

**COMMON COUNCIL
REGULAR SESSION
NOVEMBER 5, 2018
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, November 5, 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 Mike Valentine, City Planner Jeremy Skinner, Assistant City Planner Justin Taylor, Fire Territory Chief Mike Wilson, Street Superintendent Jeff Beeler, Wastewater Treatment Utility Manager Brian Davison, Attorney Randolph Rompola from Barnes and Thornburg, Jeff Rowe from H.J. Umbaugh, others as noted on the 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 October 15, 2018 Regular Session were presented for approval. Motion made by Councilor Grose to approve the minutes as presented, seconded by Councilor Klondaris, and carried by unanimous vote.

REPORTS/ORAL & WRITTEN COMMUNICATION-

1. Mediacom Third Quarter 2018 Franchise Fee Report - \$324.40

UNFINISHED BUSINESS-

ORDINANCE TO VACATE UNIMPROVED STREET-

Ordinance #2018-10-06 was presented for final review. The Ordinance is for the vacation of an unimproved portion of Adams Street as shown in the recorded Plat of the Seventh Amended and Additional Plat of Winona Park, as recorded in Plat Book 1, page 59 in the records of Kosciusko County, Indiana and further described in the Ordinance. Councilor Shoemaker made a motion to approve Ordinance #2018-10-06 on second and final reading, seconded by Councilor Klondaris, and carried by unanimous vote.

ORDINANCE AUTHORIZING ISSUANCE OF BONDS/WWTU-

Attorney Randolph Rompola from Barnes and Thornburg presented Ordinance #2018-11-01. The Ordinance authorizes the construction and expansion of certain improvements to the Sewage Works Plant through the issuance of bonds. Mr. Rompola reviewed the Ordinance before the Council. The revenue bonds are to support Phase #2 of the WWTU Rehabilitation/Expansion, and are not to exceed \$31,701,000.00. After discussion a motion was made by Councilor Quance approving the Ordinance on second and final reading, seconded by Councilor Frush, with Councilors Wilhite, Grose, and Klondaris voting aye, and Councilors Shoemaker and Dobbins voting nay.

NEW BUSINESS-

TRANSFER ORDINANCE/WWFT-

Fire Chief Mike Wilson presented Ordinance #2018-11-04. The Ordinance transfers \$46,000.00 within the Fire Territory's operating budget. Motion made by Councilor Shoemaker to approve Ordinance #2018-11-04 on first reading, seconded by Councilor Dobbins, carried by unanimous vote. Councilor Klondaris made a motion to suspend the rules and approve Ordinance #2018-04-04 on second and final reading, seconded by Councilor Frush, carried by unanimous vote.

RESOLUTION TRANSFERRING CERTAIN PROPERTY-

Resolution #2018-11-04 was presented for approval. The Resolution transfers interest of certain property within the City limits to the Redevelopment Authority in regards to the Airport Industrial Park Sewage Expansion Project. Motion made by Councilor Klondaris to approve Resolution #2018-11-04, seconded by Councilor Frush, carried by unanimous vote.

ORDINANCE AMENDING CITY CODE-

Ordinance #2018-11-03 was presented for approval. The Ordinance amends Section 52-2(b) of the City Code addressing the members and ex-officio member of the Park Board. Motion made by Councilor Quance to approve Ordinance #2018-11-03 on first reading, seconded by Councilor Dobbins, carried by unanimous vote. Councilor Quance made a motion to suspend the rules and approve Ordinance #2018-11-03 on second and final reading, seconded by Councilor Klondaris, carried by unanimous vote.

RESOLUTION #2018-11-01/SCROGGS ANNEXATION FISCAL PLAN-

City Planner Jeremy Skinner presented Resolution #2018-11-01 accepting the Fiscal Plan for annexation of the Scroggs property of a tract of land located in the Southwest Quarter of Section 34, Township 33 North, Range 6 East, Plain Township, Kosciusko County, and more particularly described within the document. Mr. Skinner reported that the Fiscal Plan lists any capital cost associated for street and wastewater improvements as well as non-capital cost. Councilor Quance made a motion to pass the Resolution/Fiscal Plan, seconded by Councilor Grose, carried by unanimous vote.

SCROGGS ANNEXATION ORDINANCE PUBLIC HEARING-

This is the advertised public hearing for the Scroggs annexation, Ordinance #2018-11-06, of a tract of land located in the Southwest Quarter of Section 34, Township 33 North, Range 6 East, Plain Township, Kosciusko County. 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 by the Council and the Ordinance will come before the Council at a later date.

RESOLUTION #2018-11-02/WILLIAMS ANNEXATION FISCAL PLAN-

Mr. Skinner presented Resolution #2018-11-02 accepting the Fiscal Plan for annexation of the Williams property of a tract of land located in the Northeast and Northwest Quarter of Section 20, Township 32 North, Range 6 East, Wayne Township, Kosciusko County, and more particularly described within the document. Mr. Skinner reported that the Fiscal Plan lists any capital cost associated for street and wastewater improvements as well as non-capital cost. Councilor Quance made a motion to pass the Resolution/Fiscal Plan, seconded by Councilor Dobbins, carried by unanimous vote.

WILLIAMS ANNEXATION ORDINANCE PUBLIC HEARING-

This is the advertised public hearing for the Williams annexation, Ordinance #2018-11-07, of a tract of land located in the Northeast and Northwest Quarter of Section 20, Township 32 North, Range 6 East, Wayne Township, Kosciusko County. 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 by the Council and the Ordinance will come before the Council at a later date.

RESOLUTION #2018-11-03/EISENHOWER-MILLER ANNEXATION FISCAL PLAN-

Mr. Skinner presented Resolution #2018-11-03 accepting the Fiscal Plan for annexation of the Eisenhower/Miller property of a tract of land located in the Southeast and Southwest Quarter of Section 20, Township 32 North, Range 6 East, Wayne Township, Kosciusko County, and more particularly described within the document. Mr. Skinner reported that the Fiscal Plan lists any capital cost associated for street and wastewater improvements as well as non-capital cost. Councilor Gross made a motion to pass the Resolution/Fiscal Plan, seconded by Councilor Dobbins, carried by unanimous vote.

EISENHOWER/MILLER ANNEXATION ORDINANCE PUBLIC HEARING-

This is the advertised public hearing for the Eisenhower/Miller annexation, Ordinance #2018-11-08 of a tract of land located in the Southeast and Southwest Quarter of Section 20, Township 32 North, Range 6 East, Wayne Township, Kosciusko County. 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 by the Council and the Ordinance will come before the Council at a later date.

TRANSFER ORDINANCE/STREET-

Street Superintendent Jeff Beeler presented Ordinance #2018-11-04. The Ordinance transfers \$50,000.00 within the Street Department budget. Motion made by Councilor Quance to approve Ordinance #2018-11-04 on first reading, seconded by Councilor Wilhite, carried by unanimous vote. Councilor Klondaris made a motion to suspend the rules and approve Ordinance #2018-11-04 on second and final reading, seconded by Councilor Frush, carried by unanimous vote.

TRANSFER ORDINANCE/RIVERBOAT-

Ordinance #2018-11-05 was presented for approval. The Ordinance transfers \$150,000.00 within the Riverboat budget. Motion made by Councilor Grose to approve Ordinance #2018-11-05 on first reading, seconded by Councilor Quance, carried by unanimous vote. Councilor Grose made a motion to suspend the rules and approve Ordinance #2018-11-05 on second and final reading, seconded by Councilor Frush, carried by unanimous vote.

ORDINANCE ESTABLISHING A NEW SCHEDULE OF RATES/WWTU-

After a presentation of a Cost of Service Study by Jeff Rowe of H.J. Umbaugh, Ordinance #2018-11-09 was presented for first reading. Attorney Randolph Rompola, from Barnes and Thornburg, explained that the Ordinance establishes new rates and charges by amending Chapter 78 of the City Code for properties served by the Wastewater Utility. The Ordinance relates to the WWTU expansion project. After discussion Councilor Grose made a motion to approve Ordinance #2018-11-09, seconded by Councilor Klondaris, with Councilors Wilhite, Frush, and Quance voting aye, and Councilors Dobbins and Shoemaker voting nay.

OTHER MATTERS-

-Local citizens Chad Zartman, Dewayne Busz, and Tom Lehman asked various questions about Ordinance #2018-11-09.

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