

February 23, 2016

MINUTES OF A REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF NEW HAVEN, INDIANA

The Common Council of the City of New Haven, Indiana, met at the City Administration Building on the 23rd day of February at the hour of 7:00 p.m. in regular session in accordance with the rules of the council.

The meeting was called to order by Mayor Terry McDonald who presided.

On call of the roll, the members of the Common Council were shown to be present or absent as follows:

Present: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Absent: Steve McMichael

Also Present: Attorney Steve Harants

Terry Werling made a motion to approve the minutes of the previous meeting as mailed. Dave Cheviron seconded the motion and the motion was approved.

Title VI Statement

The first item on the agenda under unfinished business was the second reading of Ordinance G-16-01 an Ordinance Establishing a Sanitary Sewer Assessment Fee for Connection to the Hartzell Road Sanitary Sewer Improvements. Director of Engineering Keith Schlegel said this is an ordinance establishing an assessment rate for five properties on Hartzell Road that are currently not serviced by sewer through the City of New Haven. The assessment comes out to \$3,405.00 per new connection. In addition would be the standard connection charges and inspection fees. Craig Dellinger made a motion to read for the second time by title only an Ordinance Establishing a Sanitary Sewer Assessment Fee for Connection to the Hartzell Road Sanitary Sewer Improvements. Floyd Ball seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Nays: None

The Clerk Treasurer then read for the second time by title only Ordinance G-16-01 an Ordinance Establishing a Sanitary Sewer Assessment Fee for Connection to the Hartzell Road Sanitary Sewer Improvements.

Terry Werling made a motion to read for the third and final time by title only Ordinance G-16-01 an Ordinance Establishing a Sanitary Sewer Assessment Fee for Connections to the Hartzell Road Sanitary Sewer Improvements. Craig Dellinger seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Nays: None

The Clerk Treasurer then read for the third and final time by title only Ordinance G-16-01 an Ordinance Establishing a Sanitary Sewer Assessment Fee for Connection to the Hartzell Road Sanitary Sewer Improvements.

The Presiding Officer declared Ordinance G-16-01 to have passed.

The next item on the agenda under new business was an approval to correct a scrivener's error on Ordinance G-15-03 Exhibit "B" from \$291,163.50 to \$288,311.40. Under new business the Presiding Officer declared this item as withdrawn from the table.

Utility Superintendent Dave Jones gave a presentation on Mosquito Bite Prevention and the Zika and West Nile viruses. Dave said the Zika Virus can be transmitted sexually and there have been eighty-two reported cases in the United States. He said all eighty-two cases were travel related. Dave said as far as Allen County the mosquito that carries the Zika Virus does not winter well and the typical northern weather will kill most of them. The Allen County Vector

Control handles the mosquitoes for all of Allen County which includes New Haven and they test for positive pools of mosquitoes. When there is a positive test for a West Nile mosquito Allen County will do research in the area to try and figure out the source. Allen County no longer sprays for mosquitoes, however New Haven still does. Dave said the spray New Haven uses is called adulticides which is an insecticide made to kill adult mosquitoes, but it will kill only flying mosquitoes. He said once the virus is detected Allen County will try to locate the source then New Haven will spray in a mile radius where the infected area is. Dave said the West Nile mosquito comes out at night and they do not breed in our area until warm weather like August through September. He said the mosquitoes that come out in June and July are called nuisance mosquitoes with no health risks other than the bites and anything the mosquito could be carrying outside of the viruses discussed. Dave said the use of an Environmental Protection Agency registered insect repellent is still the best defense against all the mosquitoes. He said the Zika mosquitoes do not breed in large ponds, they breed in small areas such as tires, small bucket, anything where stagnant water will lie. Dave said the Code Enforcement Officer will be looking for these breeding areas this summer as he does every year. Every year approximately around June 1st Dave said New Haven treats all the waterways with water soluble pouches to kill mosquito larvae. This would be ponds and any low lying areas where water would be stagnant. The new Zika mosquito comes out in the day so our current spray system may not be as affective because they will typically be in the bushes when they will be spraying and they have to be flying for it to work. Dave said he wanted to let Council know there is a plan in place and they have the tools to take care of the mosquitoes.

