

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

President Higgins called the meeting to order with Vice President Groves, Council Member Mell, Council Member Gelow and Clerk-Treasurer Sue Moffitt present. Also in attendance were Bill Herrbach, Pat Cummings, Jason Quirk, Augie Mauer, Mary Ann Swope, Ken Davis, Dale Woodcox, Brian Woodcox, Marcy Kauffman, Nada Worrell, Bill Gumm, Theresa Rowe, Dave Myers, Erica Myers, Drew Adams, Deb Adnson, Nadine Kaminski, Brian Weber, Skip Parmley, Andy Spite, Jim Banaszak, Davy Doll, Jill Doll, Bob Middlebrook, Stephen Vojtko, Brian Thompson, Tom Baker and Cal Dittmar.

**Minutes:**

Council Member Gelow moved to accept the minutes of the February 19, 2009 Special Budget Meeting and the February 24, 2009 General Meeting as written. Motion seconded by Council Member Mell and passed.

**Employee Reports:**

Pat Cummings:

- Introduced Joel Annabel, a hydro-geologist from Peerless Midwest.
- Mr. Annabel discussed the tremendous amount of groundwater beneath New Carlisle, which he compared to Lake Michigan. He further explained the recent amount of precipitation being much greater than in many years.
- Presented the recommendations of the committee assigned to review the Cooreman property proposal as follows:
  - Hometown Estates – must have municipal water & sewer.
  - Three lots north of NP Knolls – must have municipal water & sewer.
  - Wintergreen Estates – must have municipal water & sewer
  - The Forest – all lots must have municipal water, sewer and electric. Must provide 60 foot road and utility right of way along west parcel property line. North lot lines must follow parcel line. Must provide twenty foot utility easement along north property lines. Must provide 40 foot right of way along both Dunn and Wintergreen Roads. Must provide 5 foot non-access easement along frontage of Wintergreen Road. Lot located on the corner of Wintergreen and Dunn Roads must access on west property line of the lot.
  - Lot on Meridian Street – must extend municipal water and sewer lines along Meridian St. frontage. Must provide drainage plan that satisfies the Town engineer.
  - Stone Oak Farms & Timothy Road Lots – developer to go through county process and let county decide. No recommendations from the Town.

Council Member Mell moved to accept the recommendations of the committee regarding the Cooreman property proposals. Motion seconded by Council Member Gelow, passed.

- Presented a quote from Insituform to camera and line the sewer pipe under the trailer park at a cost of \$5805.00 as this portion of the line was not replaced during the E. Michigan Street sewer extension project.

Council Member Gelow moved to accept the quote from Insituform for \$5805 to camera and line, if necessary, the sewer pipe under the trailer park. Motion seconded by Council Member Mell and passed.

- Reports that all sewer lines on Zigler Street and Marvel Lane will be like new when this project is complete. They will begin to camera and clean the lines on 3/16 with lining scheduled to begin on March 23<sup>rd</sup>.
- US 20 will be closed on March 12<sup>th</sup> for INDOT to install a culvert from the north to the south side near the New Carlisle sign.
- Spoke with Congressman Joe Donnelly's office regarding the drainage issue. His rep will set up a meeting that will include MACOG and INDOT.

President Higgins assured everyone that the Town is working very hard to solve this problem.

Bill Gumm:

- The I Am Responding program has been in use for a month and is working very well.
- FD Secretary Missy Ryder has moved into the "Fire Administration" office that she will share with Olive Twp. Trustee John Michalski.
- Augie Mauer has now officially joined the fire department.

Tom Baker:

- Shayne Landry and Randy Rodriguez held a meeting for public input on Operation Pull Over that was advertised in the NC News.

Council Member Mell moved to approve the Marshal's Department participation in Operation Pull-Over for the remainder of this year with quarterly updates to be given to the Council. Motion seconded by Vice President Groves and passed.

**Old Business:**

- Cell Phone Policy

Sue distributed copies of the proposed cell phone policy for all town employees that she prepared. President Higgins asked that everyone review the policy so that a decision can be made at the next meeting.

**New Business:**

- New Carlisle Wesleyan Church waiver of park rental fee

The Wesleyan Church will be holding a fun day on May 16 and have requested that the park rental fee be waived. Plans for the day include a blood drive and military care package drop off.

