

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, March 14, 2017 5:05 PM

President Carter called the meeting to order at 5:12 PM with Vice President Vojtko, Council Member Vermillion, Council Member Budreau and Clerk-Treasurer Susan Moffitt present. Council Member Rypma was absent.

Also in attendance were Eric Walsh, Andrea Halpin, Jared Huss, Josh Schweizer, Larry Magliozzi, Josh Schweizer, Jason Quirk, Tonya McKee, Jill Doll, Cal Dittmar, Mary Ann Swope, Carolyn Higgins, Marcy Kauffman, Sandy Raabe and Matt Wood.

Approval of Minutes

Council Member Vermillion moved to accept the minutes of the February 28, 2017 General Meeting and Work Session as written. The motion was seconded by Vice President Vojtko and passed 3-0. Council Member Budreau abstained.

Council member Budreau moved to accept the minutes of the March 9, 2017 Work Session as written. Seconded by Council Member Vermillion, the motion passed 3-0. Vice President Vojtko abstained.

Visitor Comments

- Larry Magliozzi, Executive Director of the Area Plan Commission

Mr. Magliozzi was in attendance to update the Council on notification requirements for rezonings and major subdivision plats. The current state requirement is that legal notice be published in the paper. Area Plan also requires additional signage in the yard and a letter to property owners within 300 feet of the proposed rezoning/major subdivision. Due to a rather contentious issue and several complaints recently, it was decided to change the notification area to 600 feet. The Area Plan Commission believes that this increases the notification by approximately 50 to 75 percent. Area Plan has reviewed the areas within its jurisdiction and they feel that the current requirement of 300 feet is sufficient for New Carlisle as well as some other incorporated areas. However, should the Town express a desire, the change to 600 feet could be made. It was the consensus of the Council that the current requirement is sufficient.

The 2020 Census is currently in the early stages and beginning to gather preliminary information. This year they are trying to make sure there are updated addresses so that when Census forms go out April 1 2020 we have the correct addresses and corporate boundaries. There was a very good response rate ten years ago and they will probably do some additional things this time to tweak the process. Mr. Magliozzi reminded the council that due to the Census no annexations can become effective in the years 2019 or 2020. Any annexations approved would not go into effective until 2021. Mr. Magliozzi also thanked Vice President Vojtko for being a great member of the Area Plan Commission.

- Matt Wood, Tiger Court, New Carlisle

Mr. Wood stated that he lives behind Olive school on Tiger Court and is here with some comments and concerns regarding the easement at the end of Tiger Court. He is voicing his concerns with the

walkway to Bourissa Hills Park because he feels there is a safety concern with people to get to the park as both he and his neighbors have daughters.

Mr. Wood reports that in speaking with people that live in Edge of the Woods and on that side of Town, most have stated that they do not want to use that particular walkway and would instead rather drive to the park.

Mr. Wood stated that he is not bashing any previous thoughts and feels that they might have been thought of for the right reasons and he isn't saying that a secondary path isn't a good idea but wants it to be somewhere other than between their two houses. He states that as an alternative, his neighbor owns KC Tree and has said he would take on all costs of clearing and removing trees in the area behind Olive School to make a walking path.

Mr. Wood stated that his wife is a realtor and they have brought a lot to the town. Mr. Wood spoke with the president of the Edge of the Woods Neighborhood Association who felt a little the same way about the walkway and also that it would be better to have something the entire town could use.

Mr. Wood requests a different approach and wants an alternative viewpoint. He reports that in four years he has lived on Tiger Court there was an arrest made behind one house in the woods and others have been stumbling pretty drunk towards the back of that property.

- Marcy Kauffman, Bray Street, New Carlisle

Mrs. Kauffman was here representing Discover New Carlisle. Members of DNC have been talking about different projects that they could take on. One project being discussed is to improve connectivity between the municipal parking lot and the downtown. The new wayfinder signage installed helps but they would like to have a dedicated walkway and they have been thinking about the N-S alley adjacent to Miller's Home Café. This project may have been part of a beautification plan in the past but was not ever done. Discover would like to look at a Downtown Enhancement Grant to improve the walkway and improve visibility, accessibility and aesthetics. Next month they would have a formal proposal and would ask that the Town agree to maintain it and possibly contribute the lighting and snow removal. It would be a matching grant so they may approach the Town to help with the match as well.

Vice President Vojtko has heard that Historic New Carlisle is planning to sell the Old Republic and asked if the Town has any financial connection with outstanding grants or loans. Marcy responded that HNC owns the Old Republic free and clear.

Employee Reports

Fire Chief Josh Schweizer

Josh spoke with Andrea regarding an ordinance to adopt the Indiana Fire Code and she is reviewing.

Electric Superintendent Jason Quirk

Jason thanked Eric Walsh and the Clerk's Office for their work on getting everything together for the rate study process.

Attorney Andrea Halpin

Andrea reports that in reviewing the new INDOT Parade Permit Policy she found no change in law with the only difference being the \$15.00 fee for private individuals and organizations who submit applications. An indemnification clause is included in both the old and new application that both the Town and the requester are required to sign. She doesn't feel that the Town's liability increases should we submit the application if it is easier and more efficient to do so.

They are in the process of preparing a draft ordinance to adopt Indiana Fire Code as well as an ordinance establishing the 100 block of East Front Street as a one-way street.

We were informed by the County that town administration in the 1990's made changes regarding final review of site plans and Andrea is reviewing the Code to see if those changes are still in place and need to be corrected.

Engineer Jared Huss

Jared reports the following:

- Pavement markings on Bray Street will be redone when weather permits.
- He spoke with Kathleen Weissenberger and Lawson Fisher will be talking internally with her to discuss OCRA.
- Work on the water and sewer extension project continue and they will be coordinating with Carris Reels.

Jared reports that he had a meeting regarding the water treatment plant upgrade proposal and there were a number of things discussed and we are awaiting a revised proposal. He, Rob Shail and Council Member Vermillion also recently met with a representative of NPUSC regarding the sewer exceedance issue.

Reith Riley was contracted for the US 20/Michigan Street repaving project. There will be a meeting at the INDOT office in LaPorte on Thursday, March 17th at 1 PM. Jared is unable to be there but Council Member Vermillion and Jason will attend.

Jared recently attended road school and one of the things he, Sue and Jason have been talking about is asset management. He feels that a comprehensive capital master plan critical

Vice President Vojtko inquired if there has been any further consideration regarding speed bumps following the paving project on College/Ada Street. Jared reports that no one has come back following completion of the project due to speed issues and that there are other traffic calming measures that could be used.

Old Business

- Surf-Air Contract discussion

Andrea reports that she received a call from Patrick Wheeland again on Friday but she was out of the office. Chuck contacted Jean of Hayes Towers who gave two contact names for Surf Air and an email was sent. Hayes Towers indicated that all of their information leads to these types of things being dismantled.

President Carter suggested that we reach out and contact the owner and insist we get a response from someone prior to the next meeting or we move forward with another company.

- EMS account Write-Off's

Chief Josh Schweizer presented a listing of EMS charges from 2004 through 12/31/2014 to be charged off. He reports that these are uncollectable per the previous ordinance and the collection agency.

Vice President Vojtko moved to write off outstanding bills from the ambulance service from 2004 through 12/31/2014 in the amount of \$94,503.71. The motion was seconded by Council Member Budreau and passed 4-0.

- Grease Trap consideration for Local Business

Andrea reports that enforcement of our ordinance requires a determination from the Council that waste can harm the sewer system and sewage treatment process. Jared stated that this is a major issue and grease is the reason we have grease traps because of the issues it can cause including clogged lines, exceedance and grinding issues at sewer lift stations and is also detrimental to clay pipes.

Council Member Vermillion moved that it be established that the types of waste, including grease, as discussed in Section 51.39 (B) (2) of our Town Code are determined to be harmful to the sewer system and that they be prevented from entering into our sewer system. The motion was seconded by Vice President Vojtko and passed 4-0.

Vice President Vojtko moved that the Council determines that interceptors or traps are necessary for the proper handling of this type of waste and must be installed as set forth in Section 51.46 in any business that emits these wastes to prevent these materials from entering the sewer system. The motion was seconded by Council Member Vermillion and passed 4-0.

A letter will be issued to a business in town that is not in compliance requesting that this be done within the next thirty days and assuring them that there will be no citation should this be done in thirty days.

New Business

- Master Fire Plan

Josh asks that this be tabled until he receives the outline of information to be provided.

Ordinances and Resolutions

- Ordinance #1343 – An ordinance regarding Electric Rates and Charges

President Carter read Ordinance #1343 for the third and final reading.

Vice President Vojtko moved to adopt Ordinance #1343 as written. The motion was seconded by Council Member Vermillion and a roll call vote was taken as follows:

Council Member Budreau	Aye	Vice President Vojtko	Aye
Council Member Vermillion	Aye	President Carter	Aye

Motion passed 4-0.

Council Reports

Vice President Vojtko

Vice President Vojtko reports that South Bend may opt out of the Solid Waste District because they do not want to pay the recently adopted rate increase and they are negotiating an agreement to postpone that for a year. As it stands, St. Joseph County, the City of Mishawaka and the Town of New Carlisle have been subsidizing the cities rates. South Bend may be able to negotiate a better curb side rate but it will not include hazardous waste disposal.

There have been several contentious subjects brought before the Area Plan Commission recently and even though there were master plans in place there were developers and others who did not want to follow the master plan.

Council Member Budreau

The Parks Board is discussing a tree plan and also a master plan for Bourissa Hills Park.

Council Member Vermillion

He recently met with supervisors and reports there is nothing to address at this time. He and Ken will meet tomorrow to work on the water superintendent job description.

Clerk-Treasurer's Report

A copy of a letter requesting that penalties be waived for Air Gas was in the Council packets. The letter states that they recently moved and the bill was mailed three days prior to the due date but was not received until the 24th. There was no motion to waive the penalties and no action was taken.

Sue reports that Michiana Insurance had requested the opportunity to quote the Town's insurance. They prepared a quote for the Town that was received last Wednesday and was included in the

Council's packets. The quote for renewal of the Town's current policy through Barnhart Insurance was \$70,134 and the quote from Michiana Insurance \$83,359. The policy effective date is 3/15 and the Town's policy through Barnhart Insurance was renewed.

Bills to be Paid

A motion to pay all bills as presented was made by Council Member Vermillion and seconded Vice President Vojtko. The motion passed 4-0.

Adjournment

Upon a motion by Vice President Vojtko and seconded by Council Member the meeting was adjourned at 6:48 PM .

Ken Carter, President

Attest:

Susan I. Moffitt, Clerk-Treasurer