

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

The Common Council of the City of Warsaw met in a Regular Session on Monday, December 21, 2009 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:** Councilmen Charles Smith, Jeff Grose, George Clemens, Jerry Patterson, Kyle Babcock, Joe Thallemer, and Daniel Hampton. Also present Mayor Wiggins, Clerk-Treasurer Elaine Call, City Attorney Michael Valentine, City Planner Jeremy Skinner, Fire Chief Mike Rice, Park Superintendent Jon Garber, H/R Director Jennifer Whitaker, Police Chief Scott Whitaker, Police Officer Steve Adang, Attorney Steve Snyder, Martin's Supermarket representatives Rob Bartels and Greg Freehauf, Kosciusko County Police Officers and City Officers, and local residents more specifically set forth on the sign- in sheet, Stacey Page, reporter for News with Stacey Page, and Warsaw Times Union reporter Jennifer Peryam.

**ABSENT:** None.

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

**MINUTES –**

The minutes from the December 07, 2009 Regular Session were presented for approval. Motion made by Councilman Patterson to approve the minutes as presented, seconded by Councilman Babcock, and carried by unanimous vote.

**POLICE OFFICE ADANG-MEDAL OF VALOR –**

Police Chief Scott Whitaker presented the Medal of Valor to Officer Steve Adang for saving a woman who was being attacked by a pit bull, more specifically set forth within his letter to Council. Everyone present applauded Adang for his actions. County and City Police Officers were present during the presentation. (Letter attached to minutes).

**REPORTS –**

The following reports and communications were presented:

- (1) Letter from Jones & Henry Engineers announcing that WWTP Utility Manager Brian Davison was selected the Northern Operator of the Year.
- (2) Mayor Wiggins presented the 2010 schedules for Holidays, Board of Public Works & Safety Meetings and Common Council Meetings.
- (3) Fire Department submitted their November 2009 Activity Report.
- (4) Park Department Activity Director Staci Young provided the 2010 Sponsorship Opportunity Guide.
- (5) Clerk-Treasurer Elaine Call presented the November financial report.
- (6) Mayor Wiggins announced that Councilman Jeff Grose was honored by the Indiana Hall of Fame.

**NEW BUSINESS –**

**ECONOMIC DEVELOPMENT AREA /MARTIN'S SUPER MARKET –**

Attorney Steve Snyder, representing Martin's Super Market, Inc., was present to request an Economic Development Target Area be designated for real estate located along Husky Trail, more specifically Lots 2 & 51 in Menard Subdivision. He stated that this is the advertised Public Hearing on the matter. Rob Bartels and Greg Freehauf, VP of Finance and CFO of Martins Supermarket were present to support their request in the anticipation of locating a new Martin's in Warsaw. Resolution #2009-12-02, a Declaratory Resolution Designating an Economic Development Target Area was presented and approved at the December 7, 2010 Council meeting. Mr. Snyder presented for approval Resolution #2009-12-05, a Confirmatory Resolution Designating an Economic Development Target Area and approving the "Statement of Benefits Form" of Martin's Super Markets. Discussion followed. The Statement of Benefits for tax abatement of Real Estate Improvements was requested for a five (5) year period. Attorney Steve

Snyder reported that this is the preliminary hearing on the Economic Development Area. The Public Hearing will be advertised to meet at the next Council meeting. No one spoke in opposition to the requests. Discussion followed. Motion made by Councilman Patterson to approve Resolution #2009-12-05, seconded by Councilman Babcock, carried by a vote of four (4) Ayes to three (3) Nays. Those voting Nay were Councilman Joe Thallemer, Councilman Jeff Grose, and Councilman Dan Hampton.

**RESOLUTION CUTTING 2009 BUDGETS –**

Declaratory Resolution #2009-12-04, a resolution setting forth Line 2 cuts (2009 budget cuts) was presented for approval. Total General Fund cuts of \$145,000.0. Motion made by Councilman Hampton to approve Resolution #2009-12-04, seconded by Councilman Thallemer, carried by unanimous vote. (Copy attached to minutes).

**FIRE TERRITORY/TEMPORARY LOAN –**

Ordinance #2009-12-04, an ordinance making a temporary loan to the Warsaw/Wayne Fire Territory Operating Fund, was presented for approval. Clerk-Treasurer Call reported the loan would be made on an as needed basis, i.e. monthly. Motion made by Councilman Babcock to approve the loan on as needed basis, seconded by Councilman Patterson, carried by unanimous vote. (Copy attached to minutes).

**2009 SALARY ORDINANCE AMENDMENT–**

Human Resource Director Jennifer Whitaker submitted for approval Ordinance #2009-12-05, an ordinance amending the 2009 Salary Ordinance. The amendment adds “Economic Development Commission Recording Secretary pay at \$30 per meeting, not to exceed 16 meetings per annum”, more specifically set forth within the ordinance. Motion made by Councilman Babcock to approve the amendment, seconded by Councilman Clemens, carried by unanimous vote

**TRANSFER ORDINANCE/PARK –**

Ordinance #2009-12-06, an ordinance transferring \$3,000 within the Park Budget, more specifically set forth within the ordinance was presented for approval. Motion made by Councilman Smith to approve the transfer, seconded by Councilman Hampton, carried by unanimous vote.

**BAIR VOLUNTARY ANNEXATION/FINAL ADOPTION–**

City Planner Jeremy Skinner reported that this adoption hearing on petition for voluntary annexation from Roger Bair. He presented for approval Ordinance #2009-12-07, an ordinance annexing property owned by Mr. Roger Bair – address of 1305 W. Lake Street. This is a Voluntary Annexation. Motion made by Councilman Patterson to approve Ordinance #2009-12-07 seconded by Councilman Hampton, carried by unanimous vote. (Copy attached to minutes).

**STREET LIGHT REMOVAL –**

City Planner Jeremy Skinner presented for approval a list of seven (7) street lights that have been removed through the Argonne/Parker Street Project that need approval of the Council to request through NIPSCO discontinuation of service. Motion made by Councilman Clemens to approve the discontinuation of service, seconded by Councilman Smith, carried by unanimous vote. (List attached to minutes).

**2010 SALARY ORDINANCE AMENDMENT/DENTAL –**

Human Resource Director Jennifer Whitaker submitted for approval Ordinance #2009-12-08, an ordinance amending the 2010 Salary Ordinance. The amendment adds back under “Insurance Benefits” the monthly cost for dental coverage, more specifically set forth within the ordinance. This was inadvertently left out of the 2010 Salary ordinance for employees and elected officials. Motion made by Councilman Babcock to approve the amendment, seconded by Councilman Smith, carried by unanimous vote. Motion made by Councilman Grose to suspend the rules and pass on second and final reading, seconded by Councilman Clemens, carried by unanimous vote. (Copy 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**