**NEW WHITELAND TOWN COUNCIL**

**NOVEMBER 7, 2017**

**MEETING MINUTES**

Town Council President John Perrin opened the meeting at 5:00 p.m. with the pledge to the American flag. Council members present were Scott Alspach, Mike Rogier, John Schilawski and John Perrin. Also present was Clerk-Treasurer Maribeth Alspach. Councilman Alspach offered the opening prayer. Councilman Vaughn was absent.

**MINUTES**

Councilman Rogier moves to approve the minutes of the October 18th meeting and is seconded by Councilman Alspach. **Vote 4 affirmative.**

Councilman Alspach moves to approve the minutes of the October 24th executive session and special meeting and is seconded by Councilman Rogier. **Vote 4 affirmative.**

**HARDSHIPS / ADJUSTMENTS**

None.

**TREASURER’S REPORT**

Clerk-Treasurer Alspach presents copies of the November 7th Fund Report and Docket for approval. Councilman Schilawski moves to approve and ratify both reports and is seconded by Councilman Alspach. **Vote 4 affirmative.**

**LEGISLATIVE BUSINESS**

Council President Perrin explains that due to one of the councilmen needing to leave early we are going to consider part of tonight’s legislative business now.

Ordinance 2017-13

Attorney Robbins states this is the original Nuisance Ordinance with a few minor revisions. Changes include:

* Section 1 creates a Code Enforcement position in the event that the council would ever decide to hire or appoint a Code Enforcement Officer.
* Section 3(d) adds language requiring residents to keep their trash and recycling totes within 5 feet of their front building line and no closer than 5 feet to a boundary line.
* Section 3 (k) defines an approved container as those provided by the waste removal contractor.
* Section 3 (m) cleans up the language.
* Section 3 (n) incorporates Indiana Code 9-13-2-1 definition of Abandoned Vehicle.
* Section 5 details the procedure for abating a nuisance violation.
* Section 6 authorizes the town to go onto the property to abate the violation or to hire a contractor to do the same.
* Section 7 defines the graduated violation fee schedule and the billing procedure if the resident fails to comply and the town has to abate the violation.

President Perrin asks about graduated fee schedule and if it is for the same violation. After some discussion it is determined that the ordinance will be revised to include language on subparagraph and tracking procedure for written violations. This will be placed on the November 21st agenda.

Ordinance 2017-14

Attorney Robbins the revisions to the Weed and Rank Vegetation Ordinance. Revisions include:

* Section 2 defines real estate. It also reduces the height violation for grass, weeds, etc. from 12” to 8” on residential and commercial property. It reduces the height violation for grass, weeds, etc. from 18” to 12” on unimproved real estate. Drainage easements remain at 30”.
* Section 4 mirrors the Nuisance Ordinance procedure for a Violation Notice.
* Section 5 establishes graduated violation fees like in the Nuisance Ordinance.

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President Perrin asks how the notice is served if no one is at home. Attorney Robbins states best case scenario is to hand deliver the notice. Notice can be posted on the property but officers should follow up before the time period to abate the violation expires and verify that the resident did find the notice.

Attorney Robbins states 219 Mooreland has received multiple violation notices and have not paid any of the fines. There are multiple people living in the home. Robbins sent certified notices to the property owner and the mortgage company. Two of the residents are slated into court November 8th on the unpaid fines.

Police Chief Rynerson asks at what point the Police Department turns a violation over to get the violation abated. Council determines that when the Police Department has followed all the steps in the ordinance they need to turn the violation over to the attorney. He will serve any required additional notices and he will advise the town when we can legally abate the violation.

Councilman Alspach moves to adopt Ordinance 2017-14 as revised on first reading and is seconded by Councilman Rogier. **Vote 4 affirmative.** This will be placed on the November 21st agenda for final approval.

**OLD BUSINESS**

Camera System for Parks

George Perez with F.E. Moran is present and presents and explains their proposal. Proposal is for placing 21 cameras in the 5 parks. The cameras will have motion detection triggers that will send an alarm to the officers cars where they will be able to immediately access the cameras on their in car computers. Each of the 5 parks will have their own secured WIFI connection. Cameras are 1080, 4 megapixel capturing 7 frames per second. High quality recordings will be able to print out still shots from the camera footage. Cameras will be able to record out to 100 feet. President Perrin asks how long we can retain the recording. Perez states approximately 4 months.

Town can purchase outright and enter into a monthly maintenance agreement or we can lease the equipment and the maintenance agreement is included in the lease payment. With the lease or a maintenance agreement any issue will be repaired or replaced within 24 hours. If we purchase the equipment and the maintenance agreement and have an issue and equipment needs to be replaced it will be replaced with the same equipment. With the lease option if equipment has to be replaced it is replaced with the newest technology.

Council will review the proposed camera locations and then would like to meet again with Perez. They would also like to see some pictures and video of night recordings. Perez cautions that camera locations cannot film private property. Perez will email some samples of night recordings and will attend the November 21st meeting.

Utility Infrastructure Multi Year Service Contract

Interim Utility Supt. McCauslin asks that this be tabled until the next meeting as he is waiting on quotes.

Parks Projects Costs

Interim Utility Supt. McCauslin asks that this be tabled until the next meeting as he is waiting on quotes.

550 Tracy Road

Council President Perrin states he has been contacted two more times by the realtor and asks if the council has any interest in making a low offer. The average of the 2 appraisals we had done is $118,750.00 but we do not have to offer that much. Council states they have no use for the vacant lot and have no interest in it. President Perrin will notify the realtor.

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1114 Ashland

President Perrin has tried to contact the property owner listed on Beacon. She claims the property is not theirs. He contacted Carrington Mortgage Company and they say the property does belong to the Hines’s. Attorney Robbins states the property was on the Sheriff Sale docket a couple of months ago but was pulled from the foreclosure sale. Attorney Robbins will try and do some more research on this piece of property.

**NEW BUSINESS**

County Wide Trail Proposal

Carmen Parker, 251 Lynwood, is heading a Trails Committee and is proposing a Comprehensive Trail Plan that would link Greenwood and Franklin through Whiteland and New Whiteland. All of the entities in Johnson County have representation on the committee that will be discussing a proposed design, plan and cost information as well as how this project would be funded. Parker is asking if New Whiteland would like to have representation at these meetings as well. Parker states that Greenwood currently has 35 miles of trails and Franklin has 16 miles. Parker states the meetings are currently being held the 3rd Tuesday of each month at 3:30 but the meeting dates and times are flexible. Councilman Schilawski recommends having representation at the meeting to gather more information and determine if this proposal would benefit the residents of New Whiteland. Schilawski volunteers to be New Whiteland’s representative. He will attend the meetings and report back to the full council.

Memorandums on Employee Status Changes

Attorney Robbins has prepared the memos as directed by the council and provided them with copies to review. Councilman Schilawski moves to approve and execute the memos as written and is seconded by Councilman Rogier. **Vote 4 affirmative.**

**LEGISLATIVE BUSINESS**

Ordinance 2017-15

Clerk-Treasurer Alspach presents and explains the ordinance writing off the uncollectible utility accounts from 2014 totaling $696.38. Councilman Alspach moves to approve Ordinance 2017-15 on first reading and is seconded by Councilman Rogier. **Vote 4 affirmative.** This item will be placed on the November 21st agenda.

Ordinance 2017-16

Clerk-Treasurer Alspach presents and explains the transfer ordinance. Councilman Schilawski moves to approve Ordinance 2017-16 on first reading and is seconded by Councilman Alspach. **Vote 4 affirmative.** This item will be placed on the November 21st agenda.

Ordinance 2017-17

Clerk-Treasurer Alspach presents and explains the 2018 salary ordinance. Councilman Rogier moves to approve Ordinance 2017-17 on first reading and is seconded by Councilman Alspach. **Vote 4 affirmative.** This item will be placed on the November 21st agenda.

Transfer Memo

Clerk-Treasurer Alspach presents and explains the utility transfer memo. Councilman Schilawski moves to approve the transfers is seconded by Councilman Alspach. **Vote 4 affirmative.**

**OPEN TO THE PUBLIC**

James Farno, 29 Rypma Row is here to protest being given a parking ticket for parking his work van on the street between 2 – 5 a.m. Farno states he parked the van on a dead end street which shouldn’t be included. Farno wants the ordinance changed. President Perrin states that a dead end street doesn’t nullify the ordinance. Street parking is not permitted in New Whiteland between 2 – 5 a.m.

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Paul & Suzanne Nesses, 75W and Whiteland Road believe that the storm water rates in New Whiteland for undeveloped ground are too high. They own 53 acres and pay $500 / year which is less than $10 / acre. They want a copy of the calculations used to create the rates. Clerk-Treasurer Alspach states she does not have the calculations but can send them a copy of the rate ordinance. They provide an email address and ask that she do so. Attorney Robbins adds that we have just authorized a rate study for storm water and recommends that the Nesses attend the Public Hearing when the new proposed rates are discussed to ask any questions they may have.

President Perrin states that there were 2 members of the disc golf club that left before Open to the Public. They are upset because we moved one of the tees. Perrin notes that our responsibility is to our residents and protecting the properties adjoining the park. They left a request that they be placed on the agenda for the next meeting. Council determines there is nothing to discuss, the tee was moved at the direction of the council who own and are responsible for the park and the disc golf course.

President Perrin commends the town employees for their excellent response to the large rain event over the weekend. Employees, councilmen and residents were out cleaning storm drains to try and prevent flooding. Police and fire personnel were trying to help with traffic issues due to high water. The council is very proud of all employees who assisted during the storm and with the cleanup.

Being no further business the meeting was adjourned at 7:13 p.m.

Respectfully submitted,

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Maribeth Alspach, Clerk-Treasurer

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 John Perrin, Council President