

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, August 4, 2020, 6:30 PM

The meeting was opened with the Pledge of Allegiance

President Kauffman called the General Meeting to order at 6:34 PM with Council Member Doll, Council Member Colanese and Clerk-Treasurer Susan Moffitt present. Vice President Budreau was absent.

Also in attendance were Andrea Halpin, Perry Hinton, Dave Combs, Chris Deak, Jill Doll, Jason Quirk, Jack Sanford, Ella Sanford, Amy Radcliff, Oliver Davis Jr., Aaron Keehn, Jeremy Roschyk, Stephanie Cerling, Dan Caruso, Jack Daly, Mary Countryman, Chris Humbarger and Garrett Blad.

Approval of Minutes

Council Member Doll moved to accept the minutes of the July 21, 2020 General Meeting as written. The motion was seconded by Council Member Colanese and passed 3-0.

Visitor Comments

- Amy Radcliff

Amy thanked the Town Council for listening on July 7 when she and Bob Humbarger asked for a press conference about the recent successes regarding land use planning and response two weeks later with a statement. The Council did not have to respond. Did not have to disclose anything at all. They could have waited. A while. But this is a telegraph, and it reads like a hostage statement. "Don't worry, we are being treat well. Our captors are friendly. Everything is fine." Things are not fine.

Amy stated: "The last paragraph reflects how the process is backwards, the Town will write and adopt a resolution and then explain it to the public. With binding agreements to follow. That is not right. You all know it is not.

This statement says the quiet part loud.

But so much is left to the imagination. Why three meetings with Andy Kostielney? Who else was involved? What was discussed? Why negotiate at all? Why now? She has learned from someone who talked to Will Miller that the land under negotiation is bound by Route 2 and US 20 and Larrison and Willow. Depending on the actual drawn boundaries, that could be from 2500 to 4000 acres. Far, far greater than the 1,440 acres in the three petitions.

The Town, the Township, the Farm Bureau, and OSAA all agree, and are stronger together because of this, that appropriate industrial development, in the right location can be beneficial. If you negotiate, it should be from strength with all parties involved.

For years now, people from this town and throughout the county have fought and pushed back hard against the waste of millions of dollars, the terrible misuse of planning, and endured the loss of trust in government as the County Redevelopment Commission attempts to implement the IEC.

On June 16, the Area Plan Commission gave unfavorable recommendations on the rezoning petitions, on June 23 the County approved purchase options on the land, and on June 25 the Town presumably having been approached by Andy Kostielney met in Executive Session.

The questions loom. The concern is immense. The stakes are great. You, the Town and all your compatriots have the strength. Closed door negotiations never end well. Please remember your February Resolution; it states "We also request more meaningful and intensive public involvement in the IEC master planning process." Please heed your own words, involve the public and together we can achieve acceptable compromises, as necessary."

- Dan Caruso

Dan stated that he made a similar statement to the SJC Commissioners and thanked them, especially Andy Kostielney, for reaching out and seeking input from our elected representatives. It is a long time coming with zero input. He stated that when you consider the takeover of farmland, it is wrong to come up with an MOU behind closed doors and then afterwards come out and explain why you did this and ask what we think about it. It is too late. You have to involve people, involve the public. From the very beginning and between all of the parties because like it or not we are part. Please stick to the statement issued in February where we want complete and total transparency with real input from the public before any decisions are made.

- Jack Daly

Jack stated that he sent an email to the SJC Commissioners and Council this morning. Regarding recent meetings between Andy Kostielney and elected officials, he believes that public meetings with representation from all stakeholder groups is the only way to move forward. This is a bone of contention and the Commissioners need to deal with those opposed to this directly. The failure to communicate effectively and inclusively has been evident from the very beginning. Continuing the meetings out of the public eye will only continue the distrust that has resulted.

- Oliver Davis

Thanked the Council for their February statement. He believes that the only reason Andy Kostielney started to negotiate with the Council recently was because of the three unfavorable recommendations from the Area Plan Commission regarding the property rezoning. He feels that these meetings with Andy Kostielney should be in a more open manner. One of the things he realized was that when he got to an APC meeting and it was packed, someone did not do

their homework. This whole process has not been done right and to try to fix it in these types of settings it is not good. You have a master plan thrown out for some things and then rejected for others. He feels that this whole thing should be delayed and stated that the Council should be talking to our representative, Commissioner Dave Thomas, and then whoever replaces him next and not Andy Kostielney. Kostielney doesn't see farmland as we do and we cannot have leaders like that. We all need to continue to work together.

- Mary Countryman

Mary stated that she was not prepared to speak tonight but feels she has to. She has so much to say and not enough time. On the CBS Sunday Morning Show there was an episode about the lack of water, where people don't even have running water in their homes, in areas here in the United States. Water is a valuable resource that too many take for granted. The aquifer gives us drinking water and waters our crops. Many people don't understand the importance of soy beans and would be surprised at how many things they are used for and the number of things that are made from them. They are more than food and are used for thousands of products. If you take away corn and soy beans it will raise the prices of everything. She urged everyone most of all to not take the aquifer for granted. A big industry could come in, with no stakes, no family ties, and contaminate it and then just be done and leave. She urged everyone to think about how valuable the water is every time they turn it on.

