

**TOWN COUNCIL PUBLIC MEETING**  
**ROSELAND TOWN HALL**  
*200 INDEPENDENCE DRIVE*  
*ROSELAND, IN 46637*  
**THURSDAY, January 11, 2024**  
**6:00 P.M.**  
Regular Meeting  
Minutes

**Present:** Michael Schalk, President, Ryan Catanzarite, Council Member, Elizabeth McCombs, Council Member, Shane Inez, Clerk-Treasurer

- I.      **INVOCATION**                      Invocation was done by Rev. Sylvester Williams, ICU Ministries, Lincolnway West, South Bend, Indiana.
- II.     **CALLED TO ORDER:**            President Schalk called the organizational meeting to order at 6:00 p.m. President Schalk led the council in the Pledge of Allegiance.
- III.    **ROLL CALL:**                     All members were present.
- IV.    **APPROVAL OF MINUTES/DOCKETS**        President Schalk opened the meeting at 6:00 p.m.

President Schalk made a motion to accept the minutes from the January 4, 2024, organizational meeting. Councilmember Elizabeth McCombs expressed concerns regarding the vote for the Council President, Michael Schalk. She did not recall the vote being taken.

CM McCombs also expressed concerns about the agenda change to include invocation without a vote. Can you change the agenda that was modified by an ordinance. Attorney Agostina stated that the agenda could be modified. President Schalk stated that the agenda was not modified as the prayer was given before starting the agenda.

Clerk Inez presented the minutes from the January 4, 2024, organizational meeting to be approved. Considering CM McCombs concerns regarding the meeting vote, President Schalk motioned to table the minutes until CM McCombs has the opportunity to review the recording from the January 4, 2024, organizational meeting. President Schalk motioned

to suspend the approval of the minutes seconded by CM McCombs. President Schalk called for the vote which was approved unanimously.

V. INTRODUCTIONS/  
ANNOUNCEMENTS

Ms. Lorea Flemming, Senior Resource Network, presented the organization’s goal of protecting seniors from unscrupulous business partners. Their network consists of medical, legal, financial, home, auto and personal challenges. If there is a particular need, our goal is to find out the needs and challenges of seniors.

VI. TOWN ATTORNEY

Attorney Agostino recommended that a motion be made to ratify the vote for Michael Schalk as Council President. He also mentioned that he attended the Planning Committee meeting in December. Attorney Agostino stated that the applications for permits were discussed in respect to the old \*inaudible get clearance to downsize the site plans to allow for a second lane travel for the fire department. He indicates that there will be more follow up.

VII. OLD BUSINESS

Under the recommendation of the town attorney, President Schalk made a motion to ratify the election of Michael Schalk as President of the town council. Michael Schalk to ratify himself as President of the Town Council, Seconded by Council Member Ryan Catanzarite with a 2-person vote, and abstained by CM McCombs.

CM McCombs questioned “this ordinance that you are about to present, part of this was left out because of the time change was done years ago, I can’t tell you the year, so this has already been changed. President Schalk replied that this wasn’t for the regular meeting. He indicated that the regular meetings are scheduled for 6:00 p.m. as usual and that the new resident input meetings would be scheduled on the first Thursday of the month also at 6:00 p.m. Attorney Agostino reiterated that the ordinance presented establishes the meeting times and follows the same language as before.

The ordinance number is 01-2024. An ordinance of the Town Council of the Town of Roseland amending Title 3, Chapter 30, Section 7 of the Roseland Town Code by the inclusion and deletion of Section Entitled Regular and Special Meetings. Whereas the Town Council



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desires to amend the town code by modifying Title 3, Chapter 30 Section 7, Now therefore, be it ordained by the Town Council of Town of Roseland, Indiana as follows:

Section I, Title 3, Chapter 30, Section 7 of the Roseland Town Code is repealed and is hereby replaced with the following amendment: 30-07

1. Regular meetings shall be on the second Thursday of every month at 6:00 p.m. in the Town Hall unless otherwise denoted in a notice of said meeting. This schedule may be modified for holidays in which case notice shall be provided in advance of any such modification.
2. Information meetings – Informational Meetings shall be held on the first Thursday of the month at 6:00 p.m. in the Town Hall for the purpose of obtaining input from the public with respect to any upcoming agenda. This meeting date may be modified for holidays in which case notice shall be provided in advance of any such modification.
3. Special meetings – Special meetings shall be called pursuant to applicable State Law provisions.