Council Member Gelow moved to waive the park fee for the New Carlisle Wesleyan Church. Motion seconded by Council Member Mell and passed.

- Keystone Annual Software Maintenance Agreement

This is a one year maintenance agreement covering all utility, budget, cemetery, fixed asset and back-up software. Tech support is included in the agreement as well.

Vice President Groves moved to accept the Keystone Software Maintenance Agreement. Motion seconded by Council Member Mell and passed.

**Ordinances and Resolutions:**

**Resolution #09-03-10-01** – A Resolution in support of the 2010 Decennial Census.

President Higgins read Resolution #09-03-10-01 in its entirety.

Council Member Gelow moved to adopt Resolution #09-03-10-01. Motion seconded by Council Member Mell and passed.

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

President Higgins read Ordinance #1209 by caption only for the first reading.

**Council Reports:**

Vice President Groves reports that the Cemetery Clean-Up is scheduled for March 28<sup>th</sup>.

**Public Comment:**

Dave Myers:

- Currently has no drainage in front of his house at 538 E. Michigan Street and does not believe that the proposed work will help their situation. Had copies of minutes that stated that the storm drain was removed when the E. Michigan Street sewer extension was done.

Pat stated that the pipes removed were later replaced. Council Member Gelow stated that the drains were cleaned.

Mr. Myers stated that the drain that runs north-south is dry and that the ditch that runs along the railroad tracks and the tile back there are dry as well. Further, he stated that there is only a trickle of water coming from the drain pipe at the Niespodziany Ditch. Augie and Pat will look into this further tomorrow.

Nada Worrell:

- She as well as all of her neighbors have been running their water faucets constantly for several weeks. Even though the town is adjusting their water and sewer bills it is a very frustrating situation and is costing the town a lot of money. Additionally she understands that we have paid \$300 several times to have a company come out and thaw the lines. She asked that the Town look into requesting that the buses use Dunn Road instead of Ben Street. She feels that the weight of the buses is possibly pushing down the frost line and that the buses are over the weight limit for Ben Street and the limit should be enforced.

Sue stated that she believes that buses and garbage trucks are exempt and could not be prohibited from Ben Street regardless of the weight limit.

Vice President Groves suggested that perhaps we could request that the buses use a different route. She will contact Mr. Wood of the Transportation Department at NPUSC to discuss this possibility.

Brian Thompson stated that the buses are routed down Ben Street out of concern for the safety of children being dropped off along Bray Street by parents. Bill Gumm has previously talked with Mr. Wood and knows that they put a significant amount of work into creating the safest bus routes for all children.

President Higgins asked Brian if he would go with Vice President Groves to meet with Mr. Wood.

Jim Banaszak:

- Stated that he currently owns lakefront property at Ambrosia on Marvel Lane. He brought the drainage issue to Pat three months ago and has no resolution to the problem yet. He feels that because the business being constructed next to him built the property up, water is running off onto his property and causing part of the problem.

Pat will look at this issue further.

Bill Gumm:

- Expressed hope that this issue will be resolved soon as it is taxing the fire department as well. They have been called out to assist residents with flooded basements.

Theresa Barnes:

- Asked that the Town use more sensitivity and stop placing blame and pointing fingers at the residents as they have taken the measures they were asked to, spending hundreds of dollars, and this hasn't solved the problem.

Steve Vojtko:

- Asked what Operation Pull-Over is.

Tom explained that it is a program for DUI and seatbelt enforcement at no cost to the town with revenue from citations issued being returned to the town.

- Asked what the vehicle inspection fee is.

President Higgins explained that it is a fee, being implemented for out of town residents, for vehicle inspections.

- Asked if the sewer cleaning and lining is a permanent solution as they have been promised for years that this would be fixed. Pat replied yes.
- Asked where the tile on the south side of US 20 goes that the town put in. Pat stated that west of Wintergreen storm water runs to the viaduct and east of Wintergreen it runs to the Niespodziany Ditch.

### **Bills to be Paid**

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

President Higgins thanked Mr. Annabel for attending tonight's meeting.

Council Member Mell moved to adjourn the meeting. Vice President Groves seconded the motion and the meeting was adjourned.

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Carolyn Higgins, Council President

Attest:

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Susan I. Moffitt, Clerk-Treasurer