

**New Carlisle Town Council**  
**124 E. Michigan Street, New Carlisle, Indiana**  
**General Meeting, January 28, 2019, 5:00 PM**

The meeting was opened with the Pledge of Allegiance.

Council Member Carter called the meeting to order with Vice President Vermillion, Council Member Kauffman, Council Member Rush and Clerk-Treasurer Susan Moffitt present. Council Member Budreau entered the meeting later.

Also in attendance were Andrea Halpin, John Mrozinski and Jill Doll.

### **Minutes**

Vice President Vermillion move to accept the minutes of the January 8, 2019 General Meeting and January 9, 2019 Hearing of the Public Safety Board as written. The motion was seconded by Council Member Kauffman and passed 4-0.

### **Employee Reports**

- Attorney Andrea Halpin

The ordinance to change the meeting days to the first and third Tuesday of the month has been prepared as requested.

Andrea explained the procedural issue at the hearing of the Public Safety Board on the 9<sup>th</sup>. When she arrived, the attorney for Sgt. Whitt stated that there was a conflict of interest as he felt she was assisting both the Town and Cal. Because she has only advised procedurally, she denies that this happened. However, the issue is that charges have been levied against an officer and this safety board has to determine whether or not they are true. She wanted to ensure that this most important aspect is not jeopardized by any perceived conflict of interest. She has been trying to find representation for both the Council and the Chief and has found one for the Chief who will need to request Council approval to hire him. She reports that she has spoken with that attorney and will hand all of the pertinent information to them tomorrow. She reported that she has spoken with several attorneys with experience in this type of issue but has not been successful in finding one who will represent the Town.

Council Member Budreau entered the meeting

Andrea explained that of the three attorneys she spoke with, one is currently doing this for another municipality, one is close to retirement and was not interested and the other has scheduling conflicts. Council Member Budreau suggested that Andrea contact Tasha Outlaw.

Andrea has received the ordinance prepared for the proposed fire territory but has not had the opportunity to review the information thoroughly. Additionally, she will be making the changes required to the interlocal agreement because of Olive Township's requirement that a not-to-exceed amount be added.

- Public Works Director John Mrozinski

John reported that he and Cal met last week and put together a job description for the data clerk downstairs in the police department. John stated that he will use that person minimally and pay a small amount from his budget as well. The opening has been posted in-house.

They have installed another transformer at the Bray lift station and it has corrected the issue with the flickering lights. With that being said, there is a piece of property next to the lift station that we can obtain either an easement on or purchase the whole lot as additional area is necessary for the new lift station upgrades. The lot is non-buildable and would work well for the additional utility easement and possibly greenspace and connectivity. Andrea reminded John that two appraisals are necessary.

John met with a rep for a contractor that has been asked to do work for Century Link on N Timothy and Arch Streets and coming into the north side of downtown to their existing building. They will be crossing our utilities for this project and also going under the railroad. John provided a lot of information and the contractor is still deciding whether he will do the work or not.

John reported that Perry's father passed away and he will be out of town until Thursday. Jerry attended ADA workshop in Zionsville last week and felt it was very informative.

John reported that he spoke with John Stevens at the county garage. They will be shutting their trucks down Wednesday and Thursday because of the cold temperatures and John would like to do the same. The town guys will work in the shop and only run the trucks in an emergency. Andrea reported that county offices have already been closed for those days as well.

Vice President Vermillion stated that he and John discussed the possibility of a warming station in case someone's heat goes out. Possibly using the fire department and town hall were discussed.

### **Old Business**

- 2018 Sidewalk Project Final Pay App

The final pay app for the 2018 Sidewalk Project was presented and was under the bid amount.

### **Ordinances and Resolutions:**

- Ordinance #1374 – A Salary Ordinance for Town Employees

Council Member Budreau moved to waive the rules to allow for the adoption of Ordinance #1373 on the day of introduction. The motion was seconded by Council Member Vermillion and passed unanimously.

President Carter read Ordinance #1374 by caption only for the first reading.

President Carter read Ordinance #1374 in entirety for the second reading.

