

COMMON COUNCIL
REGULAR SESSION
APRIL 4, 2011
7:00 P.M.

The Common Council of the City of Warsaw met in Regular Session on Monday April 4, 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: Council-members Jerry Patterson, Joe Thallemer, Kyle Babcock, Charles Smith and Diane Quance. Also present Mayor Wiggins, Clerk-Treasurer Lynne Christiansen, City Planner Jeremy Skinner, Mike Diffendal from Borden Waste WDCD President Mary Ellen Rudisel-Jordan and WDCD Director Cindy Dobbins, Chris Harrison from Indiana-American Water, Attorney Richard Helm, Jurgeon Voss, Steve Brown, Lisa Helser, Karl and Chris Bandemer, and Jennifer Peryam, reporter with the Warsaw Times Union

ABSENT: Council-members Jeff Grose, and George Clemens

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

MINUTES –

The minutes from the March 21, 2011 meeting were presented for approval. Motion made by Councilmember Patterson to approve the minutes as presented, seconded by Councilmember Smith and carried by unanimous vote.

RECOGNITION OF VISITORS-

Mayor Wiggins acknowledged Mike Diffendal from Borden Waste and asked him to report on the recycling program. Mr. Diffendal advised the Council that Borden's was re-evaluating pick-up days for the routes.

REPORTS & COMMUNICATIONS-

The following reports and communications were presented:

- (1) Indiana-American Water Detroit Street Information Meeting on April 13, 2011. Chris Harrison from Indiana-American Water gave the Council information about the planned construction along Detroit Street this summer.
- (2) Press Release naming Kosciusko Community Hospital one of the Nation's top 100 Hospitals by Thomson Reuters.
- (3) Clerk-Treasurer Christiansen presented the March 2011 financial reports.

Documentation attached to minutes.

NEW BUSINESS –

ORDINANCE/PATRICIA H. SOMMERS TRUST ANNEXATION–

City Planner Jeremy Skinner presented **Ordinance 2011-03-05** adopting the annexation of property into the city limits. The property is part of the Southeast Quarter of Section 19, Township 32 North, Range 6 East in Wayne Township, Kosciusko County, IN. The property is owned by the Patricia H. Sommers Trust and this is a voluntary annexation. Councilmember Babcock made a motion to pass the ordinance, seconded by Councilmember Patterson, carried by unanimous vote. (Copy attached).

RESOLUTION/ECONOMIC REVITALIZATION AREA/FLEXAUST-

Attorney Richard Helm presented **Resolution 2011-04-01**, for his client, Flexaust Company, Inc., designating the property they currently own at 1510 Armstrong Road an economic revitalization area for the purpose of a ten (10) year personal property tax abatement. This property had been erroneously omitted from the resolution/tax abatement for Flexaust Company, Inc., that was passed during the March 7, 2011 Council meeting. This request is for preliminary approval and after proper advertising a public hearing will be scheduled. After discussion Councilmember Patterson made a motion to proceed with the resolution and abatement, seconded by Councilmember Smith, carried by unanimous vote.

ORDINANCE/TRANSFER OF FUNDS/WWFT-

Ordinance #2011-04-01 was presented transferring \$76,000.00 from debt service to capital outlays within the Warsaw-Wayne Township Fire Territory's Equipment Replacement budget, and more specifically set forth within the ordinance. Motion made by Councilmember Smith to grant the transfer, seconded by Mr. Thallmer, carried by unanimous vote. (Copy attached)

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. Several items had been added and subtracted since the last reading, but there were still questions and concerns. Several people in attendance had questions. Lisa Helser wanted a copy of the ordinance and Steve Brown asked for the definition of an itinerant merchant and had several other comments as well. Cindy Dobbins inquired about downtown restaurants offering food sales from a cart away from their primary location. Jurgeon Voss asked if the ordinance included individuals selling services such as insurance. Attorney Helm offered that the ordinance should protect the citizens as well as consider not-for-profit versus retail organizations. After discussion, Councilmember Patterson motioned to table the matter, seconded by Councilmember Smith, carried by unanimous vote.

OTHER MATTERS-

POLITICAL SIGNS-

Councilmember Babcock advised that he had received several telephone calls about political signs being placed in the right-of-way. Mr. Skinner reviewed the placement of the signs for informational purposes.

GATKE BUILDING-

Councilmember Smith advised that the Redevelopment Commission had discussed at their meeting earlier in the day their desire to have the buildings at the old Gatke property razed as soon as possible. Recent drug activity on the property and possible liability issues prompted the Commission to discuss the matter and relay their wishes to the Council. The Commission believes that razing the buildings, rather than placing a fence around the property, is the best way to halt drug activity and trespassers in the area. Mr. Smith would like the matter to be placed on the next Council Agenda for discussion. Mayor Wiggins said the matter would be placed on the April 18th, 2011 Council Agenda.

PROGRESS OF NEW CITY HALL-

Mayor Wiggins advised a common wage hearing needed to be scheduled after the re-modeling plans were finalized. Mary Ellen Rudisel-Jordan, architect for the project, advised her intention was to have the plans finalized by mid-May. She also stated the aim was to have a common wage hearing scheduled sometime in April and didn't know if one had been set yet as Mr. Skinner was working on that part of the project. Estimated completion time will be between nine (9) and twelve (12) months after a final bid is accepted and contracts have been signed by the Board of Works. She also offered information to the Council about the Gatke Property. She is active in the American Institute of Architects (AIA), whom offers their services once a year to complete a design charrette for a non-profit or government agency. A group of Architects from Northern Indiana AIA will spend a day at a problem site and come up with design suggestions for the property. She will talk with the group and see if they would be willing to come down and look at the Gatke Property and come up with three (3) design options and scenarios for possible economic development. The work is free of charge.

ADJOURNMENT -

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

