

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting, July 26, 2016 5:00 PM

The meeting was opened with the Pledge of Allegiance.

President Carter called the meeting to order with Vice President Vojtko, Council Member Rypma, Council Member Budreau and Clerk-Treasurer Susan Moffitt present. Council Member Vermillion was absent due to attendance at a meeting with St. Joseph County.

Also in attendance were Andrea Halpin, Josh Schweizer, Jason Quirk, Jill Doll, Dave Doll, John Mrozinski, John Gelow, Mary Ann Swope, Sandy Raabe, Bob Middlebrook, Carol Middlebrook, Mike Yacullo and Nick Zarate.

Minutes

Vice President Vojtko moved to accept the July 12, 2016 General Meeting Minutes with the following addition on Page 2: Chief Roseboom replied that no one from the police department would be attending.

The motion was seconded by Council Member Budreau and passed 3-0. Council Member Rypma abstained.

Council Member Rypma moved to accept the July 20, 2016 Work Session Memoranda as written. The motion was seconded by Council Member Budreau and passed 4-0.

Vice President Vojtko moved to accept the July 12, 2016 Work Session Memoranda as written. Seconded by Council Member Budreau the motion passed 3-0. Council Member Rypma abstained.

Employee Reports

Supervisor John Mrozinski

- Reports that the water fountain at the west end of town has been repaired and re-installed and that all of the new playground equipment has been installed.

Building Inspector Bob Middlebrook

- Reports that he received a letter from resident John Peterson requesting something in writing stating that the permit to install an eight foot privacy fence on his corner lot was denied due to enforcement of the zoning ordinance.

Bob will be attending the BZA hearing on this issue and asked for Council guidance. The Council asked for Bob's recommendation. Bob reported that he suggested to the homeowners that they move the fence back so that its placement would not adversely effect visibility or the look of the neighborhood. Because the homeowners do not want to do this, he recommends that the eight foot fence not be allowed. Andrea stated that, although there isn't a lot of difference between a permitted six foot fence and an eight foot fence, in this instance it is on a corner lot and would have a negative impact on the view of the neighborhood.

The Council expressed agreement with Bob's recommendation.

Attorney Andrea Halpin

- They have updated the EMS Training Reimbursement Agreement to reflect the requested inclusion of a time frame to complete testing.
- The agreement with Mr. Keigley has been prepared as requested but may need further discussion if other options are to be pursued.
- She reports they have also had various public records requests, conversations with supervisors and a review of bonds required for the new water plant at SJEC.

President Carter reported the following for Engineer Jared Huss who was absent due to his attendance at the County Council meeting:

- Lawson Fisher recommends that the Walsh and Kelly bid for the paving project be approved,
- He recommends that the Water Rate Study discussed at the work session move forward. There was some discussion on the study and it was tabled until the August 9th meeting.
- There will be a public meeting to present information and discuss the upcoming Income Survey for residents of Marvel Lane, Zigler Street and East Michigan Street. This survey will be used in our application to OCRA for a matching grant to replace the water main in those areas. This will be posted as a work session to allow all Council Members to attend.
- The Ben and Bray Street intersection will be open for Home Town Days with a temporary fix until the following week when the project is completed. The sidewalk project is being completed at that intersection as well.

New Business

- Awarding of 2016 Pavement Project

President Carter reports that Lawson Fisher recommends that Walsh Kelley be awarded the Pavement Project at total cost of \$239,413.

Vice President Vojtko requested clarification of whether or not Council Member Budreau's wife's employment with Lawson Fisher could possibly be a conflict of interest.

Attorney Halpin reported that this would generally not be, but under specific circumstances could be, a conflict and he could avoid any appearance of impropriety by abstaining from votes regarding Lawson Fisher.

Sue stated that the State of Indiana has a Conflict of Interest Form for use by public servants that is filled out by the elected official and submitted to the governing body at a public meeting. The form is then sent to the State Board of Accounts and the County Clerk.

Vice President Vojtko moved to accept Lawson Fishers recommendation to approve the Walsh and Kelly bid of \$239,413. The motion was seconded by Council Member Rypma and passed 4-0.

- EMS Training Reimbursement Agreement

Council Member Rypma moved to accept the Training Reimbursement Agreement with Adam Murray. The motion was seconded by Vice President Vojtko and passed 4-0

- EMS Chief Vehicle discussion

Council Member Rypma reports that Chief Schweizer has secured \$10,000 from Hudson Township to be used for the purchase of the vehicle. As discussed at the previous work session, this vehicle was part of the fleet assessment and upgrade and believes that it will fall in line with the budget.

