

North Liberty Town Council Minutes – January 8th & January 22, 2014

The regularly scheduled meeting of the North Liberty Town Council was held at the North Liberty Community Building. Gerry Brown called the meeting to order at 7:00 P.M. without a quorum he continued the meeting until January 22, 2014.

Gerry Brown opened the regular meeting of the North Liberty Town Council at 7:08 P.M. He led the Pledge of Allegiance.

Will Groves, Jr. and Brett Voreis Council Members, Town Marshal Michael Sawdon, Utilities Manager Skip Davidson and Vicki Kitchen Clerk-Treasurer were in attendance. Town Attorney Peddycord and Richard Warner Council Member were not in attendance. Matthew Peterson future Town Council Member was in attendance. There were two meeting attendees and no representation from the press.

Will Groves, Jr. made a motion to elect Gerry Brown President of the North Liberty Town Council. Brett Voreis seconded the motion. Gerry Brown asked if there were any other nominations. There were no other nominations. Gerry Brown called for a vote on the nomination of Gerry Brown for president. All voted to approve.

Brett Voreis made a motion to elect Will Groves, Jr. Vice President of the North Liberty Town Council. Gerry Brown seconded the motion. Gerry Brown asked if there were any other nominations. There were no other nominations. Gerry Brown called for a vote on the nomination of Will Groves, Jr. for vice president. All in favor none opposed.

Gerry Brown recommended the Town Council Assignments remain the same for 2014. Matthew Peterson will be worked into the clerk-treasurer liaison. Will Groves, Jr. made a motion to retain the Town Council Assignments Resolution #2014-02. Brett Voreis seconded the motion. All voted to approve. Will Groves, Jr. completed Resolution 2014-02 and it was signed by the North Liberty Town Council.

Will Groves, Jr. made a motion to approve the consent agenda including December 29, 2013 Minutes, Fund Transfer Resolution #2013-13, Resolution #2014-01 Workers Compensation IPEP, 2013 40 2014 Encumbrances and vouchers. Brett Voreis seconded the motion. All voted to approve.

Gerry Brown opened the public hearing on the Rezoning of 305 W. Maple Avenue. Attorney Peddycord was contacted via speaker phone. Attorney Gigli representing Stacey Jimerson was in attendance. Attorney Peddycord stated DLZ concern in e-mail dated December 6, 2013 that it was not a valid site plan. Attorney Peddycord requested the e-mail December 6, 2013 will be resent to the town council and shared with Attorney Gigli. Attorney Gigli she would be submitting a revised commitment for consideration by the Town. Attorney Gigli is waiting for a return call to see if the previous Board of Zoning Appeals variances are still in

effect or if they will have to be obtained by her client. The establishment will be strictly carry-out. The final site plan will have to be approved by the St. Joseph County Area Plan Commission. Attorney Peddycord stated INDOT would not issue a driveway cut permit off State Road 23 especially being a corner lot and access available off Maple Avenue. Attorney Gigli stated her client has agreed there will be no access to the property off State Road 23. This matter was tabled until the February 5, 2014 meeting. Attorney Peddycord left the meeting via teleconference. The public hearing was closed.

Kurt Garner was in attendance for the opening of the Park WPA Historic Preservation Restoration bids. The bids were opened. Will Groves, Jr. made a motion to accept the bids and take them under advisement. Brett Voreis seconded motion. All voted to approve. Kurt Garner took the bids to review and will forward to DNR State Historic Preservation.

Company	Complete	Scope A	Scope B	Combined Bid
Gibson Lewis	X	61,970	76,170	137,140
Pauls Construction	X	85,000	112,000	197,000
James Birkey	X	22,550	24,300	46,850
Ziolkowski Construction	X	99,942	63,545	163,487

Town Marshal Sawdon had previously submitted the December 2013 Police Report. A copy is filed with the minutes. Town Marshal Sawdon reported the two defibrulators the Town received through a grant has expired batteries. One of the defibrulators was used in a full arrest and saved the life of a town resident. The two defibrulators are currently not in service. Cardiac Science has put the NLPD on a list to receive two additional defibrulators. The cost of new batteries to put the defibrulators back in service is \$450.00 from Cardiac Science. Will Groves, Jr. made a motion to purchase the batteries for the two defibrulators from Cardiac Science for \$450.00. Brett Voreis seconded the motion. All voted to approve.

Gerry Brown congratulated the NLPD for their recent drug bust. Town Marshal Sawdon reported that all three full town officers were working together on the drug bust.

Skip Davidson informed the Town Council about the resident on Liberty Street where Jefferson Street meets Liberty Street is still having water problems with melting snow even after the asphalt curb was put in to keep water from his property.

Wastewater certification classes are being offered by Alliance Rural Water of Indiana on Saturdays in February at Rochester Public Library. The class is \$400.00. The current policy says employee pays the registration and is reimbursed after passing the certification test. Stan Szymkowiak would like to attend. David Newhart would like to attend but he currently has conflicts with several of the Saturdays. Will Groves, Jr. made a motion to prepay Alliance Rural Water of Indiana for the wastewater certification class for Stan in the amount of \$400.00. Brett Voreis seconded the motion. All voted to approve.

Skip Davidson asked for uniformity is the enforcement of ordinances. The town council has had several incidents in the past where one council member wants something done that other council members are not aware of. Vicki Kitchen stated Attorney Peddycord, Municode legal and she had a conference call in regards to the code codification. One suggestion was to have a one price ordinance fine for all offenses.

Gerry Brown has scheduled a department head meeting for input on the above items for January 30, 2014.

The tree ordinance needs to be completed by spring.

The Nepotism Certifications for the elected officials were signed and filed in the clerk-treasurer's office.

Grant updates. The Town should here from OCRA regarding the Comprehensive Grant that was submitted by month end. INDOT 2017 Call for Projects for Tamarack Trail and School Trail are to be awarded by January 31, 2014. INDOT T/E Grant is ready to begin early spring. The Safe Routes to School are to be let in July and construction in August 2014. No update on the North Liberty Senior Housing.

Town Marshal Sawdon is working on a case with CPS for 108 E. Center St.

The town council discussed the current issue at the statehouse in regards to the elimination of business personal property tax. Will Groves, Jr. made a motion to adopt Resolution 2014-03 Opposing the Elimination of Business Personal Property Tax. Brett Voreis seconded the motion. All in favor none opposed.

Brett Voreis submitted is 2014 Conflict of Interest. Will Groves, Jr. made a motion to accept Brett Voreis Conflict of Interest. Brett Voreis seconded the motion. All voted to approve.

With no further business before the North Liberty Town Council, Will Groves, Jr. made a motion to adjourn at 8:05. Brett Voreis seconded the motion. The vote was unanimous.

Vicki L. Kitchen, Clerk-Treasurer