

JULY 20, 2009

The regular 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, Kathleen G. Armstrong, Edward J. Nagle, and David A. Olson 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, City Engineer Bill Boyer, Wastewater Superintendent Craig Williams, Park Superintendent Bob Walter, Building Commissioner Dean Twitchell, Human Resources Administrator Sue Essman, Deputy Clerk Tammy Onofrietti, Firefighter T. R. Hagerty, Firefighter Ray Harvey, Systems Administrator Nate Armstrong, Street Commissioner Doug Anderson, and Executive Secretary Suzy Adams.

In addition, present were Jim Shilander of *The Herald Republican*, Jim Measel of WLKI, John Julien, Stefanie Ramsey, and Mary Ruff.

PRESENTATIONS

Stefanie Ramsey made a presentation to the Angola Fire Department on behalf of the Muscular Dystrophy Association. Mayor Hickman read a proclamation declaring August 2009 Firefighter Appreciation Month.

APPROVAL OF THE MINUTES

Councilmember Crum moved to approve the Common Council minutes of July 6, 2009. Councilmember Olson seconded the motion. The motion carried 4-0.

UNFINISHED BUSINESS

Ordinance No.1313-2009, AN ORDINANCE VACATING A PART OF KINNEY STREET, was read by title and presented to Council for third and final reading. Mayor Hickman read a letter from Kappa Sigma stating the fraternity will deed the property along South Kinney Street to Trine University. City Attorney Shoup stated the ordinance also requires an agreement between the City and Trine University contemporaneous with the ordinance. Discussion followed. Councilmember Crum moved to approve. Councilmember Olson seconded the motion. The motion carried 3-0-1. Councilmember Nagle abstained.

Ordinance No. 1314-2009, AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA CODE OF ORDINANCES BY PROHIBITING PARKING ON CERTAIN STREETS AND ESTABLISHING SPEED LIMITS, was read by title and presented to Council for third and final reading. Councilmember Crum moved to approve.

Councilmember Nagle seconded the motion. The motion carried 4-0. (Summit and Shoup Streets and Hetzler Court)

Ordinance No. 1315-2009, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATION OF THE CERTAIN AREAS DESCRIBED HEREIN FROM AGRICULTURAL (AG) TO HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL (R5) YELLOW RETIREMENT COMMUNITY, was read by title and presented to Council for third and final reading. Councilmember Armstrong moved to approve. Councilmember Crum seconded the motion. Discussion followed. Motion carried 3-1. Councilmember Olson voted nay. (100 North, west of Center Lake; 5.81 acres)

Ordinance No. 1316-2009, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATION OF THE CERTAIN AREAS DESCRIBED HEREIN FROM AGRICULTURE (AG) TO MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL (R2) SINGLE FAMILY HOMES, was read by title and presented to Council for third and final reading. Councilmember Crum moved to approve. Councilmember Armstrong seconded the motion. Said motion carried 3-1. Councilmember Olson voted nay. (100 North, west of Center Lake; 46.67 acres)

Ordinance No. 1317-2009, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATION OF THE CERTAIN AREAS DESCRIBED HEREIN FROM AGRICULTURAL (AG) TO HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL (R5) YELLOW RETIREMENT COMMUNITY, was read by title and presented to Council for third and final reading. Councilmember Armstrong moved to approve. Councilmember Crum seconded the motion. Motion carried 3-1. Councilmember Olson voted nay. (100 North, west of Center Lake; 8.56 acres)

Ordinance No. 1318-2009, AN ORDINANCE FIXING COMPENSATION OF APPOINTED OFFICERS, DEPUTIES, AND OTHER EMPLOYEES AND OF POLICE AND FIREFIGHTERS OF THE CITY OF ANGOLA, INDIANA FOR THE YEAR 2010, was read by title and presented to Council for second reading. Councilmember Nagle moved to approve. Councilmember Crum seconded the motion. The motion carried 4-0.

Ordinance No. 1319-2009, AN ORDINANCE OF THE CITY OF ANGOLA AUTHORIZING THE ISSUANCE OF SEWAGE WORKS REVENUE BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE SEWAGE WORKS SYSTEM OF SAID CITY, PROVIDING FOR THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SAID BONDS, OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN

ANTICIPATION OF BONDS, AND REPEALING ORDINANCES INCONSISTENT HEREWITH, was read by title and presented to Council for second reading. Councilmember Olson moved to approve. Councilmember Nagle seconded the motion. The motion carried 4-0.

John Julien with H. J. Umbaugh and Associates made a presentation to Council with four sewer rates and charges options to consider to fund the Indiana Department of Environmental Management remediation plan for the Walker Corporation/Univertical site, formerly owned by Dana, located at 203 Weatherhead Street and the Wastewater System Improvements projects. The City has committed \$1 million from the Local Major Moves Construction Fund to aide in financing the projects. Steuben County and Univertical have committed like amounts. Because the grant and loan is funded by the Indiana Finance Authority (IFA) through the State Revolving Fund (SRF) program, the City must adhere to a strict timetable. The deadline is September 15 to close the projects to qualify for the state's incentives; however, all documents must be submitted to IFA by August 31. The options presented included using and not using local option income tax (LOIT) dollars to supplement the funding. Comments and discussion followed. Julien stated the state revolving loan rate would be 3.38% or lower and with those rates, Julien advised Council to consider borrowing the entire \$2.5 million. Julien stated the ordinance for first reading would be presented at the August 3 Common Council meeting with the second reading and public hearing slated for August 17. September 8 would be the planned ordinance adoption date. More comments and discussion followed. According to Julien, if the City adopts the highest rates and charges presented, all options will be kept open including whether or not to use LOIT and the amount to borrow. No action was taken by Council.

Council reviewed the revised 2010 budget calendar. Council scheduled a budget work session for July 29 at 10:00 a.m. at City Hall. Council action on the Mayor's proposed 2010 budget would be placed on the August 3 Council agenda.

NEW BUSINESS

The quotes for the Selman Timber Frame lower lot and walking trail were opened and read aloud by Mayor Hickman.

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| A P I Construction Corp | \$24,812.40 |
| E & B Paving Inc | \$29,193.00 |
| Excell Paving Plus | \$24,229.10 |

Councilmember Nagle moved to award the contract to the lowest responsible and responsive bidder. Councilmember Crum seconded the motion, which carried 4-0.

Ordinance No. 1320-2009, AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA PERSONNEL POLICY AND PROCEDURE MANUAL SECTION III EMPLOYMENT BY THE ADDITION OF 3.17 IDENTIFICATION BADGE SYSTEM,

was read by title and presented to Council for first reading. Councilmember Nagle moved to approve. Councilmember Olson seconded the motion. The motion carried 4-0.

Resolution No. 1320-2009, AN RESOLUTION ESTABLISHING AN INFORMATION MANAGEMENT BACKUP ROTATION AND DATA RETENTION POLICY FOR CRITICAL DATA, was read by title and presented to Council for approval. Councilmember Armstrong moved to approve. Councilmember Crum seconded the motion. Motion carried 4-0.

The Clerk-Treasurer's Depository Statement and Cash Reconciliation for the month of June 2009 were presented for Council information.

DEPARTMENT HEAD REPORTS

Clerk-Treasurer Twitchell announced the State Board of Account auditor has arrived.

Assistant Chief of Police Hamblen reported August 4 would be National Night Out - America's Night Out Against Crime. Hamblen stated the Police Department bike patrol and Fire Department personnel planned to attend neighborhood events.

Park Superintendant Walter announced Karaoke in the Park scheduled for Saturday, July 25 at 7:00 p.m. in Commons Park.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

Councilmember Nagle moved to approve accounts payable vouchers 1551 through 1685 in the amount of \$743,393.40. Councilmember Crum seconded the motion. The motion carried 4-0.

OTHER NEW BUSINESS

Councilmember Nagle moved to approve Trail Project Phase I change order no. 3 for \$9,453.38. Councilmember Olson seconded the motion. Motion carried 4-0.

City Engineer Boyer reported at a pre-final Trail Project Phase I INDOT meeting Thursday, July 16 attended by Boyer, Street Commissioner Anderson, Park Superintendant Walter, and MS4 Coordinator Eric Henion. A determination was made that the trail is fine; however, the seeding was less than impressive. Boyer stated the contractor agreed to come back in the fall and reseed and that Boyer had requested a letter from INDOT with the intent.

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There being no further business, the meeting was considered adjourned at 8:27 p.m.

Richard M. Hickman, Mayor
Presiding Officer

Attest:

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