

**AUGUST 24, 2009**

The special meeting of the Common Council of the City of Angola, Indiana was called to order at 7:00 p.m. at City Hall, 210 North Public Square, with Mayor Richard M. Hickman presiding. Councilmembers Gary L. Crum, David A. Olson, Kathleen G. Armstrong, and Edward J. Nagle answered roll call. Councilmember David B. Martin was absent. Clerk-Treasurer Debra A. Twitchell recorded the minutes.

Present were City Attorney Kim Shoup, Assistant Chief of Police Stu Hamblen, Deputy Clerk Tammy Onofrietti, and Executive Secretary Suzy Adams.

In addition, present were Jim Shilander of *The Herald Republican*, Jim Measel of WLKI, Kevin Williams, and Melina Kennedy.

#### UNFINISHED BUSINESS

Ordinance No. 1321-2009, AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE CITY OF ANGOLA, INDIANA, FROM OWNERS OF PROPERTY SERVICED BY THE SEWAGE TREATMENT WORKS OF THE CITY OF ANGOLA, INDIANA, was read by title and presented to Council for third and final reading. Councilmember Olson moved to approve. Councilmember Armstrong seconded the motion. Motion carried 4-0.

Council was informed the lowest responsible and responsive bidder for the Wastewater Collection System Improvement Project was awarded to Insituform Technologies USA, Inc. in the amount of \$936,002.86 and the Wastewater Aeration System Improvement Project to Mason Engineering & Construction, Inc. for \$542,000.00.

For Council information, the revised Summary of Proposed Project Cost and Funding prepared by H. J. Umbaugh & Associates for the sewage treatment works proposed improvement projects was presented.

#### NEW BUSINESS

Council was presented with a request to approve the Indiana Department of Environmental Management Agreed Order in the matter of Walker Properties, LLC and Univertical Corporation regarding the contamination remediation plan for the Walker/Univertical site, formerly owned by Dana, located at 203 Weatherhead Street. Melina Kennedy, partner for Baker & Daniels and representing the City on the matter, outlined the commitments within the draft agreement in substantial final form. Kennedy stated the remediation plan is funded through the Indiana Finance Authority with a State Revolving Fund (SRF) loan/grant and Council approval of the agreement to obtain SRF funding is required. In the agreement, Walker/Univertical must operate in the City for eight years with a financial penalty if the company chooses to leave. Walker/Univertical will also contribute \$1 million upfront towards the remediation; thereby, the City will

release Univertical from future liability. IDEM will provide the cleanup oversight. In addition, IDEM will implement certain cleanup remedial goals. The cleanup method will be electrical resistive heating. Kennedy then called for questions from Council. Discussion followed. Councilmember Nagle moved to approve the agreement. Councilmember Olson seconded the motion, which carried 4-0. Mayor Hickman then publicly thanked Counselor Kennedy and City Attorney Shoup, who worked well together; Council for the collaboration with all parties, particularly Councilmembers Nagle and Martin who were part of the negotiations; Clerk-Treasurer Twitchell for the financial input; and, financial consultant John Julien of Umbaugh and bond counsel Pattie Zelmer of Ice Miller. Mayor Hickman expressed a special thank you to Chuck Walker, owner of Univertical Corporation, who had choices to stay or leave, wanted to stay in Angola, and did everything possible to remain a part of the community. Mayor Hickman also acknowledged the Steuben County Council and Commissioners for the \$1 million contribution from the County's Local Major Moves Construction Fund. In conclusion, Mayor Hickman acknowledged Jim McGoff, Executive Director of the SRF Loan Programs. There were hard-nosed discussions and as distasteful as the Dana remediation is to all parties everyone believed in doing what was best for Angola and the County and negotiated an agreement agreeable to all parties.

There being no further business, the meeting was considered adjourned at 7:20 p.m.

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Richard M. Hickman, Mayor  
Presiding Officer

Attest:

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Debra A. Twitchell, IAMC/MMC/CPFA  
Clerk-Treasurer