

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, September 11, 2012

President Colpitts called the meeting to order with Vice President Higgins, Council Member Gelow, Council Member Vojtko, Council Member Carter and Clerk-Treasurer Sue Moffitt present. Also in attendance were Roger Nawrot, Andrea Halpin, Pat Cummings, John Byorni, Jack Mell, Mike McClaran, Mary Countryman, Jamie Middlebrook, Ken Davis, Bob Middlebrook, Carol Middlebrook, Mary Ann Swope, Mike Shilts, Tim Kaminski, Kim Van Slager, Cal Dittmar and Susan Jones . Jack Daly entered during New Business.

The meeting was opened with the Pledge of Allegiance.

Minutes

Council Member Carter moved to approve the minutes of the August 28, 2012 Executive Session, Special Meeting and General Meeting as written. The motion was seconded by Council Member Vojtko and passed unanimously.

New Business

President Colpitts turned the meeting over to John Byorni, Director of Area Plan, to explain the Combined Hearing Process.

Mr. Byorni explained that presently if someone in New Carlisle wants to rezone and also needs a special use permit for a parcel of property, it is necessary to go to both the Area Plan Commission and Board of Zoning Appeals. This requires attendance at two separate meetings for both the petitioner as well as any remonstrators.

The Area Plan Commission can now hold a combined hearing that would consider special use permits and rezoning at the same meeting. Combined hearings are done only at the request of the petitioner. Although reducing the number of meetings required, everything that is presently acted on and decided by the Town Council would remain this way. Because the longest part of the process is the hearing process, this doesn't speed anything up but does make it more convenient for those involved.

If the Town decides to participate in the Combined Hearing Process, an amendment to our Zoning Ordinance would be required. It would be necessary to hold two public hearings prior to adoption.

Vice President Higgins asked if there are any risks involved in the Town deciding to participate in this process.

Mr. Byorni responded that rezoning would still initially be filed with the Town and sent to Area Plan for recommendation and then returned to the Council for the final decision.

Mr. Byorni stated that the Town can either proceed with the combined hearing process or decide not to participate. The Council will review the information presented.

Employee Reports

Jamie Middlebrook

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- The Fire Department will hold a 9/11 Memorial Ceremony tonight at 7 PM in Memorial Park.
- A joint simulated training will be held in the 100 block of East Michigan Street by the Fire, EMS and Police Departments on Monday, September 24th from 6 to 9 PM.

Andrea Halpin

- They continue follow up on Real Estate issues discussed at the August 28th meeting.

Roger Nawrot

- He will be resubmitting documents to INDOT this week.

Pat Cummings

- Plans to schedule a meeting of the TE Grant Steering Committee soon.
- Recommends the replacement of the brush chipper and asks permission to purchase a Vermeer BC1000 XL at a cost of \$23,959 after trade in of \$7000 on the old chipper. This chipper would provide more safety mechanisms, etc.

Council Member Vojtko stated that the current chipper is getting old and that there are safety issues with running it.

Council Member Vojtko moved to accept the proposal presented for trade in of the old chipper and purchase of the Vermeer at a final cost of \$23,959. Council Member Gelow seconded the motion which passed unanimously.

Pat Cummings has reviewed our ordinance regarding brush removal and feels there are people in town abusing this service. He will bring recommended changes to the Council for consideration.

Visitor Comments

President Colpitts asked for questions regarding the combined hearing process

Jack Daly

- Asked whether the streamlining would curtail public input.

John Byorni replied that Public Hearings require publication and Area Plan does so in the South Bend Tribune. The petitioner is also required to post a sign on the property and neighboring property owners will still be notified.

Mary Ann Swope

- As a member of the NCBCA she reports that they would like to have signage that states there is additional parking behind the downtown businesses.

President Colpitts responded that these signs are included in the TE Project.

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Mary Countryman

- Stated that at the last meeting when relaying information regarding Area Plan, some of the information was incorrect and she asks that President Colpitts be more attentive.
- Stated that the minutes on the Town of New Carlisle website are behind and that she called CSI and was told that they have not been sent to them for posting recently.

Sue responded that the minutes are now posted by Officer Ron Whitt of the police department and that they were updated today.

There was discussion on moving forward with updating the Town website and President Colpitts asked that Pat and Sue look into this as soon as possible.

Jack Daly

- Reports that IDEM will hold a Public Hearing on Thursday, October 4, 2012 at 6 PM EST at NPHS regarding the air quality permit for the proposed power plant and asks if the Council will be in attendance representing the Town.

President Colpitts reports that he will be out of Town attending the Indiana Association of Cities and Towns Conference. Vice President Higgins stated that she plans to attend the meeting but may not be prepared to ask questions.

Mr. Daly stated that although he has no illusion that this project won't happen, he feels that we need to be in attendance and ask questions whether the proposed project is within the Town limits or not.

President Colpitts stated that technically they are in the county and we are not called when they hold meetings. He did inform this company that they need to be very forthcoming and keep the residents of the Town of New Carlisle informed. Other than providing water samples and some water information, the Town Council has not had recent contact.

