25, the same limit that is on Michigan Street and it seems like it is too fast and shouldn't be the same on their tiny little street. Carol said that there are kids outside playing every day from morning to evening and they like to ride scooters and bikes up and down the street all day. Sometimes the kids will dart from one side to the other and the speeding cars worry her so much and she is afraid that one day there will be a car that will go by and hit one of the kids. She would appreciate the Council taking into consideration lowering the speed limit on at least that block.

- Oliver Davis

Dr. Davis wanted to share words of caution in terms of the Town not remonstrating against the rezonings. He recognizes the spirit of this but Sections 8, 9 and 10 have not yet been established. He stated that he is always cautious for any group to give up their power and ability to challenge something, especially when each piece has not been put into place and they must be put into place so that everyone can see what they are and then go back to sections 1 and 6. The plan was established 18 years ago and we do not know how that will end up. Many of them have been asking for this to be done for years and it has not. We do not know what that final document will be when the comprehensive plan comes. Once that happens and we have peace, if the town had been part of the planning, then cool. But to do so before that document is there puts us in a different situation as you can't defend what has not been put into writing. Gather public input and once established, 1 and 6 make sense.

- Derek Dieter

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Stated that he is almost piggybacking off of Oliver but the language is misconstrued in 6 and asked, does that mean town government or everyone? 8 says SJC will bring a comprehensive plan and is SJC on board with initiating the process? The resolution is vague, he is not sure who wrote it, St. Joe County, Town? He sees so many holes in the intent of what they are trying to get to. Look at specific words and it is confusing and he has read stuff like this for a long time. He cautions the Council to define this. They have asked for a comprehensive plan forever and so, are APC and SJC on board with whatever?

- Mary Countryman

Mary stated that she agrees with what has been said so far and especially the more meaningful talk. After sitting in so many meetings, supposedly there has been so much communication. It is a joke and has her worried. She agrees with Dr. Davis on Section 9. The proposed site that exists outside the core area originally showed it right across from her house on Timothy Road and also included one of Van Wanzele's fields. She spoke with the Van Wanzele's and asked if they were aware of it and they had no idea. When questioned about that, the map disappeared off the county site. There was denial of that, but she has a screen shot. She stated that there is so much deceit. It says meaningful communication and potential for new development. She continued that she doesn't see a lot of strength and is concerned that the people we are dealing with, and although you are good honest people, the people you are dealing with and their character she hopes the Council knows.

- Amy Radcliff

Amy stated you are good people with your hearts in the right places, doing the right thing, not underhanded like some other people in this county. There is quite a bit of wording in this resolution and it gives away quite a lot up front which is what she and Bob Humbarger asked the Council not do. They requested a press conference. She can read the July 8 and August 2 remarks, her letter and Bob Humbarger's letters that will appear in Friday's NC Gazette. She stated that some of you were elected because of your opposition to the IEC and all of you supported the statement in February. She asked what has happened since then. What happened to their request to just wait? Section 1 has been addressed, 6, 7 and 10 addressed so she will address Section 8 because she feels this is the reason this resolution was created. Because we need a new water plant. Different people, engineers, appraisers, lawyers, all involved in this and all making money, certainly salary.

She will leave it at that. Those developers, surveyors, engineers are the ones being served by this. Unless what you need is a water plant and in that case, work with your people.

- Randy Clark

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Randy stated, transparency. With transparency you have credibility. With credibility you have trust. In this whole process that is what you need. Some understand the wording of this. Maybe consider this a draft and come up with something a little better. It isn't bad, you have to start somewhere. You can always improve. Like art, it can always be better. Consider it a draft, come up with something better. You can do it.

Employee Reports

- Marshal Dave Combs

He reports that he did get stats out and the only other thing is he is moving along with the hiring process and interviews this week.

- Dan Caruso – Council Representative/Area Plan Commission

The Area Plan Commission has not met but their unfavorable recommendation on the 3 parcels has been moved to "no recommendation". He finds that suspicious.

- Attorney Andrea Halpin

Andrea has been assisting with employment issues and ordinance preparation.

- Engineer Jared Huss

Work on the Zigler and Filbert Street projects continues with Filbert to receive the surface treatment this week. They are doing an excellent job.

He, John and Perry have completed the passer rating update and turned it in to MACOG

Jared will have the 2021 Sidewalk Contract for review at the next meeting. He would also be happy to work with the Marshal and Andrea on Carol's request to lower the speed limit on Front Street if needed.

