

**COMMON COUNCIL
REGULAR SESSION
DECEMBER 6, 2010
7:00 P.M.**

The Common Council of the City of Warsaw met in a Regular Session on Monday, December 6th, 2010 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, George Clemens, Kyle Babcock, Joe Thallemer, and Daniel Hampton. Also present Mayor Wiggins, Clerk-Treasurer Lynne Christiansen, City Planner Jeremy Skinner, H/R Director Jennifer Whitaker, Park Superintendent Jon Garber, Park Director Larry Plummer, WWTU Collection Office Payment Supervisor Mary Lou Plummer, Cemetery Sexton Hal Heagy, Fire Territory Chief Mike Rice, Street Department Manager Lacy Francis, Airport Manager David Beall, various local citizens more specifically set forth on the sign-in sheet, members of Boy Scout Troop 730 more specifically set forth on the sign-in sheet, and Times Union reporter Jennifer Peryam.

ABSENT: Councilmen Jeff Grose, and Jerry Patterson, City Attorney Mike Valentine.

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

MINUTES –

The minutes from the November 15, 2010 Regular Session were presented for approval. Motion made by Councilman Smith to approve the minutes as presented, seconded by Councilman Hampton, carried by unanimous vote.

RECOGNITION OF VISITORS –

1. Mayor Wiggins recognized and welcomed Leaders, scouts, and their parents from Boy Scout Troop #730 who are working on their Community Service Merit Badge.
2. Representatives from Indiana LTAP presented Street Department Employee Bob Gonzales with the Snow Plow Rodeo Driver award. They also advised the council that Lacy Francis was awarded Master Road Builder status in 2009.

REPORTS –

The following reports and communications were presented:

1. Clerk-Treasurers November 2010 Investment Report.
2. WCDC presents “Deck the District” information.
3. WCDC December 2010 newsletter.
4. WCDC letter of support for the City Hall relocation.
(Reports and letters attached).

UNFINISHED BUSINESS-

None presented.

NEW BUSINESS-

ORDINANCE/ADDITIONAL APPROPRIATION-

This is the public hearing for Ordinance 2010-11-05 seeking an additional appropriation of \$1,400,000.00 from the Rainy Day Fund, for the purchase of a building to relocate City Hall. Mayor Wiggins asked for any supporters in attendance to speak before the Council if they wanted to share their thoughts. No supporters came forward however several letters supporting the project were mentioned by Mayor Wiggins. Mayor Wiggins then asked for any persons in attendance in opposition of the appropriation to come forward with their comments. Local citizens Dewey Lawshe, Vere Shenefield, Elaine Call, Jerry Frush, Kim Hart, Jan Knispel, Dick Sullivan, Gary Parker, Ben Durham, and Roger Conley all spoke against the additional appropriation citing their personal concerns with relocating City Hall to the proposed location, spending money to buy and upgrade the building during the current economic conditions, and the possibility of redesigning City Hall in its current location. Each Councilmember shared their thoughts, support, and concerns with those in attendance. After discussion Councilman Smith made a motion approving Ordinance 2010-11-05 on second and final reading, seconded by

Councilman Thallemer, with Councilmen Hampton, and Clemens voting aye, and Councilman Babcock voting nay.

MAYOR WIGGINS CALLED FOR A FIVE MINUTE RECESS

2010 CONTRACTS WITH NOT-FOR-PROFITS –

The following non-profit requests and amounts were finalized.

- (1) Warsaw Housing Authority - \$25,000.
- (2) KABS Kosciusko Area Bus Service - \$18,500.
- (3) WCDC - Warsaw Community Development Corporation - \$12,600.
- (4) Kosciusko Animal Welfare League - \$16,500.
- (5) CCAC City County Athletic Complex - \$31,000

Motion made by Mr. Smith to approve the monetary amounts listed, seconded by Mr. Hampton, carried by unanimous vote. (Contract worksheets attached to minutes).

TRANSFER ORDINANCE/CLERK–

Ordinance #2010-12-01, an ordinance transferring \$1,500 within the Clerks Budget providing monies for overtime to finish out 2010 business and begin 2011 business, 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.

ORDINANCE/CHAPTER 18 CITY CODE/ITINERANT MERCHANTS-

Ordinance 2010-12-02 revising and amending Chapter 18, Article II Itinerant Merchants and Peddlers. Sec. 18-31 (b) of the Code of Laws of the City of Warsaw and more specifically set forth in the ordinance was presented for its first reading. The second and final reading will take place after proper advertisement has occurred. Motion made by Mr. Babcock accepting the amendments, seconded by Mr. Clemens, carried by unanimous vote.

REMOVAL OF STREET LIGHT ON PARKER ST/PLANNING-

Jeremy Skinner presented a request to remove one street light on Parker St. numbered as 631/347-100W HPS. The light has already been replaced with an ornamental pole and was overlooked during the Parker Street project. Motion made by Councilman Babcock to remove the light, seconded by Councilman Hampton, carried by unanimous vote. (Letter attached).

TEMPORARY LOAN TO FIRE AND POLICE PENSION FUND –

Clerk-Treasurer Christiansen reported that the Fire and Police Pension Funds will show a deficit as of 12/31/10 unless the Council allows for a loan to the Funds effective 12/31/10 also approving the extension across the year for the repayment. This is due to having the investment cross- over into the year, the pension relief distribution not meeting the pension payouts, and the property tax distribution coming in less than estimated. Ordinance #2010-12-01 allowing the temporary loan transfer from the General Fund was presented for approval. Motion made by Councilman Thallemer to approve the loan, seconded by Councilman Clemens, carried by unanimous vote. (Copy attached to minutes).

CONFLICT OF INTEREST STATEMENT –

The following “Conflict of Interest Statement” was filed before the Council, Kevin Denlinger-WWTU. The conflict of interest statement was duly noted as being filed. Motion made by Councilman Babcock to acknowledge receipt of the statement, seconded by Councilman Thallemer, carried by unanimous vote. (Copies attached to minutes).

OTHER MATTERS/STREET-

Street Department Superintendent Lacy Francis provided a list of equipment that may need to be replaced sometime in 2011. Mr. Francis had erroneously omitted the list in his 2011 budget explanation sheet. (List attached).

1782 NOTICE/DLGF/2011 BUDGET-

Mayor Wiggins informed the Council that Clerk-Treasurer Christiansen had received the 1782 notice from the Department of Local Government Finance (DLGF) late in the afternoon on December 3, 2010. The levy was slightly higher for 2011 than 2010 and Mayor Wiggins informed the Council that cuts could be made from the 2010 or 2011 budgets that would lower the levy to the desired level. The DLGF needs to be notified of any changes in the budgets affecting the 1782 notice by December 13, 2010. Mayor Wiggins advised the council about line

cut possibilities, and several department heads in attendance offered to double check their 2010 budgets for further cuts rather than cutting anything from their 2011 budgets. Councilman Hampton made a motion to reconvene on Thursday December 9, 2010 and discuss the possible cuts that could be made from either budget, seconded by Councilman Babcock, carried by unanimous vote.

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