

**COMMON COUNCIL  
REGULAR SESSION  
JANUARY 18, 2010  
7:00 P.M.**

The Common Council of the City of Warsaw met in Session on Tuesday, January 18, 2011 at 7:00 P.M. in the Council Chambers at City Hall. Mayor Ernest Wiggins presided and the following persons were noted as present or absent:

**PRESENT:** Councilmembers Charles Smith, Jerry Patterson, Kyle Babcock, Joe Thallemer, and Diane Quance. Also present Mayor Wiggins, Clerk-Treasurer Lynne Christiansen, Fire Chief Mike Rice, WWTU Superintendent Brian Davison, Jeff Smith (Hoss) from Serenity House, Mary Gerard from United Way, Cindy Dobbins and Mary Ellen Rudisel-Jordan from WCDC, Mike Diffendal from Borden Waste-Away, and Times Union reporter Jennifer Peryam.

**ABSENT:** Councilmembers George Clemens and Jeff Grose.

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

**MINUTES –**

The minutes from the January 3, 2011 meeting were presented for approval. Motion made by Councilmember Babcock approve the minutes, seconded by Councilmember Quance and carried by unanimous vote.

**RECOGNITION OF VISITORS-**

1. Mike Diffendal from Borden Waste-Away gave the Council an update on the placement of the new recycling containers around town. He advised the Council that several hardship cases had been reviewed and that Borden will assist those that need help with placement of their bins on the street. He also advised that extra containers some customers have received will be picked up within the next few weeks. Borden's will furnish up-dated lists of citizens who participate in recycling to the Street Department after the proper containers have been placed. Finally he advised the Council that citizens could call their customer support number at 1-574-293-8534 for assistance.

**REPORTS –**

The following reports and communications were presented:

1. Parks Department Public Survey for Five Year Master Plan, public input meeting during the February 15, 2011 Park Board Meeting and the results of the survey will be revealed at the March 15, 2011 Park Board Meeting.
2. December 2010 Financial Report.

**NEW BUSINESS –**

**GUARDIAN MANAGEMENT/REQUEST FOR REDUCED WASTEWATER FEES-**

Thomas Deitche, President of Guardian Management who manage three (3) apartment complexes in Warsaw (Pike Lake Pointe, and Heron Preserve I & II), requested that wastewater payment rates be lowered for their tenants who have an annual income below \$17,000. All three communities are low income housing and Mr. Deitche feels that the added wastewater cost makes it difficult for those falling below the above mentioned income level to make ends meet. After discussion the Council thanked Mr. Deitche for the information he provided and would take his request under advisement pending further review. (Letter attached)

**WCDC LEASE/117 W. CENTER ST.-**

In December of 2010 the City purchased property at 117 W. Center Street where office space is rented by the Warsaw Community Development Corporation (WCDC). The amount of funding originally requested by the WCDC from the City for 2011 was \$19,800 for their operating budget but was reduced to \$12,600 per the Councils recommendation and the Board of Works approval in December of 2010. The WCDC has been receiving the same amount of \$12,600 from the City for the last several years. The WCDC chose not to sign a five year lease with the previous owner in October of 2010 because the rent was raised from \$450 to \$500 per month. During contract

reviews/renewals for non-profits in 2010 it had been mentioned the City may be able to charge the WCDC less rent for their office space once the transfer of ownership on the property was complete. After discussion motion made by Mr. Smith to reduce the rent to \$450, seconded by Mr. Patterson, carried by unanimous vote. (Copy of letter/memo attached).

**RESOLUTION/ SUPPORT OF INDIANA HOUSE BILL #1030-**

Mayor Wiggins introduced Resolution #2011-01-03 supporting Indiana House Bill #1030 making materials, compounds, mixtures, or preparations that contain ephedrine or pseudoephedrine a schedule III controlled substance subject to being dispensed only by a prescription. Ephedrine or pseudoephedrine is the active ingredient in manufacturing methamphetamine an illicit drug that has caused many problems in our community. Mary Gerard of the United Way told the Council that a forum will be held on February 12<sup>th</sup> at the Warsaw High School Performing Arts Center supporting both sides of the issue for either tracking or scheduling the drug. Mr. Babcock explained that he is fully aware of the impact of methamphetamine but has not had a chance to read the bill in its entirety, and is concerned with showing support for a bill that he hasn't reviewed. After discussion Mr. Patterson made a motion accepting the resolution, seconded by Mr. Thallemer, with Ms. Quance and Mr. Smith voting aye, and Mr. Babcock abstaining. (Copy attached).

**ORDINANCE/TRANSFERRING WITHIN COUNCIL BUDGET-**

Ordinance 2011-01-01 was presented by Mayor Wiggins. The ordinance transfers fund within the Councils budget from Communication and Transportation to Council Miscellaneous in the amount of \$3,834.00 to support Civic Plus's hosting/maintenance/support annual fee for the City's Website more specifically set forth within the ordinance. Motion made by Mr. Smith to accept the transfer, seconded by Ms. Quance, carried by unanimous vote. (Copy attached)

**CONFLICT OF INTEREST STATEMENTS –**

The following "Conflict of Interest Statements" were filed before the Council.

1. Ernie Wiggins
2. Charles Smith
3. Edward Kipker
4. David Tackett
5. Robert Gonzalez
6. Michael Wilson
7. Todd Slabaugh
8. Joseph Fretz
9. Lacy Francis Jr.

The conflict of interest statements were duly noted as being filed. Motion made by Mr. Patterson to acknowledge receipt of the statements, seconded by Mr. Thallemer, carried by unanimous vote. (Copies attached to minutes).

**OTHER MATTERS-**

**RED PETUNIA PROJECT-**

Mr. Patterson commented that he appreciated Gary Parker initiating a Red Petunia Project encouraging citizens to plant Red Petunias this spring to enhance the beauty of our City.

**2010 ENCUMBRANCE REPORT –**

Clerk-Treasurer Lynne Christiansen provided the 2010 Encumbrance Report and requested approval to carry forward \$752,984.66. Motion made by Mr. Babcock approving the carry over as set forth in the encumbrance report, seconded by Ms. Quance, carried by unanimous vote. (Documentation attached to minutes).

**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**

