**NEW WHITELAND TOWN COUNCIL**

**June 21, 2016**

**MEETING MINUTES**

Town Council Vice President Scott Alspach opened the meeting at 5:10 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 Perrin was absent. Councilman Schilawski offered the opening prayer.

**MINUTES**

Councilman Rogier moves to approve the minutes of both June 14th meetings and is seconded by Councilman Schilawski. **Vote 4 affirmative.**

**HARDSHIPS / ADJUSTMENTS**

M. Wiegle, 335 Tracy is requesting an extension on the May portion of her bill. The customer is asking to make a $110.91 payment on July 1st. Council approves.

**TREASURER’S REPORT**

Clerk-Treasurer Alspach presents copies of the 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.**

**OLD BUSINESS**

Movies in the Park

Pastor Charles Howard of South Pointe Church states that this will be the 9th year that the church has provided a movie in East Park. They would like to show the movie Zootopia on July 16th. They will have games and activities starting at 5:00 p.m. with the movie starting at dusk. Pastor Howard thinks they should be done around 11 p.m. Councilman Vaughn asks if the electrical issues have been resolved and is told that Duke Energy completed the new installation earlier today. Council approves this request.

Town Manager Resignation

Attorney Robbins states that Terry Spencer delivered his resignation of the position of Town Manager to the Town Hall last week. The resignation is effective at 8:00 a.m. on June 22, 2016. Mr. Spencer has expressed an interest in continuing employment on a temporary basis through August 19, 2016 as a Senior Maintenance Laborer in the Public Works Department with an annualized salary of $40,000.00. Councilman Vaughn moves to accept Spencer’s resignation of the position of Town Manager and temporarily reassign him to the position of Senior Maintenance Laborer through August 19, 2016 with an annualized salary of $40,000.00 and continued employee health insurance benefits through that date. Councilman Rogier seconds the motion. **Vote 4 affirmative.** Attorney Robbins asks Spencer if these conditions are agreeable for him. Spencer says that they are. Attorney Robbins will prepare a memorandum outlining the temporary employment for Spencer to sign.

Police Department Hiring Status Report

Interim Town Marshal Joe Rynerson states that thirty seven (37) applications were picked up and thirty three (33) were completed and returned. Thirty three (33) letters of invitation were mailed yesterday for the 50 question written test and the physical fitness test. Chief Rynerson states they will be using the ILEA exit standards for the physical fitness test.

Town Council

Page Two

6-21-16

The tests will be given on Saturday, July 9th at Whiteland Community High School. Interim Chief Rynerson and Interim Sergeant Polley will review all the test results and narrow the field to ten (10) candidates. The final ten (10) candidates will undergo background investigations and will be invited to the oral interview process. Councilman Schilawski asks who will be serving on the interview board. Rynerson states Councilmen Alspach and Rogier, Whiteland Town Marshal Rick Shipp, Rynerson and Polley. Councilman Schilawski asks had many applicants have ILEA certification. Rynerson believes six (6).

2016 Street Repair Bid Contract

Attorney Robbins states the bids were submitted on June 7th and are good for 30 days. Council tables the contract award until the July 5th meeting after New Whiteland employees have attended the LTAP School training on preparing the Local Technical Assistance Program and grant application process.

Zoning Appeals Hearing Commission Appointments

Scott Alspach, Wendell Johnson and Jeff Weaver have all agreed to serve on this Hearing Commission. Phil Martin is interested but has yet to commit. Duane McCauslin has declined an appointment. Councilman Rogier moves to appoint Scott Alspach, Wendell Johnson and Jeff Weaver to the Hearing Commission and is seconded by Councilman Vaughn. **Vote 4 affirmative.** Attorney Robbins states that he will schedule the first hearings / meeting for 5:30 p.m. on July 26, 2016.

**NEW BUSINESS**

EMC General Liability Insurance Renewal

Jim Wise of Green-Owens Insurance was unable to attend tonight’s meeting. Council has been provided with copies of the renewal rates which include a new cyber liability policy. Clerk-Treasurer Alspach is getting additional quotes on the Cyber Liability and Data Compromise policies. The renewal rates were dropped off Friday afternoon, June 17th and our current policies expire June 30th. Green-Owens did not get comparison quotes from other companies. Our agent was requested to attend tonight’s meeting and he was not available. We requested someone else from the office attend to answer questions on the coverage and no one came. Clerk-Treasurer Alspach states that we need to approve the renewal rates as there is no grace period and we cannot let our coverage lapse. She does recommend not taking the cyber policies with EMC but prefers to wait for the quotes from Zeller Insurance. Councilman Schilawski moves to approve the renewal rates less the cyber policy coverages and is seconded by Councilman Rogier. Councilman Schilawski states for the record that he is very disappointed in the lateness of receiving the renewal rates and that no one from Green-Owens honored our request to attend tonight’s council meeting. **Vote 4 affirmative.**

