

**COMMON COUNCIL
REGULAR SESSION
September 21, 2009
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, September 21, 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 Charles Smith, Jeff Grose, George Clemens, Joe Thallemer, Daniel Hampton and Kyle Babcock. Also present, Mayor Ernest Wiggins, Clerk-Treasurer Elaine Call, City Attorney Michael Valentine, Fire Chief Mike Rice, City Planner Jeremy Skinner, Airport Manager David Beall, Police Chief Perry Hunter, H/R Director Jennifer Whitaker, President of the WCDC Mary Ellen Rudisel-Jordan, local residents Gary Parker, Bruce Barton, Don Carreira, Don Kollmann, Diane Lancaster, and Tim Dombrosky, Representatives of "Buy America"/Alliance for American Manufacturing, William M. Kelly and Chris E. Lovitt, and Warsaw Times- Union Reporter Jennifer Peryam.

ABSENT: Councilman Jerry Patterson.

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

MINUTES –

The minutes from the September 8, 2009 meeting were presented for approval. Motion made by Councilman Babcock to approve the minutes as presented, seconded by Councilman Thallemer and carried by unanimous vote.

REQUEST TO STOP LOCKOUT PROGRAM/DON KOLLMANN –

Mayor Wiggins recognized local resident Don Kollmann. He requested the City discontinue their Lockout Program and voiced concerns about calls tying up the 911 lines. Chief of Police Perry Hunter stated that this is one service that the police can do for the community. Discussion followed. Mayor Wiggins stated that he approves of the program. No further action was taken.

REPORTS/ORAL & WRITTEN COMMUNICATIONS –

- (1) 40 Days for Life – letter from Dave Koontz, Campaign Coordinator for a community based campaign that draws attention to the tragedy of abortion and is prayer- based. He reported that the pro-life campaign will be taking place in Warsaw from September 23- November 1, more specifically set forth in the documentation provided.
- (2) Kosciusko County letter from Kosciusko County Auditor with regard to the County Council issuing a non-binding review of the Cities 2010 budget.
- (3) Warsaw Fire Department August 2009 monthly reports.
- (4) Warsaw Fire Chief Mike Rice reported that the Play It Safe Family Day was very successful.

Clerk-Treasurer Call presented the August Investment and Financial Reports for Council review. (Documentation attached to minutes).

UNFINISHED BUSINESS –

2010 SALARY ORDINANCE –

Ordinance #2009-09-02, an ordinance establishing maximum compensation levels for the year 2010 for department heads, appointive positions and certain salaried and non-salaried employees of the City of Warsaw was presented for approval. Motion made by Councilman Babcock to approve the ordinance on second and final reading, seconded by Councilman Clemens, carried by unanimous vote.

2010 FIRE TERRITORY SALARY ORDINANCE –

Ordinance #2009-09-03, an ordinance establishing maximum compensation levels for the year 2010 for employees of the Warsaw/ Wayne Township Fire Territory was presented for approval. Motion made by Councilman Smith to approve the ordinance on second and final reading, seconded by Councilman Hampton, carried by unanimous vote.

2010 ELECTED OFFICIAL SALARY ORDINANCE –

Ordinance #2009-09-04, an ordinance establishing compensation for the year 2010 for Elected Officials was presented for approval. Motion made by Councilman Thallemer to approve the ordinance on second and final reading, seconded by Councilman Babcock, carried by unanimous vote.

NEW BUSINESS –

TRAFFIC CONTROL AMENDMENT/AUTOMATIC TRAFFIC SIGNALS –

Ordinance #2009-09-06, an ordinance amending Chapter 74, Article III, Sections 74-121, Automatic Traffic Signals, more specifically set forth within the ordinance, was presented for approval. Motion made by Councilman Babcock to approve the ordinance on first reading, seconded by Councilman Grose, carried by unanimous vote. Motion made by Councilman Grose to suspend the rules and approve on second and final reading, seconded by Councilman Thallemer, carried by unanimous vote.

EXCHANGE OF PROPERTY WITH ANDERSON MUNICIPAL AIRPORT –

Resolution #2009-09-01, a resolution agreeing to sell personal property consisting of an automated weather observing station owed by the City of Warsaw Municipal Airport for the sum of \$3,500 was presented for approval. Motion made by Councilman Smith to approve Resolution #2009-09-01, seconded by Councilman Hampton, carried by unanimous vote. (Copy attached to minutes). Anderson also passed a resolution approving the exchange of property.

MINER PETITION FOR ANNEXATION/OFF STATE ROAD 15 NORTH –

City Planner Jeremy Skinner presented a “Petition for Voluntary Annexation” from James & Nancy Miner. Mr. Skinner reported the property is located north of Symmetry Medical off State Rd 15. This request for annexation occurred in 2008 and was approved that time. Since then it was discovered that the legal description was incorrect and the process needs to be completed again. Council recognized the petition for annexation. The adoption of an ordinance on the annexation will be considered at a later date.

CONFLICT OF INTEREST STATEMENT –

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

1. Todd Slabaugh.

The conflict of interest statement was duly noted as being filed. (Copy attached to minutes).

DEER PROGRAM DOCUMENTS/DISCUSSION OF REDUCTION ZONES –

Councilman Jeff Grose provided the Council with a copy of the form used for residents interested in the Deer Reduction efforts containing guidelines and restrictions for hunting. Discussion was held on reduction zones within the nuisance areas. The following residents were present to voice their concerns on the over population of deer and the danger that exists in their neighborhoods: Bruce Barton, Shady Lane; Gary Parker and Diane Lancaster, Kelly Drive. (Document attached to minutes).

2010 BUDGET HEARING –

Mayor Wiggins announced that the Council will be meeting to hold the public hearing on the 2010 Budgets on September 28, 2009 at 7:00 P.M.

BUY AMERICAN –

William Kelly was present to request the Council consider a resolution to support “Buy American”. Mayor Wiggins stated he will bring this before the Council at a later date.

TRANSFER ORDINANCE/POLICE–

Ordinance #2009-09-07, an ordinance transferring \$40,000 within the Redevelopment Budget (51 Fund #), more specifically set forth within the ordinance was presented for approval. These monies are being transferred to be used in the efforts of the Redevelopment Commission’s desire to purchase a property on Buffalo Street owned by Heart-line Pregnancy. Motion made by Councilman Smith to approve the transfer, seconded by Councilman Thallemer, carried by unanimous vote.

CREDIT CARDS –

Councilman Clemens questioned if and when the City would be accepting Credit Cards. Mayor Wiggins reported the City has been investigating this for various departments.

MARK SOUDER LETTER RE: PROPOSED MEDICAL DEVICE MANUFACTURERS FEE –

Councilman Thallemer provided a copy of a letter addressed to Senator Max Baucus from Mark Souder of Congress regarding his concern over the proposed “Medical Device Manufacturers Fee” of 4 billion dollars annually that would be imposed on the medical device manufacturing sector beginning in 2010. Councilman Thallemer stated it was imperative to write letters to Congress to oppose this “Fee”.

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