

COMMON COUNCIL  
REGULAR SESSION  
JANUARY 20, 2009  
7:00 P.M.

The Common Council of the City of Warsaw met in a Regular Session on Tuesday, January 20, 2009 at 7:00 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:** Councilmen Jerry Patterson, Charles Smith, Joe Thallemer, Daniel Hampton, Kyle Babcock, and George Clemens. Mayor Ernest Wiggins, Clerk-Treasurer Elaine Call, City Attorney Michael Valentine, City Planner Jeremy Skinner, Attorney Stephen Snyder, Murvel Whitehead, President of Whimet, Inc., Lori and Chad Whitehead, President of the WCDC Mary Ellen Rudisel-Jordan, local resident Donna Prater and Warsaw Times Union Reporter Jennifer Peryam.

**ABSENT:** Councilman 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 5, 2009 meeting were presented for approval. Motion made by Councilman Patterson to approve the minutes as presented, seconded by Councilman Clemens and carried by unanimous vote.

**REPORTS/ORAL & WRITTEN COMMUNICATIONS –**

1. Fire Department yearly report for 2008.
2. Park Department 2008 yearly report.
3. Cemetery 2008 yearly report.
4. Clerk-Treasurers December 2008 Financial Report.

**UNFINISHED BUSINESS –**

**DISCUSSION OF REDUCTION MONTHLY SEWAGE PAYMENT/INCOME BASED –**

Mayor Wiggins reported that following the discussion held at the January 5, 2009 meeting when Donna Prater was present to request she be allowed to pay the low-income reduced monthly sewage rate, he contacted Bakers and Daniels to see if the Sewer Rate Ordinance – more specifically Chapter 78, Utilities, Division 4, Section 78-154 of the City Code be revised to change the threshold from \$17,000 to \$18,000. He stated if it was the consensus of Council, he will move forward with setting a public hearing to revise the code. The language in the ordinance will define what to consider of a persons income to be eligible to apply for the low-income reduced monthly sewage rate. Discussion followed. Council was in agreement to move forward with making the change.

**NEW BUSINESS –**

**WHIMET/ECONOMIC REVITALIZATION AREA /ADOPTION OF WAIVER –**

Attorney Stephen Snyder was present representing his client Whimet Inc. and Whimet Properties, LLC requesting to designate property more specifically set forth within Resolution #2009-01-04 as an Economic Revitalization Area (ERA) and request for adoption of waiver pursuant to Indiana Code #6-1.1-12.1-11.3. The waiver is because the building permit has been issued and the equipment has been ordered. Mr. Murvel Whitehead, Lori Whitehead, and Chad Whitehead of the company were also present. The real estate is located at 2100 North Detroit Street and is zoned I-2. Discussion followed. Motion made by Councilman Thallemer to approve Resolution #2009-01-04, seconded by Councilman Smith, carried by unanimous vote.

**CONFLICT OF INTEREST STATEMENTS –**

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

1. Ernie Wiggins
2. Elaine Call
3. Charles Smith
4. George Clemens.
5. Kreg Warren.
6. Joseph Fretz.
7. David Tacket.
8. Robert Gonzalez.

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

**2008 ENCUMBRANCE REPORT –**

Clerk-Treasurer Elaine Call provided the 2008 Encumbrance Report and requested approval to carry forward \$623,862.96. Motion made by Councilman Babcock approving the carry over as set forth in the encumbrance report, seconded by Councilman Hampton, 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:**

**Elaine Call, Clerk-Treasurer**