

**New Carlisle Town Council**  
**124 E. Michigan Street, New Carlisle, Indiana**  
**General Meeting – February 10, 2009**

President Higgins called the meeting to order with Vice President Groves, Council Member Mell, Council Member Colpitts, Council Member Gelow and the Clerk-Treasurer present. Also in attendance were Roger Nawrot, Bill Herrbach, Tom Baker, Shayne Landry, Augie Mauer, Dawn Ebersole, Mike Ebersole, Nada Worrell, Jim Ford, Tracy Grimm, Larry Magliozzi, Bob Palm, Doug Glon, Mary Ann Swope, Jason Quirk, Steve Cooreman, Donna Chamblee, John Michalski, Bill Gumm, Ken Davis, Bob Middlebrook, Tim Kaminski, Ryan Sebasty and Marcy Kauffman.

**Minutes:**

Council Member Mell moved to accept the minutes of the January 27, 2009 General Meeting, February 5, 2009 Executive Session and February 5, 2009 Special Meeting as written. Motion seconded by Council Member Colpitts and passed unanimously.

**Recognition of Visitors:**

Sean Coleman, St. Joseph County Treasurer:

- Reports that the Town of New Carlisle is one of the last to have certified rates due mainly to the overlap of the New Prairie School System in both St. Joseph and LaPorte Counties. LaPorte County was required to reassess 2006 tax bills and that has increased the wait.
- Mr. Coleman has asked the Department of Local Government Finance to allow St. Joseph County to estimate the school portion and certify as the actual levy with reconciliation on the 2008 payable 2009 tax bills. He hopes to have an answer in the next few days and will then proceed with certifying the rates, requesting a due date, system calculations, advertisement of the rate and finally printing and mailing of the bills.
- Believes it will be approximately 2-3 weeks, if successful, before bills would be sent.
- Feels that this situation is unacceptable and will move forward as quickly as possible if DLGF approval is received.

Larry Magliozzi, Assistant Director of Area Plan

- Presented a “Wind Energy Conversion System” handout to council members.
- Currently no codes regarding wind energy systems and Area Plan would like to take action on criteria and regulations this summer. They would like a county-wide standard and ask for input from the various towns within the Area Plan jurisdiction.

President Higgins asked Pat to research other ordinances and prepare input to be presented to the Council and then forwarded to Area Plan following Council approval.

- Distributed Census 2010 information.
- Estimates the Town’s current population at 1790 but believes as low as 72% of households responded in the 2000 census, leaving 28% unrecorded. This is unacceptable as the potential loss of revenue to the Town could be in the tens of thousands.

- Asks that the Town consider allowing up to \$500 be set aside to be used to promote the 2010 Census.
- Mr. Magliozzi will send a proclamation for use by the Council.

**Employee Reports:**

Ken Davis:

- Medical bags have been prepared for the seven town vehicles.

Tom Baker:

- Has had a request from the officers to participate in “Operation Pull-Over”.
- This could be in Town or any location in St. Joseph County.
- All accounting for this is done by Mishawaka.
- The Town would assume liability as the officers would use their patrol cars.
- Would be done during specific hours, not on Town time.
- Officers would pay for their own gasoline.
- Revenues generated for OWI and seatbelt citations would come directly to the Town.

It was decided to discuss this further at a special meeting. Council Member Colpitts asked Shayne Landry to provide information on the program for Council review and place on the February 24<sup>th</sup> agenda.

**Old Business**

Engineer Roger Nawrot presented his professional recommendations on the Cooreman Preliminary Proposal presented at the 1/27/2009 meeting.

- The Town subdivision ordinance, passed by the Council and Area Plan requires that all subdivisions be serviced by town water and sewer.

Hometown Estates:

- We do not know of future plans for these lots
- Contain too many problems with dead end streets
- Recommends we see whole projected development and that they require water and sewer

Wintergreen Estates:

- This was originally brought to the Town four years ago and entire property was part of the subdivision plan, including water and sewer to all.
- Contains wet lands
- These proposed lots along Wintergreen infringe on the development of the remainder of property
- Urbanism of community is lost with this size of lots

The Forest at New Carlisle (Wintergreen & Dunn)

- Must be developed internally
- One access on Dunn
- Require non-access easements along both Dunn and Wintergreen as we must protect the arterial routes.
- Currently gravel and must be upgraded to Town and County standards.