Section II. This ordinance is hereby passed and adopted at a regular meeting of the Town Council of the Town of Roseland, Indiana. This \_\_\_\_ day of January 2024.

President Schalk completed a second and third reading of Ordinance # 01-2024.

President Schalk motioned for the approval of Ordinance #01-2024 seconded by CM McCombs. The motion passed with a unanimous vote of 3.

Constituents in the audience asked for clarity of the meeting times and how cancellations would be handled. President Schalk explained the meeting process.

VIII. NEW BUSINESS

President Schalk asked for New Business. No new

business was brought forth.

**IX. TOWN HEALTH AND SAFETY**

CM McCombs asked if there was going to be a vote for who was going to do maintenance or zoning. President Schalk replied with “not yet.”

President Schalk called for the Town Health and Safety report. Chief Avery stated that for 2023 there were 377 service calls and 22 case reports. \*\*\* animal complaints, domestics, Motel 6 had 8 calls, Cheers had 1. YTD for hotels, Motel 6 had 127 calls. We will be talking to management about curbing that. Chief Avery stated that he did sit down with Notre Dame Police and Sheriff Redmon the developer for a new project that I mentioned last month. They are saying all the business over there will be family oriented and will close at 9:00 p.m. They don’t anticipate the same problems that they would have with adult businesses that close at 3:00 a.m. They will break ground in March of this year.

President Schalk asked if we were going to be the ones patrolling? Chief Avery stated that St. Joseph County police will be patrolling for now because it is unincorporated. Maybe in the future.

Chief Avery reported that he talked to excise yesterday regarding Cheers. It is on the prosecutor’s desk who said they will reach out to me regarding the status next week.

That is the end of Chief Avery’s report.

CM McCombs took time to applaud Chief Avery for garnering a \$125,000 a year grant for a full-time police officer. President Schalk also thanked Chief Avery for his visibility in the town. He indicated that many residents have commented about the improvement of the communication between the police department and residents. “Thank you along with the other officers for a job well done.

Gail Woods, 1304 University Edge also thanked Chief Avery for his outstanding responsiveness to the residents as well as the events put together by the police department.

**X. MAINTENANCE**

President Schalk stated that “everyone will be happy to know that as snow starts to fly, they have a contractor that plows through the night along with a maintenance person that is plowing during the day. They are working very well

together to make sure our streets are cleared. Also, Carolyn our maintenance person has patched a few holes today which is not easy when their water in the holes and it is cold outside. She is doing a good job. There is no other maintenance business.

XI. TOWN FINANCIAL

President Schalk called for the Town Financial report. Clerk Inez reported that for December 1, 2023, the beginning bank balance is \$862,855.67 and the ending balance for December 31, 2023, is \$966,456.73.


CM McCombs thanked Robin Ackerson, the previous Clerk-Treasurer for all of her hard work throughout the years.

Gail Woods, 1304 University Edge asked for a breakdown of the financial report.

President Schalk stated that there is a requirement for the State Board of Accounts for the Clerk-Treasurer to attend a workshop in Indianapolis. President Schalk motioned that the Council Support Clerk-Inez attending the workshop. CM McCombs seconded the motion with the clarification that if the State Board of Accounts mandates the clerk-treasurer's attendance at a training, he/she does not need permission from the Town Council. She also asked Clerk Inez if he had his 5-hour mandated training yet. He replied, "yes." President Schalk and CM McCombs discussed the details of the training.

After the discussion, Attorney Agostino asked President Schalk to restate the motion. President Schalk made the motion to give support to the clerk-treasurer to go to the class that is mandated by the State of Indiana, State Board of Accounts and the incurred expenses for him to deal with this course. CM McCombs seconded the motion while adding clarification that the council does not supersede the state's mandates.

Louis Valderas, 210 E. Willow Dr, Roseland, commented that it is not necessary to vote on mandated expenses set by the State Board of Accounts. "You have nothing to do with the hours he's gone or anything. The SBOA sets the mileage and the pay, and the hours."

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President Schalk made a motion to support Clerk Inez going to the SBOA workshop in Indianapolis. It was seconded by CM McCombs.

Attorney Agostino states that there is nothing in the motion that undermines, contradicts, or attempts to supersede state law. It is an appropriate resolution.

President Schalk called for the vote. The motion was passed with a unanimous vote.

Tracy Newman, 235 West Pride asked Clerk Inez when the W-2s would be completed. He stated that they would get to them at the “beginning of next week.” She asked if they would be mailed or could they be picked up. Clerk Inez responded, “you can pick them up.”

Robin Ackerson, “205 David Street, I was just curious, I believe that the newly elected officials training applies to all of you to be available to all of you. Are any of the others attending the training?”

President Schalk stated that although the training is available to all of them, he contacted the AIMS and was told that it was not mandated for all of them to attend. He added that due to the predicted inclement weather, he is not going as he will have to make sure that the streets are cleared. Two of us are able to go.

CM McCombs expressed concerns regarding the newly posted hours which are noon to three on Tuesdays and Thursdays. President Schalk assured her that the hours are temporary until Clerk Inez gets acclimated with the daily operations of the office. President Schalk reiterates that as long as the town business is being taken care of that no one can dictate the hours of the clerk-treasurer. Clerk Inez is here from 9:00 a.m. until 7:00 p.m. trying to get things done.” He quoted Mr. Valderas, “we cannot dictate the hours of the clerk-treasurer.”



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Clerk Inez asked about paying for the bond. CM McCombs asked where the money to pay the bond would come from. She stated that in the past the bond was \$160 was budgeted for the bonds. It is now \$900. She also expressed concern that the \$900 was not budgeted. She went on to explain the process of moving monies in line item budget transfers.

President Schalk stated that he was going to table the bond discussion until they can figure out where the money is coming from.

Gail, University Edge asked if there was a time period for which the bond needed to be paid. President Schalk responded that he had not talked to the insurance agent yet. Attorney Agostino stated that the bond payment had already been approved and the money is there it is just a matter of transferring from the identified line item.

President Schalk reiterated that the bond is table until the next meeting until they can figure out where the money is coming from to pay for the bond.

CM McCombs moved on to ask Shane if he approved the direct deposit with payroll. Clerk Inez asked for clarification on whether CM McCombs was referring to him personally or the employees. CM McCombs stated that for an employee to have direct deposit, the clerk would have to do the direct deposit. Did you tell the bank that you would do direct deposit? Clerk Inez responded, no. CM McCombs went on to state, "Just so you know, you have the right in that office to expend funds like utilities, the gas cards for the police department. There are certain things that the clerk-treasurer can automatically pay, obviously the lights, the gas. If you are going to expend money like \$2,000 that will cost the town to have direct deposit, that needs to come before the full council, because the full council needs to vote on that. Because we have to follow a budget. That's not in this year's budget to do direct deposit. CM McCombs went on to express her concern about any online fees that may not be allowed by the State Board of Accounts.



Attorney Agostino advised to “do some checking, because no bank should charge for direct deposit.”

For clarification, he wasn’t doing it towards the bank, he was checking into direct deposit in order to do that, we wanted to talk to the employees to see if it was more beneficial to them to get direct deposit rather than to always come even on their day off to pick up a check at townhall and everything else. So we wanted to get the consensus of all the employees. He’s checking into that and he is going to get back with us in order to proceed one way or the other.

CM McCombs expressed her concern of the cost of \$2,000 to the bank for direct deposit. President Schalk assured her that it was not going to cost \$2,000 for direct deposit. President Schalk reiterated that Clerk Inez will look into the options to see the best financial route for the town as well as what is best for the employees.

Chris Arrowsmith, 450 North McCombs, stated that this is the first town council meeting he has attended as a resident. It is disappointing that the tone of a lot of the conversation seems to be very dantic, unproductive, condescending. As a resident of this town, I would appreciate if the full council were to work collaboratively on orders of business for the town.

Gail, UE suggested that the council confer with Robin to get some additional pieces of information that could help.

President Schalk move to the next agenda item.

XII. TOWN PLANNING,  
ZONING, &  
DEVELOPMENT

President Schalk indicated that it is not a lot to talk about because Attorney Agostino already talked about earlier as far as the Holiday Inn property and its possibilities.

President Schalk asked if there were any questions regarding town zoning. There were none.

He moved on to Parks and recreation. The only thing he had to report was that the rotary ended up donating more



money than they had originally planned for a new merry go round and it was actually delivered and it is being stored until the weather breaks to where it can be installed and we are looking forward to that. I am actually looking forward to working more with the rotary club. President Schalk called for questions regarding Parks and Recreation.

Ann \*\*\* with regards to the installation. Is that going to include mulch being put down?

President Schalk responded yes. They would prefer to have the water turned on at the park so they can actually install it.

Gail, UE asked if there would be a sign posted on the playground equipment concerning weight limitations so that the city would not be responsible if adults were on the equipment and something were to happen in terms of an accident.

President Schalk responded that everything to create a safe environment for everyone is going to be considered. He also stated that the wording had to be careful as to not offend anyone.

Micah \*\*\* asked about will there be an option to get sensory playground equipment for autistic children.

President Schalk stated that anything is possible. He can even talk with the rotary club about that. They do a lot all over the country.

President Schalk asked if there were any more questions regarding Parks and Recreation. There were none. He moved on to public input.

### XIII. PUBLIC INPUT

Louis Valderas, \*\*\*, I don't know how you can do this. I am glad that the attorney is here. This town has not had a newsletter, since I was in your seat 20 years ago. The public here does not know, people in town don't know what's going on. They don't know when the meetings are they know nothing. Mr. Valderas went on to make suggestions about a town newsletter.

President Schalk indicated that he was in agreement with getting a newsletter out as well as social media to be able to include everyone as well as look into restablating the Resident Citizen association. President Schalk went on talk about past practice to get the citizens involved.

Gail, UE, suggested being careful when it comes to bulking particularly when it comes to students who live in University Edge because of the high turnover. She also suggested that council members connect with the apartment management.

Louis Valderas, stated that there are people in town who may donate money to do the newsletter.

Maria Flemming from Senior Resources, 2333 Hollywood Lane, stated that they provide phones and tablets for seniors if they qualify in order to bridge the gap with technology. They also have a training site. They are willing to come to Roseland to help set up a digital newsletter.

Someone else asked about the Roseland digital billboard.

Chris Arrowsmith, an online means of accessing information could be more cost effective than a hard copy newsletter and for convenience of access if I need to see what's going on with the town, I can just check it anywhere, anytime. The audience went on to discuss whether everyone had cell phones or not.

CM McCombs stated that in 18 months there is a new law coming where we will all be lived stream in every meeting. It would be a requirement. She likes the idea of the letter, she cautioned that it would cost money.

Residents still expressed that the letter is better and still needs to be done. Discussions continued about the benefits of the newsletter.

Micah asked Clerk Inez if he would be available if she wanted to come and look at the books.

Clerk Inez responded yes. Just for clarification to all residents, we've been in office for 7 business days. There is

a lot of organization that needs to happen for the new clerk-treasurer to understand where the papers are, what do they say and how it is cataloged so that it's easy accessible not only to me but to the residents who want to come to the office and who want to get them digitized.

The office is open 12:00 p.m. to 3:00 p.m. Tuesdays and Thursdays. These historically have been busy days in the clerk's office whether it be in Roseland or wherever. We have our meetings on Thursdays. We also have been keeping a log of residents who are coming in, what they need, what time they are coming in so that we know and can efficiently plan our resources including the time or all our employees and elected officials. I am available nearly 24/7. My email is on the public notice so if any resident needs anything, you can come to the office 9 to 3 Monday through Thursday and leave a message and get some sort of assistance from the town. My door will be open 12-3 Tuesday and Thursdays for the time being until we can efficiently, effectively resource planning. And if you need anything outside of those business hours, you can contact me and we can make arrangements to set up any meetings or if you need to come and look at dockets.

President Schalk said if there are no more questions for public input I suggest that we adjourn.

XIV. ADJOURNMENT

The meeting was adjourned at 7:05 p.m.