

**COMMON COUNCIL
REGULAR SESSION
August 1, 2011
6:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, August 1, 2011 at 6:00 P.M. in the Council Chambers at City Hall. Mayor Ernest B. Wiggins presided and the following persons were noted as present or absent:

PRESENT: Councilmembers Charles Smith, Jeff Grose, George Clemens, Jerry Patterson, Joe Thallemer, Diane Quance and Kyle Babcock. Also present, Clerk-Treasurer Lynne Christiansen, Park Superintendent Jon Garber, Fire Chief Mike Rice, City Planner Jeremy Skinner, Cemetery Sexton Hal Heagy, Street Superintendent Lacy Francis, Aviation Manager David Beall, Police Chief Scott Whitaker, WCDC Director Cindy Dobbins, Monte Moore from Depuy, Jerry Frush, Mike Klondaris and Jennifer Peryam from the Times Union.

ABSENT: City Attorney Michael Valentine, (*Mayor Ernest Wiggins*)*

The meeting was called to order by Council President Joe Thallemer followed by the Invocation and the Pledge of Allegiance.

MINUTES –

The minutes from the July 18, 2011 meeting were presented for approval. Motion made by Councilmember Babcock to approve the minutes as presented, seconded by Councilmember Clemens and carried by unanimous vote.

REPORTS/ORAL & WRITTEN COMMUNICATIONS –

1. Fire Territory June Activity Report
2. July Investment Report

UNFINISHED BUSINESS- none noted

**MAYOR WIGGINS ENTERED THE MEETING*

NEW BUSINESS-

PRESENTATION OF DEPARTMENTAL BUDGETS –

The following Department Heads presented their proposed budgets for 2012:

Airport Manager David Beall presented the following budgets:

Aviation General
Aviation Depreciation

Cemetery Sexton Hal Heagy presented the following budgets:

Cemetery
Cemetery Permanent

Fire Chief Mike Rice presented the following budgets:

Fire Territory
Fire Territory Equipment Replacement
Fire Pension

Superintendent of Public Works Lacy Francis Jr. presented the following budgets:

Street
Motor Vehicle Highway
Local Road and Street
Cumulative Capital Development

*BREAK FROM BUDGET PRESENTATIONS TO ATTEND TO OTHER BUSINESS AS
ADVERTISED*

TAX ABATEMENT COMPLIANCE FORMS –

City Planner Jeremy Skinner recommended and submitted for approval Tax Abatement form (SB-1/PP Form) for Depuy Products, Inc. 700 Orthopedic Drive. Depuy will be investing \$20,000,000.00 in personal property or manufacturing equipment and \$7,000,000.00 in R&D equipment and do not anticipate hiring any new employees. Mr. Monte Moore representing Depuy was present to address any questions the Council had. Motion made by Councilmember Quance to approve the tax abatement as recommended, seconded by Councilmember Smith, carried by unanimous vote. (Copy of form attached to minutes).

ORDINANCE/AMENDING APPENDIX B OF THE CITY CODE/TATTOO PARLORS-

City Planner Jeremy Skinner presented Ordinance #2011-08-01 amending Appendix B of the Zoning Ordinance Table 1A-Permitted Uses, of the Warsaw City Code more specifically set out in the ordinance. The amendment allows for permitted use of tattoo parlors in a C-3, C-5, I-2 and I-3 districts and a special exception in a C-2 district. The ordinance also addresses permitted uses of farm implement/supply operations, landscaping companies, lumber yards, nurseries/greenhouses (growing only), and parking garages/lots. Proper advertising has occurred and recommendation by the Plan Commission was favorable as well. After discussion Councilmember Babcock made a motion to pass the ordinance, seconded by Councilmember Patterson, carried by unanimous vote. (Copy attached).

RESOLUTION: REDUCTION TO ENCUMBRANCES 2010/2011 BUDGETS-

Resolution #2011-08-01, setting forth reductions to the encumbrances in the cemetery, park, aviation, general, fire territory operating, and fire territory equipment funds from revenue brought forth from the 2010 budget to be included in the 2011 budget, and to be eliminated in the 2012 budget, more specifically set forth within the resolution. Motion made by Councilmember Smith to approve the resolution, seconded by Councilmember Thallemer, carried by unanimous vote. (Copy attached to minutes).

RESOLUTION: TRANSFER OF PROPERTY BETWEEN GOVERNMENTAL ENTITIES-

Resolution #2011-08-02, transferring property between the City of Warsaw and the Town of Winona Lake was presented. The resolution is transferring a large quantity of blue recycling containers, owned by the City, to the Town of Winona Lake for their curbside recycling program. The blue containers became available when the City entered into a new contract with Borden Waste who furnishes larger containers. Councilmember Patterson made a motion approving the transfer, seconded by Councilmember Thallemer, carried by unanimous vote. (Copy attached to minutes).

OTHER MATTERS-

ORDINANCES #2011-07-02/2011-07-03-

Ordinance #2011-07-02 was signed and passed during the July 19, 2011 Council meeting. The ordinance transferred funds within the Aviation budget. It was later discovered wrong appropriation numbers had been used on the Ordinance and that the funds were available in an appropriate area. Councilmember Clemens made a motion to rescind the ordinance, seconded by Councilmember Smith, carried by unanimous vote. During the same Council meeting Ordinance #2011-07-03 had been introduced for its first reading. The ordinance dealt with collectible fees from nonsufficient funds checks presented for payment. After the first reading it was determined that section 2-221 of the *Warsaw City Code* is correct according to Indiana Code 35-43-5-5(e). No action is necessary by the Council on Ordinance 2011-07-03. (Copies attached).

**FIVE MINUTE BREAK/ RESUMPTION OF BUDGET PRESENTATIONS*

City Planner Jeremy Skinner presented the following budgets:

Building & Plan
Redevelopment General
Redevelopment Allocation
Redevelopment Northern TIF

Police Chief Scott Whitaker presented the following budgets:

Police
Police Pension
Law Continuing Education

Park Superintendent Jon Garber presented the following budgets:

Parks & Recreation

Parks & Recreation Operational Non-Reverting
Parks & Recreation Capital Non-Reverting (No budget request for 2012)

Clerk Treasurer Lynne Christiansen presented the following budgets:

Clerk Treasurer
Cumulative Capital Improvement
General Bond Budget
Economic Development Income Tax (EDIT)

Mayor Ernie Wiggins presented the following budgets:

Mayor's Office
Common Council
Human Resources
Riverboat
Rainy Day

DISCUSSION-

The following matters were briefly discussed;

- 1) Budget questions and answers.
- 2) Future Deer Task Force Meeting.
- 3) Meijer construction progression.

There being no further business to come before the Council by a motion duly made and seconded, the meeting was adjourned.

ATTEST:

Lynne Christiansen, Clerk-Treasurer