

**New Carlisle Town Council**  
**124 E. Michigan Street, New Carlisle, Indiana**  
**General Meeting, November 28, 2017 5:05 PM**

President Carter called the general meeting to order at 5:06 PM following the public hearing with Vice President Vojtko, Council Member Rypma, Council Member Vermillion, and Clerk-Treasurer Susan Moffitt present. Council Member Budreau was absent.

Also in attendance were Andrea Halpin, Jeff Roseboom, John Mrozinski, Jason Quirk, Jill Doll, Marcy Kauffman, Ron Colpitts, Bob Middlebrook, Carol Middlebrook, Oleta Kaminski, Nadine Kaminski and Mike Shilts.

**Approval of Minutes**

A motion to approve the minutes of the November 14, 2017 General Meeting as written was made by Council Member Vermillion and seconded by Vice President Vojtko. Motion passed 4-0.

**Employee Reports**

Attorney Andrea Halpin

Andrea reports that she received an email from SJEC counsel and they are ready to close on the transfer of property which will require the council president's attendance. President Carter asked that Andrea schedule a date and time that is agreeable to the other parties.

Public Works Director John Mrozinski

John reports that he and Jason attended the IURC meeting last Tuesday on utility locates. There was good input and communication and they made some good contacts.

John and Jared will be meeting later this week to review quotes for the Bray Street lift station upgrade.

Umbaugh will be here tomorrow morning at 10 AM to review and update the five year capital plan and 2018 utility budgets with John, Jason, Tim and Sue.

He, Josh, Tim and the Clerk's office have been asked to provide a great deal of information for the work going on in the industrial park area.

Christmas in New Carlisle went really well. He purchased two trees for the planters on Michigan Street that will be planted at Bourissa Hills Park in the spring.

Vice President Vojtko questioned the upgrades that the county had discussed for our existing water plant. President Carter explained that they are looking at all options to be certain that what they do will be sufficient to meet the current needs as well as future needs.

Vice President Vojtko questioned the grease trap issue with one of the businesses that was previously discussed and John reports that it has been tested once or twice and they are within the guidelines and so are not required to install one per our current ordinance. Vice President Vojtko said that we changed the ordinance so that all of the food service businesses were required to have a grease trap. Andrea reports that although there was discussion regarding changes, there were no changes made to the existing ordinance.

Council Member Rypma questioned the final outcome of the utility issue caused by excavation work done with no locate on Dunn Road. Jason reports that work was stopped at that time, repairs were made and the contractor was billed for all charges.

Council Member Rypma asked if Umbaugh does development studies for St. Joseph County. No one was able to answer the question.

### **Old Business**

- Building Inspector 2018 Contract Changes

Tabled for discussion at the work session.

- Vehicle Lease Resolutions for 1<sup>st</sup> Source Bank

Andrea explained that 1<sup>st</sup> Source Bank has changed the procedure for vehicle leases and would like the town council to sign their resolution approving the leases for the police department vehicles approved in September.

President Carter read the 1<sup>st</sup> Source Resolution for Vehicle Lease in entirety. A second resolution was presented which is identical but for vehicle number 2.

A motion to accept the 1<sup>st</sup> Source Resolutions was made by Council Member Rypma and seconded by Council Member Vermillion. The motion passed 4-0.

### **Ordinances and Resolutions**

- Ordinance #1354 –2018 Salary Ordinance for Elected Officials

President Carter read Ordinance #1354 by caption only for the 1<sup>st</sup> Reading.

- Resolution #17-11-28-02 – A resolution for salaried employee vacation buy back

This resolution is to allow salaried employees to sell back up to one half of their earned vacation. Council Member Rypma stated this has been discussed in past years and that he feels it is our legal obligation to treat all employees equally in regards to earned vacation. Andrea expressed again that she feels that we need to adopt an ordinance to change the handbook because as it exists we are treating employees differently while both salary exempt and hourly employees are required to work eighty hours and track vacation and sick time. Vice President Vojtko said that this was brought up last year and nothing happened. Andrea stated that this was discussed last year but the Council did not express agreement to move forward with a change by ordinance. Council Member Rypma stated that we need to look at allowing certain employees to do so and not others is wrong. President Carter stated that the three salary exempt employees knew as part of the employee handbook.

The consensus was that Andrea prepare an ordinance to formally change the vacation sell back policy to include all full-time employees.

Council Member Vermillion moved to adopt Resolution #17-11-28-02. The motion was seconded by Council Member Rypma and passed 4-0.

## **Council Reports**

### Vice President Vojtko

Vice President Vojtko asked, with the new water plant property coming on line, how we handle annexation and adding that property to our wellhead protection area. The wellhead protection area includes the SJEC water plant property. He feels it would be beneficial to annex the new water plant when we complete the property transfer. Sue will speak with a representative from Umbaugh.

Vice President Vojtko questioned the status of the Borkowski property and if we are going to do anything. Andrea advised that a property address should be used in place of a name. Sue stated that they are continuing to move things off of the property and had a potential buyer at one point. Andrea was unaware of any issues regarding this property. Bob reported that he spoke with Larry Magliozzi who stated that the property has improved since it was annexed by the Town and we have to be careful about how we deal with it. They had an aerial photograph of before annexation and a current one and a comparison shows that there has been a significant improvement. Chief Roseboom reports that there are trailers on the property that they are loading with things. Vice President Vojtko asked if all of the trailers have current tags. Bob reports that he has met with the owner multiple times and he has been very cooperative and has kept the house and all of the property except for the field next to the house up good.

Council Member Rypma answered that we can find out if the trailers have tags when they are pulled out onto the street. Vice President Vojtko asked what the difference is between a car parked on private property and the trailers. Chief Roseboom responded that our ordinances address vehicles. Council Member Rypma replied that the trailers would be covered by state law if they are taken off of the property and onto roads.

### Council Member Vermillion

Council Member Vermillion and President Carter are meeting with Chuck Lehman on Friday to discuss the master plan. They are going to need participation 4-6 residents from the town including the council and various businesses, organizations and groups in the beginning. He will learn more on Friday and report at a later date.

Council Member Vermillion asked about the property at the end of Zigler Street that the owner had expressed interest in selling to the Town. Vice President Vojtko responded that the owner never gave him a bid.

### Council Member Rypma

Council Member Rypma reports that it looks as though the school cross walks are already starting to crack up and asked that they be looked at.

### President Carter

President Carter stated that the Town looked wonderful on Sunday for Christmas in New Carlisle. He felt that the advertising that was done worked really well.

We held a work session with Cender and Company for fire territory discussion three weeks ago and they have yet to forward any additional paperwork or contact Sue or Josh as promised. President

Carter had asked Josh to contact them and express how displeased we are. He feels that they are not representing the Town professionally and is concerned about the information presented, which was questioned by Mr. Cender himself, and recommends we sever our ties with them, pay for the services they have provided and engage Umbaugh to do the study.

There was discussion regarding requirements of the agreement with Cender. Andrea was asked to review the document to determine our best option to move forward and a special meeting was scheduled for Tuesday, December 5<sup>th</sup> at 5 PM.

President Carter would like to schedule another work session to continue discussion of rental property registration and inspection in December but no date was set.

**Bills to be Paid**

Vice President Vojtko moved to pay all bills as presented. The motion was seconded by Council Member Vermillion and passed 4-0.

**Adjournment**

Upon a motion by Council Member Rypma and second by Council Member Vermillion the meeting was adjourned at 6:14 PM.

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Ken Carter, President

Attest:

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Susan I. Moffitt, Clerk-Treasurer