

**COMMON COUNCIL
REGULAR SESSION
July 1, 2013
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday July 1, 2013 at 7:00 P.M. in the Council Chambers at City Hall. Mayor Joseph M. Thallemer presided and the following persons were noted as present or absent:

PRESENT: Council members Elaine Call, Cindy Dobbins, Jeff Grose, Charles Smith, Mike Klondaris, Jerry Frush, and Diane Quance. Also present Mayor Joseph M. Thallemer, Clerk-Treasurer Lynne Christiansen, City Attorney Michael Valentine, City Planner Jeremy Skinner, Police Lieutenant Kip Shuter, Jeff Rowe and Ricky Curtis from H.J. Umbaugh & Associates, Randy Rompola from Faegre Baker Daniels LLP, Mike Ragan, Jack Wilhite, Brian and Monica Boyer, Ron Shoemaker, on-line news reporter Alyssa Richardson, and Warsaw Times-Union reporter Jennifer Peryam.

ABSENT: None

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

MINUTES-

The minutes from the June 17, 2013 meeting were presented for approval. Motion made by Councilor Smith to approve the minutes as presented, seconded by Councilor Frush, and carried by unanimous vote.

REPORTS/ORAL & WRITTEN COMMUNICATIONS-

1. Clerk-Treasurer-Investment report for the month of June.
(Copy attached).

OLD BUSINESS-

ORDINANCE/ISSUANCE OF REFUNDING REVENUE BONDS/SEWAGE-

Ordinance #2013-06-04 authorizes the issuance of refunding revenue bonds to provide the necessary funds to be applied to the current refunding bonds of 2003. The aggregate principal is not to exceed Five Million Eight Hundred Ninety Thousand and 00/100 Dollars (\$5,890,000.00). Jeff Rowe from Umbaugh gave the Council a brief update on the state of recent interest rates and the potential savings in the refunding. He advised the Council that at the current rate structure the best option would be to take level savings over the life of the bond and not shorten the life of the bond issue. He also advised the Council that it is anticipated the bonds will be sold in the third week of July, 2013 and the sale date could be postponed if interest rates are not favorable for refinancing at that time and Umbaugh will monitor the rates until the sale. Attorney Randy Rompola from Faegre Baker Daniels emphasized that the ordinance does state the flexibility of the sale date with a twenty-four (24) hour notice and that the sale is slated for July 23, 2013. Motion made by Councilor Smith to approve Ordinance #2013-06-04, seconded by Councilor Dobbins and carried by unanimous vote. A motion was then made by Councilor Grose to suspend the rules and pass on second reading, seconded by Councilor Quance, carried by unanimous vote. (Copy attached).

NEW BUSINESS-

ORDINANCE AMENDING CHAPTER 74 OF THE WARSAW CITY CODE/PARKING-

Ordinance #2013-07-01 was brought forward for consideration. The ordinance amends Chapter 74 of the City Code, Section 74-213, modifying section (a) as defined in the proposed ordinance. The ordinance changes some free two hour spaces to no time limit and offers additional free off-street parking. Police Lieutenant Kip Shuter explained a color coded map to the Council and how the current parking could change and how additional on-street spaces could be added as well. City Planner Jeremy Skinner explained changes in the off-street parking. This is a public hearing and Mayor Thallemer opened the floor for any public comment. Monica Boyer asked if the parking designations could be clearly defined so citizens would know what the limit was in the space they were parking in. Mayor Thallemer advised that way finding signage was going to be placed in the downtown area and Mr. Skinner talked about color-coded parking spaces. The public portion of

the meeting was closed. Councilor Dobbins requested that the map be displayed so citizens would have access to view the proposal. After discussion, motion made by Councilor Smith to approve Ordinance #2013-07-01, on first reading, seconded by Councilor Grose, carried unanimous vote. Second reading and final consideration will be addressed at the July 15th Council meeting.

TAX ABATEMENT COMPLIANCE FORMS-

City Planner Jeremy Skinner presented for approval the following list of companies who submitted their Personal Property (SF 51765), “compliance with statement of benefits” forms for Tax Abatement. Mr. Skinner recommended approval of continuation of the requested Tax Abatements, finding the following companies to be in compliance.

- (1) Zimmer USA, Inc., Zimmer, Inc., and Zimmer Production, Inc., 345 Main St. and 1777 & 1800 W. Center St., four (4) Personal Property, amended form, no representative present.
- (2) Dalton Corp., 1900 E. Jefferson St., one (1) Personal Property, amended form, no representative present.
- (3) Iconacy Orthopedic Implants, LLC, one (1) Real Property, no representative present.

Depuy Orthopedics Inc. had also submitted a CF-1 personal property form; however, it was not properly completed.

Motion made by Councilor Smith approving all the forms and to table Depuy’s form, seconded by Councilor Klondaris, carried by unanimous vote. (Information attached to minutes).

OTHER MATTERS-

*Councilor Smith provided all the Council members a letter from a citizen complaining about loud fireworks being set off in their neighborhood. City Attorney Mike Valentine provided information to the Council that refers to the state statute on regulating fireworks and different classifications. Mr. Valentine offered options the Council could consider specifying time frames for fireworks usage and enforcement and he will provide further information as requested. (Information attached).

* Mayor Thallemer thanked everyone who participated in the recent charette conducted by Ball State.

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