

NEW WHITELAND TOWN COUNCIL

December 3, 2019

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 Frank Vaughn, Mike Rogier, Scott Alspach, John Schilawski and John Perrin. Also present were Attorney Lee Robbins and Clerk-Treasurer Maribeth Alspach. Councilman Vaughn offered the opening prayer.

MINUTES

Councilman Schilawski moves to approve the minutes of the November 19th meeting and is seconded by Councilman Rogier. **Vote 5 affirmative.**

HARDSHIPS / ADJUSTMENTS

D. O'Bryan, 114 Brentwood is asking for a 2-month sewer credit due to a leaking toilet. Mr. O'Bryan does not have a receipt for the repairs but states one is being emailed to him tomorrow. Council approves a 2-month credit in the amount of \$1,369.83 conditioned on a paid repair receipt being presented to the utility office. Mr. O'Bryan states he will bring it to the office tomorrow.

TREASURER'S REPORT

Clerk-Treasurer Alspach presents copies of the Fund Report and Docket for approval for December 3rd. Councilman Alspach moves to approve and ratify both reports and is seconded by Councilman Vaughn. **Vote 5 affirmative.**

OPEN TO THE PUBLIC

Bob Matthews, 1052 Hilltop Commons, President of the Hilltop Commons HOA asks about drainage from the property being sold to Habitat. Matthews says when their pond overflows it backs up onto the Tracy Road property. Utility Supt. Gillock states the water flows from the southside of Tracy to the pond at Hilltop Commons.

OLD BUSINESS

WWTP Project – Storm Water

Utility Supt. Gillock states that Mary Atkins with Wessler is here tonight to talk about the easement concerns with regards to fences. Ms. Atkins identifies the properties that have installed fences in the easement or drainage swale. One fence is an invisible dog fence and is buried underground. Some of these fences may need to be relocated due to the project, it is unclear at this point how many. Atkins states the council needs to think about how they want to handle this – property owners could be required to relocate the fences or the town could pay the contractor to do it. Project could take 3-4 months. Supt. Gillock recommends not allowing fences to be relocated in the easement – require that they be outside the easement boundary. Atkins will get a price per foot for removing and relocating the fences.

1114 Ashland

Attorney Robbins states that the property has closed and we now own this piece of property. Closing on the Tracy Road property will happen tomorrow. Supt. Gillock states that cleanup of the 1114 Ashland property has been scheduled for this week.

Recycling Totes

Clerk-Treasurer Alspach states that Republic plans to pick up their recycling totes this week

instead of waiting until the end of the month. Unfortunately, this was not communicated with us and notices were mailed to our residents stating the totes would be picked up the last pickup of the month. All attempts to delay the pickup or for Republic to leave information for the residents were rejected by Republic. Both Attorney Robbins and Clerk-Treasurer Alspach tried to work out a compromise. Alspach is expecting a deluge of phone calls from unhappy residents. Best Way hopes to begin delivering the new totes the week of the 9th.

NEW BUSINESS

None.

LEGISLATIVE BUSINESS

Ordinance 2019-15

Clerk-Treasurer Alspach reads and explains the 2020 salary ordinance that was passed on first reading on November 19th. Councilman Rogier moves to adopt Ordinance 2019-15 on final reading and is seconded by Councilman Schilawski. **Vote 5 affirmative.**

Ordinance 2019-16

Attorney Robbins discusses the proposed revisions he has made and the reasoning behind them. Robbins explains the difference between a public nuisance and a private nuisance and the enforcement options for both. He reminds the council that the town has never gotten involved in disputes between neighbors and has tried to draft the revisions so that they address the issues but don't take on private nuisances. Any enforcement must be defensible if we end up in court. Council takes this under review and will revisit at the next meeting.

Additional Appropriation Memo

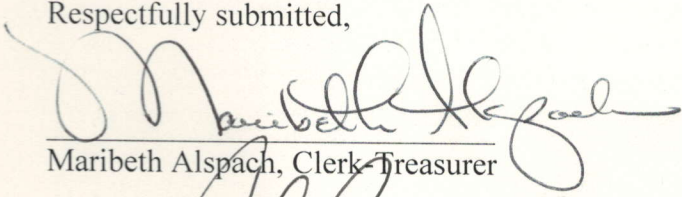
Clerk-Treasurer Alspach introduces the memo for additional appropriation in the amount of \$148,000.00 in the Storm Water Utility for Engineering & Architectural Services. This money is being borrowed from Wastewater and will be repaid when the loan closes. Councilman Schilawski moves to approve the additional funds and is seconded by Councilman Rogier. **Vote 5 affirmative.**

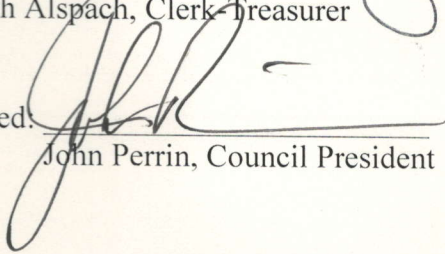
Transfer Memo

Clerk-Treasurer Alspach introduces the memo for transferring funds in the Wastewater Utility. Councilman Vaughn moves to approve the transfers and is seconded by Councilman Alspach. **Vote 5 affirmative.**

Being no further business, the meeting was adjourned at 6:07 p.m.

Respectfully submitted,


Maribeth Alspach, Clerk-Treasurer

Approved: 
John Perrin, Council President