

**New Carlisle Town Council**  
**124 E. Michigan Street, New Carlisle, Indiana**  
**General Meeting, February 24, 2015**

The meeting was opened with the Pledge of Allegiance

President Higgins called the meeting to order with Vice President Vojtko, Council Member Gelow, Council Member Carter, Council Member Rypma and Clerk-Treasurer Sue Moffitt present. Also in attendance were Andrea Halpin, Jared Huss, Tim Conley, Kathy Vanlue, Mike Vanlue, Gloria Michalski, Bonnie Carter, Mary Ann Swope, Tim Kaminski, John Mrozinski, Gary Lawson, Chris Antonucci, Cal Dittmar, Bob Middlebrook, Carol Middlebrook, Jason Quirk, Leslie Quirk, Perry Hinton, Lori Hinton, Josh Schweizer, Mike Shilts, Kim Huston, Oleta Kaminski, Werner Moser, Derek Czarnecki, Joyce Gard, Jeff Gard, Brian Countryman, Todd Kaminski, Theresa Barnes.

**Minutes**

Council Member Vojtko moved to accept the minutes of the February 11, 2015 General Meeting as written. The motion was seconded by Council Member Gelow and passed unanimously.

Council Member Carter moved to accept the minutes of the February 11, 2015 Executive Session as written. Seconded by Council Member Gelow the motion passed unanimously.

President Higgins expressed gratitude to everyone who assisted in any way during the recent snow storm, including the police department, fire department, ambulance crew and John Mrozinski for exceptional leadership skills and taking charge. She also thanked Moser's for staying open, George Miller of Miller's Home Cafe for providing food for the police department and town crew, and the Old Republic and fire department for housing stranded motorists for the evening. Everyone stepped up to the plate going above and beyond the call of duty and this is what makes this a wonderful community.

**Public Comment**

Mary Ann Swope

Mary Ann informed the Council that there are three businesses in town that have been in business, in the same family, for over 50 years. Millers Home Café has been owned and operated the Miller family for 56 years, Garoutte's Auto and Truck 60 years and Black Cat Lanes 54 years. Mary Ann suggested that the Town honor these businesses with a plaque from the Council.

President Higgins thanked Mary Ann for bringing this information.

**Employee Reports**

Chief Josh Schweizer

Josh reports that the fire apparatus bids were reviewed by him and Chris Antonucci as well as our attorneys. His recommendation is that we accept the bid from Pierce as the most responsive and responsible.

Attorney Andrea Halpin

Their office worked with Chief Josh on the fire truck bids.

She has been working with the Town Manager on the Sidewalk Café permit process.

Received a request for an Informed Consent Waiver for a tour of the water plant.

Completed review of Ordinance #1305.

Subpoena of Public Records.

Engineer Jared Huss

Moving forward with the Sidewalk Abatement Project this year.

Prepared a letter to INDOT regarding the upcoming project.

Town Manager Tim Conley

Electrical Rate Tracker Ordinance is drafted when the council is ready to proceed.

Ready to finalize capital purchases for Umbaugh.

Begun to review sewer rates from South Bend. We need to be sure our tracking factor is up to date for sewer as well.

Met with MACOG

Will have draft revised contract from Surf Air Wireless.

President Higgins would like to go through the public hearing process for the tracking factor change with ordinance readings on March 10, March 24 and April 14 to inform the public of this change.

**Old Business**

- Sidewalk Café Permit Applications

Tim received an email from the staff at Area Plan regarding the need for changing the zoning ordinance for sidewalk cafes. Area Plan feels that editing the existing permit application would be the best choice. He spoke with Andrea about this as well.

Some of the items in question were time frame for allowing the cafes which was previously April 1 to November 1 although variances were allowed from time to time.

President Higgins feels that changing the dates cafes are allowed to include the Christmas Parade would be best.

Council Member Rypma feels that the parameters of dates should be removed as the sidewalks have been upgraded and there is plenty of room and business owners have heaters that can accommodate cooler weather to make it comfortable for patrons. In addition, removal of the fences

can allow water to get into the concrete area and freeze and expand, possibly causing problems. He feels that in allowing the fences to remain year-round, the Town would then have to take a stricter stance on snow removal which would include both inside and outside the fence as well as removal from any furniture.

Council Member Gelow expressed his disagreement, stating that snow removal would be easier if the fences and tables aren't there.

Chief Schweizer was asked if the fences would be a safety issue in the winter time. Josh stated that, provided the snow is always removed, there would be no additional safety issue.

Council Member Carter feels as long as the snow is removed properly from the sidewalk and furniture it would be fine but that hasn't been the case at this point.

Council Member Gelow presented pictures of snow outside of the cafes that was not removed this year.

Derek Czarnecki stated that one change that has taken place since the original ordinance was enacted is that smoking is no longer allowed inside and many customers would like a place to sit outside to do so. Another item is that they can roll the awnings out on a nice day but those must be fastened to the fence. They spend quite a bit of money last year making the fence installation as nice as possible while protecting the concrete and would like to be able to use the area year round.

Mr. Czarnecki applauded the town crew for doing such a good job with snow removal this year.

Council Member Rypma stated that he wanted to be certain that it is clear that if snow removal is not done they will be fined.

Council Member Rypma moved to remove dates on the Café Permit Application. The motion was seconded by Council Member Carter.

Vice President Vojtko would like to have the attorneys write up everything before voting to removal of the dates on the permit application.

Andrea stated that as she understands it there will be no fines through the café ordinance. The permit will include the requirements for the café seating but fines would be under the snow removal ordinance.

Vice President Vojtko feels that snow removal should be included in this ordinance. Andrea stated that this would be only a permitting process and that is the process that needs to be addressed.

President Higgins called for a voice vote as follows:

Council Member Carter	Aye	Council Member Gelow	Nay
President Higgins	Aye	Council Member Vojtko	Aye
Council Member Rypma	Aye		

Motion passed 4-1. Tim will have the Sidewalk Permit Application ready for Council review at the next meeting.

- New Town Truck Purchase

Tim obtained multiple quotes for a pick-up truck and gave the Council a bid summary. In reviewing current vehicles in service and in reviewing the budget, he is replacing the highest mileage truck but reports that the 1990 WTP truck is also not road worthy.

He would like to begin needed vehicle replacement beginning with one truck this year for the town crew. Once the new unit is in service, the 1990 would be auctioned and the town truck cycled to the water treatment plant.

Council Member Gelow stated that he agrees with Tim’s recommendation to replace one truck this year and possibly another next year.

Vice President Vojtko suggested that truck leasing could be an option. Tim stated that he has not looked into that at all but does not feel it is an option for a heavy duty work truck. He would like to look at replacing one truck per year or some type of rotation similar to what the police department does.

Council Member Gelow feels we need to move forward with the purchase of one new truck.

Tim recommends going with one on lot at Wimberly or ordering one.

Council Member Gelow motioned to purchase the truck at a cost of \$26,335 from Wimberly provided it is still available, and the recommended bed lining and plow package at an additional cost of \$4800 for a total cost of \$31,300.

The motion was seconded by Council Member Rypma and President Higgins called for a voice vote as follows:

Council Member Carter	Aye	Council Member Gelow	Aye
President Higgins	Aye	Council Member Vojtko	Aye
Council Member Rypma	Aye		

The motion passed unanimously.

- New Fire Truck Purchase

Council Member Carter moved that we award the bid to Global Emergency Products, which is a Pierce Dealer, in the amount of \$599,700. The motion was seconded by Council Member Rypma.

President Higgins called for a voice vote as follows:

Council Member Carter	Aye	Council Member Gelow	Aye
President Higgins	Aye	Council Member Vojtko	Aye
Council Member Rypma	Aye		

The motion passed unanimously.

**Ordinances and Resolutions**

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

President Higgins read Ordinance #1305 by caption only for the third and final reading.

Vice President Vojtko moved to adopt Ordinance #1305 as written. The motion was seconded by Council Member Gelow and a voice vote was taken as follows:

Council Member Carter	Aye	Council Member Gelow	Aye
President Higgins	Aye	Council Member Vojtko	Aye
Council Member Rypma	Aye		

The motion to adopt Ordinance #1305 passed unanimously.

**Clerk-Treasurer’s Report**

Sue presented the Annual Report to the Council and reports that it has been submitted on Gateway.

**Council Reports**

Council Member Gelow

Complimented the town crew on a job well done with snow removal this year.

At this time President Higgins turned the floor over to Council Member Carter.

Council Member Carter presented Bob Middlebrook with an engraved firefighter statute: “It is my honor to present to you, Robert Middlebrook, this award in appreciation of your service and sacrifice to the citizens and Town of New Carlisle as well as the Olive and Hudson Township communities, for forty years. Bob has obtained all levels of command up to and including fire chief during this period of time. Bob dedicated the time and effort to instruct countless numbers in the proper procedures and protocol for being a fireman. So it is my honor and privilege to award this to you.”

Council Member Carter then presented Carol Middlebrook with bouquet of flowers and a certificate as a token of appreciation from the citizens of the town, recognizing that a spouse is an integral part of a volunteer firefighters career, accomplishments and successes and acknowledging her support and assistance.

Everyone was invited to stay for cake and punch in honor of Bob Middlebrook.

**Bills to be Paid**

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

**Adjournment**

Upon a motion by Council Member Carter and second by Council Member Gelow the meeting was adjourned at 5:48 PM.

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Carolyn Higgins, President

Attest:

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Susan I. Moffitt, Clerk-Treasurer