

**COMMON COUNCIL
REGULAR SESSION
DECEMBER 6, 2021
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, December 6, 2021 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, Josh Finch, Mike Klondaris, Jerry Frush, and Diane Quance. Also present were Mayor Thallemer, Deputy Clerk-Treasurer Kelly Geiger, City Attorney Scott Reust, Community Development Director Jeremy Skinner, Police Captain Joel Beam, Cemetery Sexton Hal Heagy, Attorney Steve Snyder, Traffic Commission member Lance Grubbs and Times-Union reporter David Slone.

ABSENT: None noted.

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

MINUTES-

The minutes from the November 15, 2021 Regular Session were presented for approval. Motion made by Councilor Finch to approve the minutes as presented, seconded by Councilor Grose, carried by unanimous vote.

The minutes from the November 18, 2021 Special Session were presented for approval. Motion made by Councilor Dobbins to approve the minutes as presented, seconded by Councilor Wilhite with Councilors Grose, Finch, Klondaris, and Quance all voting aye while Councilor Frush abstained.

REPORTS/ORAL & WRITTEN COMMUNICATIONS-

1. Fourth quarter of 2021 investment report.
2. Mayor Thallemer asked Cemetery Sexton Hal Heagy to speak about a recent decision the Cemetery Board had made to tear down the preacher's stand. Mr. Heagy is going to supply the Cemetery Board with a quote to fix the stand at their next meeting.

UNFINISHED BUSINESS-

ORDINANCE #2021-11-02/FIREWORKS-

Ordinance #2021-11-02 was presented for approval. The Ordinance adds Chapter 54, Section 67: Fireworks, to the City Code for the establishment of rules, enforcement, and penalties related to the use and sale of consumer fireworks within the City limits. Councilor Wilhite gave some statistics on how many calls and complaints on fireworks the Police Department had answered. After further discussion, Councilor Quance made a motion to vote on Ordinance #2021-11-02 on second reading, seconded by Councilor Dobbins, with Councilor Klondaris voting aye while Councilors Finch, Dobbins, Grose, Whilhite, Frush and Quance voted nay. Ordinance failed.

NEW BUSINESS-

COUNCIL APPOINTMENTS TO BOARDS AND COMMISSIONS-

Mayor Thallemer for nominations and Council appointments of Board members for 2022 to the following:

-Redevelopment Commission (2) –

Discussion was held and Councilor Grose made a motion to nominate Rick Snodgrass and Councilor Mike Klondaris, seconded by Councilor Frush, and with no other nominations being made, carried by unanimous vote.

-Economic Development Commission (EDC) (1) –

Discussion was held and Councilor Quance made a motion to nominate Dan Robinson to the EDC, seconded by Councilor Klondaris, and with no other nominations being made, carried by unanimous vote.

CARDINAL SERVICES REALLOCATION OF FUNDS-

Executive Director Matthew Boren from Cardinal Services is requesting that the Council reallocate funding that he had requested for 2022. The Council had previously approved \$12,150.00 to be used as part of a matching grant for a new KABS Bus. Mr. Boren is now requesting the funding be used for the Head Start program instead. After discussion, the consensus of the Council was to leave the funds as budgeted and allocated for 2022 and to refer Mr. Boren to request funds from the American Rescue Plan Act committee. No further action was taken by the Council.

FARMER’S MARKET ALLOCATION-

Mayor Thallemer asked the Council to approve \$5,000.00 toward the downtown Farmer’s Market from the Council’s 2022 budget for marketing and advertising. Motion made by Councilor Dobbins to approve the request, seconded by Councilor Frush, carried by unanimous vote.

RESOLUTION/RIVERFRONT DEVELOPMENT DISTRICT-

Community Development Director Jeremy Skinner presented Resolution #2021-12-01 for approval. The Resolution expands the Riverfront Development District along North Detroit Street. The Redevelopment Commission has approved the request. After discussion, Councilor Grose made a motion to approve Resolution #2021-12-01, seconded by Councilor Quance, carried by unanimous vote.

RESOLUTION #2021-12-02/CUSTER ANNEXATION FISCAL PLAN-

Mr. Skinner presented Resolution #2021-12-02 accepting the Fiscal Plan for annexation of the Custer property located along Old Road 30 East in part of the East half Northeast Quarter of Section 14, 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 costs associated for street and wastewater improvements as well as non-capital costs. Councilor Klondaris made a motion to pass the Resolution/Fiscal Plan, seconded by Councilor Finch, carried by unanimous vote.

ORDINANCE 2021-12-02/AMENDING CHAPTER 74 OF THE WARSAW CITY CODE-

Ordinance #2021-12-02 was presented for first reading. The Ordinance amends several sections of Chapter 74: Traffic and Vehicles of the City Code. Traffic Commission member Lance Grubbs explained the Ordinance and the Council held discussion. Councilor Frush made a motion to remove item #8 from Section 74-124 from the proposed Ordinance, seconded by Councilor Dobbins with Councilors Grose, Finch, Klondaris, and Quance voting aye and Councilor Wilhite voting nay. After further discussion, Councilor Quance made a motion to approve the Ordinance on first reading as amended, seconded by Councilor Grose, carried by unanimous vote. The Ordinance will be presented again as amended for second reading during the December 20, 2021 meeting.

HOLSCLAW PETITION/ORDINANCE TO VACATE PUBLIC WAYS-

Attorney Steve Snyder presented Ordinance #2021-12-01 to vacate public ways in Kist’s’ Northern Addition. Mr. Snyder reviewed the Vacation and answered any questions the Council had. This is the advertised public hearing and Mayor Thallemer opened the meeting for public comment. No one spoke in favor of the Vacation and no one made any comments against the Ordinance. Mayor Thallemer closed the meeting to public comment and after discussion, Councilor Gross made a motion to approve Ordinance #2021-01-01 on first reading, seconded by Councilor Quance, and carried by unanimous vote. Councilor Grose then made a motion to suspend the rules, seconded by Councilor Quance and carried by unanimous vote. Finally, Councilor Grose made a motion to approve Ordinance #2021-12-01 on second reading, seconded by Councilor Quance, carried by unanimous vote.

OTHER MATTERS-

-Resident Joel Hildebaugh, who lives on North Union Street, advised the Council that he had spoken to most of the residents along North Union Street and the majority were opposed to making it a two-way street. He asked the Council to speak with the residents as well.

ADJOURNED-

There being no further business to come before the Council by a motion duly made and seconded, the meeting was adjourned at 8:44 p.m.

ATTEST:

Kelly Geiger, Deputy Clerk-Treasurer