**NEW WHITELAND TOWN COUNCIL**

**May 17, 2016**

**MEETING MINUTES**

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

**MINUTES**

Councilman Schilawski moves to approve the minutes of the April 19th meeting and is seconded by Councilman Vaughn. **Vote 4 affirmative.**

**HARDSHIPS / ADJUSTMENTS**

M. Lingenfelter had a water leak that has been repaired he was previously given a 2 month credit, however his last month’s bill was higher. He is asking to make payment arrangements. Clerk-Treasurer Alspach states that we can go back and redo the credit adjustment to cover the 2 highest months which should reduce the amount that he owes. Without calculating the bill she believes that would bring it down to less than $250.00. Lingenfelter states he would be able to pay that amount. Council authorizes recalculating the 2 month sewer credit. Mr. Lingenfelter will contact the office tomorrow for the new balance.

**TREASURER’S REPORT**

Clerk-Treasurer Alspach presents copies of the May 3rd and May 17th Fund Report and Docket for ratification and/or approval. Councilman Schilawski moves to approve and ratify both and is seconded by Councilman Rogier. **Vote 4 affirmative.**

**TOWN MANAGER REPORT**

Circuit Breaker Budget Reductions

Town Manager Spencer presents his recommendations. The reductions total $139,965.27 with $122,000.00 coming from General Fund, $4,429.53 from MVH and from Cumulative Fire and $9,106.21 from Cumulative Capital Development. Councilman Rogier moves to approve these budget cuts and is seconded by Councilman Schilawski. **Vote 4 affirmative.**  A Resolution has been prepared and will be presented in Legislative Business.

Emergency Plan

Town Manager Spencer asks that the revised Emergency Plan be approved. Marshal Stephenson states that it has been updated, but is pretty generic and had no significant changes. Council tables approval until June 7th meeting.

Bicentennial Celebration

Spencer attended the last meeting and states that the committee is soliciting donations and sponsors. All municipal booths will remain in the previously designated area. Each municipality will have approximately seven (7) parking spaces to set up their display in.

New Whiteland Commons Signage

Kevin Walls, owner of the building the doctor’s office is in has presented a proposal for a lighted entrance sign. The sign is 13 1/2’ tall and 5’ wide and would have spaces for four (4) businesses. Estimated cost per business is $5,658.75. The sign would be along Tracy Road, is double sided and would be west of the entrance. This item is tabled until the June 7th meeting.

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Baseball Parade

The parade will be this Saturday at 9:00 a.m. It had to be rescheduled due to rain. The route has not changed.

Marshal Stephenson Retirement

Marshal Stephenson has submitted his notice of retirement. His last day to work will be May 31st. Councilman Alspach thanks Marshal Stephenson for his years of service and wishes him well in his retirement.

Interim Town Marshal

Councilman Alspach was contacted earlier today by Council President Perrin who recommended appointing Officer Joe Rynerson as interim Town Marshal until applications can be taken and interviews held to select a new Town Marshal. Perrin has spoken with Officer Rynerson who has agreed to accept the interim position, understanding that it is not a permanent appointment. Based on that recommendation, Councilman Alspach moves to appoint Joe Rynerson as Interim Town Marshal effective June 1, 2016. Motion is seconded by Councilman Schilawski. **Vote 4 affirmative.**  Council asks Marshal Stephenson to work with Officer Rynerson in the time he has left to make the transition as smooth as possible. Stephenson agrees. Councilman Rogier asks about hiring part time officers until a full time replacement can be hired. He will get cost information from the county.

Disposal Proposal for Debris at WWTP

Town Manager Spencer asks if he can move forward with disposing of the accumulated debris pile at the Wastewater Treatment Plant. The cost would be around $37,500. Council puts the project on hold until the budget process.

**OLD BUSINESS**

401 Mooreland Drive

Attorney Robbins reports he has a Purchase Agreement in the amount of $85,000 from Habitat for Humanity for President Perrin’s signature. They have agreed to close within seven (7) days of obtaining their zoning approvals. That should happen at the June 28th BZA meeting.

Attorney Robbins adds that he has been contacted by Jim Karozos with an interested buyer for the property as well. The potential buyer is a church and has offered double what we are selling the property for. Robbins felt obligated to share the information with the council. Council states that they have a verbal agreement with Habitat and would not feel right to back out of that agreement. If Habitat backs out for any reason they would be glad to talk to the realtor. Attorney Robbins states that a new purchaser might have financing issues with the flood insurance that Habitat does not have.

Employee Handbook Revisions

Attorney Robbins passes our redline copies of the revised handbook with changes that were recommended by the Department Heads, changes that have been made by the council since the original manual was adopted and changes needed due to legal changes that have been made since the original adoption. Council will review and this will be placed on the June 7th agenda.

**NEW BUSINESS**

ESBC Emergency Services Billing Corporation

Town Manager Spencer states he and Fire Chief Wilson met with a representative of this

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company last week. This company would bill people for fire and haz mat cleanup as well as accident cleanup provided by our fire department. EMS calls would not be billed. Chief Wilson states the bills would go to the people’s insurance company not to the resident. The Fire Chief would file the claims and the payment would come to the town. Wilson states there is no cost to the town or the fire department. Councilman Rogier questions “double dipping” and states he is not comfortable with billing someone for a service they are already paying taxes for. Wilson states insurance companies have funds set aside for these charges. Councilman Rogier asks where the money would go. Spencer says it would go into the General Fund and adds that he has a statute on it but didn’t bring it to the meeting. This item is taken under consideration for further review.

Movies in the Park

South Pointe Church has offered to host a movie in East Park as a means of closing out the Community Day in September. However, when the concession stand was demolished the electricity was disconnected and removed. Council wants electricity reestablished in the East Park and would like it mounted in some type of locked box so that it would only be used with the town’s permission. Councilman Rogier moves to authorize Town Manager Spencer to get an electrical connection reset in the East Park at a cost not to exceed $750.00. Councilman Vaughn seconds the motion. **Vote 4 affirmative.**

**LEGISLATIVE BUSINESS**

Ordinance 2016-03

Attorney Robbins presents the ordinance amending the Town Code to prohibit all outdoor burning except as expressly permitted by this ordinance on final reading. Councilman Rogier moves to adopt Ordinance 2016-03 on final reading and is seconded by Councilman Vaughn. **Vote 4 affirmative.** This ordinance must be published before becoming enforceable.

Ordinance 2016-05

Clerk-Treasurer Alspach presents the transfer ordinance on final reading. Councilman Vaughn moves to adopt Ordinance 2016-05 on final reading and is seconded by Councilman Rogier. **Vote 4 affirmative.**

Ordinance 2016-06

Attorney Robbins presents and explains a proposed ordinance to establish a three (3) member hearing board to be given the authority to consider and act on any appeals filed on zoning violations. Currently this authority lies with the Plan Commission but having a separate board with a smaller number of people to try and get together if a hearing is requested may be beneficial. The Town Council would appoint the three (3) members of the Hearing Authority Commission. Councilman Schilawski moves to adopt Ordinance 2016-06 on first reading and is seconded by Councilman Rogier. **Vote 4 affirmative.** This item will be placed on the June 7th agenda for final consideration.

Ordinance 2016-07

Attorney Robbins introduces the ordinance that establishes the 257 Fund for the LOIT Special Distribution as required by the State Board of Accounts and Department of Local Government Finance. After a thorough explanation, Councilman Rogier moves to adopt

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Ordinance 2016-07 on first reading and is seconded by Councilman Schilawski. **Vote 4 affirmative.**

Councilman Vaughn moves to suspend the rules and consider the ordinance on final reading.Councilman Rogier seconds the motion. **Vote 4 affirmative.**

Councilman Alspach presents Ordinance 2016-07 in title only on final reading. Councilman Rogier moves to adopt Ordinance 2016-07 on final reading and is seconded by Councilman Schilawski. **Vote 4 affirmative.**

Resolution 2016-01

Clerk-Treasurer Alspach presents the Resolution reducing the various line items in the 2016 budget as previously recommended by Town Manager Spencer due to the circuit breaker report. Councilman Vaughn moves to adopt Resolution 2016-01 and is seconded by Councilman Rogier. **Vote 4 affirmative.**

Councilman Schilawski leaves at 6:15 p.m.

**2016 Street Repair Bid Opening**

Attorney Robbins states that Town Manager Spencer solicited bids from five (5) companies. Three (3) bids were received. Attorney Robbins opens the bids.

Dave O’Meara Contractor

Base Bid $ 70,470.00

Alternate #1 $ 29,585.00

Alternate #2 $ 20,467.00

Alternate #3 $ 7,469.00

Alternate #4 $ 4,462.00

Alternate #5 $ 2,724.00

TOTAL: $135,177.00

Globe Asphalt

Base Bid $ 67,018.00

Alternate #1 $ 36,192.00

Alternate #2 $ 22,272.00

Alternate #3 $ 9,951.00

Alternate #4 $ 7,020.00

Alternate #5 $ 3,920.00

TOTAL: $146,373.00

Milestone

Base Bid $ 69,442.00

Alternate #1 $ 31,850.00

Alternate #2 $ 21,015.00

Alternate #3 $ 6,873.75

Alternate #4 $ 4,748.75

Alternate #5 $ 2,268.00

TOTAL: $136,197.50

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Discussion follows on enlarging the bid packet to include additional work due to the LOIT

Special Distribution. Two options are discussed; rebidding the entire project with the additional work or doing a separate bid packet for the additional work. The consensus of the council is that by increasing the amount of work with a single bid packet we will get better pricing. Councilman Rogier moves to reject all bids and rebid making these bid specs the base bid and adding some new alternates because of the additional funding that has become available. Councilman Vaughn seconds the motion. **Vote 3 affirmative.**

**OPEN TO THE PUBLIC**

Summer Reading Program

Tiffany Wilson, Branch Manager of the Clark-Pleasant Library shares information on the Summer Reading Program.

Patt Wilkerson, 64 Hilltop Farms Blvd states that their Homeowners Association would like to install No Soliciting signs at the entrances of their neighborhood. Council cannot prohibit free trade and will not authorize the signs. Attorney Robbins recommends that homeowners post No Soliciting signs on their private property. If a solicitor comes to their property and is asked to leave but does not they should contact the police and file a trespassing complaint. Ms. Wilson asks about a Neighborhood Crime Watch Program and is referred to our police department who would need to coordinate that.

Wendell Green, 34 Grassy Drive asks if the new burning ordinance will be posted on the town’s website. Attorney Robbins states it will need to be published first and could then be added. Clerk-Treasurer Alspach will email him a copy of the ordinance.

Being no further business the meeting was adjourned at 7:05 p.m.

Respectfully submitted,

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Maribeth Alspach, Clerk-Treasurer

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

John Perrin, Council President