

## **FEBRUARY 15, 2010**

The regular meeting of the Common Council of the City of Angola, Indiana was called to order at 7:02 p.m. at City Hall, 210 North Public Square, with Mayor Richard M. Hickman presiding. Councilmembers Gary L. Crum, David A. Olson, David B. Martin, Kathleen G. Armstrong, and Edward J. Nagle answered roll call. No councilmember was absent. Deputy Clerk Tammy Onofrietti recorded the minutes.

Present were Economic Development and Planning Director Julie Cole, City Attorney Kim Shoup, Chief of Police Stu Hamblen, City Engineer Bill Boyer, Wastewater Superintendent Craig Williams, Police Sergeant Jason Justice, Police Officer Case Gilbert, and Executive Secretary Suzy Adams.

In addition, present were Jim Shilander of *The Herald Republican*, Jim Measel of WLKI, Rich Starkey, Michael Bock, Randy Spoor, and Mike Tees.

### APPROVAL OF THE MINUTES

Councilmember Crum moved to approve the Common Council minutes of February 1, 2010. Councilmember Martin seconded the motion. Motion carried 5-0.

### UNFINISHED BUSINESS

Ordinance No. 1341-2010, AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA CODE OF ORDINANCES BY PROHIBITING PARKING ON CERTAIN STREETS, was read by title and presented to Council for third and final reading. Councilmember Martin moved to approve. Councilmember Crum seconded the motion. Said motion carried 5-0. (West Gilmore Street)

Ordinance No. 1342-2010, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ANGOLA, INDIANA, AUTHORIZING THE ISSUANCE OF ITS "EDUCATIONAL FACILITIES REVENUE BONDS, SERIES 2010 (TRINE UNIVERSITY, INC. PROJECT)" IN ONE OR MORE SERIES AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO, was read by title and presented to Council for second reading. Councilmember Crum moved to approve. Councilmember Martin seconded the motion. Motion carried 5-0. Ordinance No. 1342-2010, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ANGOLA, INDIANA, AUTHORIZING THE ISSUANCE OF ITS "EDUCATIONAL FACILITIES REVENUE BONDS, SERIES 2010 (TRINE UNIVERSITY, INC. PROJECT)" IN ONE OR MORE SERIES AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO, was read by title and presented to Council for third and final reading. Councilmember Martin moved to approve. Councilmember Crum seconded the motion, which carried 5-0.

### NEW BUSINESS

At 7:07 p.m., Mayor Hickman declared open the public hearing regarding additional appropriations for the Riverboat and County Economic Development Income Tax Funds. After clarifying the purpose of the additional appropriations, Mayor Hickman declared the public hearing closed at 7:09 p.m. Ordinance No. 1343-2010, ADDITIONAL APPROPRIATION ORDINANCE, was read by title and presented to Council for first reading. Councilmember Crum moved to approve. Councilmember Olson seconded the motion. Motion carried 5-0.

A certificate of favorable recommendation by the Angola Plan Commission for the zoning change requested by Phillips Bay LLC for property located south of 100 North and north of Center Lake for the planned Center Lake Preserves was presented to Council. Ordinance No. 1344-2010, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATION OF THE CERTAIN AREAS DESCRIBED HEREIN FROM HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL (R5) TO MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL (R2), was read by title and presented to Council for first reading. Councilmember Olson moved to approve. Councilmember Crum seconded the motion. Randy Spoor, property owner of 1465 West 100 North, stated no objection to the subdivision however, concern was raised about the entrance to the subdivision. Economic Development and Planning Director Cole stated that the entrance was an issue and would be addressed by the Plan Commission. Councilmember Olson stated the plat was tabled by the Plan Commission because of such issues that would be addressed after the property was rezoned. Councilmember Martin expressed the need to address issues of this nature before moving forward. City Attorney Shoup advised Council not to take into account aspects of a prospective subdivision. Shoup advised Council the law required five factors to be taken into consideration by Council. The comprehensive plan, the current condition and character of current structure and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction, and responsible development and growth. Said motion to approve the ordinance as presented carried 5-0.

A certificate of favorable recommendation by the Angola Plan Commission for the zoning change requested by Phillips Bay LLC for property located south of 100 North and north of Center Lake for the planned Yellow Retirement Community was presented to Council. Ordinance No. 1345-2010, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATION OF THE CERTAIN AREAS DESCRIBED HEREIN FROM MEDIUM DENSITY SINGLE-FAMILY (R2) TO HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL (R5), was read by title and presented to Council for first reading. Councilmember Olson moved to approve. Councilmember Armstrong seconded the motion. Motion carried 5-0.

Wastewater Superintendent Williams updated Council on the Collection Systems Project and the need for an additional \$17,800 for Wessler Engineering for services related to the

project. Discussion followed. Councilmember Olson moved to approve. Councilmember Nagle seconded the motion, which carried 4-1. Councilmember Martin voted nay.

City Engineer Boyer reported meeting with department heads, Mayor Hickman, and an Angola Plan Commission member as directed by the Board of Public Works and Safety regarding conflicting right-of-way and street widths in the Unified Development Ordinance and a City ordinance. Boyer then met with Street Commissioner Anderson, Economic Development and Planning Director Cole, and Fire Chief Meek to come up with the recommendations presented to Council. Councilmember and Board of Works and Safety Member Nagle explained to the Council that the Board discussed the issue and then forwarded the matter to the Council. Discussion followed. Councilmember Nagle moved the matter be referred to the Angola Plan Commission. Council concurred.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

Councilmember Martin moved to approve accounts payable vouchers 326 through 430 for \$434,484.04. Councilmember Nagle seconded the motion. Motion carried 5-0.

There being no further business, the meeting was considered adjourned at 7:45 p.m.

---

Richard M. Hickman, Mayor  
Presiding Officer

Attest:

---

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