

**COMMON COUNCIL
REGULAR SESSION
September 06, 2011
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Tuesday, September 06, 2011 at 7:00 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, Mayor Ernest Wiggins, Clerk-Treasurer Lynne Christiansen, City Attorney Michael Valentine Fire Chief Mike Rice, H/R Director Jennifer Whitaker, Police Chief Scott Whitaker, WCDC Director Cindy Dobbins, Jeff Vida from Combined Community Services, Jeffery and Billijo Brown, Mike Klondaris, and Times Union Reporter Jennifer Peryam.

ABSENT: None

The meeting was called to order by Mayor Wiggins followed by the Invocation and the Pledge of Allegiance.

MINUTES –

The minutes from the August 15, 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) New York Times Article on eliminating deadlines for road sign replacement.
- (2) Umbaugh & Associates-Financial Management Report for the Municipal Sewage Works 2nd Quarter Report
- (3) Umbaugh & Associates-Proposed Redevelopment Commission Bond Information
- (4) Additional Funding Request from Non-Profits (WCDC, WHA, CCAC)
- (5) Fire Territory July Activity Report
- (6) Clerk-Treasurer Christiansen presented the August Investment Reports.
(Documentation attached to minutes).

UNFINISHED BUSINESS-

ORDINANCE AMENDING CITY CODE 74-211 “NO PARKING ZONES”-

Ordinance #2011-08-02, an amendment to the City Code, Chapter 74 entitled “Traffic and Vehicles, Article V, Parking, Stopping and Standing” was presented for its second reading. The amendment adds Item 184 to Section 74-211, no parking zone on the North side of Prairie Street from Buffalo to Union Street, more specifically listed in the ordinance. A motion was made by Councilmember Babcock to approve the amendment, seconded by Councilmember Patterson, carried by unanimous vote. (Copy attached to minutes).

ORDINANCE AMENDING CHAPTER 54 OF WARSAW CITY CODE/LIMITATION ON BOWS AND ARROWS AND SLINGSHOTS-

Ordinance #2011-08-04, an amendment to the City Code, Chapter 54, Article III, Section 54-64, adding sub paragraphs (h), (i), and (j) was presented for its second reading. The paragraphs place fines on hunting limitations within the “Deer Nuisance Zone” as designated by the “Deer Task Force” and more specifically listed in the ordinance. Motion made by Councilmember Grose to approve the ordinance, seconded by Councilmember Thallemer, carried by unanimous vote. (Copy attached to minutes).

NEW BUSINESS-

WAIVER OF WASTE WATER TAP FEE REQUEST-

Mr. Jeff Vida from Combined Community Services came before the Council requesting the City to consider waiving the Sewer Tap Fee for their new building location at 1195 Mariner Drive. After discussion Councilmember Quance made a motion to waive the fee, seconded by Councilmember Smith, carried by unanimous vote. (Copy of letter attached).

ORTHOWORX 2012 FUNDING REQUEST-

Mayor Wiggins introduced a letter from Orthoworx to the Council requesting funding for 2012. Orthoworx asked the City to name a representative to their Board of Advisors plus membership support of \$10,000 for 2012. The Council asked for more information, a proposed budget, and a representative from Orthoworx to be present at the September 19, 2011 Council meeting before reaching a decision. (Copy of letter attached).

STREET PAVING PROJECTS-

Mayor Wiggins provided an informational list of proposed final paving projects for 2011 submitted by Street Superintendent Lacy Francis. The list names locations of paving as well as cost. No action is needed by the Council on the listed projects, the list was provided for information and discussion only. (Copy of list attached).

2012 GENERAL SALARY ORDINANCE –

Ordinance #2011-09-01, an ordinance establishing maximum compensation levels for the year 2012 for Department Heads, Appointive Positions and certain Salaried and Non-Salaried employees of the City of Warsaw was presented for first reading. Discussion followed. Motion made by Councilmember Smith to approve the ordinance on first reading, seconded by Councilmember Quance, carried by unanimous vote. This ordinance will be placed on the agenda of the September 19, 2011 Council meeting for its second reading.

2012 FIRE TERRITORY SALARY ORDINANCE –

Ordinance #2011-09-02, an ordinance establishing maximum compensation levels for the year 2012 for Department Heads, Appointive Positions and certain Salaried and Non-Salaried employees of the Warsaw Wayne Township Fire Territory was presented for first reading. Discussion followed. Motion made by Councilmember Clemens to approve the ordinance on first reading, seconded by Councilmember Smith, carried by unanimous vote. This ordinance will be placed on the agenda of the September 19, 2011 Council meeting for its second reading.

2012 ELECTED OFFICIAL SALARY ORDINANCE –

Ordinance #2011-09-03, an ordinance establishing compensation for the year 2012 for Elected Officials was presented for approval. Discussion followed. Motion made by Councilmember Smith to approve the ordinance on first reading, seconded by Councilmember Clemens, with Mr. Grose, Ms. Quance, Mr. Patterson, and Mr. Thallemer voting aye, and Mr. Babcock voting nay. This ordinance will be placed on the agenda of the September 19, 2011 Council meeting for its second reading.

ORDINANCE/TRANSFER OF FUNDS/EDIT-

Ordinance #2011-09-04 an ordinance transferring \$50,000.00 from the Edit Budget to the Council Budget, more specifically set forth within the ordinance was presented for approval. Motion made by Councilmember Quance to approve the transfer ordinance, seconded by Councilmember Clemens, and carried by unanimous vote. (Copy attached to minutes).

ORDINANCE/ADDITIONAL APPROPRIATION/RAINY DAY-

Ordinance #2011-09-05 requesting an additional appropriation from the Rainy Day Fund of \$50,000.00 for the funding of payment of property taxes given as a credit at the time of the real estate closing to relocate City Hall was presented. Councilmember Patterson made a motion to proceed with the Ordinance, seconded by Councilmember Smith, with Councilmember's Quance, Clemens, Smith, Grose, and Thallemer voting aye, and Councilmember Babcock voting nay. After proper advertising, the public hearing for the additional appropriation will be held during the September 19, 2011 Council meeting.

TRANSFER ORDINANCE/POLICE-

Ordinance #2011-09-06, an ordinance transferring \$36,000.00 within the Police Department Budget, more specifically set forth within the ordinance was presented for approval. Motion made by Councilmember Babcock to approve the transfer, seconded by Councilmember Grose, carried by unanimous vote. (Copy attached).

OTHER MATTERS-

*Councilmember Grose thanked Police Chief Whitaker and his staff for assisting with the Deer Task Force.

*Councilmember Thallemer suggested to the Council that if they had any questions for clarification on the Orthoworx funding to contact Brad Bishop or David Floyd.

ADJOURNED -

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