New Business

- -Public Works Director Contract Approval

The contract for Acting Public Works Director was presented. A motion to approve the contract was made by Council Member Budreau and seconded by Council Member Rush. President

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Kauffman asked if there was any discussion. Council Member Doll questioned the inclusion of six personal days in the contract when he used six already this year and past employees have not been given any days when returning. President Kauffman responded that we are aware and will need to hold some work sessions for discussion regarding the hiring policy and employees who come back to work. Council Member Colanese asked how long the contract is for and President Kauffman reported until December 31. Andrea stated that we need to redo the policy as we have had some inconsistencies but that has gotten put aside because of other more pressing issues. Her understanding is at this time, the Council is currently acting as the public works director for all departments and so we need to fill the position and then we will be able to move forward with adopting the new policy regarding rehires for inclusion in the Hiring Procedure Policy.

The motion passed 4-1 with Council Member Doll voting nay.

- -Approval of Alley Paving Quotes

Two quotes were presented for alley repaving for the alley between Chestnut and Ada from Filbert to Arch at \$13,611 and the alley between Michigan and Chestnut from Cherry to Bray at \$12,906. Alley repaving for these was budgeted for this year. Vice President Budreau moved to approve both quotes for an amount not to exceed \$26,517. The motion was seconded by Council Member Rush and passed unanimously.

Ordinances and Resolutions

- **-Resolution#20-09-01-01-a resolution for transfer of CFF to Fire Territory**

President Kauffman read Resolution 20-09-01-01 in entirety.

Vice President Budreau moved to approve Resolution #20-09-01-01 as written. The motion was seconded by Council Member Rush and passed unanimously.

- **-Resolution#20-09-01-02-a resolution of the Town of New Carlisle by the Town Council regarding the Indiana Enterprise Center**

President Kauffman read Ordinance #20-09-01-02 in entirety.

Vice President Budreau moved to adopt Resolution #20-09-01-02 as written. Council Member Rush seconded the motion.

Council Member Doll asked Andrea to address the questions the speakers had expressed regarding questions 6,7,8,9 and 10 about us giving up our right to remonstrate. Andrea explained that this is contingent upon all other paragraphs happening. Limited uses that were agreed upon by Town, township and the Town is not going to agree to anything that is likely unfavorable. They would be things that would be favorable to the Town and not overshadow us. The Sebasty family has already withdrawn their petition for rezoning as in Section 1. The map shows the various acreages, what properties are up for rezoning, and the thick black line indicates the 'core area' referred to throughout the document. The pink and blue lines show reserve and growth area. The other thing not pictured on the map is the land north of Highway 20. The agreement not to remonstrate is assuming that all the other things are taken care of.

Council Member Colanese stated that he would like to start by thanking all who have participated many years in the work to give citizens a voice. Most notably as he read through this is the containment of the IEC to a limited and well defined area as opposed to chasing industry all over out there and it is limited to the area between 2 and 20. He sees this as a big step forward and this might be our only chance to grab it even though some don't agree.

Council Member Doll stated that he is not criticizing but they have listened to everything that has been said for the past two and a half years and feels that they are included in this. There is much more to this than meets the eyes. If we get this in writing and memorialize it, we have something to go back on, it is in writing, and that is why they are doing this.

President Kauffman stated that in the two plus years that she has been involved in expressing concern about the IEC and attending countless meetings with many of those in attendance; this is the first opportunity to have a place at the table and have meaningful discussion with the County. Is it a perfect document? No. It does address the boundaries of the core area, types of industry and does open the door to have meaningful discussion. On a personal level she wants the IEC to go away. Clearly that wasn't and isn't going to happen. This is one of the most difficult things but she cannot do just what she wants.

There being a motion and second on the floor, President Kauffman called for a vote. The motion to adopt Resolution #20-09-01-02 passed unanimously.

- **-Ordinance#1397-a salary ordinance for employees of the Town of New Carlisle (1st Reading)**

Tabled

Council Reports

Vice President Budreau

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Spoke with Chief Schweizer today and they are planning a 9/11 Ceremony at Memorial Park on that Friday at 12:00 Noon. Vice President Budreau thanked David Combs who has done a lot in a short amount of time here, pulling double duty and waking up early and he feels that everything we were looking, for we found.

Council Member Rush

Council Member Rush reports that the Park Board will hold a meeting on September 8 for public input on the 5 Year Park Master they are currently updating. The New Carlisle Business Association will hold their meeting this month on September 9 at 1:00 PM. The meeting will be virtual again.

Council Member Colanese

Reminded everyone that there is a Fire Territory meeting tomorrow night at 5:30 PM.

Council Member Doll

He visited the Zigler Street project last week to review some changes that hadn't been included during the initial planning. Council Member Doll feels that they are very valid changes and the project is coming along well.

Bills to be Paid

Vice President Budreau moved to pay all bills as included on the Claim Docket presented. The motion was seconded by Council Member Doll and passed unanimously.

Adjournment

Upon a motion by Vice President Budreau and second by Council Member Doll the meeting was adjourned at 7:23 PM.


Marcy Kauffman, Council President

Attest:


Susan I. Moffitt, Clerk-Treasurer