

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, December 9, 2014

President Colpitts called the meeting to order immediately following the public hearing with Vice President Higgins, Council Member Gelow, Council Member Vojtko, Council Member Carter and Clerk-Treasurer Sue Moffitt present. Also in attendance were Jared Huss, Chuck Leone, Tim Conley, Rob Shail Jason Quirk, John Mrozinski, Tim Kaminski, Jill Doll, Dave Doll, Tonya McKee,, Josh Schweizer, Bob Middlebrook, Carol Middlebrook, Oleta Kaminski, Chris Antonucci, Aaron Rypma, Jack Mell, Todd Kaminski and Pete Agostino.

Minutes

Council Member Vojtko moved to approve the minutes of the November 28, 2014 General Meeting as written. The motion was seconded by Council Member Gelow and passed unanimously.

Employee Reports

Chief Josh Schweizer

Reports that he has been working with Chuck on the bid specs and they are nearing the end of that process.

Attorney Chuck Leone

They have made final changes to the fire truck specs and will be ready to proceed with the bid process soon.

They have been reviewing the zoning ordinance and issues relating to the café ordinance.

They have completed preparation of the utility charge off and rental policy ordinance and it is ready for the first reading this evening.

Engineer Jared Huss

Reports that the dry well in the municipal parking lot is complete and working property.

The drainage project to correct flooding issues at the north end of Bray Street is nearly complete.

Sidewalk and street projects for 2015 will be reviewed at the work session following tonight's meeting.

Town Manager Tim Conley

Reports the new employee will be starting on the 17th.

Seasonal employees are finished for the year. Both were excellent employees.

Water treatment plant employee Aaron Keehn has obtained his WT3 License.

Reports that the drainage improvements in the parking lot are done and the North Bray Street drainage project is nearly complete. The attorney is reviewing some easement issues.

He and the supervisors had a utility meeting last Friday with Eric of Umbaugh to get budget numbers in place for all three utilities.

The 2014 Water utility report containing an overall summary for the year was prepared by Tim Kaminski and was included in the council packets.

Tim Kaminski is obtaining quotes for replacement of filters at the water treatment plant.

We have received 76 tons of road salt to date.

Reports that leaf pick up is substantially complete and expressed thanks to the guys for their work this year.

Spot patching of potholes was done on 12/4.

The Park Board is meeting on Thursday to discuss the comprehensive plan.

Old Business

- Agazar Properties

Chuck reports that, based on research, the adoption of the new zoning ordinance repealed all other ordinances that were in conflict including the café ordinance. As the original café ordinance is no longer in place, the regulations regarding outside seating in the current zoning ordinance would be in effect. .

Council Member Gelow stated that they would not be in compliance with the new zoning ordinance either as it requires 6'1" clearance instead of the 5'1" required by the old café ordinance. He feels that if we allow the fence to remain and have a winter like last year, there will be no room for snow.

Council Member Vojtko asked if the fence is currently non-compliant. Chuck stated that if there is no ordinance allowing the café fencing then they would be non-compliant.

Vice President Higgins expressed concern about granting exceptions as the Council has been very conscious of setting precedence and feels that we must continue to exercise caution.

Council Member Vojtko feels that if the fence is not in compliance with current zoning ordinances it should be removed.

President Colpitts stated that he feels a new café ordinance should be written before spring as they are a very nice addition to town.

Mr. Pete Agostino stated that he has reviewed the Town's zoning ordinance and feels that the fencing is specifically allowed and wanted to clarify that they are not asking for an exception. He also expressed concern about the affect of re-anchoring the fence each year and any hazard that might be caused.

Council Member Vojtko stated that the anchors were to be flush with the ground and made to be removed.

The issue was tabled pending review and advice from legal counsel.

- Building Permits

Tim reports he and Bob continue research.

New Business

- Contract for Legal Services

President Colpitts read a summary of the contract from Leone Halpin

A motion to accept the contract with Leone Halpin for legal services in 2015 was made by Vice President Higgins and seconded by Council Member Vojtko. The motion passed unanimously.

- Contract for Building Inspector

Details of the Building Inspector Contract remain unchanged.

Council Member Vojtko moved to accept the contract for Building Inspection as written. The motion was seconded by Vice President Higgins and passed unanimously.

- Contract for Engineering Services

President Colpitts read a summary of the contract from Lawson Fisher Associates

Council Member Gelow moved to accept the contract for engineering services with Lawson Fisher. Vice President Higgins seconded the motion which passed unanimously.

- Interlocal Fire Agreement

Council Member Vojtko moved to accept the Interlocal Fire Agreement for 2015 with Olive Township as written. Council Member Carter seconded the motion which passed unanimously.

- Interlocal Ambulance Agreement

Council Member Carter moved to accept the Interlocal Ambulance Agreement for 2015 with Olive Township. Seconded by Council Member Gelow, the motion passed unanimously.

- Interlocal Fire and Ambulance Agreement

Council Member Carter moved to accept the Interlocal Fire and Ambulance Agreement with Olive Township and Hudson Township for 2015. Seconded by Council Member Gelow the motion passed unanimously.

- Library Board Appointment for 2015

Vice President Higgins nominated Council Member Vojtko to serve as the Town appointee to the Library Board. The motion was seconded by Council Member Gelow and passed 4-0. President Colpitts abstained.

- The Annual Certification of Elected Officials to the Executive involving Direct Line Supervision and Contracting Forms

The Clerk-Treasurer and Council Members presented the Annual Certification of Elected Officials to the Executive involving Direct Line Supervision and Contracting forms to Council President Colpitts.

Ordinances and Resolutions

- Ordinance #1302 – An Ordinance Amending the Capitalization Policy

President Colpitts read Ordinance #1302 in entirety for the second reading.

- Ordinance #1303 – A Salary Ordinance for Elected Officials

Council Member Vojtko moved to waive the rules to allow for the adoption of Ordinance #1303 on the day of introduction. The motion was seconded by Council Member Carter and passed unanimously.

President Colpitts read Ordinance #1303 by caption only for the first reading

President Colpitts read Ordinance #1303 in entirety for the second reading.

President Colpitts read Ordinance #1303 by caption only for the third and final reading.

Council Member Carter moved to accept Ordinance #1303 as written. The motion was seconded by Council Member Gelow and passed unanimously.

- Ordinance #1305 – An Ordinance Adopting Certain Policies for Town Utilities Including Delinquent Account Procedures and Rental Property Policies

President Colpitts read Ordinance #1305 by caption only for the first reading.

- Resolution #14-12-09-02 – A Resolution Approving Vacation Buy Back

President Colpitts read Resolution #14-12-09-02 in entirety.

Council Member Vojtko moved to adopt Resolution #14-12-09-01 as written. The motion was seconded by Council Member Carter and passed unanimously.

Council Reports

Council Member Vojtko

Attended the Solid Waste Board meeting and reports that they are working on long term planning.

President Colpitts

Set the last meeting of the year for Monday, December 29th at 8 AM.

Bills to be Paid

Council Member Carter moved to pay all bills as presented. The motion was seconded by Council Member Vojtko and passed unanimously.

Adjournment

Upon a motion by Council Member Vojtko and second by Council Member Carter, the meeting was adjourned at 5:57 PM.

Ronald Colpitts, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer