**NEW WHITELAND TOWN COUNCIL**

**August 18, 2015**

**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 Perrin, John Schilawski and Joe Noonan. Also present were Attorney Robbins, Clerk-Treasurer Maribeth Alspach and Town Manager Spencer. Councilman Schilawski offered the opening prayer.

**MINUTES**

Councilman Schilawski moves to approve the minutes of the August 4th meeting and is seconded by Councilman Rogier. **Vote 5 affirmative.**

**HARDSHIPS / ADJUSTMENTS**

None.

**TREASURER’S REPORT**

Clerk-Treasurer Alspach presents copies of the Fund Report and Docket for ratification and/or approval. Councilman Alspach moves to approve and ratify both and is seconded by Councilman Noonan. **Vote 5 affirmative.**

**2016 TRASH & RECYCLING BID OPENING**

Attorney Robbins explains that bid packets were distributed to six (6) vendors and we have received four (4) sealed bids for the 2016 - 2019 Trash & Recycling Contract. Bid specifications were issued for both the Town of New Whiteland and the Town of Whiteland. Whiteland’s specs called for a base bid and two (2) alternates. Attorney Robbins opens the bids:

1) Waste Management has submitted a letter stating they are not responding at this time.

 They would like to be included in future bid requests.

2.) Rumpke New Whiteland Whiteland

 Base bid Year 1 $12.95 / house / month $14.95 / house / month

 Year 2 $12.95 / house / month $14.95 / house / month

 Year 3 $13.47 / house / month $15.55 / house / month

 Year 4 $13.47 / house / month $15.55 / house / month

 Alternate 1: No Bid

 Alternate 2 Year 1: $13.95 / house / month

 Year 2 $13.95 / house / month

 Year 3 $14.51 / house / month

 Year 4 $14.51 / house / month

 Additional Cart: $ 3.50 / cart / month

3.) Republic New Whiteland Whiteland

 Base bid Year 1 $12.07 / house / month $10.25 / house / month

 Year 2 $12.44 / house / month $10.56 / house / month

 Year 3 $12.82 / house / month $10.88 / house / month

 Year 4 $13.21 / house / month $11.21 / house / month

 Alternate 1 Year 1: $10.25 / house / month

 Year 2 $10.56 / house / month

 Year 3 $10.88 / house / month

 Year 4 $11.22 / house / month

 Alternate 2 Year 1: $10.00 / house / month

 Year 2 $10.30 / house / month

 Year 3 $10.61 / house / month

 Year 4 $10.93 / house / month

 Additional Cart: $ 2.00 / cart / month

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4.) Best Way New Whiteland Whiteland

 Base bid Year 1 $12.82 / house / month $13.31 / house / month

 Year 2 $13.20 / house / month $13.71 / house / month

 Year 3 $13.60 / house / month $14.12 / house / month

 Year 4 $14.01 / house / month $14.54 / house / month

 Alternate 1 Year 1: $12.17 / house / month

 Year 2 $12.54 / house / month

 Year 3 $12.92 / house / month

 Year 4 $13.31 / house / month

 Alternate 2: No Bid

 Additional Cart: No Bid

Norm Gabehart, Town Manager for Whiteland, is in attendance and asks that Attorney Robbins retain all bid documents and Mr. Gabehart will schedule a meeting with both town representatives and their legal counsel to review the bid documents. Council approves.

Council President Perrin states Councilman Schilawski needs to leave early and has asked that the ordinance be considered before he leaves.

**LEGISLATIVE BUSINESS**

Ordinance 2015-08

Attorney Robbins summarizes the ordinance prohibiting the use of consumer fireworks in New Whiteland except for those days and hours mandated in state law on final reading. Councilman Rogier moves to adopt the ordinance and is seconded by Councilman Schilawski. **Vote 5 affirmative.**

Attorney Robbins notes that the ordinance will now be published / advertised as it is a penalty ordinance and will take effect 30 days after publication.

**OLD BUSINESS**

Five (5) Year Plan Request

Council President Perrin directs all Department Heads to prepare five (5) year plans identifying any major expenses such as equipment repair or replacement, staffing needs, etc. broken out yearly for the next 5 years. Perrin adds that this is nothing more than a tool for the council to use in budgeting going forward. It will also identify upcoming expenses so that we can prepare for them. Plans are to cover 2016 – 2020 and they would like to have them by the end of December. Perrin adds that Town Manager Spencer is available to assist with preparing the plans if any of the Department Heads need help.

2015 Street Overlays

Attorney Robbins has reviewed the bids and verified that Dave O’M-ara has submitted the lowest responsive bid. Robbins has prepared the Contract Award in the amount of $113,273.00 for President Perrin’s signature if approved. Councilman Rogier moves to award the 2015 Road Overlay Repair Project to Dave O’Meara in the amount of $113,273.00 and is seconded by Councilman Schilawski. **Vote 5 affirmative.** Attorney Robbins will send a notice of award and contract. Town Manager Spencer has spoken with O’M-ara and, weather permitting, the work is scheduled to begin the third week in September.

