

**COMMON COUNCIL
REGULAR SESSION
May 7, 2018
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, May 07, 2018 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 Cindy Dobbins, Jack Wilhite, Jeff Grose, Ron Shoemaker, Mike Klondaris, Jerry Frush, and Diane Quance. Also present, Mayor Thallemer, Clerk-Treasurer Lynne Christiansen, City Attorney Michael Valentine, City Planner Jeremy Skinner, Wastewater Treatment Utility Manager Brian Davison, WWTU Pre-Treatment Coordinator Duane Griner, Attorney Jim Hamilton from Bose McKinney & Evans LLP, Attorney Steve Snyder, Mike Reed, local citizens as noted on attached attendance sheet, InkFree News reporter Maggie Kenworthy, and Times-Union reporter Dan Spaulding.

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 April 16, 2018 regular session were presented for approval. Motion made by Councilor Frush to approve the minutes as presented, seconded by Councilor Grose, and carried by unanimous vote.

RECOGNITION OF VISITORS-

Mayor Thallemer read a proclamation declaring May 12, 2018 as Poppy Day. The American Legion Auxiliary has pledged to remind America of the annual distribution in honor of Memorial Day.

REPORTS/ORAL & WRITTEN COMMUNICATIONS-

1. April 2018 Fund Report.
2. Mediacom First Quarter of 2018 Franchise Fee payment -\$361.69.
3. AIM Medical Trust

UNFINISHED BUSINESS-

ORDINANCE/REQUIREMENTS FOR DISCHARGERS (FOOD SERVICES ESTABLISHMENTS)/WWTU-

Wastewater Treatment Plant Manager Brian Davison presented Ordinance **#2018-04-03**. The Ordinance amends Section 78-243 of the Warsaw City Code by adding (i) (6) which has several objectives reducing and eliminating fats, oil & grease from the collection system in regards to food service establishments, and further explained in the Ordinance. After discussion Councilor Quance made a motion to approve Ordinance **#2018-04-03**, seconded by Councilor Klondaris, with Councilors Wilhite, Grose, and Frush voting aye and Councilors Dobbins and Shoemaker voting nay.

ORDINANCE FOR VACATION OF PUBLIC WAYS-

Attorney Stephen R. Snyder presented Ordinance **#2018-05-01** for his client, Lake City Bank. The Ordinance vacates certain public ways between Lake City Bank, and the First United Methodist Church, and better described in the Ordinance. Mr. Snyder presented a "Reciprocal Grant of Ingress and Egress Easements" between Lake City Bank and the First United Methodist Church. Mike Reed, representing the First United Methodist Church, pointed out the church will review the agreement in the next two weeks for approval. This is the advertised public hearing for the vacation and Mayor Thallemer opened the meeting for public comment. No one came forward to speak for or against the vacation and Mayor Thallemer closed the public hearing. After discussion, Councilor Grose made a motion to approve Ordinance **#2018-05-01** on second and final reading, seconded by Councilor Wilhite, carried by unanimous vote. The ordinance will be effective upon approval and recording of the easement with the church.

NEW BUSINESS-

ORDINANCE/SHADOW LAKES ANNEXATION-

Ordinance **#2018-05-02** was presented for consideration. The Ordinance annexes property located in Shadow Lakes Estates Sections 1, 2, and 3. This is the advertised public hearing and Mayor Thallemer opened the meeting for public comment. No one came forward to speak for or against the annexation

and Mayor Thallemer closed the public hearing. No action was taken from the Council and the Ordinance will come before the Council again on May 21, 2018.

RESOLUTION #2018-05-01/SHADOW LAKES ANNEXATION FISCAL PLAN-

City Planner Jeremy Skinner presented Resolution #2018-05-01 accepting the fiscal plan for annexation Shadow Lakes Estates Sections 1, 2, and 3. Shadow Lakes is located in the Southeast Quarter of Section 11, Township 32 North, Range 6 East Wayne Township, Kosciusko County and more particularly described within the document. Mr. Skinner reported the Fiscal Plan lists any capital cost associated for street and wastewater improvements as well as non-capital cost. After discussion Councilor Shoemaker made a motion to pass the Resolution/fiscal plan, seconded by Councilor Quance, carried by unanimous vote.