Discussion was held regarding protecting our water resources and recent legislation that passed followed.

New Business

- Set Trick-or-Treat Date and Time

Trick or Treat will be held on Halloween, October 31st from 5-7 PM EST.

Council Reports

Council Member Carter

- Is working with Gary Lawson to obtain quotes for refinishing the WW II plaque in front of the Town Hall.

Vice President Higgins

- Asked when the 9/11 Service tonight at 7 was decided?

Jamie Middlebrook stated that he is uncertain of when this was decided.

Vice President Higgins stated that she feels this miscommunication is very sad and asks that Chief Josh Schweizer be told that there should be advance notice.

- Very pleased with progress on the Emergency Plan presented by Ken Davis. She understands this is a huge project and feels that in due time this will be completed.
- Stated that regarding a request for hours for hometown days the information has not been provided.

President Colpitts stated that this was requested in a letter marked confidential by Vice President Higgins and should not be publicly discussed.

- Expressed concern regarding police presence at the school.

President Colpitts stated this was included in the confidential letter as well.

Andrea stated if it has been made confidential and contained anything referencing job performance it should be confidential. Reports would be public information.

President Higgins stated that she marked the letter confidential so that it would not become gossip in the area that correspondence is kept.

President Colpitts stated that in reference to this report, a directive was given that overtime be tabulated for special events throughout the year and reported at year end.

Council Member Gelow

- He has asked Pat to get estimates for demo of the house on Walnut Road because it is not secure and also because there is an excess amount of mold in the house. The house has not been used by the FD for quite some time.

Council Member Vojtko

- Expressed his desire to see the report Vice President Higgins discussed.

President Colpitts stated that this meeting is not a forum to call our employees on the carpet. All council members have the opportunity to meet with any department head and ask any questions they want. It is embarrassing to our employees and degrading as well to be asked questions that should be handled outside of a public meeting. He acknowledged that Vice President Higgins is liaison to Police, Fire and EMS Departments and she should be the first person to know what is going on within those departments. He stated that the Council must take the initiative.

Council Member Vojtko replied that he understands but where is the point where we are not allowed to ask our employees a question about public safety. He sees things going on and may want to improve on it.

President Colpitts responded that council members absolutely have the right to ask questions but it must be done in the appropriate time and place. Even if it is a fair question, it should be asked directly to person involved and not be asked at a public meeting and never when the employee is not present.

Andrea stated that if a person has an opportunity to prepare before the meeting you will probably receive better information at the meeting. Perhaps someone has been working on it but the person requesting information has not discussed it with them. As the supervisor you have the power to ask the employees that the information be provided at a meeting. However, just as you would not want to be notified two hours before a ceremony, the employee would like advance notice to be able to respond with decent and accurate information. She feels that the Council's role gives them the power and they will get more effective information this way. If you have a problem and you ask the employee to give information at a meeting and they don't show up, it is an issue but not one to be discussed at the meeting.

Council Member Gelow expressed that he feels that if there is an issue he goes directly to the supervisor. He feels that every Council member has the time to do this as well. They know where to find supervisors and they are always willing to discuss any issue. They, at times, may need to research information and must be given the opportunity. He will not come to the council meeting and embarrass any supervisor or employee.

- Attended the Solid Waste Meeting yesterday. The hazardous waste budget was increased and they are going to try to get something set up on the west side of the county, hopefully on a semi-annual basis.
- Reports that county wide insurance may be possible.
- The summer park concerts had a great turn-out this year. New Carlisle Town Band played at the last concert and they were a class act that does a really good job. Steve thanked them for their participation.
- Will be out of town for the next meeting.

President Colpitts

- Oct 20th will be Community Day, a day when everyone comes together to spruce up the town. . A couple of organizations are already on board and encourages everyone to participate in some way. He has been working with Marvin LaRue of the Wesleyan Church. He also spoke with Olive Township Trustee John Michalski who will participate in the rental of one dumpster and President Colpitts would like the Council to participate in an additional dumpster and some advertising.

Council Member Vojtko moved to appropriate up to \$500 for a dumpster and advertising for Community Day. Seconded by Council Member Gelow the motion passed unanimously.

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- The Town has planted twenty-two trees to replace those removed during the sidewalk project. He thanked Twin Silos Nursery for working with the town to provide the trees at a great rate, allowing us to plant more trees.
- Would like to hold an annexation work shop with perhaps someone from Area Plan in attendance to discuss annexation from their stand point.

Clerk-Treasurer's Report

As was requested by the Council at a work session earlier in the year, all departments are reporting hours for special events on time sheets. Following each event, overtime hours are calculated and added to a report to be provided to the Council at year end. Year-to-date information is available for review in the Clerk's Office at any time.

Bills to be Paid

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

Adjournment

Upon a motion by Council Member Gelow and second by Council Member Carter the meeting was adjourned at 6:15 PM.

Ronald Colpitts, Council President

Susan I. Moffitt, Clerk-Treasurer