Council Member Rypma moved to accept the Oliver Ford quote with the body color change to all white and red and move forward with the purchase of the Ford Explorer at a cost not to exceed \$33,000. The motion was seconded by Council Member Budreau and passed 4-0.

Vice President Vojtko reiterated that this vehicle is part of a fleet upgrade following the fleet evaluation and will assist in improving response times and be used for multiple things as well.

There was some discussion on funding and whether or not this vehicle will be purchased outright or a lease/purchase will be used. Olive Township Trustee Nick Zarate stated that he would be unable to pay for his share of the vehicle outright and would need to obtain a lease/purchase.

President Carter called for a Roll Call Vote as follows:

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|------------------------|-----|----------------------|-----|
| Council Member Budreau | Aye | Council Member Rypma | Aye |
| Vice President Vojtko | Aye | President Carter | Aye |

Motion passed 4-0.

Trustee Nick Zarate left the meeting at this time.

Ordinances and Resolutions

- Ordinance #1329 – An Ordinance Amending the Cemetery Regulations

President Carter read Ordinance #1329 in entirety for the second reading.

There was discussion on the ordinance as read. President Carter recommended that the language be changed and engraving be removed. Cemetery Board Member Dave Doll suggested that a use of a specific font be added for uniformity.

Other changes discussed were the addition of “holidays” to the weekend burial information in the fee schedule for openings and closings as the cost for both of those are the same and also that the word inches be added to the 12 x 15 to the cremation vault size.

Andrea will make the suggested changes for the next meeting.

- Ordinance #1330 – An Ordinance Amending the Fee Schedule

President Carter read Ordinance #1330 in entirety for the second reading.

This ordinance will be amended to correspond with Ordinance #1329 to add the word “holidays” and delete the engraving fee.

- Ordinance #1331 – A Salary Ordinance for a Town Employee

Motion to waive the rules to allow for the adoption of Ordinance #1331 on the day of introduction was made by Vice President Vojtko and seconded by Council Member Rypma. The motion passed 4-0.

President Carter read Ordinance #1331 by caption only for the first reading.

President Carter read Ordinance #1331 in entirety for the second reading.

President Carter read Ordinance #1331 by caption only for the third and final reading.

Vice President Vojtko moved to adopt Ordinance #1331 as read. The motion was seconded by Council Member Rypma and passed 4-0.

Council Reports

Vice President Vojtko

- Asked if a drawing of the ramp previously approved is available or could be sent to the Clerk’s office as he hopes that it will match the décor of the council room. Sue stated that she did not have a drawing but that possibly one was included in the original proposal.
- Concerts in the Park begin on Wednesday, August 3rd at 7 PM with Oscar and the Majestics.

Council Member Rypma

- Is currently reviewing a fire prevention code draft ordinance that Chief Josh has prepared and would like to have a work session for discussion in the near future. Josh reports that the town currently has nothing in place to support fire code issues and recommends that we adopt one to help keep the town safe. We currently have one fire inspector and Josh will be attending training next week.
- Reports that, although a short time ago it was reported that we couldn’t get any applicants, the EMS is now fully staffed.
- The Fleet Evaluation is complete and ready for review.
- Everything is going well with EMS and the fire department.
- The police department is working hard and very busy with many investigations.
- The new part-time investigator, who is the chief of detectives for another department, is currently learning the town.

Vice President Vojtko asked for confirmation that this investigator is only part-time. Council Member Rypma replied that he is only part time and will help relieve the Chief of some of the investigations and negate the need to pull officers off the street to conduct follow-ups and interviews. He stated that the Chief has basically eliminated the use of part-time officers to fill in by changing to ten hour shifts and rearranging the schedule.

President Carter

- Wished everyone a happy and safe Home Town Days weekend.
- Reports there is a meeting involving St. Joseph County, Mishawaka and South Bend for discussion on the proposed beverage tax on July 27th
- Scheduled an executive session for 5 PM on August 3rd.
- Scheduled a work session for August 11th at 6 PM to meeting with business owners in the town center district regarding sidewalk cafes.
- The work session following the August 9th meeting will be for discussion of both the Front Street issue and a materiality policy for the town. There will also be required training on Internal Controls at the work session.

Bills to be Paid

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

Adjournment

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

Ken Carter, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer