

**COMMON COUNCIL  
REGULAR SESSION  
FEBRUARY 22, 2011  
7:00 P.M.**

The Common Council of the City of Warsaw met in Regular Session on Tuesday, February 22, 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, Joe Thallemer, Kyle Babcock, George Clemens and Diane Quance. Also present Mayor Wiggins, Clerk-Treasurer Lynne Christiansen, City Attorney Mike Valentine, City Planner Jeremy Skinner, Fire Territory Chief Mike Rice, Mary Ellen Rudisel-Jordan, Juergen Voss, Gary Parker, Mike Diffendal from Borden Waste, Stacey Page from staceypagenews.com, and Jennifer Peryam with the Times Union.

**ABSENT:** Councilmember 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 February 7, 2011 Regular and February 14, 2011 Executive sessions were presented for approval. Motion made by Councilmember Babcock to approve the minutes as presented, seconded by Councilmember Quance and carried by unanimous vote.

**REPORTS –**

The following reports and communications were presented:

1. Comcast Quarterly Franchise Fee
2. CCAC 2010 Annual Report
3. Fire Territory January 2011 Activity Report
4. 2010 Indebtedness Report
5. 2010 Published Annual Report
6. January 2011 Financial Report

(Copies of all of the above attached).

**UNFINISHED BUSINESS-**

**ORDINANCE/CHAPTER 18 CITY CODE/ITINERANT MERCHANTS-**

Ordinance 2010-12-02 revising Chapter 18, Article II Itinerant Merchants and Peddlers, Sec. 18-31 (b) and adding (d, e, f, g, h, i, j, & k) of the Code of Laws of the City of Warsaw and more specifically set forth in the ordinance was presented for its second and final reading. Councilmember Quance questioned the requirements for non-profit groups other than being exempt from paying the stated fee. After discussion, motion was made by Ms. Quance to table the matter, seconded by Mr. Patterson, carried by unanimous vote.

**NEW BUSINESS –**

**PETITON FOR VOLUNTARY ANNEXATION-**

City Planner Jeremy Skinner presented a request for Voluntary Annexation from Brian Sommers on behalf of the Patricia H. Sommers Trust. The approximately 19.147 acre tract is located in part of the Southeast Quarter of Section 19, Township 32 North, Range 6 East and eventually will be part of the existing Park Ridge Subdivision. No action needed to be taken by the Council on this matter at this time.

**VISITOR QUESTIONS/COMMENTS-**

**BORDEN WASTE-**

Mike Diffendal from Borden Waste advised that the initial deployment of the new recycling containers will be completed by March 2, 2011.

**HOMELESS SHELTER/BOARD OF ZONING APPEALS-**

Councilmember Babcock acknowledged the advertised notice of the public hearing for a homeless shelter on S. Buffalo Street. The public hearing will be at 7:00 on February 28, 2011 during the Board of Zoning Appeals regularly scheduled meeting. He also recognized Gary Parker and a recent article in a Fort Wayne newspaper regarding the Red Petunia Project.

**WCDC-**

WCDC President, Mary Ellen Rudisel-Jordan, advised the Council that she has had inquiries for facade grants from building owners outside of the uptown historical district boundaries. Councilmember Smith was under the impression that it was the decision of the WCDC whether to approve facade improvements outside of the historical district or not. Mrs. Rudisel-Jordan advised the Council she would provide a map showing the existing boundary lines of the Downtown Historical District for later discussion.

**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**