F.E.Moran Security Changes

Clerk-Treasurer Alspach states our current monitoring system is set up to call the Town Manager and then the former Town Marshal in the event of an alarm. The Public Works Supt is the 3rd contact person and the Clerk-Treasurer is 4th. F.E. Moran also notifies County Dispatch of an active alarm who would in turn notify the officer on duty in New Whiteland. Clerk-Treasurer Alspach requests permission to update the emergency contact information to

be Interim Marshal Rynerson, followed by PW Supt Johnson followed by Clerk-Treasurer Alspach. Council approves.

Town Council

Page Three

6-21-16

2017 Budget Process

Clerk-Treasurer Alspach will get the budget packets out to the Department Heads this week. She will need their budgets back in her office by July 22nd so that she can enter everything in Gateway. She will meet with the Department of Local Government Finance on August 4th for a preliminary approval. Following that meeting the Council will need to schedule budget hearings with the various Department Heads to review their budget requests.

Scoops & Treasures

Councilman Schilawski asks how the new business at 300 Tracy Road can get approval for outside seating for their ice cream business. Attorney Robbins states they need to petition the Board of Zoning Appeals for a variance and have been given that information.

2016 Safest City / Town Award

Vice President Alspach states the town received notification that New Whiteland was once again one of the top 20 safest cities / towns in Indiana. This is the second year in a row that we have received this recognition finishing 4th in the state for 2016. The council thanks our police and fire personnel as well as our employees and our residents for contributing to our success.

**LEGISLATIVE BUSINESS**

Ordinance 2016-08

Attorney Robbins presents and explains the ordinance adopting the Uniform Control Standards for Indiana Political Subdivisions as New Whiteland’s minimum standard on final reading. Councilman Rogier moves to adopt Ordinance 2016-08 on final reading and is seconded by Councilman Vaughn. **Vote 4 affirmative.**

Ordinance 2016-09

Attorney Robbins introduces and explains the ordinance that establishes our Materiality threshold as required by the State Board of Accounts and Department of Local Government Finance. Robbins adds that we will need to revise Section 3 from “The New Whiteland Town Manager” to The New Whiteland Town Council and Department Heads shall implement and oversee the policies and procedures as set forth in this Ordinance. Councilman Rogier moves to adopt Ordinance 2016-09 on final reading as amended and is seconded by Councilman Vaughn. **Vote 4 affirmative.**

Resolution 2016-03

Clerk-Treasurer Alspach presents the Resolution adopting the Johnson County Multi-Hazard Mitigation Plan. Councilman Vaughn moves to adopt Resolution 2016-03 and is seconded by Councilman Rogier. **Vote 4 affirmative.**

**OPEN TO THE PUBLIC**

Brian Murray, 580 Hilltop Farms Blvd lives in Hilltop Farms and is active in their Homeowners Association. He has three issues he would like to discuss with the council.

Murray states there are numerous drainage issues in the subdivision as the lots were never graded properly to carry water to the concrete swales. Murray believes that the residents need approval from the town to correct the drainage. Attorney Robbins asks if the drainage

Town Council

Page Four

6-21-16

swale and easements were dedicated to the town or are included in the common area belonging to the HOA. Murray believes they were dedicated to the town. Robbins would need more information before offering an opinion but notes that if they belong to the property owner or HOA the town would have no authority over them. Robbins refers Mr. Murray to Indiana Code 36-9-28.7 regarding storm water nuisance legislation.

Mr. Murray states there are four (4) cul-de-sacs in their subdivision that have center islands with grass in them. The residents have been told that they cannot park or store things on the islands and he is requesting that the town remove the islands and repave the cul-de-sacs. Murray states that the HOA cuts the grass and maintains the islands but he believes they are town property. PW Supt. Johnson states that if the islands were removed there would be

nowhere to pile the snow when they plow the cul-de-sacs in the winter.

Mr. Murray states that their pond does not have a fountain and he wonders if the town is aware of any grant money that might be available to purchase one or if the town would be interested in helping fund a fountain. Councilman Rogier suggests that Murray check with DNR.

Being no further business the meeting was adjourned at 6:08 p.m.

Respectfully submitted,

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Maribeth Alspach, Clerk-Treasurer

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

 John Perrin, Council President