Vacant Building Status Report

Attorney Robbins states the listing contract was executed for the 300 Tracy Road property and he is disappointed that a For Sale sign is not on the property. He will contact the realtor.

Robbins has been working with Eric Prime, the attorney for Habitat for Humanity. They had requested time to have an inspection done and to resolve the zoning concerns. The inspection has

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been completed and there are no issues. They will submit paperwork for the Board of Zoning Appeals for their variance(s). Their lender is requiring them to provide Flood Insurance unless they can certify that the building is not in the flood plain. They are asking that we provide that certification. Attorney Robbins has contacted the company that did the legal description for us and this can be accomplished in one of two ways; either by having the surveyor locate the boundary of the flood plain and draw it on the survey or by shooting elevations of the finished floor in the back corner of the Assembly Hall and certifying that it is not in the flood plain. Cost to do this would be between $600 and $1,000. Attorney Robbins adds that any potential buyer that needs to secure financing will probably request this certification. Councilman Schilawski moves to authorize Attorney Robbins to contract for the work needed with a Not to Exceed amount of $800.00 and is seconded by Councilman Alspach. **Vote 5 affirmative.** Attorney Robbins will get confirmation from Habitat for Humanity’s lender that if the certification is provided they will release the funds and the flood plain insurance requirement before authorizing work.

Tracy Road Property

Town Manager Spencer asks about selling the 1.5 acres on Tracy Road. Council asks that this be tabled until spring.

Snow Plow and Salt Spreader

Town Manager Spencer presents costs to repair the equipment we now own. Spencer states that he asked Supt Johnson and Matt Gillock to gather this information. The cost to repair the 1999 Salt Spreader is $4,793.20 versus the replacement cost of $13,000.00. Clerk-Treasurer Alspach asks the life expectancy of the repaired spreader and is told 4 – 5 years. The cost to repair the 2000 Snow Plow is $7,220.00 and the cost of a replacement is $6,300.00. Council authorizes the purchase of a new plow and that the old spreader be repaired.

Councilman Schilawski leaves at 5:45 p.m.

FMLA Update

Molly Smith’s FMLA will expires August 27th and Joe Rynerson’s time will run out September 21st. Marshal Stephenson states Rynerson has a doctor’s appointment this Friday and is hoping to return to work earlier than originally expected.

**NEW BUSINESS**

Sign Quotes

Town Manager Spencer states several quotes were requested, however only Sign Solutions responded. Spencer presents quote for a double sided reflective sign to be installed at the entrance on Tracy Road directing people to both the Police Department and the Town Hall. Cost of the sign with posts is $500.00 and our employees will install it. Councilman Alspach moves to authorize the purchase and is seconded by Councilman Rogier. **Vote 4 affirmative.**

**LEGISLATIVE BUSINESS**

Transfer Memo

Clerk-Treasurer presents and explains the transfer memo for the Wastewater Department. Councilman Rogier moves to approve the transfers and is seconded by Councilman Noonan. **Vote 4 affirmative.**

**OPEN TO THE PUBLIC**

Laurie Morrison, 432 Melrose asks Councilman Alspach if he remembers her attending a previous meeting. She also asks if he remembers what she asked him. Ms. Morrison is asked if she has any new concerns or requests. The council has no interest in rehashing her previous complaints as they have already been addressed.

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Again, Ms. Morrison asks Councilman Alspach if he remembers the previous meeting and what was said. Attorney Robbins states that he has been involved in three (3) public records requests that Ms. Morrison has filed. Mr. Robbins sent her a letter stating that if she had not received everything that she had requested that was not subject to disclosure, she needed to notify him. She has not contacted him. Attorney Robbins has spoken with Ms. Morrison as has Town Manager Spencer who has even met with her on a couple of occasions. In Attorney Robbins opinion the Town of New Whiteland has complied with Indiana’s Open Records Law. The Town Manager has investigated the employee complaints she presented. Spencer met with the employees together and individually and has addressed the issues. Ms. Morrison’s complaints have been taken seriously. There has been no deprivation of public records and any slow response issues have been addressed.

Ms. Morrison has requested a meeting with the employees she has complaints against. That request has been denied. Personnel matters are handled internally and have been addressed. Robbins adds that all public records requests have been complied with and the complaints have been dealt with. Unless Ms. Morrison has additional concerns or requests the matter has been closed.

Council President Perrin asks Ms. Morrison if she has anything new that the council can help her with. Ms. Morrison states she wants answers and does not want to be shut down by the council. She again asks Councilman Alspach to answer her questions. Because Ms. Morrison presents no new matters, President Perrin asked if any other member of the public has anything to present to the Council. There being none, the meeting is adjourned.

Being no further business the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

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Maribeth Alspach, Clerk-Treasurer

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

 John Perrin, Council President