

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
General Meeting – November 25, 2008

President Higgins called the meeting to order with Vice President Colpitts, Council Member Mell, Council Member Groves, Council Member Gelow and Clerk-Treasurer Sue Moffitt present. Also in attendance were Roger Nawrot, Bill Herrbach, Pat Cummings, Chris Covert, Candie Drake, Shayne Landry, Jason Quirk, Mary Ann Swope, Jill Doll, Werner Moser, Jennifer Lake, Mike Tuszynski and Brian Thompson.

Bid Opening:

President Higgins opened the three bids received for refuse removal from the following:

<u>Company</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
Waste Management	95,365.40	100,188.00	105,240.96	110,468.16
Able Disposal	95,396.00*	99,213.00*	104,192.00*	108,880.00*
*A Fuel Charge would be added when fuel exceeds \$4 per gallon				
Borden		124,649.70	115,096.67	108,377.28

An alternate bid was received from Borden that excluded large item pick up.

All bids were taken under advisement and will be reviewed for legal sufficiency by Attorney Bill Herrbach.

Minutes:

Council Member Mell motioned to accept the minutes of the November 10th, 2008 General Meeting as written. Seconded by Council Member Groves, passed unanimously.

Council Member Mell motioned to accept the minutes of the November 18, 2008 Special Meeting as written. Seconded by Council Member Groves, passed unanimously.

Employee Reports:

Bill Herrbach:

- The codification review is complete and was given to Sue tonight. Pat will still need to include the building and zoning code.

Roger Nawrot:

- St. Joseph County has a signed contract for work to begin on ditch cleaning Dec. 1.

Chris Covert:

- Introduced new Deputy Marshal Shayne Landry.
- Presented a picture of the new department squad cars.

- Distributed a quote from Verizon to the Council for air cards for the department lap top computers that would allow access to the St. Joseph County system at all times. Chris would like to purchase cards from the equipment budget for each car.
- Presented AT&T quote for cell phones.

President Higgins stated that the cell phones should be put on hold until the new Marshal is appointed.

Vice-President Colpitts moved to allow Chris to sign the contract with Verizon for the air cards. Motion seconded by Council Member Mell and passed unanimously.

President Higgins recognized Brian Thompson who was in attendance following being injured responding to a call.

Jason Quirk:

- Provided preliminary recommendations for rates regarding various services in the electric department. He will continue to review and bring final recommendations to the Council after review by Pat.

Vice President Colpitts thanked Jason for putting together this information.

Ordinances and Resolutions

- Ordinance #1202 - an ordinance amending the Town Code regarding Sump Pump and Groundwater Standards – President Higgins read Ordinance #1202 by caption only for the first reading.

Council Reports:

Vice President Colpitts

- Read the resignation letter received from Larry Brown.

A motion to accept the resignation of Larry Brown was made by Vice President Colpitts, seconded by Council Member Gelow and passed unanimously.

- Reports that three applications were received in response to the ad placed for Town Marshal. The committee will begin interviews and background checks as the first part of the process.

President Higgins

- Reminded the Council of the December 11th 10:00 a.m. Public Hearing for the additional appropriation in the Debt Service Fund.

The Council agreed to set the December General Meeting for December 16th at the regular meeting time of 7:00.

Public Comment:

Mike Tuszynski

- Appeared before the Council on behalf of Werner Moser regarding the Café Ordinance. He asks that the Council reconsider the requirement to remove fences Nov. 1 to April 1. Mr. Moser estimates revenue for outside sales during this time period is \$1600.

Attorney Bill Herrbach replied that the removal requirement is authorized by State Statute.

Vice President Colpitts stated that he based his motion on the opinion of Bob Middlebrook and the Council also took the recommendation of the Building Inspector/Code Enforcement Officer when considering this ordinance. He feels we must stand behind his professional recommendation.

President Higgins stated that we have agonized over this ordinance and have made a decision that we must stick to.

Mr. Tuszynski stated that the issue is the arbitrary and capricious use of the ordinance as there is no date for removal included in the ordinance.

Vice President Colpitts stated that Mosers' were allowed to keep the fence up through one winter on a trial basis and the following year it was voted to remove fences November 1 to April 1.

Brian Thompson

- Thanked everyone in the Clerk's Office for the extra help following his injury on Friday.

Council Member Mell motioned to pay all bills as presented. Seconded by Council Member Gelow and passed unanimously.

Council Member Mell moved to adjourn. Seconded by Council Member Groves the meeting was adjourned at 8:03.

Carolyn Higgins, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer