

**New Carlisle Town Council**  
**124 E. Michigan Street, New Carlisle, Indiana**  
**General Meeting, June 27, 2017 5:00 PM**

The meeting was opened with the Pledge of Allegiance.

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

Also in attendance were Andrea Halpin, Jared Huss, Josh Schweizer, Jill Doll, Jeff Roseboom, John Mrozinski, John Gelow, Dave Doll, Bob Middlebrook, Carol Middlebrook, Sandy Raabe, Marcy Kauffman, Mary Ann Swope, Brian Woodcox, Sen. Mike Bohacek, Sandy Johnston, Werner Moser and Bill Sutton.

**Visitor Comments**

- Sandy Johnston  
Dunn Road, New Carlisle

Sandy informed the Council that she recently applied for a burn permit at the fire department but because she lives in town was told she would need approval from the Town Council.

Chief Josh Schweizer explained that under certain circumstances, burn permits are issued for residents that live in the county but burning is prohibited within the town limits per our code. Josh also cautioned that if the fence she would like to burn is treated lumber, it should not be burned. Sandy was unsure whether it was treated or not.

Vice President Vojtko entered the meeting.

Following some discussion, the Council expressed that approving burning within the town limits is not something they want to start. Sandy stated that after learning the concerns about treated lumber and issues with burning she completely understood and will look for other avenues to dispose of the fence.

- Senator Mike Bohacek

Senator Bohacek was in attendance to give a brief update on what has taken place in the legislature over the last four months. Some items in this session included:

- Changes with road funding
- The Pre-K pilot program was extended into St. Joseph County with an additional ten million dollars included in the budget.
- Several new bills designed to reduce drug abuse and expand treatment options were discussed including forced treatment following the administration of Narcan for an opiate overdose.

Senator Bohacek also gave an update regarding the INDOT project at the viaduct and stated that there was a conference call today and Norfolk Southern has reviewed the plans and he expects an update soon.

President Carter stated that he had not heard from Sen. Bohacek's office before this evening other than a prepared letter sent when he reached out to him and would appreciate any future updates being sent either to himself or the Clerk. Sen. Bohacek stated that he will share any new updates and will forward those he has received already to the Clerk.

Jared stated that one of the things that became most frustrating was that the only representatives who responded positively to the Town's request for assistance in seeking resolution to the issues at the viaduct when the project delay continued were Ryan Dvorak and Joe Donnelly who both intervened on our behalf. It was frustrating and disappointing that no one else was interested in helping with this. Both Rep. Dvorak and Senator Donnelly continued to assist with Senator Donnelly setting up a conference call with all involved parties, including his office and Gov. Holcomb's office, that ultimately brought resolution and got the project moving again.

Sen. Bohacek reports that his staff should have passed information along as it was received and he is here this evening in case that wasn't happening.

- John Gelow  
Michigan Street, New Carlisle

Mr. Gelow thanked Senator Bohacek for showing up tonight and for enacting the 10 cent increase on the gas tax.

### **Approval of Minutes**

Council Member Vermillion moved to accept the minutes of the May 23, 2017 General Meeting and Work Session. Vice President Vojtko seconded the motion which passed 3-0. Council Member Budreau abstained.

### **Employee Reports**

#### **EMS Chief Josh Schweizer**

Chief Schweizer announced that the New Carlisle Ambulance Service received Advanced Certification today and will begin serving as an Advanced Emergency Medical Service (AEMS) tomorrow.

Josh asked for approval to continue moving forward with becoming a paramedic service. He reports that in reviewing what we have paid to other paramedic services assisting, which are approximately 15 minutes away, will pay for the upgrade to provide this better service to our community.

Vice President Vojtko moved to authorize Chief Schweizer to proceed with moving from an Advanced to a Paramedic level service. The motion was seconded by Council Member Vermillion and passed 4-0

Josh reported that part-time weekday staffing at the fire department has begun and is working very well.

Vice President Vojtko asked if there have been any response time issues with the viaduct being closed. Josh reports that the closure is very concerning and does cause a delay in certain instances. At least two medical calls have required approximately an additional ten mile trip but thankfully we have not had any major problems.

Chief Jeff Roseboom

Chief Roseboom reports that we have received the Special Event Permit Application for Home Town Days that will again include fireworks and a parade. He is unsure at this time what route will be used for the parade because of the ongoing INDOT project but will report further at the next meeting.

Town Crew Supervisor John Mrozinski

John reports that he has been back about two weeks and is catching up. He had one employee move on to another position and he posted that opening in-house. With no interest in-house, he has added the job to the website and is now accepting applications and will begin holding interviews soon.

Council Member Vermillion congratulated John on his recent marriage.

Attorney Andrea Halpin

Most items she has for discussion are on the agenda tonight.

Andrea informed the Council about an issue recently with a public records request for police records. The person was notified that no such report/records exist. A second request was made for the same reports and again they were told those reports do not exist. A complaint was filed with the Public Access Counselor for determination. Ultimately, the Town's action was confirmed. This person continues to make requests for the same records.

President Carter asked Andrea about the need for a cell tower ordinance. Andrea stated that many towns rushed to adopt ordinances that may or may not hold up. She does believe that we will need to adopt an ordinance addressing the new legislation.

Engineer Jared Huss

Jared reports that Earth Exploration has done investigative borings and installed piezometers per our agreement. They are moving forward with lab studies and we expect results soon.

We will need to set a work session as it relates to updating our master plan. Because it will be a four to five hour initial meeting and all council members need to attend, President Carter suggested it be held on a Saturday and asked that everyone check their schedules and then a date and time can be set at the next meeting.

- The St. Joe Energy Center project continues to move forward and a transfer date for the water plant has been moved up to August 1<sup>st</sup>. Training at the new water plant is scheduled to begin the week of July 10<sup>th</sup>.
- Work on a job description for the proposed new water plant supervisor position continues to move forward.
- Income survey and community block project is still on the list but we will need further discussion.
- Discussion of larger projects is needed to leverage as much of the Community Crossings grant as possible.
- Water and sewer extension project continues to move forward. This will require an intergovernmental agreement to transfer. Walnut Road was lumped in with the project and Selge will be taking care of it.

Council members reached out to representatives of various political parties in regards to the ongoing viaduct closure. There was a conference call Friday with Town officials, Governor Holcomb's office, Sen. Donnelly's office, Norfolk Southern and INDOT that resulted in having a response on the requested reports promised by Monday. That report was not received on time. This evening we received word that there will be an on-sight meeting tomorrow with dewatering to begin soon afterward.

Emergency services and the economic impact to the Town were the first issues addressed in the conference call. The structure condition of the railroad overpass, drainage issues and pedestrian access were also discussed. There will be a meeting with Norfolk Southern on July 11<sup>th</sup> to discuss issues beyond immediate need.

Jared reported that St. Joseph County will partner with us on upgrades needed for the existing water treatment plant but this has been put on hold to look at the broader picture of what will be necessary as the industrial park continues to expand.

- The County and the City of South Bend are performing a joint sanitary sewer study.

President Carter asked about the road assessment that was done. Jared explained that roads rated 1-4 would be reconstruction or mill and overlay depending on what we choose to accomplish. Roads rated 5-6 would be crack and seal coat with those rated 7-8 crack seal only. Roads rated 9-10 are good.

### **Old Business**

- 2017 Sidewalk Project Cover Sheet

The Cover Sheet for the previously approved Sidewalk Project was signed by the Council

- Tiger Court Easement

Bob stated that trees and the playground set were moved but mailboxes remain at the entrance of the walkway/easement.

Jared stated that we have three options moving forward now that the walkway has been cleared that include:

- Make no improvements and leave it a natural walkway
- Make a mulch or stone path
- Pave the path, which would require significantly more effort and money.

Vice President Vojtko and Council Member Vermillion expressed their feelings that the path could remain natural and unimproved. Council Member Budreau agreed with both. No further action will be taken at this time.

- Surf Air Contract

Andrea reports that this has progressed and it is in final form. There has to be line of sight for the high-speed internet and some assistance from the Town was required. At this point Jason Quirk and Mr. Boggs are working on this.

- Ambulance Delinquent Accounts Collection

Josh has an agreement for the previously approved collection of delinquent accounts that needs to be signed by President Carter. He also requested guidance on how the determination of the relief provision will be made. Andrea stated that requirements for the relief provision were included in the ambulance fee ordinance.

Vice President Vojtko moved that the EMS Chief be authorized to determine when the relief provision of the EMS Fees Ordinance is warranted based on information provided. The motion was seconded by Council Member Vermillion and passed 4-0.

- New Ambulance Contract

Andrea presented two copies of the contract for the purchase of the new ambulance that was previously approved for Council signature.

### **Ordinances and Resolutions**

Ordinance#1344 -an Ordinance for Industrial Water Users (2<sup>nd</sup> Reading)

This includes a language change under Section C from a specific date for the takeover of the water plant to effective upon date of transfer.

A motion to substitute the amended ordinance for that which was read for the first reading of Ordinance #1344 was made by Vice President Vojtko and seconded by Council Member Vermillion. The motion passed 3-0. Council Member Budreau abstained.

President Carter read Ordinance #1344 in entirety for the second reading.

- Ordinance#1345 - an Ordinance Creating the MVH Fund-Allocated (271)

President Carter read Ordinance #1345 by caption only for the 1<sup>st</sup> reading.

- Ordinance#1346- a Salary Ordinance for an Employee of the Town (1<sup>st</sup> reading)

President Carter read Ordinance #1346 by caption only for the first reading.

Vice President Vojtko moved to waive the rules and allow for the adoption of Ordinance #1346 on the day of its introduction. The motion was seconded by Council Member Vermillion and passed 4-0.

President Carter read Ordinance #1346 in entirety for the second reading.

President Carter read Ordinance #1346 by caption only for the third and final reading.

Council Member Vermillion moved to adopt Ordinance #1346 as written. The motion was seconded by Council Member Budreau and passed 4-0.

## **Council Reports**

### Council Member Budreau

The Park Board meets tomorrow so there is nothing to currently to report on that.

Council Member Budreau asked if INDOT provided a maintenance plan for where the pavers were put in. Jared explained that although we did allow them to store the surplus pavers at the town garage, we made it very clear it is not our material or our responsibility to maintain them as they were placed by INDOT in their right-of-way. He has emailed INDOT just to reinforce this.

### President Carter

President Carter asked cemetery board member, Dave Doll about interest in refurbishing some of the stones at the cemetery. Dave reports that they spoke with a company in southern Indiana but the price was outrageous. Rich had previously contacted the VA about repair of veteran's stones but they are unsure of what, if any, response he received.

The NCBCA submitted a quote from Monumental Choices for cleaning and repairing the "Welcome to New Carlisle" signs at each end of Town that they would like the Town to pay for. This was tabled for review and discussion with John Mrozinski.

President Carter expressed appreciation to all who reached out, wrote emails and letters and made calls to various elected representatives, INDOT officials and Norfolk Southern officials regarding the situation at the viaduct because it definitely helped.

The Taste of New Carlisle was held for the sixth year and he was happy to see it carry on through Discover New Carlisle.

**Bills to be Paid**

A motion to pay all bills as presented was made by Council Member Vermillion and seconded Council Member Budreau. The motion passed unanimously.

**Adjournment**

Upon a motion by Vice President Vojtko and second by Council Member Budreau the meeting was adjourned at 6:20 PM.

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Ken Carter, President

Attest:

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Susan I. Moffitt, Clerk-Treasurer