- Chris Humbarger

Chris expressed appreciation for the opportunity to speak and stressed that the decisions the Council is working on will have a huge impact, especially to those that live close to the development area. He supports all of the previous comments made tonight and speaks for many that this process stinks. They don't like the idea that executive sessions are held and then the Council might, maybe, tell them. In the paper we hear there will be public input and a lot of people put significant time into comments and there has been no reply. He feels that the people collecting the survey are clearly not unbiased. He would like to see the results of the survey but still has not. He stated that he believes they didn't like the output and are trying to push through without any public comment at all. He has heard no one speak in favor of this except for a commissioner that doesn't live here. He stated that this is an unrestrained process not accountable to the people and asked that the Council please consider more public input before some backroom deal. He apologized if he seems upset, but stated that he is.

- Garrett Blad

Garrett stated that he wanted to quote several sentences from the letter written by former Area Plan Director, Larry Magliozzi following his retirement. Larry's letter states that he had been in

public service for 43 years, beginning in 1979, and had worked with three different agencies during that time. He stated that he had never experienced such a lack of respect as he did from the beginning of this project and that it has been a public relations disaster. The letter continues that Larry had first stumbled on the IEC in the spring of 2018 while trying to create a better land use and did literally stumble on it because it was under the radar and that is how this whole plan has been. Garrett stated that time and time again they have asked for public input, transparency, for their voices to be heard, that they have been out in sunshine and in rain. The resounding voices are not just from New Carlisle but South Bend and other places as well. This community does not want this project. After years of mobilizing voices to finally get the zoning struck down because it does not follow the land use plan and now to hear about some backdoor deal with a negotiation between just a few people it is hard to believe it was in good faith. Garrett continued, look at all of the things surrounding this project. All of the people who have spoken up, written letters, showed up outside the county city building. Thousands of people have signed petitions. This is the largest he has seen in his lifetime and stated that it is egregious and a smack in the face to everyone in this community. Garrett urged the Council to continue with their statement released in February and continue with a county-wide involvement. He questioned why Bill Schalliol hasn't released funds to allow this to go and let the County start another land use plan. He stated that this is long overdue and feels it is very simple. They don't want the public to participate. They do not want public input. He asked that the Council continue the legacy they set forth and insure the public is involved in the decision about this land going forward.

Employee Reports

- Chief Dave Combs

Reports he is on day seven and has started a department inventory. He is going office by office to see what we have and hopes to have it done in the next couple of weeks. He also started going through cars yesterday and found a couple that need repairs and is working with Paul's. He hopes to have everything addressed by next week.

Chief Combs asked the Council if they want monthly stats at meetings and how they would like to have that done. The Council responded that they would like monthly stats and Chief Combs will have them for the first meeting of each month.

Permission to begin the hiring process for the two open full-time positions was requested. A motion to allow the advertising to fill the open positions was made by Council Member Doll and seconded by Council Member Colanese. The motion passed 3-0. Council Member Colanese questioned if we will be stopping at six officers and Chief Combs responded that he will have a proposal coming soon.

- Perry Hinton – Town Crew Supervisor

Perry reported that both the Filbert and Zigler Street projects have started and everything is going well. Most work including pipe and drywells is complete on Filbert and they should be pouring curbs and gutters as early as Friday.

- Jason Quirk – Electric Superintendent

Jason reported that the first round of four capital projects scheduled for this year is complete as of Thursday.

New Business

- Approval of Donohue Preliminary Engineering Report Agreement

Jeremy Roschyk of Donohue explained that this agreement is for engineering preparation of the PER that the Indiana Finance Authority requires for consideration and review for SRF, which in this case is for the water utility, primarily consisting of a new facility and improvements to the distribution system. Andrea questioned if this is a lump sum payment or will be billed based on work performed and Jeremy responded that they will bill monthly per the percentage of the report complete.

Council Member Doll moved to approve the Donohue PER Agreement as presented. The motion was seconded by Council Member Colanese and passed 3-0.

- Approval of Addendum to DLZ Wastewater Contract

The addendum presented includes performing an asset inventory, reviewing condition and criticality, life span and replacement cost as well as putting a list together to help establish the improvement on the sanitary sewer side.

Council Member Doll moved to approve the Addendum to the DLZ Wastewater Contract as presented. The motion was seconded by Council Member Colanese and passed 3-0.

- Approval of Job Description for SJEC Water Plant Operator II

A job description for SJEC Water Plant Operator II was written as requested by the Council. The changes in the Operator I description include the requirement for the Operator II to hold the wastewater certification as required by IDEM for the SJEC water plant and also a change in the salary range as was discussed previously with the public works director.

Following discussion, Council Member Doll moved to approve the SJEC Water Plant Operator II job description as written. The motion was seconded by Council Member Colanese and passed 3-0.

Ordinances and Resolutions

- Ordinance #1393 – And Ordinance to Adopt the 2018 and 2019 Codification

President Kauffman read Ordinance #1393 in entirety for the second reading.

- Ordinance #1395 – A Salary Ordinance for Town Employees

Ordinance #1395 was tabled for further review.

Council Reports

Council Member Doll

Council Member Doll reported that work is progressing and going well on the street projects.

Council Member Colanese

Council Member Colanese reported that on the water treatment side there is a vehicle that needs repair. The truck is a 2008 with 80k miles and is in need of fender repair, new tires and a few other things. He stated that they will get repairs taken care of it and try to get another 2-3 years out of it.

Bills to be Paid

Council Member Doll moved to pay all bills as presented on the Claim Docket. The motion was seconded by Council Member Colanese and passed 3-0.

Adjournment

Upon a motion by Council Member Doll and second by Council Member Colanese the meeting adjourned at 7:12 PM.

Marcy Kauffman, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer