

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, March 24, 2009

President Higgins called the meeting to order with Vice President Groves, Council Member Mell, Council Member Colpitts, Council Member Gelow and Clerk-Treasurer Sue Moffitt present. Also in attendance were Roger Nawrot, Bill Herrbach, Pat Cummings, Doug Glon, Mary Ann Swope, Augie Mauer, Stu Bechtel, Bob Middlebrook, Marcy Kauffman, Deb Adnson, Tom Baker, Ken Davis and Jason Quirk.

Minutes:

Vice President Groves moved to accept the minutes of the March 6, 2009 Emergency Special Meeting as written. Motion seconded by Council Member Mell and passed. Council Member Gelow abstained.

A motion to accept the minutes of the March 10, 2009 General Meeting as written was made by Vice President Groves, seconded by Council Member Gelow and passed. Council Member Colpitts abstained.

Vice President Groves moved to accept the minutes of the March 18, 2009 Executive Session. Motion seconded by Council Member Gelow and passed unanimously.

Employee Reports:

Pat Cummings:

- State began ditching on the north side of US 20.
- Have begun work on the Marvel Lane/East Michigan Street sewer lining project.
- Met with INDOT and Roger on drainage issues. INDOT would like the Town to do a flow study to see if pumps are adequate. Approximate cost would be \$5,000 for the engineering study.

Vice President Groves asked if there would be other costs involved. Roger stated that there would be further costs. Council Member Colpitts stated that we would need to know what funds would be used prior to agreeing to the study. Pat stated he would like some type of written commitment from INDOT as well.

- Turned in proposed stimulus projects totaling 2.5 million dollars. He and Roger are unsure as to which project, sidewalk replacement or the Downtown Beautification Project would offer the best chance of receiving funding. Pat will call Carolyn tomorrow after speaking with MACOG.
- Reports Bob Palm requested a meeting with President Higgins, Jason Wykoff and Todd Veldman in regards to the plan they are submitting to Area Plan for rezoning of their property on Marvel Lane. They are requesting rezoning from Local Business to General Business to allow for the construction of storage units with an office and retail shops.

Because it has been the Town's process for the developer to make a presentation to the Council prior a rezoning petition submittal to Area Plan, Council Member Colpitts requested that Mr. Palm present the project to the entire Council at the next meeting.

- Kate O'Connor's Pub disconnected pumps discharging clear water into the sanitary sewer yesterday and flows have dropped 50,000 gallons.
- Reports that Mr. Cooreman has new property proposals to present and asks if there should be a new committee for review.

President Higgins stated that we will not entertain any further proposals as we have spent a significant amount of time and money already. Council Member Colpitts stated the professional recommendation has already been issued by Roger.

Old Business:

- Cell Phone Policy

A draft of the proposed cell phone policy was distributed at the last meeting for Council review. President Higgins stated that the policy was very well written and recommended no changes. Sue was asked to put this in ordinance form for the next meeting so that it may be added to the Employee Handbook.

New Business:

- Hearing Officer for Code Enforcement

Bill Herrbach gave an explanation of uses for a hearing officer in town. He will research the criteria and costs involved for the Council.

President Higgins stated that an ordinance holding landlords responsible for the actions of their tenants following notification, similar to the one in place in South Bend, could be used if the town had a hearing officer.

- Schindler Elevator Contract addendum

Council Member Colpitts moved to accept the addendum to the elevator maintenance agreement to include a newly required safety test. Motion seconded by Council Member Mell and passed unanimously.

- New Prairie High School/Relay for Life Proposal to use Memorial Park

Vice President Groves motioned to waive all fees and approve the usage of Memorial Park for the May 9th NPHS fund raiser for Relay for Life. Motion seconded by Council Member Mell and passed unanimously.

Ordinances and Resolutions:

- **Ordinance #1209** – An ordinance establishing a fee for vehicle inspections.

President Higgins read Ordinance #1209 in its entirety for the second reading.

Council Reports:

President Higgins:

- Reports the Town received a letter from First State Bank in reference to the irrevocable letters of credit in the amount of \$306,225 for Steve Cooreman. They are requesting that the letters be returned to them.

Bill Herrbach explained that the letters of credit guarantee the work, including final grade of asphalt and sidewalks, is completed. A 15% maintenance bond for three years is included. We will not return these letters.

Vice President Groves:

- She and Council Member Colpitts are trying to coordinate the cleaning and painting of the viaduct wall. Paint (Veldspar) and primer would be just under \$1000. They estimate it will take approximately three days and would like to coordinate with the HNC tree planting on April 25th. Council Member Colpitts will discuss cost sharing of the project with Dawn Krueger of the Business Association.

Council Member Colpitts asked if a permit would be necessary to work on the viaduct wall. Pat stated that it would not. Roger suggested signs and police reinforcement for the day.

- The Comprehensive Plan Committee met last week. John Byroni, Director of Area Plan, had set aside money for a model zoning ordinance and has chosen to use the Town as the model.

Council Member Colpitts asked if Area Plan will consider the new zoning ordinance when hearing the request for the Wykoff property zoning change petition. Roger stated that they may negotiate with the owners but the decision must reflect the current zoning ordinance.

Council Member Mell:

- Attended his first Area Plan Commission meeting as the Town's representative. Felt it was very informational and he enjoyed it very much.

Public Comments:

Stu Bechtel:

- Asked as a member of the local Relay for Life Committee, for Council permission to place banners purchased by their committee on the light poles for the month prior to their annual relay June 5-6.

The Council gave permission to place the Relay for Life banners on every other light pole as the American Flags are placed on every other pole.

Kenny Davis:

- o Asked if volunteers working on the viaduct wall will be wearing safety vests.

Mark Adnson:

- o Inquired about drainage requirements for the site of the proposed offices/storage buildings on Marvel Lane.

President Higgins stated that a presentation and the proposed plans will be available at the next meeting. An answer on the drainage question should be provided at that time.

Deb Adnson:

- o Asked if the new school corporation sewer line will go to the viaduct.

Roger replied that it will not go to the viaduct but will go along the railroad tracks instead.

Jason Quirk:

- o Reports that he will have a short outage tomorrow, March 25th at 10 PM, weather permitting. This is necessary to complete work done when AEP lost a phase today.

Clerk-Treasurer:

- o Reports that the Clerk's office received a call yesterday asking when reimbursement would be made and the remainder of the sidewalk removed from the home at 708 E. Michigan Street. The Town had removed a portion of the sidewalk for installation of an electric pole and the homeowner was told she would be reimbursed for the sidewalk and would receive a letter stating that she would not be required to put a sidewalk back in.

President Higgins stated that this was the homeowner that we made put the sidewalk in although it doesn't go anywhere. Council Member Colpitts stated that we just need to put the sidewalk back in that was removed.

Pat will talk to the homeowner.

Bills to be Paid

Council Member Colpitts moved to pay all bills as presented. Motion seconded by Vice President Groves and passed unanimously.

Council Member Mell moved to adjourn the meeting. Council Member Colpitts seconded the motion and the meeting was adjourned at 8:25 p.m.

Carolyn Higgins, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer