

**COMMON COUNCIL  
REGULAR SESSION  
August 15, 2011  
6:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, August 15, 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, Mayor Ernest Wiggins, Clerk-Treasurer Lynne Christiansen, Fire Chief Mike Rice, City Planner Jeremy Skinner, H/R Director Jennifer Whitaker, WCDC Director Cindy Dobbins, Warsaw Housing Authority Director Pam Kennedy, George Robertson from KEDCO, Karl Swihart from the CCAC, Matt Boren and Randy Hall from KABS/Cardinal Services, Darla McCammon and Chris Harrison from Animal Welfare League, Nate Bosch from Grace College, Mary Ellen Rudisel-Jordan, Todd Samuelson from Umbaugh and Associates, Attorney Randy Rompala from Baker & Daniels, Jeffrey and Billijo Brown, and Warsaw Times Union Reporter Jennifer Peryam.

**ABSENT:** City Attorney Mike Valentine

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

**VISITORS-**

Mayor Wiggins welcomed Nate Bosch, Assistant Professor from Grace College and representing Kosciusko Lakes and Streams, who wanted to thank the City for participating in the 2011 Lakes Festival.

**MINUTES –**

The minutes from the August 01, 2011 meeting 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/ORAL & WRITTEN COMMUNICATIONS –**

1. Fort Wayne Business Weekly Article-Step Stone Business Partners Investor Group.
2. Comcast Quarterly Franchise Payment-(\$13,562.95).
3. July Financial Report.

(Documentation attached to minutes).

**UNFINISHED BUSINESS-**

None presented

**NEW BUSINESS-**

**NON-PROFIT ORGANIZATION REQUEST FOR FUNDING –**

The following organization representatives appeared before the Council to request funding assistance:

1. City County Athletic Complex (CCAC)/Karl Swihart presented request for \$34,000.
2. Housing Authority/Pam Kennedy presented request for \$30,000.
3. Kosciusko Area Bus Service (KABS)/Matt Boren presented request for \$26,500.
4. Kosciusko Economic Development Corporation (KEDCO)/George Robertson presented request for \$50,000.
5. Animal Welfare League/Chris Harrison and Darla McCammon presented request for \$16,500
6. WCDC/Cindy Dobbins presented request for their operating expenses for \$19,800 and Matching Facade Program in the amount of \$25,000.

All requests will be considered for funding within the 2012 budgets.

**RESOLUTION/AMENDMENT TO REDEVELOPMENT PLAN-**

**Resolution #2011-08-04**, an amendment approving an order of the City Plan Commission approving certain amendments to a declaratory resolution and redevelopment plan previously adopted by the City of Warsaw Redevelopment Commission, was presented for approval. The

amendment contains whereas clauses and the desire to approve the Plan Commissions order to permit the Redevelopment Commission to proceed with the confirmation of Amending Resolution #90-2-1, designating and declaring an area within the City entitled "Warsaw Central Development Area" by expanding its boundaries. Attorney Randy Rompola explained the resolution to the Council. Councilmember Smith made a motion to accept the Resolution, seconded by Councilmember Clemens with Councilmembers Quance, Patterson, Grose, and Thallemer voting aye and Councilmember Babcock voting nay. (Copy attached to minutes).

#### **RESOLUTION/ISSUANCE OF REDEVELOPMENT DISTRICT SPECIAL TAXING DISTRICT BONDS-**

**Resolution #2011-08-05** authorizes the issuance of Redevelopment District special taxing district bonds in one (1) or more series in an aggregate principal amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000.00), for the purpose of procuring funds to undertake certain public improvements in the Area, including the renovation of a building for use as a City Hall, more specifically stated in the resolution. Todd Samuelson from Umbaugh reviewed several different amortization schedules for the bond re-payment. City Planner Jeremy Skinner gave a recap of the total project and scenarios, and Randy Rompola from Baker and Daniels explained the resolution to the Council. Councilmember Smith made a motion to accept the resolution, seconded by Councilmember Grose, with Councilmembers Quance, Patterson, Clemens, and Thallemer voting aye and Councilmember Babcock voting nay. (Copy attached to minutes)

#### **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 first 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 Patterson to approve the amendment, seconded by Councilmember Thallemer, carried by unanimous vote. Second reading to take place during the September 6<sup>th</sup> Council meeting.

#### **RESOLUTION/DEER NUISANCE AREAS-**

Councilman Jeff Grose provided the Council with **Resolution #2011-08-03** determining deer nuisance zones within the city limits. Maps of the areas were attached to the Resolution and no new areas have been added at this time. After further discussion, Mr. Thallemer made a motion to pass the resolution, seconded by Mr. Clemens, carried by unanimous vote. (Documentation 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 first 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 Patterson to approve the ordinance, seconded by Councilmember Smith, carried by unanimous vote.

#### **ORDINANCE/TRANSFER OF FUNDS/BUILDING & PLANNING-**

**Ordinance #2011-08-03** an ordinance transferring \$8,500.00 within the Building & Plan Budget, more specifically set forth within the ordinance was presented for approval. Motion made by Councilmember Babcock to approve the transfer ordinance, seconded by Councilmember Patterson, and carried by unanimous vote. (Copy attached to minutes).

#### **ORDINANCE/TRANSFER OF FUNDS/STREET DEPARTMENT-**

**Ordinance #2011-08-05** an ordinance transferring \$219,000.00 within the Street Department budget more specifically set forth within the ordinance was presented for approval. Motion made by Councilmember Babcock to approve the transfer ordinance, seconded by Councilmember Quance, carried by unanimous vote. (Copy attached to minutes).

#### **2012 GENERAL SALARY ORDINANCE –**

**Ordinance #2011-09-01**, an ordinance establishing maximum compensation levels for the year 2011 for Department Heads, Appointive Positions and certain Salaried and Non-Salaried

employees of the City of Warsaw was presented by Human Resources Director Jennifer Whitaker. This item must be adopted by September 30, 2011. (Copy attached to minutes).

**2012 FIRE TERRITORY SALARY ORDINANCE –**

**Ordinance #2011-09-02**, an ordinance establishing maximum compensation levels for the year 2012 for Department Head, Appointive Positions and certain Salaried and Non-Salaried employees of the Warsaw-Wayne Township Fire Territory was presented by Director of Human Resources Jennifer Whitaker. Discussion followed. This item must be adopted by September 30, 2011. (Copy attached to minutes).

**2012 ELECTED OFFICIAL SALARY ORDINANCE –**

**Ordinance #2010-08-03**, an ordinance establishing compensation for the year 2012 for Elected Officials was presented by Director of Human Resources Jennifer Whitaker. Discussion followed. This ordinance needs to be approved by December 31, 2011. (Copy attached to minutes).

**CONFLICT OF INTEREST STATEMENT –**

The following “Conflict of Interest Statement” was filed before the Council.

1. Robert Barker

The Conflict of interest statement was duly noted as being filed. Motion made by Mr. Patterson to acknowledge receipt of the statement, seconded by Mr. Smith, carried by unanimous vote. (Copy attached to minutes).

**DISCUSSION TOPICS-**

\*Chris Harrison from Indiana-American Water gave the Council an update on the State Road 15 construction as well as the progress of the new Plant at US 30 and State Road 15.

\*Mayor Wiggins asked for a Councilmember to volunteer and check out a request for a street light on Little Eagle Drive, Pole #635/480. The location will need to be checked after sunset. Several members and Mayor Wiggins advised they would check out the area.

\*A letter from Gary Parker was distributed regarding the Red Petunia Project and continuing it in 2012.

\*Councilmember Quance had questions on the budget for 2012 and the proper procedures involving increases in certain areas. Mayor Wiggins explained the process.

**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**