Keith Schlegel informed the Council there will be a project which will be starting Thursday, February 25, 2016 by the Norfolk and Southern Railroad to replace the existing rails. He said the focus areas would be the grade crossings at Ryan Road, Doyle Road, Green Street, Broadway, High Street, State Street and Hartzell Street. He said for the next several weeks different grade crossings could be closed for hours at a time on a Monday through a Thursday. It has been hard to narrow down a timeframe with Norfolk and Southern as to when they will be closed. Mayor McDonald said Norfolk and Southern said they will have to work around the train schedules so it will be a long drawn out process but it will make the rail much safer which are currently fifty-five years old.

Under public comments Jim Smith from Republic Services asked if there were any service issues the Council Members have heard of. Sarah DiGangi said her street had a problem in January but it has been resolved. Craig Dellinger asked if the problem with the recyclables blowing around has been resolved. Jim said he has spoken with the drivers and they have to slow down and make sure the bin is completely put into the chamber to dump then it has to be shaken. Charles Hatten President of the New Haven Chamber of Commerce said there is a committee for planning the 150 year anniversary if anyone would be interested in attending. Charles said there are four new businesses downtown owned by young women and he encourages everyone to visit them. Charles also said Fort Wayne Business Weekly announced the 2016 Forty Under Forty Award winners and four of them were representatives of the Chamber.

Under any other business that may properly come before the Council, Sarah DiGangi said she received a phone call from a resident who talked about other communities who have an ordinance regarding appropriate dress. Sarah said he finds it offensive when people in the community have their undergarment showing and wanted to know if New Haven would consider having an ordinance regarding appropriate dress. Mayor McDonald said his biggest concern is how a Police Officer would be able to enforce the ordinance, but if it leans on exposure there are laws against exposing portions of your body. Terry Werling asked Jim Smith if all the recycle bins had been distributed. Jim responded yes. Terry Werling said SB 302 will affect New Haven greatly if passed. The bill specifies the manner in which certain excise taxes and local taxes collected under the tax amnesty program shall be distributed. Terry Werling said it has been passed through the Senate and is now in the House for consideration. Terry Werling said he contacted Senator Kruse, Senator Liz Brown, Senator Dave Long, Senator Jim Banks and Representative Casey Cox and he was really enlightened at how courteous they were. He said the number of calls they get does have a bearing and encouraged everyone to call and get the word out to others to call. Attorney Steve Harants said he received a call from Attorney Doug Runyan to advise him the Park Board will be selling the Parks Department property on Hartzell Street and it will require a resolution that needs to come before Council. Steve said it would probably be coming before Council at the next meeting. Craig Dellinger said if anyone would like to volunteer to be on the 150 Year Anniversary Committee they could use the help. He said there will be a meeting on March 7, 2016 at 5:30 pm in the Police Training room. Mayor McDonald said he had the opportunity twice to go speak at the State House on behalf of the City of New Haven regarding House Bill 1040. This bill is described as the food and beverage tax transparency bill which establishes a county food and beverage tax for fast food to include gas stations that sell pizza and other fast food items. Mayor McDonald said the last count he made was there were over forty-two businesses which did not include the truck stop. He said he made a

call last year to the Department of Revenue and asked how much food and beverage tax is being generated in the City of New Haven. They responded they did not know. Mayor McDonald said he asked our State Representative Casey Cox to help us find a way to know how much food and beverage tax was generated in our City. He said Casey was very quick to get on it and last year it did not go through due to some procedural things. Mayor McDonald said he testified before the house committee last month and it passed out of committee ten to one. It passed the floor at the House and is now in the Senate. He just testified in front on Senator Hershman's committee and there were two minor amendments put on the bill. One was put on by Casey to help out the Department of Revenue and the State Auditor's office to make it easier for them to accomplish this task which does not affect the ultimate goal of the bill. It will go from a dollar amount to a percentage of the revenue collected in our community and all the communities that are unincorporated in Allen County. Henry County has a food and beverage tax but for some reason their advisory council was disbanded and they need State authorization to form it again which was their amendment to the bill along with a caveat to use the tax for roads as well. This amendment will not affect the goal of the bill either. The bill has passed out of the Senate Committee and is on its way to the floor. Casey will keep Mayor McDonald informed as it goes. Mayor McDonald said he and Utility Superintendent Dave Jones and Director of Engineer Keith Schlegel met with IDEM and once again they have changed the rules of the game so we have to amend our Long Term Control Plan. He said Dave and Keith will put some information together as to how they can make things work a little bit better.

Floyd Ball moved to adjourn the meeting. Craig Dellinger seconded the motion and the motion was approved.

Brenda Adams
Clerk Treasurer

Mayor Terry McDonald
Presiding Officer