

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting – May 26, 2009

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 Bill Herrbach, Roger Nawrot, Pat Cummings, Doug Glon, Bob Palm, Ken Davis, Mark Adnson, Deb Adnson, Marcy Kauffman, Augie Mauer, Bob Middlebrook, Tom Baker, Jason Quirk, Jill Doll, Davy Doll, Candie Drake and Bill Gumm.

Minutes

Council Member Mell moved to accept the minutes of the May 12, 2009 General Meeting as written. Motion seconded by Vice President Groves and passed unanimously.

Employee Reports

Bill Herrbach:

- Working closely with Bob Middlebrook to solve several code enforcement issues.
- Has prepared a draft ordinance for council review requiring landlord registration and smoke detectors. He feels that this will be a useful tool for code and building inspection.
- We currently have a ordinance violation procedure set up in the Town Code. When a violation ticket is issued the Clerk-Treasurer would send a letter requesting payment within 30 days of a fine up to \$250.00. Violations not paid or those who plead not guilty would then be sent to the attorney and taken to Small Claims Court with fines at that time of up to \$2500 plus court costs.

The Council requested that Bill proceed with setting up the procedures for this.

Pat Cummings:

- The Park Board recommends that the Summer Parks Program be cut to one time per week for seven weeks. Unifrax has made a donation of \$500 for the children's summer program.
- Recommends that the electric security light charge be raised from \$5.00 to \$8.50.

A motion was made by Council Member Colpitts that Pat put together an ordinance amending the rate ordinance to raise electric security light charges. Motion seconded by Council Member Mell and passed unanimously.

- Would like to post in-house for an electric ground man with starting pay of \$12.50 per hour.

- The new grocery store will be the first commercial development to need electric service installed. Following research determined that the Town should reimburse Joe Laureys for the costs involved in installation of the electric service. We will need an agreement between the Town and Joe Laureys for reimbursement of costs involved.
- Has received a recommendation that cleaning and brush trimming be added to the cemetery mowing bid specs as well as a provision that all work be completed satisfactorily. The Council also requested that the bid be advertised this year.

Tom Baker:

- Reports that the transmission on the oldest squad car is out and cost for a new transmission is estimated at \$2000. He is looking at options and requested Council input. We do have one spare that is currently being used.

Council Member Colpitts: Questioned how much more money should be invested in a car this old.

Council Member Gelow: We have already spent in excess of \$20,000.

President Higgins: Perhaps some officers may need to share vehicles and not have take home cars temporarily.

Council Member Mell: We have spent \$25,000 on the Impala, replacing everything but the transmission. Because everything else is new we should look further into replacing the transmission.

Tom will continue to look into options regarding the car.

Ken Davis:

- The Ambulance recertification is complete.
- Is preparing a report on aged billing and estimates that approximately \$50,000 in unpaid billings over twelve months out. He will have a complete report for the June 9th meeting.

Jason Quirk:

- Has set Saturday May 30th as the date to complete the previously scheduled electric outage on Marvel Lane. We will be providing generation for sump pumps.

Old Business

New Business

- Landlord Registration

The landlord registration suggested by Bill Herrbach will help keep track of owners and tenants. This ordinance will also require smoke detectors allowing access for the code enforcement officer. Registration will be on a year to year basis. Failure to keep smoke detectors in place could result in a fine up to \$2500 per incident.

Ordinances, Resolutions, Etc.

- Ordinance #1212 – An Ordinance Amending Zoning from LB to GB.

President Higgins read Ordinance #1212 in its entirety for the second reading.

- Ordinance #1213 – An Ordinance adding a cell phone policy to the employee handbook.

President Higgins read Ordinance #1213 by caption only for the third reading.

Council Member Mell moved to adopt Ordinance #1213 as written. Motion seconded by Vice President Groves and passed unanimously.

- Ordinance #1215 – An Ordinance amending ambulance rates.

President Higgins read Ordinance #1215 by caption only for the first reading.

Council Reports

Council Member Mell:

- Attended a very interesting Area Plan Commission meeting. Reports that two people from town spoke regarding the proposed zoning change on Marvel Lane.

Pat stated that the Area Plan Commission stated two biggest issues were drainage and that the requested zoning change does not comply with the Town Comprehensive Master Plan for future land use. He stated that the current zoning of LB gives a buffer between the residential area and future GB zoning to the north.

Council Member Colpitts stated that the master plan is just a tool. Things change and you have to be able to adjust.

Council Member Mell stated that he feels that further drainage problems are a possibility if this project is built. Bob Palm replied that no, they are not. As the engineer for the project he takes exception to that comment. He spoke with John McNamara (St. Joseph County Drainage Board) and they will allow overflow to go into the ditch running north along Timothy Road.

Mr. Palm further stated that the Area Plan Staff Report was in error as both Timothy Road and Marvel Lane are arterial roads.

Mr. Palm distributed copies of the Town ordinance to the Council for review.

Vice President Groves stated that the Comprehensive Plan was developed as a guide for the Town.

Council Member Gelow stated that the drainage issue will be there no matter what is built.

Roger stated that the proposed facility is on the passive end.

Council Member Colpitts stated that there has to flexibility of the Master Plan.

Bob Palm stated that Ambrosia was not designed properly and that surface water is a separate issue.

Council Member Gelow:

- The viaduct wall looks very nice following completion of the repainting.

Council Member Colpitts:

- Stated that there are very few places where the community comes together like New Carlisle did on May 17th. The viaduct wall was painted, the gazebo and park benches were stained and several lawns were mowed in town.
- Expressed thanks to everyone involved the community clean-up including the Middlebrooks for repainting the lettering on the wall and the volunteers who ran traffic.

Council Member Colpitts moved to donate \$200 to the Volunteer Emergency Team for traffic control when funds become available. Motion seconded by Council Member Mell and passed unanimously.

Council Member Colpitts would like to see the community clean up day become an annual event.

Council Member Mell suggested that President Higgins write a letter of thanks or place an ad in the New Carlisle News thanking the Wesleyan Church for everything they did.

Public Comment

- Marcy Kauffman

In reference to Ordinance #1212 regarding the proposed rezoning from LB to GB she wrote a letter to the Area Plan Commission expressing her concern but it apparently was not included in the information sent for the Council.

- The Master Plan Committee put in a huge amount of time on preparation and planning.
- Zoning should remain LB, as allowing “just this once” has set precedence in the past and feels it will in this instance as well.

- Drainage issue is a huge concern.
- Zoning change would remove buffer between the residential area and future commercial development to the north.
- The Council should not let fear of “worse case”, as previously mentioned, dictate their decision.
- Understands that things do change but the Master Plan was over three years in the making and was completed and adopted less than one year ago.

Bob Middlebrook:

- Would like to see the Town represented at the Memorial Day Ceremony by a council member either speaking or laying a wreath. Many other organizations in town participate annually.

President Higgins will be certain that the Town is represented in the future.

Doug Glon

In reference to Ordinance #1212:

- Inquired if the town would turn down a fast food restaurant if approached.

Was informed that all construction is governed by town code.

Bills to be Paid

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

Adjournment

A motion to adjourn was made by Council Member Mell and seconded by Vice President Groves. Meeting adjourned at 8:23 p.m.

Carolyn Higgins, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer

