

**TOWN COUNCIL - GENERAL MEETING
124 E. MICHIGAN STREET, NEW CARLISLE
MARCH 27, 2007 7:00 P.M.**

Vice-President Vojtko called the meeting to order. Present were Council Member Higgins, Council Member Colpitts, Council Member Mell and Deputy Clerk Sue Moffitt. Also in attendance were Bill Herrbach, Roger Nawrot, Pat Cummings, Larry Brown, Ken Davis, Bob Middlebrook, Chris Antonucci, John Julian, Steve Cooreman, Dan Akin, Spencer Cooreman, Steve Mellinger, Steve Mellinger Sr., Jim Ford and Jeff Jurczak.

Council Member Colpitts motioned to accept the minutes of the Special Meeting of March 13, 2007. Motioned seconded by Council Member Mell and passed.

John Julian of Umbaugh and Associates distributed copies of the DLGF Local Government Tax Control Board Hearing Information which was filed yesterday as the first stage of the bond approval process. April 20th is the tentative date for the hearing with early to mid June as the target date for the sale of bonds.

Resolution #07-03-27-01 was presented to the Council by Mr. Julian. A motion to waive the rules and pass Resolution #07-03-27-01 was made by Council Member Mell, seconded by Council Member Colpitts and passed. Resolution #07-03-27-01, a Resolution for the 2007 General Obligation Bonds, was read by Vice-President Vojtko. Council Member Colpitts motioned to accept Resolution #07-03-27-01. Seconded by Council Member Mell, the resolution passed unanimously.

John Julian reported to the Council that he will coordinate with Ice Miller for the legal advertising of our intent to sell bonds. Certified posting will be the responsibility of the Clerk's Office.

Pat has been working with Umbaugh on utility rates as well as ideas to cover future capital expenses. He will present documents for council consideration at the April 10th meeting. Rate changes will not affect I/N Tek.

Pat will have contracts for both the town hall refurbishment and street improvements ready for the April 10th meeting.

Pat and Roger have been reviewing the Park Board structure for compliance with DNR specifications. Changes in recent laws will necessitate an update for grant applications as some grants are awarded directly to the Park Board. Pat will need a copy of the current ordinance from the Clerk's Office.

Pat reports that he will be reviewing our Greenspace Ordinances with Vice-President Vojtko and Council Member Higgins.

A Park Board Meeting is tentatively set for April 10th at 5:00 PM.

Attorney Bill Herrbach reports that the contract with American Legal Publishing Corporation discussed at a prior meeting needs to be approved. The contract price is \$8,600 (spread over two years) for updating the Town Code. Council Member Higgins motioned to approve the contract with American Legal Publishing Corporation.

Seconded by Council Member Mell the motion passed unanimously. Bill stated that this needs to be signed and returned as soon as possible.

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In reference to the purchase of a new ambulance without seeking bids, Bill reports that this will be allowable in this circumstance per State Board of Accounts. Ken Davis reports that the total cost of the ambulance will be \$109,863. A deposit of just under \$11,000 was made with delivery expected in 6-8 weeks.

Engineer Roger Nawrot distributed picture enhancements of the downtown areas targeted for improvements in the INDOT Grant application. Included was Michigan Street from Filbert east to Arch Street and also Michigan Street from Meridian west to Jon Street. They would like to have included improvements continuing east of the viaduct but because this is a matching grant, funding for this is not feasible at this time. Pat gave an amount of \$100,000 that the Town will have available for match with the grant total being \$500,000. Possible improvements will include bulb-outs and sidewalks as well as the placement of islands to illustrate curb areas and the addition of street lighting to the west end. This initial portion has been given to MACOG who will review and forward to INDOT. Pat reminded everyone that this is basically just a concept at this time. Everything is subject to change and public input will be sought prior to the final grant documents being submitted.

Roger informed the Council he will be out of the office the week of April 2nd.

Ken Davis reports that closing on the new ambulance building at 110 S. Arch Street was completed on March 22nd and he now has keys to the building. There are a few small things to be taken care of including the installation of keyless entry and two inside doors. Council Member Colpitts spoke with Greg Smith concerning the cracked window on the front of the building and reports that Greg has agreed to have this taken care of.

The American Legion Auxiliary has requested Council permission to hold Poppy Days again this year. A motion to allow the Auxiliary to hold Poppy Days was made by Council Member Mell, seconded by Council Member Colpitts and passed unanimously.

Jeff Jurczak, representing New Prairie Little League, informed the Council of two potential projects they are exploring.

The first project is the installation of water and sewer to the concession stand located near the old well. Pat stated that this is possible since the Town is now served by the wells on Edison Road. Concerns expressed were that this be done by a licensed plumber and that the tap is made properly. Assurance was given that it would be a licensed plumber and that the Town crew would do the actual taps. A motion to allow the installation of water and sewer based on Pat's recommendation and pending the provision of a project plan was made by Council Member Colpitts and seconded by Council Member Mell. Motioned passed unanimously. Waiving tap fees for this project was discussed and tabled until research on previous taps for not-for-profit groups can be done.

The second project New Prairie Little League is looking into is a new scoreboard for the field located near the United Steel Workers Union Hall. The best location for the

scoreboard is near the railroad tracks but there is no electric to that area. They would like to tie into existing electric lines but do not know if this is feasible. Pat stated that it is

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certainly feasible and he will work with Jeff to get this done. Jeff stated that they would like to have the scoreboard installation complete by April 28th. He was reminded that they will need to apply for a permit to install the sign.

Dan Akin, engineer for Danch, Harner & Associates, Inc. of South Bend was present to discuss the preliminary plat for the Wintergreen Meadows subdivision. Steve Cooreman, the developer for the project, distributed copies of the plat. This subdivision will cover 75 acres including 13-14 acres of park with a total of 145-146 lots.

Council Member Higgins asked about park/green space in addition to the wetlands as most of the planned greenspace appears to be wetlands. Mr. Akin replied that they are not required by the Town to provide more. Council Member Higgins replied that she understands they are not required to but is asking if they would consider more than the required amount as she feels that this issue is very important especially as our Town continues to grow.

Mr. Cooreman stated that there is a 2-3 acre parcel behind lots 100, 101 and 102 which is not wetlands, and is designated as greenspace on the preliminary plat. This portion of the greenspace will have paths/trails that will be graded and/or leveled as need be to ensure that they are walkable. Sidewalks will be installed throughout the subdivision as well.

Council Member Colpitts asked for a timeline for the project. Mr. Akin stated that they hope to submit the preliminary plat on April 9th. Following approval of the subdivision, Mr. Cooreman stated that they will begin with Phase 1 which will consist of 20 lots on the northern end along Dunn Road. Phases 2 and 3 will follow with completion hoped for in 3-4 years depending on the housing market.

Pat asked that they consider looping at Flanigan Way and O'Shea Court because of the lengths of these cul-de-sacs. Mr. Akin stated that these cul-de-sacs are approximately 1000 feet which is an acceptable length. Mr. Cooreman replied that cul-de-sacs are highly desirable to homebuyers and they would prefer not to loop them. Larry stated that these are also desirable from a crime prevention aspect.

Plans for Wintregreen Meadows include:

- 1 story, 2 story and bi-level homes in \$150,000-low \$200,000 price range
- Planting of 500 to 700 trees
- Buffering along Dunn and Wintergreen Rds. and bordering Suter property
- Boulevard entry (if approved by the Town Engineer)
- Walking trails
- Subdivision Covenants
- Paved parking and trail access
- 38' Width for Gallagher Way and 30' Width for Cul-de-Sacs

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Mr. Cooreman asked the Council's feelings about a nice boulevard entrance. Roger replied that it would have to be reviewed and meet Town Code. He also suggested that they check with BP Pipeline as their gas line goes directly through this area.

Vice-President Vojtko expressed appreciation to Mr. Cooreman and Mr. Akin for the courtesy of the preliminary subdivision plat for each Council Member prior to the meeting and their presentation this evening.

Ordinance #1166 was read by Vice-President Vojtko for the second reading.

Ordinance #1167 was read by Vice-President Vojtko by caption only for the first reading.

Council Member Colpitts distributed information prepared by Fire Chief Chris Antonucci on equipment needs for the new ladder truck. They would like to use the monies in the Fire Department Equipment Fund for purchase of this equipment. A discussion of this fund followed. It was previously stated that this fund is only the Town's share and purchases from this fund are not divided between the entities. Sue stated that this was not correct as most purchases for equipment from this fund are divided equally between Olive Twp., Hudson Twp., and the Town. The Council requested clarification of this issue before making any decisions.

Following a meeting with Hudson Twp. Trustee Richard Gray, Olive Twp. Trustee John Michalski and Steve Hora, Council Member Colpitts reports that Hudson Township will not be able to continue the same type of contract for fire and ambulance services.

Mr. Gray is proposing Hudson Township sign over all titles and equipment to Olive Township and the Town of New Carlisle and then have a flat yearly contract for fire and ambulance services. He will have approximately \$60,000 per year total in his budget for fire and ambulance services which would be payable in two installments. Hudson Township would no longer be responsible for any equipment purchases. Attorney Bill Herrbach stated that we would have to look very closely at this and be sure that the yearly contract fee determined will be adequate.

The Council received a letter from Jim Banaszak requesting Council permission to place the veranda in front of The Still again this year. Roger stated that there has to be a minimum set-back of 8-10 feet. Following a short discussion, this was tabled until a recommendation from Roger is received.

Council Member Colpitts discussed the condemnation recommendation for 502 E. Michigan Street received from the Marshals Department. Marshal Larry Brown explained that the status of this property remains basically the same, with owners uncooperative with both the Marshals Department and the Building Inspector. They continue to ignore the St. Joseph County Health Department's order to be in the house during daylight hours and for clean-up only. Bill Herrbach recommends trying other

avenues before beginning condemnation. He will review the public safety aspect and make a recommendation to the Council. Vice-President Vojtko asks that we move as quickly as possible on this issue.

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The status of the home at 611 Elm Street that was severely damaged in a fire was discussed. Building Inspector Bob Middlebrook has been in contact with the homeowners and the builder who will be doing the home restoration. He has made it clear that we will begin fining if this is not cleaned up soon. He reports that the insurance company has not settled because of problems with the footings in the home and this is holding up the builders. Because settlement with the insurance company does not preclude clean-up and this is a public nuisance, Bill reports that this could be cleaned up by the Town and a lien filed against the property. He will review and send a legal notice to the property owners of 611 Elm Street informing them of the Town's intent.

Vice-President Vojtko asked that Pat look into warning lights being installed at the viaduct to signal drivers when there is high water. Pat will look into different options. Roger suggested also contacting INDOT.

A motion to pay the bills was made by Council Member Mell, seconded by Council Member Higgins and passed unanimously.

Council Member Mell motioned to adjourn the meeting. Seconded by Council Member Higgins, the meeting was adjourned at 9:05 PM.

Sue Moffitt
Deputy Clerk-Treasurer