President Carter read Ordinance #1374 by caption only for the third and final reading.

Vice President Vermillion moved to adopt Ordinance #1374 as written. The motion was seconded by Council Member Budreau and passed unanimously.

- Ordinance #1375 – An Ordinance Amending Meeting Days

Council Member Budreau moved to waive the rules to allow for the adoption of Ordinance #1375 on the day of introduction. The motion was seconded by Vice President Vermillion and passed unanimously.

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President Carter read Ordinance #1375 by caption only for the first reading.  
President Carter read Ordinance #1375 in entirety for the second reading.  
President Carter read Ordinance #1375 by caption only for the third and final reading.

Council Member Budreau moved to adopt Ordinance #1375 as written. The motion was seconded by Vice President Vermillion and passed unanimously.

Vice President Vermillion stated that the February 19<sup>th</sup> meeting will conflict with the fire territory meeting. Council Member Budreau moved to hold the Feb. 19<sup>th</sup> meeting at 5 PM due to the territory meeting. Motion seconded by Council Member Vermillion and passed unanimously.

President Carter asked about a Praxair bill. Andrea explained that this bill has been turned over to here. The EMS stopped using

### **Council Reports**

#### **Vice President Vermillion**

Vice President Vermillion asked if there should be a vote to allow Cal to hire Anthony Rose to represent him for the Safety Board Hearing. Andrea replied yes, the Council would need to approve this.

Vice President Vermillion moved to allow Cal to hire Anthony Rose as his attorney for the safety board hearings. The motion was seconded by Council Member Budreau and passed unanimously.

Vice President Vermillion moved to allow John Mrozinski to obtain the two appraisals required for the Bray Street land adjacent to the lift station. The motion was seconded by Council Member Budreau and passed unanimously.

#### **Council Member Budreau**

Council Member Budreau asked about protocol for minutes being posted on the website. Sue explained that the minutes were previously posted on the website following their approval by the Council. The website was placed under the purview of the police department several years ago and the person that developed and updated the site no longer works for the police department and has not been replaced, so there is currently no one to update the site or post minutes. Once they have replaced person, minutes will be forwarded to them to be posted as they were in the past.

Council Member Budreau expressed concern about not having direct communication with county officials and feels that having all of our information passed through someone else is not good. He stated that we have talked about developing good relationships with the county but he hasn't even met them. He would prefer direct communication as opposed to Jared or Bill Schalliol or someone else speaking for the Council. Vice President Vermillion responded that he has spoken with Andy Kostielney several times to express what the board feels. President Carter stated that he has contacted them regarding on-going issues with fires at the shredder plant and is on the agenda to discuss this at their next meeting.

Andrea stated that she doesn't disagree with anything said, but in fairness to Lawson Fisher and Jared, the Council has asked them to represent us. There was discussion on the lack of direct

communication with the county and possible reasons and ways to correct the issue. Council Member Budreau expressed displeasure with the way he felt the public was treated by the engineering firm from Chicago at the meeting regarding the IEC held at the library and feels that everyone needs to be treated respectfully and provided all of the information necessary so that the council and residents can make a determination. He restated the importance of the Council having direct communication with the county officials.

President Carter wants to get the Council's statement regarding the IEC on record and will present it at the county commissioner's meeting.

**Clerk-Treasurer's Report**

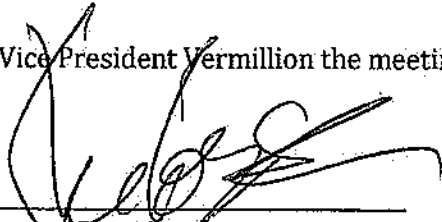
Sue thanked John and crew for their extra help last week when Jill was on vacation and Tonya was called for jury duty.

**Bills to be Paid**

Council Member Budreau moved to pay all bills as presented. The motion was seconded by Vice President Vermillion and passed unanimously.

**Adjournment**

Upon a motion by Council Member Budreau and second by Vice President Vermillion the meeting was adjourned at 5:53 PM.

  
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Ken Carter, President

Attest:

  
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Susan I. Moffitt, Clerk-Treasurer