ORDINANCE/AIRPORT INDUSTRIAL PARK ANNEXATION/PARCEL 1-

Ordinance #2018-01-02 was presented for approval. The Ordinance is for the annexation of Parcel #1 of the Airport Industrial Park. A ninety (90) day remonstrance period will begin after the Ordinance is adopted. Motion made by Councilor Klondaris to approve Ordinance 2018-01-02, seconded by Councilor Dobbins, carried by unanimous vote.

ORDINANCE/AIRPORT INDUSTRIAL PARK ANNEXATION/PARCEL 2-

Ordinance #2018-01-03 was presented for approval. The Ordinance is for the annexation of Parcel #2 of the Airport Industrial Park. A ninety (90) day remonstrance period will begin after the Ordinance is adopted. Motion made by Councilor Klondaris to approve Ordinance #2018-01-02, seconded by Councilor Wilhite, carried by unanimous vote.

ORDINANCE/ADDITIONAL APPROPRIATION-

Ordinance #2018-05-03 requesting an Additional Appropriation from the Redevelopment Northern TIF Fund was presented for approval. The amount requested is \$500,000.00. This is the first reading of the Ordinance and the advertised public hearing will take place on May 21, 2018. After discussion motion was made by Councilor Shoemaker to approve Ordinance #2018-05-03 on first reading, seconded by Councilor Dobbins, carried by unanimous vote.

ORDINANCE/AMENDING SECTION 78-181 CITY CODE-

Ordinance #2018-05-04 was presented for approval. The Ordinance amends section 78-181(b) of Chapter 78 of the City Code by allowing an amortization option for sewage hook-ups for new construction. After discussion Councilor Grose made a motion to approve Ordinance #2018-05-04 on first reading, seconded by Councilor Klondaris, carried by unanimous vote. Motion then made by Councilor Quance to suspend the rules and approve on second reading, seconded by Councilor Frush, carried by unanimous vote.

TAX ABATEMENT COMPLIANCE FORMS-

City Planner Jeremy Skinner presented for approval the following list of companies who submitted their CF-1 Real (SF 51766 or SF 51767), Personal Property (SF 51764, or SF 51765), Form 322/VBD (SF 53179) and/or CF-1/VBD (SF 55183) "compliance with statement of benefits" forms for Tax Abatement. Mr. Skinner recommended approval of continuation of the requested Tax Abatements, finding all companies to be in compliance.

- (1) Flexaust, (2006) 1510 Armstrong Road, one (1) Real Property, representatives present.
- (2) Flexaust, (2011) 602 Leiter Drive, one (1) Personal Property, representatives present.
- (3) Flexaust, (2011) 1510 Armstrong Road and 602 Leiter Drive, one (1) Real Property and one (1) Personal Property, representatives present.
- (4) Flexaust (2013) 1605 W. Center Street, 1510 Armstrong Rd, and 602 Leiter Dr., one (1) Personal Property each, representatives present.
- (5) Flexaust (2017) 1510 Armstrong Rd., one (1) Personal Property and one (1) Real Property; 602 Leiter Dr., one (1) Personal Property and one (1) Real Property; 1605 W. Center St., one (1) Real Property, representatives present.
- (6) Symmetry Medical Manufacturing, (2005 and 2015) 486 W. 350 N., two (2) Real Property and two (2) Personal Property, no representative present.
- (7) TTSO, LLC (formally REDWOOD IT) and Redwood IT, LLC, 501 Argonne Rd., one (1) Real Property and one (1) Personal Property, no representative present.

Motion made by Councilor Shoemaker to approve all of the abatements, seconded by Councilor Wilhite, carried by unanimous vote.

OTHER MATTERS-

-At the request of the Traffic Commission, Mr. Skinner asked the Council for their input and thoughts on testing a hang tag program for downtown residential parking. It was also noted that with the future construction/updating at certain railroad crossings, parking on Market Street may need to be reviewed.

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