

**COMMON COUNCIL
REGULAR SESSION
August 2, 2010
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, August 2, 2010 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, Jerry Patterson, Joe Thallemer, Daniel Hampton and Kyle Babcock. Also present Mayor Ernest Wiggins, City Attorney Michael Valentine, Clerk-Treasurer Lynne Christiansen, Park Superintendent Jon Garber, Fire Chief Mike Rice, City Planner Jeremy Skinner, Assistant City Planner Tim Dombrosky, Animal Control Officer Mike Cox, Attorney Jason Kuchmay, Attorney Steve Snyder, Local Residents Jeryl and Makayla Leamon, Kelly Bugg, Larry and Becky Wright, Lori Newsome, Brad and Erica Bibler, John, Paula, and Kierstan Moore, Tim, Brayden, Brittany, and Bethany Sammons, Milissa and Cassie Griffith, Bruce Woodward, Brent Myers, Andy and Deb Wright, Scott, Wendy, Stephanie and Sarah Fribley, Mark, Cristy and Mallory Walkerko, Nancy Tracey, Randy and Trisha Reneker, Debra Nielsen, Tisha Hudson, Russell Ridley, Hillary, Kim and Emily Umbaugh, Lori and Lauren Horney, and Jennifer Peryam from the Times Union.

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 July 19, 2010 meeting were presented for approval. Motion made by Councilman Babcock to approve the minutes as presented, seconded by Councilman Patterson and carried by unanimous vote.

REPORTS/ORAL & WRITTEN COMMUNICATIONS –

None presented

UNFINISHED BUSINESS-

ORDINANCE/REVISING CHAPTER 6-ANIMALS/POLICE

Ordinance #2010-06-05, an ordinance completely revising Chapter Six – Animals - of the Warsaw City Code more specifically set forth within the ordinance, was presented for the second and final reading. After discussion, motion made by Mr. Patterson to pass the ordinance on second reading, seconded by Mr. Hampton and carried by unanimous vote. Documentation attached to minutes.

NEW BUSINESS-

STREET LIGHT REMOVAL REQUEST-

City Planner Jeremy Skinner asked for the Council's approval to remove street light/pole 638/699 located on the southeast corner of Center St. and Argonne Road for billing purposes. The light had already been removed during the construction along Center St. and Argonne Rd. but was omitted during discussion of other light removals along that area. After discussion Mr. Grose made a motion to accept the light/pole removal, seconded by Mr. Smith, carried by unanimous vote.

TRANSFER ORDINANCE/PARK DEPARTMENT –

Ordinance #2010-08-05, an ordinance transferring \$3,000 within the Park Budget, more specifically set forth within the ordinance was presented for approval. Motion made by Councilman Hampton to approve the transfer, seconded by Councilman Thallemer, carried by unanimous vote. Documentation attached to minutes.

ORDINANCE/AMENDING INDOOR-OUTDOOR RECREATIONAL FACILITIES/-

City Planner Jeremy Skinner presented Ordinance #2010-08-04 amending Appendix B Zoning, Article 11 Definitions, of the Warsaw City Code more specifically set out in the ordinance. The amendment, as presented, does not allow indoor recreational areas in an I-2 area. Attorney Jason Kuchmay spoke on behalf of his client, IAB Inc., owner of a building located in an area that is zoned I-2. Mr. Kuchmay's client is seeking either a permitted use or special exception use of an indoor recreational facility in an I-2 area.

MAYOR WIGGINS EXCUSED HIMSELF AND TURNED THE MEETING OVER TO COUNCIL PRESIDENT DR. JOSEPH THALLEMER.

Attorney Steve Snyder spoke on behalf of a business owner in the industrial area where the proposed indoor recreational facility will be located. He said his client was not in favor of changing the zoning allowing indoor recreational facilities in an I-2 area. Several other local citizens came before the council stating their opinions why indoor recreational facilities should be allowed in an I-2 area for various reasons, while no citizens asked for the amendment to remain as presented. After discussion, Mr. Babcock made a motion to pass the amended ordinance allowing permitted use of indoor recreational facilities in an I-2 area on the first reading, seconded by Mr. Hampton. Other council members voting aye for the permitted use were Mr. Thallemer, Mr. Grose, Mr. Clemens, and Mr. Smith, with Mr. Patterson voting nay. Documentation attached to minutes.

DISCUSSION: BUDGET HEARINGS-

Mr. Thallemer discussed with the council several options for the council to consider for non-profit organizations and department heads to bring their budget requests before the group. It was decided that all requests would be heard on August 16th, 2010, starting at 6:00 p.m.

INFORMATIONAL TOPICS-

Mr. Grose told the council that a Deer Task Force meeting will be held on August 3, 2010, at 7:00 P.M., at the Warsaw Police Department.

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