**Bourissa Park Home Site**

- Need to see plan for development of remainder of area
- Needs westerly street tying into develop neighborhood.
- Would need a plan to handled drainage from Thunderbird/Potawatomi
- Need context of whole property not just one lot. Land-locking developable land is an issue.

**Stone Oak Farms**

- Was consensus of previous council that although out of Town it should be on water and sewer

**Two Lots on County Line**

- This is a county issue and is up to them to decide if this is feasible.

Steve Cooreman introduced Bob Palm and responded to Rogers recommendations:

Regarding the gravel pit site:

Contains a proposed road

He is trying to economically survive

Covenants will include mandating sewer/water hook-up when available

Bourissa Lot:

He can't give concrete plans and does not have to as this lot does not violate our subdivision ordinance.

Roger further recommends that this needs to be subdivided in an orderly fashion and that we see in writing concrete plans including the position of the street and lot configuration. He stated that we must have concrete proof of a street to allow for future connectivity. An erosion control plan will be necessary before any soil is moved and this lot must be served by municipal utilities.

Bob Palm suggests that the plat include could include a future roadway easement.

The Forest:

Mr. Cooreman asked if the Town would stop 10 acre lots along Dunn Road.

Roger stated that it is his job to give his professional opinion to the Council regarding the requests that Mr. Cooreman has made and it is his opinion that this use does not conform to our Master Plan.

After further discussion it was decided to schedule a special meeting prior to decisions on Mr. Cooreman's requests.

### **New Business**

- Bill Gumm – I Am Responding Fire Response Program

Bill gave a brief presentation on the program and its usefulness to the fire department.

### **Ordinances and Resolutions:**

Ordinance #1205 - An ordinance amending refuse removal rates, was read in its entirety by President Higgins for the third and final reading.

Council Member Colpitts moved to pass Ordinance #1205. Motion was seconded by Council Member Mell and passed unanimously.

Ordinance #1207 – An ordinance regarding cemetery charges was read in its entirety for the second reading by President Higgins.

Ordinance #1208 – A salary ordinance for town employees was read by caption only for the first reading. Council Member Colpitts moved to waive the rules for Ordinance #1208. Seconded by Council Member Mell, the motion passed unanimously.

President Higgins read Ordinance #1208 in its entirety for the second reading.

President Higgins explained that this ordinance changes the funds several employees are paid from. Dawn Ebersole will be the town purchasing agent for 16-20 hours per week. She will answer to the Town Council for this portion of her duties. The remainder of her Town will be spent at the Water Treatment Plant and will be supervised by Pat.

Ordinance #1208 was read by caption only for the third reading.

Council Member Colpitts moved to pass Ordinance #1208. The motion was seconded by Council Member Mell and unanimously passed.

### **Council Reports:**

Council Member Colpitts:

- The Intergovernmental Meeting went very well and he was impressed by the excellent work that Bill Gumm and Ken Davis have done with the budgets of their respective departments.

President Higgins

- Reminded department heads of the budget meeting on Thursday, Feb. 19<sup>th</sup>.

**Clerk-Treasurer:**

- Due to a freezing problem on the west end of Ben Street, several homeowners have been asked to keep their water running. Because this is an issue with the Town line and not individual residences Sue asked that the water and sewer bills of these homeowners be adjusted. A list of homeowners affected would be put together by Augie and then water and sewer usages would be adjusted to the usage for the same time period last year. Those not in residence for a year would have water and sewer adjusted to an average of usage to date.

Council Member Colpitts moved that the water and sewer bills be adjusted for the homeowners to be listed by Augie. The motion was seconded by Council Member Mell and unanimously passed.

**Public Comment:**

Doug Glon:

- Inquired if the ordinance passed was to increase the refuse removal rate.

This ordinance will increase the rate from \$8 to \$12 per month.

Council Member Colpitts motioned to pay all bills as presented. Motion seconded by Council Member Mell and passed unanimously.

Council Member Groves moved to adjourn the meeting. Seconded by Council Member Colpitts the meeting adjourned at 9:31 p.m.

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Carolyn Higgins, Council President

Attest:

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Susan I. Moffitt, Clerk-Treasurer