

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, December 15, 2009, 5:00 PM

President Higgins called the meeting to order with Vice President Groves, Council Member Mell, Council Member Colpitts, Council Member Gelow and Clerk-Treasurer Sue Moffitt present. Also in attendance were Roger Nawrot, Bill Herrbach, Pat Cummings, Bill Gumm, Jill Doll, Candie Drake, Jason Quirk, Mary Ann Swope and Theresa Barnes.

The meeting was opened with the Pledge of Allegiance.

Minutes

Council Member Gelow moved to accept the minutes of the November 24, 2009 General Meeting and the December 2, 2009 Executive Session as written. Motion seconded by Council Member Mell and passed unanimously.

Employee Reports

Bill Gumm

- Elected Officers for the upcoming year are:

Bill Gumm, Chief
Chris Antonucci, Assistant Chief
Chris Piesyk, 1st Lieutenant
John Kobitz 2nd Lieutenant

Bill would like to bring all officers to the January 12th meeting for introduction to the Council.

- Thanked Vice President Groves and Council Member Mell for attending the Fire Appreciation Dinner.
- Had a request from Hudson Twp. Trustee Dick Gray to change the Intergovernmental Meeting to Jan. 23rd. The meeting will be held at 10 am at the Fire Station on January 23rd.

Bill Herrbach

- The County Commissioners are moving forward with the Zigler Street property. They will be relieving the tax obligation and offering the property for sale to the adjoining property owners. The County will request that legal fees of approximately \$500 be paid up front to interested adjoining

- owners. The new owner would be required to either bring the home up to code or demolish it.

Pat Cummings

- Stated, for the record, that no right-of-way permit was applied for by Joe Laureys to INDOT for installation of a sidewalk at the new store. Joe had told Pat, Bob Middlebrook and Council Member Gelow as well as reporting at the last Council meeting, that a permit had been denied and this was not true.

Pat further reports that INDOT does not like to deal with individual permits for right-of-way and would prefer to see a project and permitting process or overall plan on how the Town will put sidewalks in at existing properties as well as how connectivity will be supplied.

Roger stated that the issue is, does the Council want sidewalks on the east side of the viaduct enough to prepare and implement a plan.

Council Member Colpitts stated that we also need to figure out pedestrian walkways to get people to that area.

President Higgins stated that we are taking on things that we should not be taking on.

Roger stated that there are grants available to assist with preparation and implementation of a sidewalk project.

Pat feels that a project could possibly include a drainage plan.

Roger stated that this is a big decision and should be looked at thoroughly.

A work session with the Council, Roger and Pat will be scheduled after the first of the year.

Roger Nawrot

- Stated that for the record he, Pat Cummings, and Council Member Mell met with Steve Newkirk and Tim Marker on December 8th at the LaPorte District INDOT in reference to the sidewalk at Groceries by Joe. They were informed at that time that no right-of-way permit had been applied for nor denied for this site.

New Business

- Zoning Ordinance

Pat Cummings reports that the new zoning ordinance has been reviewed by Area Plan Director John Byorni and Assistant Director Larry Magliozzi again and he feels it is complete and will meet 70% of the goals of the Master Plan.

Council Member Colpitts motioned to send the Zoning Ordinance and Map to Area Plan for a public hearing and approval.

The motion was seconded by Council Member Mell and passed unanimously.

Vice President Groves feels that we need to let people know that they can review the ordinance at the Town Hall. A public hearing will be held here prior to adoption following approval by Area Plan.

- Humane Society Animal Control Contract

Council Member Colpitts moved to accept the Humane Society Contract for Animal Control for 2010. Motion seconded by Council Member Mell and passed unanimously.

Ordinances, Resolutions, Etc.

- Resolution 09-12-15-01 – A Resolution for the Transfer of Appropriations

President Higgins Read Resolution 09-12-15-01 in its entirety.

Council Member Colpitts moved to adopt Resolution 09-12-15-01. Motion seconded by Council Member Mell and passed unanimously.

- Ordinance #1220 – An Ordinance of Compensation of Elected Officials

Council Member Colpitts moved to waive the rules and adopt Ordinance #1220. Motion seconded by Council Member Mell and passed unanimously.

President Higgins read Ordinance #1220 in its entirety.

Council Member Mell moved adopt Ordinance #1220. Seconded by Council Member Colpitts and passed unanimously.

Council Reports

Vice President Groves

- Wished everyone a Merry Christmas and Happy New Year

Council Member Mell

- Nominated Carolyn Higgins as the Council Representative to the Library Board. He feels that past representatives have not kept the Council informed. He would like Carolyn to report pertinent information to the Council as they receive a big portion of tax dollars. Motion seconded by Council Member Colpitts and passed 4-0. President Higgins abstained.

President Higgins

- The Council appointment to the Solid Waste Board must be a Town Council member.

Council Member Colpitts moved to appoint Dana Groves as the Council Representative to the Solid Waste Board. Motion seconded by Council Member Mell and passed 4-0. Vice President Groves abstained.

Clerk-Treasurer's Report

- Sue reports that Ken Davis has prepared all of the specs for the new computers for the Clerk's Office. These were budgeted for last year but because tax distributions were not received, purchase was put on hold.

Council Member Colpitts moved to approve the purchase of three new computers at a cost of \$4,563.61. Motion seconded by Council Member Mell and passed unanimously.

Public Comment

Mary Ann Swope:

- The possibility of the post office closing did not come up in time to notify everyone in the New Carlisle News but she would like to spread the word regarding the meeting at the Library on Thursday at 11 a.m. Representatives from Congressman Donnelly's office will be there to discuss the situation with our post office.

Theresa Barnes:

- Disagrees with the 9170 gallon usage she was billed for and asks that \$90.55 be waived as this is the difference between this bill and a normal usage. She is convinced that the meter reading is incorrect and that she did not use this water.

Sue reports that although we have no way of knowing how the water was used, the meter reading was checked and double checked by Rob, Augie, Pat and Candie. Because the wire for the remote was broken around the time of the waterproofing on Ms. Barnes basement, the water was possibly used by the crew doing the work although not discovered until the meter was checked following Ms. Barnes call to report the broken wire. The only way that the meter can register usage is by water running through it. The original meter is still available in the office if Theresa would like to check the reading herself.

Ms. Barnes stated that she just wants the \$90.55 waived and asked if she will need to go to small claims court.

Bill Herrbach stated that he is not her attorney and therefore can not give her legal advice.

There will be no adjustment to the bill.

Bills to be Paid

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

Adjournment

A motion to adjourn was made by Council Member Mell and seconded by Vice President Groves. The meeting was adjourned at 6:15 p.m.

Carolyn Higgins, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer