

**AGENDA OF THE COMMON COUNCIL  
City of Angola, Indiana**

**Monday, June 1, 2020 – 1:00 p.m.**

***To connect to this virtual meeting call 1-219-293-4381 ID 702 956 38#***

**CALL TO ORDER BY MAYOR HICKMAN**

1. Council Member roll call by Clerk-Treasurer Twitchell.

Crum \_\_\_\_\_ Olson \_\_\_\_\_ Armstrong \_\_\_\_\_ Martin \_\_\_\_\_ McDermid \_\_\_\_\_

2. Remarks by Mayor Hickman.
3. Request approval of the May 18 minutes. (attachment)

**UNFINISHED BUSINESS**

1. Ordinance No. 1633-2020. AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYMENT POLICIES – EQUIPMENT, TOOLS AND MACHINES. (add telecommunications device hands free policy and assistant fire chief commute vehicle) (third reading) (attachment)
2. Ordinance No. 1634-2020. AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYEE BENEFITS – LEAVE PROGRAMS – SICK LEAVE. (second reading) (attachment)
3. Ordinance No. 1635-2020. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATIONS OF THE CERTAIN AREA DESCRIBED HEREIN FROM SMALL TO MEDIUM GENERAL COMMERCIAL (C1) DISTRICT AND TO REZONE TO INSTITUTIONAL (IS) DISTRICT. (VanGordon and Wilson; along East Maumee Street) (second and third readings) (attachment)
4. Ordinance No. 1636-2020. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATIONS OF THE CERTAIN AREA DESCRIBED HEREIN MEDIUM TO LARGE GENERAL COMMERCIAL (C2) DISTRICT TO SMALL TO MEDIUM GENERAL COMMERCIAL (C1) DISTRICT. (Meijer Stores General Partnership; along North Wayne Street) (second reading) (attachment)
5. Other unfinished business.

## NEW BUSINESS

1. Ordinance No. 1637-2020. AN ORDINANCE ESTABLISHING PAID LEAVE UNDER THE FEDERAL FAMILIES FIRST CORONAVIRUS RESPONSE ACT. (first, second and third readings) (attachment)
2. Ordinance No. 1638-2020. ADDITIONAL APPROPRIATION ORDINANCE FOR THE CITY OF ANGOLA, INDIANA GENERAL AND LOCAL ROAD & BRIDGE MATCHING GRANT FUNDS. (City Hall) (first reading) (attachment)
3. Ordinance No. 1639-2020. APPROPRIATION REDUCTION ORDINANCE FOR THE MOTOR VEHICLE HIGHWAY AND LIT-ECONOMIC DEVELOPMENT FUNDS. (first reading) (attachment)
4. Resolution No. 2020-776. A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ANGOLA, STEUBEN COUNTY, INDIANA, APPROVING THE DEDUCTION FROM ASSESSED VALUATION FOR THE INSTALLATION OF NEW MANUFACTURING EQUIPMENT AND NEW LOGISTICAL DISTRIBUTION EQUIPMENT, AND THE REDEVELOPMENT OR REHABILITATION OF REAL ESTATE IMPROVEMENTS, ALL LOCATED WITHIN AN ECONOMIC REVITALIZATION AREA WITHIN THE CITY OF ANGOLA, INDIANA. (409 Hoosier Drive; real estate 10 years and personal property five years) (attachment)
5. Resolution No. 2020-777. A RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE CITY OF ANGOLA FOR THE GENERAL FUND AND FORWARDED TO THE COMMON COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18.6. (Clerk-Treasurer) (attachment)
6. Resolution No. 2020-778. A RESOLUTION PROVIDING FOR THE TRANSFER OF CASH TO THE LOCAL ROAD AND BRIDGE MATCHING GRANT FUND. (attachment)
7. Review and determine if Town Center Development, LLC located at 190 and 200 North Public Square is or is not in substantial compliance with the Statement of Benefits for Real Estate Improvements. (Res. No. 656; five years; ends 2020 pay 2021) (attachment)
8. Consideration and action on the 2021 Funding Request (Fee for Service Contract) with the Steuben County Economic Development Corporation in the amount of \$59,430. (attachment)
9. Consideration and action on the request from Republic Services for a rate adjustment of 1.31% on the Municipal Solid Waste and Recycling Material contract beginning July 1, 2020. (attachment)

10. Request approval of the Wessler Engineering Proposal for Professional Services for Wastewater Improvements in the amount of \$147,000. (Preliminary Engineering Report for the State Revolving Fund and various project design services) (attachment)

11. Reports:

- Clerk-Treasurer
- Department heads

12. Request approval of the Allowance of Accounts Payable Vouchers 46223 through 46332 totaling \$395,941.37. (separate attachment)

13. Other new business.

## ADJOURNMENT

*The next meeting is Monday, June 15.*

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least three business days ahead of scheduled meeting. Contact the Clerk-Treasurer, 210 North Public Square, Angola, IN 46703, (260) 665-2514 extension 7353, [clerktreasurer@angolain.org](mailto:clerktreasurer@angolain.org) as soon as possible but no later than three business days before the scheduled event.

**MAY 18, 2020**

A regular meeting of the Common Council of the City of Angola, Indiana was called to order at 1:00 p.m. at City Hall, 210 North Public Square, with Mayor Richard M. Hickman presiding. Council Members Gary L. Crum, David A. Olson, Kathleen G. Armstrong, David B. Martin, and Jerold D. McDermid participated by virtual conference (Microsoft Teams) pursuant to Governor Eric J. Holcomb's Executive Orders. Clerk-Treasurer Debra A. Twitchell recorded the minutes.

REMARKS BY THE MAYOR

Mayor Hickman remarked that he is pleased with City employees. They are doing a great job dealing with the COVID-19 situation and coming up with great ideas to get through it. Mayor Hickman also thanked the COVID-19 Task Force for the work they have done advising and putting together plans.

APPROVAL OF THE MINUTES

Council Member Olson moved to approve the May 4, 2020 minutes. Council Member Armstrong seconded the motion. On call of the vote, the motion carried 5-0.

UNFINISHED BUSINESS

Ordinance No. 1632-2020, AN ORDINANCE AMENDING THE ORDINANCE FIXING COMPENSATION OF APPOINTED OFFICERS, DEPUTIES, AND OTHER EMPLOYEES AND OF POLICE AND FIREFIGHTERS OF THE CITY OF ANGOLA, INDIANA FOR THE YEAR 2020, was read by title and presented to Council on third and final reading. Council Member Olson moved to approve. Council Member Crum seconded the motion. On call of the vote, the motion to approve on third and final reading carried 5-0. (add Assistant Fire Chief)

Ordinance No. 1633-2020, AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYMENT POLICIES – EQUIPMENT, TOOLS AND MACHINES, was read by title and presented to Council on second reading. Council Member Olson moved to approve. Council Member McDermid seconded the motion. Council Member Olson then moved to amend the ordinance to add the telecommunication device hands free policy. Council Member McDermid seconded the motion. On call of the vote to amend the ordinance, the motion carried 5-0. The motion to approve the ordinance on second reading carried 5-0. (add telecommunications device hands free policy and assistant fire chief commute vehicle)

NEW BUSINESS

City Engineer Cope opened and read aloud bids for the Community Crossing Project 20-01 estimated at \$439,103.25.

API Construction Corp.	\$308,330.00
Brooks Construction Co., Inc	\$354,356.00
E&B Paving, Inc	\$315,491.50
T-E Incorporated	\$346,520.40

Council Member Martin moved to award the bid to the lowest most responsive and responsible bidder. Council Member Olson seconded the motion. Discussion followed. On call of the vote, the motion carried 5-0.

City Engineer Cope opened and read aloud bids for the Community Crossing Project 20-02 estimated at \$590,553.75.

API Construction Corp.	\$569,890.00
Brooks Construction Co., Inc	\$663,064.00
E&B Paving, Inc	\$607,894.00

Council Member Martin moved to award the bid to the lowest most responsive and responsible bidder. Council Member Crum seconded the motion. Discussion followed. On call of the vote, the motion carried 5-0.

Ordinance No. 1634-2020, AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYEE BENEFITS – LEAVE PROGRAMS – SICK LEAVE, was read by title and presented to Council for first reading. Council Member Olson moved to approve. Council Member Crum seconded the motion. On call of the vote, the motion to approve on first reading carried 5-0.

Resolution No. 2020-775, A RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE CITY OF ANGOLA FOR THE LOCAL INCOME TAX-ECONOMIC DEVELOPMENT FUND AND FORWARDED TO THE COMMON COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18.6, was read by title and presented to Council for approval. Council Member McDermid moved to approve. Council Member Olson seconded the motion. On call of the vote, the motion to approve carried 5-0.

The Certificate of action by the City of Angola Plan Commission certifying a favorable recommendation to rezone property located along East Maumee Street was presented for Council information. Ordinance No. 1635-2020, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATION OF A CERTAIN AREA DESCRIBED HEREIN FROM SMALL TO MEDIUM GENERAL COMMERCIAL (C1) DISTRICT AND TO REZONE TO INSTITUTIONAL (IS) DISTRICT, was read by title and presented to Council for first reading. Council Member Martin having reviewed the findings of the Plan Commission and taking into account the comprehensive plan, the most desirable use of the land in its current and proposed zones, conservation of property value throughout the city, and responsible growth and development moved to adopt the proposed zoning change. Council Member Crum seconded the motion. On call of the vote, the motion to approve on first reading carried 5-0. (VanGordon and Wilson)

The Certificate of action by the City of Angola Plan Commission certifying a favorable recommendation to rezone property located along North Wayne Street (Meijer Drive) was presented for Council information. Ordinance No. 1636-2020, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATIONS OF THE CERTAIN AREA DESCRIBED HEREIN MEDIUM TO LARGE GENERAL COMERCIAL (C2) DISTRICT TO SMALL TO MEDIUM GENERAL COMERCIAL (C1) DISTRICT, was read by title and presented to Council for first reading. Council Member Martin having reviewed the findings of the Plan Commission and taking into account the comprehensive plan, the most desirable use of the land in its current and proposed zones, conservation of property value throughout the city, and responsible growth, and development moved to adopt the proposed zoning change. Council Member McDermid seconded the motion. On call of the vote, the motion to approve on first reading carried 5-0.

Council was asked to review and determine if Autoform Tool & Mfg., LLC located at 1501 Wohler Street is or is not in substantial compliance with the Statement of Benefits for Personal Property. Council Member Martin moved to find in substantial compliance. Council Member Armstrong seconded the motion. On call of the vote, the motion carried 5-0. (Resolution No. 2012-608; 10 years; ends 2022 pay 2023)

Council was asked to review and determine if Baril Coatings USA, LLC located at 401 Growth Parkway is or is not in substantial compliance with the Statement of Benefits for Personal Property. Council Member Martin moved to find in substantial compliance. Council Member Armstrong seconded the motion. On call of the vote, the motion carried 5-0. (Resolution No. 2014-655; seven years; ends 2021 pay 2022)

Council was asked to review and determine if Feddema Industries, Inc dba Special Cutting Tools located at 1305 Wohler Street is or is not in substantial compliance with the Statement of Benefits for Personal Property. Council Member Martin moved to find in substantial compliance. Council Member Armstrong seconded the motion. On call of the vote, the motion carried 5-0. (Resolution No. 2011-594; 10 years; ends 2021 pay 2022)

Council was asked to review and determine if Lomont Holdings Co., located at 1825 West Maumee Street is or is not in substantial compliance with the Statement of Benefits for Personal Property. Council Member Martin moved to find in substantial compliance. Council Member Armstrong seconded the motion. On call of the vote, the motion carried 5-0. (Resolution No. 2014-845; eight years; ends 2025 pay 2026)

Council was asked to review and determine if Vestil, LLC/Vestil Manufacturing located at 749 Growth Parkway is or is not in substantial compliance with the Statement of Benefits for Real Estate Improvements. Council Member Martin moved to find in substantial compliance. Council Member Crum seconded the motion. On call of the vote, the motion carried 5-0. (Resolution No. 2017-712; 10 years; ends 2028 pay 2029)

Council was asked to review and determine if Vestil Manufacturing Co./ Vestil Manufacturing Corp. / Vestil, LLC located at 2999 North Wayne Street is or is not in substantial compliance with the Statement of Benefits for Personal Property. Council Member Martin moved to find in substantial compliance. Council Member Olson seconded the motion. On call of the vote, the motion carried 5-0. (Resolution No. 2017-712; 10 years; ends 2028 pay 2029)

The Clerk-Treasurer's Depository Statement and Cash Reconciliation for month ending April 2020 was presented to Council for review and information.

#### DEPARTMENT HEAD REPORTS

Economic Development and Planning Director Likes reported the virtual Plan Commission meeting went very well. There should be a couple more tax abatements coming in June, and some other industries are working to ramp up. There should be more coming between October and December. The City continues to work with Isaac Lee at the Steuben County EDC who is doing a great job. There will be a Board of Zoning Appeals meeting with two items on the agenda on May 26th. Reminder that the 2020 Census is still going on. Please be sure to respond online if you have received a form. Numbers are lower than they should be for the southeast portion of the city. Workers will begin going door to door at the end of May beginning of June.

Water Superintendent Selman reported that the COVID-19 Task Force has put together an SOP for entering homes safely for service orders and they have started working through the backlog of meter changes.

Wastewater Superintendent Williams informed Council that compost is again available to the public for free. It is located outside the fence at the wastewater treatment plant and available for self-loading anytime.

Building Commissioner Lehman thanked the COVID-19 Task Force for developing a fire inspection SOP. Inspections will resume this week.

City Engineer Cope reported that NIPSCO will be doing a large gas line installation. The bulk of the work will be on Wohlert Street, but also goes along West Maumee, McKinley, and Mill Streets. Work will start at the end of May and go through October.

Human Resource Director Essman commended the COVID-19 Task Force and also noted that the work they are doing is very time consuming.

There was discussion regarding 4<sup>th</sup> of July festivities being cancelled and possibly moving them to Labor Day weekend.

#### APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

Council Member Crum moved to approve the Allowance of Accounts Payable Vouchers 45971 through 46222 totaling \$841,685.61 which includes interfund transfers of \$119,240.79. Council Member McDermid seconded the motion. On call of the vote, the motion carried 5-0.

ADJOURNMENT

There being no further business, the meeting was considered adjourned at 1:36 p.m.

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Richard M. Hickman, Mayor  
Presiding Officer

Attest:

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Debra A. Twitchell, Clerk-Treasurer



**AN ORDINANCE AMENDING THE  
CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK,  
EMPLOYMENT POLICIES – EQUIPMENT, TOOLS AND MACHINES**

BE IT HEREBY ORDAINED by the Common Council of the City of Angola, Indiana that the Employee Handbook is being amended by the text of existing provisions in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~:

Section 1. Employment Policies – Equipment, Tools, Vehicles and Machines is amended to read:

Employees are responsible and held accountable for the proper use and care, operation and maintenance of all equipment, tools, vehicles and machines provided by the City. Employees who misuse, neglect or abuse equipment, tools, vehicles or machines are subject to disciplinary action.

Departments within the city maintain a number of *city-owned vehicles* provided for the sole purpose of conducting official city business. Following are guidelines that apply to the use of all city-owned vehicles:

- Proper use of safety belts is required.
- ~~Cell phone use while operating a vehicle is discouraged.~~
- ~~Texting while operating a vehicle is prohibited.~~
- **Holding or using a telecommunications device is prohibited while operating a moving motor vehicle. A telecommunications device may be used in conjunction with hands free or voice operated technology. A telecommunications device may be used or held to call 911 to report a bona fide emergency. For the purposes of this policy, the term telecommunications device includes a wireless telephone, personal digital assistant, pager or text messaging device.**
- Operation of city-owned vehicles must be done in a safe, respectful and courteous manner to ensure a positive representation of the City.
- Employees operating city-owned vehicles are responsible for notifying their supervisor of any damage, maintenance needs or safety concerns.
- Approval of all vehicle maintenance is the responsibility of the department head.
- Employees are required to possess a valid Driver's License or Commercial Driver's License (when required) and maintain an acceptable driving record during employment with the City when operating a vehicle is an essential function of their job. In addition, an employee whose license is suspended, revoked or expired must report this loss of driving privileges immediately to their department head.
- The City is subject to periodic driving record audits. If an employee, where driving is an essential function of the job, has not properly notified their department head of suspended, revoked or expired driving privileges and this is discovered during an audit, disciplinary action may result.

## ORDINANCE NO. 1633-2020

- Traffic fines and/or arrests while using a city-owned vehicle are the sole responsibility of the employee and may be subject to disciplinary action.
- Charges incurred for emergency repairs, road services or towing while traveling on city-related business are reimbursable when appropriate receipts are submitted, and approval is provided by your department head.
- In case of a vehicle accident, follow standard procedures of calling the appropriate law enforcement agency and/or 911 in case of injury. All vehicle accidents or injuries must be reported to your department head as soon as time allows. Your department head is responsible to forward this report immediately to the Clerk-Treasurer's office for processing.

The following public safety positions are provided with a city-owned vehicle and are approved as *commute vehicles*:

Chief of Police	Assistant Chief of Police*	Police Sergeant*	Police Detective*
Fire Chief	<b>Assistant Fire Chief</b>	Police Patrol Officer*	

Commute vehicles are approved for travel to and from work and intended to assist with conducting city-related business. De minimis (minimal) personal use is permitted. Travel outside your department's jurisdiction for personal use is prohibited.

\* Subject to Police Department Standard Operating Guidelines – Commute Vehicle Policy.

The following civilian positions are provided with a city-owned vehicle and are approved as *commute vehicles*:

City Engineer	Building Commissioner	Street Commissioner
Park Superintendent	Water Superintendent	Wastewater Superintendent

Commute vehicles are approved for travel to and from work and intended to assist with conducting city-related business. De minimis (minimal) personal use is permitted. Civilian employees electing the option of a commute vehicle must live within Steuben County. If the employee elects not to use the city-owned vehicle as a commute vehicle, the employee must do so in writing to the Clerk-Treasurer.

Civilian use of a city-owned vehicle for commuting will be valued at \$1.50 each one-way commute. The Clerk-Treasurer's office is responsible for taxing commute vehicles. No adjustments on taxing from a prior pay period will be made if the required commute information is not provided at the time of payroll processing.

Internal controls have been established to comply with the IRS guidelines for the use of city-owned vehicles. Employees with commute vehicles and assigned a city-owned vehicle are required to complete the appropriate compliance documents.

**ORDINANCE NO. 1633-2020**

Section 2. Effective date.

This ordinance shall become effective following passage and adoption by the Common Council and approval by the Mayor.

DULY PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the \_\_\_\_\_ day of June 2020 by the vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Richard M. Hickman, Mayor  
Presiding Officer

Attest:

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of June 2019.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of June 2019.

\_\_\_\_\_  
Richard M. Hickman, Mayor

**AN ORDINANCE AMENDING THE  
CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK,  
EMPLOYEE BENEFITS – LEAVE PROGRAMS – SICK LEAVE**

BE IT HEREBY ORDAINED by the Common Council of the City of Angola, Indiana that the Employee Handbook is being amended by the text of existing provisions in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~:

Section 1. Employee Benefits – Leave Programs – Sick Leave is amended to read:

The City provides a sick leave program for all full-time employees. The sick leave program is designed to assist the employee with the continuation of wages in the case of illness or injury. Employees are expected to manage their sick leave effectively to ensure a positive balance to provide a safety net if illness or injury should occur.

Employees will be credited with one (1) workday of sick leave for each full calendar month of work. ~~in which the employee has accumulated (used) no more than seven (7) hours of sick leave.~~ Earned sick leave is credited to your “sick leave account” on the first of each month and current balances are shown on your payroll stub. Newly hired employees are awarded sick time beginning on the first of the month following one (1) full month of employment.

For the purposes of this policy, a workday is equal to the number of hours an employee would work on a routinely scheduled workday.

Employees may take paid sick leave in increments as little as one-quarter (1/4) hour. Approval of leave requests is the responsibility of your supervisor.

The maximum balance allowable in an employee’s sick leave account is ninety (90) workdays.

Paid sick leave may be requested for the following circumstances:

- Illness, injury, pregnancy or childbirth-related conditions of the employee which renders the employee unable to work,
- To provide care for a member of the employee’s immediate family during illness, injury, pregnancy or pregnancy-related condition,
- Adoption or adoption-related obligations where the employee’s presence is reasonably required, or
- Exposure of the employee or a member of the employee’s immediate family to a contagious disease which could potentially jeopardize the health of the employee or others in the workplace.
- Medical, dental, vision or other health-related exams or appointments of the employee or a member of the employee’s immediate family where the employee’s

**ORDINANCE NO. 1634-2020**

presence is reasonably required, and the appointment could not be made during an employee's non-work time.

- In the event of a declared emergency. Refer to Page 30 of the Employee Handbook for information.

For the purposes of this policy, immediate family is defined as the employee's spouse, child or stepchild, parent or stepparent, brother or brother-in-law, sister or sister-in-law, parent-in-law or child-in-law, grandparent or grandchild or in legal guardianship cases.

At the request of your supervisor, employees should complete a Request for Leave form 11-018. Forms are available in your department or on the Common Drive in the Human Resources folder.

The City reserves the right to request any and all appropriate documentation to substantiate any request or to investigate in order to approve payment of sick leave. Should investigation reveal improper, misleading or fraudulent use or paid sick leave, the employee will be subject to disciplinary action, up to and including discharge.

Employees who retire from employment with the City are eligible to receive payment for any unused sick time. Retiring employees will receive ten dollars (\$10.00) for each full day of unused sick time up to a maximum of ninety (90) days. Failure to meet the requirements for notification of retirement in Section B of this handbook will cause forfeiture of any payment for unused sick time.

Sick leave is not considered work time and does not apply toward the calculation of overtime.

Section 2. Effective date.

Upon adoption by the Common Council and approval by the Mayor, this amendment shall retroactively take effect May 1, 2020.

DULY PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the \_\_\_\_\_ day of June 2020 by the vote of \_\_\_\_ ayes and \_\_\_\_ nays.

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Richard M. Hickman, Mayor  
Presiding Officer

Attest:

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Debra A. Twitchell, Clerk-Treasurer

**ORDINANCE NO. 1634-2020**

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of June 2019.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of June 2019.

\_\_\_\_\_  
Richard M. Hickman, Mayor

**ORDINANCE NO. 1635-2020**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE  
CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATIONS  
OF THE CERTAIN AREA DESCRIBED HEREIN FROM  
SMALL TO MEDIUM GENERAL COMMERCIAL (C1) DISTRICT AND TO  
REZONE TO INSTITUTIONAL (IS) DISTRICT**

**Dan VanGordon, Doug Wilson and**

**Dan VanGordon under ½ interest & Douglas E Wilson**

The location of the site is East Maumee Street, Angola, Indiana  
[Property north of US Highway 20 across from the city's trail system  
within the 900 block of East Maumee Street (approximately 4.313 acres)]

Be it hereby ORDAINED by the Common Council of the City of Angola, Indiana,  
that:

Pursuant to a FAVORABLE RECOMMENDATION from the Angola Plan Commission, certified to the Common Council, the Common Council hereby adopts as certified the proposal to amend the zoning map (incorporated by reference) and the following zoning classification on the following area is hereby changed from Small to Medium General Commercial (C1) District to Institutional (IS) District.

The property is described as Parcel Number(s):  
760625000029000011 and 760625000029010011

**LEGAL DESCRIPTION OF REAL ESTATE**

That portion of the West Half of Section Twenty-five (25), Township Thirty-seven (37) North, Range Thirteen (13) East, Pleasant Civil Township, Steuben County, Indiana, described as follows:

Commencing at the intersection of the West line of said Section 25 with the centerline of U.S. Highway No. 20 (formerly the Angola and Maumee Road); thence North 88°27'30" East (basis, Indiana State Plane Coordinate System NAD83, Indiana East Zone) along the centerline of U.S. Highway No. 20 a distance of 556.90 feet to a MAG nail set at the True Point OF Beginning of this description; thence continuing North 88°27'30" East along said centerline a distance of 200.00 feet to a MAG nail set; thence continuing along said centerline on a curve to the right having an arc length of 229.48 feet and a Radius of 2843.37 feet, said curve also having a chord which bears South 87°22'28" East 229.42 feet to a MAG nail set at the Southeast corner of land described in Deed Document #06030547; thence departing said centerline North 00°54'40" West along the East line of said Deed Document #06030547 a distance of 443.25 feet to a #5 rebar stake found; thence departing said East line North 89°46'18" West along the North line of said Deed Document #06030547 a distance of 431.28 feet to a #4 rebar found on the South line of Lot 27 in the recorded plat of Lanes Addition No. 1 as recorded in Plat Book 4, Page 68 of the records of the Steuben County, Indiana Recorder; thence departing said North line South 01°12'00"

**ORDINANCE NO. 1635-2020**

East along the West line of said Deed Document #0603547 a distance of 439.88 feet back to the True Point Of Beginning of this description, containing 4.313 acres, more or less, subject to all legal highways, rights-of-way, and easements of record.

This ordinance shall be in full force and effect from and after its passage and adoption by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 2020 by the vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Richard M. Hickman, Mayor

Attest:

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor



**ORDINANCE NO. 1636-2020**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE  
CITY OF ANGOLA BY CHANGING THE LAND USE CLASSIFICATIONS  
OF THE CERTAIN AREA DESCRIBED HEREIN MEDIUM TO LARGE  
GENERAL COMMERCIAL (C2) DISTRICT TO SMALL TO MEDIUM  
GENERAL COMMERCIAL (C1) DISTRICT.**

Be it hereby ORDAINED by the Common Council of the City of Angola, Indiana,  
that:

Pursuant to a FAVORABLE RECOMMENDATION from the Angola Plan Commission, certified to the Common Council, the Common Council hereby adopts as certified the proposal to amend the zoning map (incorporated by reference) and the following zoning classification on the following area is hereby changed from Medium to Large General Commercial (C2) District to Small to Medium General Commercial (C1) District.

Meijer Stores Limited Partnership for Angola Coffee Shop  
(proposed new address – 2991 Meijer Drive, Angola, Indiana)  
Currently 2750 North Wayne Street is the Meijer Store address  
and separate parcel known as 2990 N Wayne St  
(located in front of Meijer Store north of the cemetery)

The property is described as Parcel Number(s):  
760614000008000012 and a portion of 760614000006000012:

**LEGAL DESCRIPTION OF REAL ESTATE**

THE INTENT OF THIS DESCRIPTION IS TO DESCRIBE A PORTION OF THE LANDS OF MEIJER STORES LIMITED PARTNERSHIP AS RECORDED IN DOCUMENT NUMBER 01020115 WITHIN THE OFFICE OF THE RECORDER OF STEUBEN COUNTY, INDIANA FOR THE PURPOSE OF REZONING. THE FOLLOWING DESCRIPTION IS BASED ON BOUNDARY RETRACEMENT SURVEY BY FORESIGHT CONSULTING, LLC AS COMMISSION NUMBER 192619, CERTIFIED BY TODD BAUER, INDIANA PS NUMBER 29800007, DATED MARCH 13, 2020. A PORTION OF THE LANDS OF MEIJER STORES LIMITED PARTNERSHIP AS RECORDED IN DOCUMENT NUMBER 01020115 WITHIN THE OFFICE OF THE RECORDER OF STEUBEN COUNTY INDIANA, ALSO BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 13 EAST, STEUBEN COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1" ROD IN CONCRETE MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTH 00 DEGREES 39 MINUTES 39 SECONDS EAST (INDIANA STATE PLANE COORDINATE ZONE EAST GRID BEARING AND BASIS OF BEARINGS TO

**ORDINANCE NO. 1636-2020**

FOLLOW), ON AND ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 742.67 FEET TO THE NORTHWEST CORNER OF THE LANDS OF SOWIE SETTLEMENT CEMETERY; THENCE NORTH 88 DEGREES 19 MINUTES 17 SECONDS EAST, ON AND ALONG THE NORTH LINE OF SAID LANDS OF SOWIE SETTLEMENT CEMETERY, AND THE SOUTH LINE OF THE LANDS OF THE STATE OF INDIANA AS DESCRIBED IN DOCUMENT NUMBER 01060945 WITHIN THE OFFICE OF THE RECORDER OF STEUBEN COUNTY, INDIANA, A DISTANCE OF 165.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS OF SOWIE SETTLEMENT CEMETERY, SAID CORNER BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND AND BEING MARKED BY A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING, LLC - BOUNDARY" IDENTIFICATION CAP; THENCE NORTH 00 DEGREES 39 MINUTES 39 SECONDS WEST, ON AND ALONG THE NORTHERN EXTENSION OF THE EAST LINE OF SAID SOWIE SETTLEMENT CEMETERY, A DISTANCE OF 153.61 FEET; THENCE NORTH 83 DEGREES 26 MINUTES 15 SECONDS EAST, A DISTANCE OF 6.78 FEET TO A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING, LLC - BOUNDARY" IDENTIFICATION CAP; THENCE NORTH 81 DEGREES 26 MINUTES 15 SECONDS EAST, A DISTANCE OF 73.36 FEET TO A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING, LLC - BOUNDARY" IDENTIFICATION CAP; THENCE SOUTH 78 DEGREES 17 MINUTES 10 SECONDS EAST, A DISTANCE OF 30.37 FEET TO A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING, LLC - BOUNDARY" IDENTIFICATION CAP; THENCE SOUTH 25 DEGREES 41 MINUTES 25 SECONDS EAST, A DISTANCE OF 31.08 FEET TO A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING, LLC - BOUNDARY" IDENTIFICATION CAP; THENCE SOUTH 00 DEGREES 39 MINUTES 50 SECONDS EAST, A DISTANCE OF 127.55 FEET TO A POINT ON THE EASTERN EXTENSION OF THE NORTH LINE OF SAID LANDS OF SOWIE SETTLEMENT CEMETERY, SAID POINT BEING MARKED BY A 5/8" X 24" REBAR WITH "FORESIGHT CONSULTING, LLC - BOUNDARY" IDENTIFICATION CAP; THENCE SOUTH 88 DEGREES 19 MINUTES 17 SECONDS WEST, ON AND ALONG THE EASTERN EXTENSION OF THE NORTH LINE OF SAID LANDS OF THE SOWIE SETTLEMENT CEMETERY, A DISTANCE OF 122.24 FEET TO POINT OF BEGINNING. CONTAINING 0.440 ACRES OF LAND, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

This ordinance shall be in full force and effect from and after its passage and adoption by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

---

Richard M. Hickman, Mayor

**ORDINANCE NO. 1636-2020**

Attest:

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor

**AN ORDINANCE ESTABLISHING EMERGENCY PAID LEAVE UNDER THE  
FEDERAL FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

WHEREAS, a national emergency was declared by the President of the United States beginning March 1, 2020 addressing the coronavirus (COVID-19) pandemic; and

WHEREAS, a Declaration of Public Health Emergency for Coronavirus Disease 2019 Outbreak was declared by Governor Eric J. Holcomb in Executive Order 20-02 on March 6, 2020 and extended by subsequent orders; and

WHEREAS, a Local Disaster Declaration for Coronavirus Disease 2019 Outbreak was issued by Mayor Richard M. Hickman in Executive Order 20-01 on March 16, 2020; and

WHEREAS, on March 24, 2020, the US Department of Labor's Wage and Hour Division issued guidance explaining the emergency paid leave requirements under the federal Families First Coronavirus Response Act (FFCRA) providing for employee emergency paid leave for specific COVID-19 related reasons, including an employee's own illness or quarantine; and

WHEREAS, addressing this extraordinary situation, the Common Council desires to provide emergency paid leave above and beyond what is allowed by the FFCRA which in some situations is two-thirds pay;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Common Council of the City of Angola, Indiana:

Section 1. The City finds it necessary for employees taking emergency leave for qualifying reasons under the Families First Coronavirus Response Act to be paid their regular rate of pay. In order to be paid under this Act, the employee must complete and submit the prescribed form to the Office of the Mayor, Human Resource Administrator.

Section 2. Upon adoption by the Common Council and approval by the Mayor, this amendment shall retroactively take effect April 1, 2020.

Section 3. This ordinance expires December 31, 2020 unless extended by the Common Council and approved by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the 1st day of June 2020 by the vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

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Richard M. Hickman, Mayor  
Presiding Officer

Attest:

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Debra A. Twitchell, Clerk-Treasurer

**ORDINANCE NO. 1637-2020**

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of June 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of June 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor

**ORDINANCE NO. 1638-2020**

**ADDITIONAL APPROPRIATION ORDINANCE FOR THE  
CITY OF ANGOLA, INDIANA GENERAL AND LOCAL ROAD &  
BRIDGE MATCHING GRANT FUNDS**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget, now, therefore:

Section 1. Be it ORDAINED by the Common Council of the City of Angola, Steuben County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named for the purpose specified, subject to the laws governing the same:

	<u>Amount Requested</u>	<u>Amount Approved</u>
Fund Name: General		
Department: City Hall		
Services and Charges	\$60,000	\$60,000
Local Road & Bridge Matching Grant Fund		
Services & Charges	\$81,490	\$81,490
Capital Outlays	<u>\$35,730</u>	<u>\$35,730</u>
Total	\$117,220	\$117,220

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Common Council, approval of the Mayor, and approval of the Department of Local Government Finance, if applicable.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the \_\_\_\_\_ day of July 2020 by the vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Richard M. Hickman, Mayor  
Presiding Officer

Attest:

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

**ORDINANCE NO. 1638-2020**

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of July 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of July 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor

**ORDINANCE NO. 1639-2020**

**APPROPRIATION REDUCTION ORDINANCE FOR THE  
CITY OF ANGOLA, INDIANA MOTOR VEHICLE HIGHWAY AND  
LIT- ECONOMIC DEVELOPMENT FUNDS**

WHEREAS, the Common Council has determined that it is now necessary to reduce appropriations in certain budgets than was appropriated in the 2020 annual budget;

NOW, THEREFORE, be it hereby ordained by the Common Council of the City of Angola, Steuben County, Indiana:

Section 1. Certain existing appropriations now have unobligated balances that will not be needed for the purposes for which appropriated, it is hereby ordained that the following existing appropriations be reduced in the following amounts:

	<u>Reduction Amount Requested</u>	<u>Reduction Amount Approved</u>
Motor Vehicle Highway Fund		
Services & Charges	\$134,300	\$134,300
Capital Outlays	<u>\$75,500</u>	<u>\$75,500</u>
Total	\$209,800	\$209,800
LIT Economic Development Fund		
Capital Outlays	\$900,000	\$900,000

Section 2. This Ordinance shall be in full force and effect from and after its passage and adoption by the Common Council, approval by the Mayor, and approval of the Department of Local Government Finance, if applicable, and publication according to law.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the \_\_\_\_\_ day of July 2020 by the vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

---

Richard M. Hickman, Mayor  
Presiding Officer



**ORDINANCE NO. 1639-2020**

Attest:

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of July 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of July 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor

**RESOLUTION NO. 2020-776**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ANGOLA,  
STEUBEN COUNTY, INDIANA, APPROVING THE DEDUCTION FROM  
ASSESSED VALUATION FOR THE INSTALLATION OF NEW  
MANUFACTURING EQUIPMENT AND NEW LOGISTICAL DISTRIBUTION  
EQUIPMENT, AND THE REDEVELOPMENT OR REHABILITATION OF  
REAL ESTATE IMPROVEMENTS, ALL LOCATED WITHIN AN ECONOMIC  
REVITALIZATION AREA WITHIN THE CITY OF ANGOLA, INDIANA**

(E. J. Brooks Company, 409 Hoosier Dr., Angola, IN 46703)

WHEREAS, the Common Council (the "Council") of the City of Angola, Indiana (the "City"), has hereto before found pursuant to I.C. §6-1.1-12.1 et seq (the "Act"), and Resolution No. 2002-351, as confirmed by Resolution No. 2002-352 (collectively the "ERA Designation Resolution"), that the real estate described/depicted on Exhibit "A" attached hereto and incorporated herein (the "Real Estate") is, and within, an Economic Revitalization Area (an "ERA"); and

WHEREAS, the ERA Designation Resolution provided for deductions from assessed valuation for the installation of new manufacturing equipment; deductions from assessed valuation for the installation of new logistical distribution equipment; and deductions from assessed valuation for redevelopment or rehabilitation of real property; and

WHEREAS, E.J. Brooks Company, a foreign for-profit corporation (the "Applicant"), has paid any required filing fees and, pursuant to the ERA Designation Resolution, has filed with the Council a Statement of Benefits Personal Property/Form SB-1/PP for the installation of new manufacturing equipment and new logistical distribution equipment for consideration and approval, a copy of which is attached hereto as Exhibit "B" and incorporated herein; and

WHEREAS, the Applicant has paid any required filing fees and, pursuant to the ERA Designation Resolution, has filed with the Council a Statement of Benefits Real Estate Improvements/Form SB-1/Real Property regarding the redevelopment or rehabilitation of real estate for consideration and approval, a copy of which is attached hereto as Exhibit "C" and incorporated herein; and

WHEREAS, the Council recognizes the continued need to stimulate growth and maintain a sound economy within its corporation limits; and

WHEREAS, the Applicant has estimated certain benefits to result from their respective investments in new manufacturing equipment, new logistical distribution equipment, and the redevelopment or rehabilitation of real estate improvements within an ERA; and

**RESOLUTION NO. 2020-776**

WHEREAS, the Council desires to promote and support the growth and prosperity of manufacturing entities contained within a designated ERA within the City through prudent and proper use of the economic development tools available; and

WHEREAS, said Statement of Benefits have been reviewed by the Council and duly considered at a duly held public meeting of said Council.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ANGOLA, STEUBEN COUNTY, INDIANA, THAT:

Section 1. By adoption of this Resolution, the Council does ratify and confirm its ERA Designation Resolution in all respects and the designation therein of the Real Estate as an ERA. The Council makes and confirms those findings necessary for approving the Statement of Benefits, those findings being to-wit:

- a. The said Real Estate is zoned for industrial use and located within the jurisdiction of the Council for purposes set forth in I.C. §6-1.1-12.1-2; and
- b. That the installation of new manufacturing equipment and new logistical distribution equipment, and the redevelopment or rehabilitation of real estate, all as described in the Statement of Benefits would be to the benefit and welfare of all citizens and taxpayers of the City; and
- c. That the approval of the Statement of Benefits will assist in the inducement of a project that will provide employment opportunity to residents of the City; and
- d. That the estimated increase in employment, increase in annual salaries, and the cost value of the installation of new manufacturing equipment and new logistical distribution equipment, and the redevelopment or rehabilitation of real estate, all as set forth in the Statement of Benefits are reasonably expected to occur as a result of the proposed project thus justifying the deductions; and
- e. That the estimate of the cost of the new manufacturing equipment and new logistical distribution equipment is reasonable for equipment of the types set forth by the Applicant in the Statement of Benefits; the estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the installation of the new manufacturing equipment and new logistical distribution equipment; the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be

## RESOLUTION NO. 2020-776

expected to result from the proposed installation of the new manufacturing equipment and new logistical distribution equipment; and the totality of benefits, is sufficient to justify the deduction.

- f. That the estimate of the value of the redevelopment or rehabilitation of the Real Estate is reasonable for projects of the nature set forth by the Applicant in the Statement of Benefits; the estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Estate; the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Estate; and the totality of benefits is sufficient to justify the deduction.

Section 2. Based on the Statement of Benefits submitted by the Applicant, including: (i) the total amount of the Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Applicant's investment, the Council authorizes that the deduction from assessed valuation for the installation of new manufacturing equipment and new logistical distribution equipment shall be for a period of five (5) years. This time limitation is established pursuant to the ERA Designation Resolution and Sections 4.5(e) and 17 of the Act.

Section 3. Based on the information provided in the Statement of Benefits submitted by the Applicant, including: (i) the total amount of the Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Applicant's investment, the abatement schedule (including the percentage amount of the deduction for each year of the deduction) to be used in calculating the deduction applicable to the installation of new manufacturing equipment on the Real Estate shall be as follows:

Year of Deduction	Percentage
1st	100%
2nd	90%
3rd	80%
4th	70%
5th	60%

This abatement schedule is established pursuant to the ERA Designation Resolution and Sections 4.5(c) and 17 of the Act.

## RESOLUTION NO. 2020-776

Section 4. The amount of deduction applicable to the installation of new manufacturing equipment and new logistical distribution equipment on the Real Estate pursuant to this Resolution shall be limited the amounts set forth in the approved Statement of Benefits. This limitation on the amount of the deduction is established pursuant to the ERA Designation Resolution and Section 2(i)(3) of the Act.

Section 5. The Applicant is responsible for timely filing its respective deduction application forms and certified deduction schedules and personal property returns with the Township Assessor of the township in which the new manufacturing equipment and new logistical distribution equipment is located (or with the County Assessor if there is no Township Assessor for the Township) within the time periods set forth in the Act.

Section 6. Based on the information provided in the Statement of Benefits submitted by the Applicant, including: (i) the total amount of the Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Applicant's investment, the length of any deduction from assessed valuation for the redevelopment or rehabilitation of the Real Estate shall be for a period of ten (10) years. This time limitation is established pursuant to the ERA Designation Resolution and Sections 3(c) and 17 of the Act.

Section 7. Based on the information provided in the Statement of Benefits submitted by the Applicant, including: (i) the total amount of the Applicant's investment in real and personal property; (ii) the number of new full-time equivalent jobs created; (iii) the average wage of the new employees compared to the state minimum wage; and (iv) the infrastructure requirements for the Applicant's investment, the abatement schedule (including the percentage amount of the deduction for each year of the deduction) to be used in calculating the deduction applicable to the redevelopment or rehabilitation of the Real Estate shall be as follows:

Year of Deduction	Percentage
1st	100%
2nd	90%
3rd	80%
4th	70%
5th	60%
6th	50%
7th	40%
8th	30%
9th	20%
10th	10%

## RESOLUTION NO. 2020-776

This abatement schedule is established pursuant to the ERA Designation Resolution and Sections 3(c) and 17 of the Act.

Section 8. The amount of deduction applicable to the Redevelopment or Rehabilitation of the Real Estate pursuant to this Resolution shall be limited the amounts set forth in the approved Statement of Benefits. This limitation on the amount of deduction is established pursuant to the ERA Designation Resolution and Section 2(i)(4) of the Act.

Section 9. The Applicant must provide the Steuben County Auditor, and the City, at the time of filing a deduction, and updated within sixty (60) days after the end of each year in which a deduction is applicable, information showing the extent to which the Applicant has been in compliance with the signed Statement of Benefits in accordance with the Act.

Section 10. The Council incorporates Section 12 of the Act into this Resolution. The County desires and hereby does, with the consent of the Applicant (as evidenced by Exhibit "D" attached hereto, incorporates Section 14 of the Act into this Resolution for the purposes of permitting the City to charge the fee provided in said Section 14. For purposes of the calculation contained in Section 14(c), the percentage amount shall be equal to seven percent (7.0%). The Council shall apply the fee collected as provided herein to one or more public or nonprofit entities established to promote economic development within the boundaries of the City and shall identify such entities to the Steuben County Auditor as set forth in Section 14 of the Act.

Section 11. No part of this Resolution shall be interpreted to conflict with any local, state or federal laws, and all reasonable efforts should be made to harmonize same. Should any section or part thereof of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Resolution are hereby declared to be severable.

Section 12. This Resolution shall be effective upon passage.

[SIGNATURE PAGE FOLLOWS]

**RESOLUTION NO. 2020-776**

PASSED AND ADOPTED by the Common Council of the City of Angola, Steuben County, Indiana this \_\_\_\_\_ day of June, 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor and Presiding Officer

Attest:

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This resolution presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of June, 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This resolution signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of June, 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor

RESOLUTION NO. 2020-776

EXHIBIT "A"  
REAL ESTATE DESCRIPTION

Parcel ID Number:  
(E.J. Brooks Company, 409 Hoosier Dr., Angola, IN 46703)  
Sec/Twp/Rng 14-37-13  
ANGOLA CORP  
NW PT SW1/4 Sec 14 17.40A  
Steuben County  
Township: PLEASANT TOWNSHIP  
State District 012 ANGOLA CITY  
City of Angola Zoning District: Moderate Intensity Industrial (I2) District





## EXHIBIT "B" APPLICANT'S STATEMENT OF BENEFITS (Form SB-1/PP)

STATEMENT OF BENEFITS  
PERSONAL PROPERTY

State Form 51764 (R4/11-15)

Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

## PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-8.1.

## INSTRUCTIONS

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION											
Name of taxpayer E. J. Brooks Company dba TydenBrooks					Name of contact person Suzan Sanders						
Address of taxpayer (number and street, city, state, and ZIP code) 409 Hoosier Drive, Angola, IN 46703							Telephone number ( 260 ) 624-4803				
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT											
Name of designating body E. J. Brooks Company					Resolution number (s) 2020-775						
Location of property 409 Hoosier Drive					County Steuben		DLGF taxing district number 0429				
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) \$100K equipment moved from Monterrey MX to ANG. This equipment was previously located in ANG. 25K Furniture & Equipment, 360K Equipment, 100K Computer/IT, 245K distribution equipment					ESTIMATED						
					START DATE					COMPLETION DATE	
					Manufacturing Equipment		06/01/2020		12/31/2021		
					R & D Equipment						
					Logist Dist Equipment		06/01/2020		12/31/2021		
					IT Equipment		06/01/2020		12/31/2021		
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT											
Current number		Salaries		Number retained		Salaries		Number additional		Salaries	
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT											
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.				MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
				COST		ASSESSED VALUE		COST		ASSESSED VALUE	
Current values				1,265,090							
Plus estimated values of proposed project				385,000				245,000		100,000	
Less values of any property being replaced											
Net estimated values upon completion of project				1,650,090				245,000		100,000	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER											
Estimated solid waste converted (pounds)						Estimated hazardous waste converted (pounds)					
Other benefits											
SECTION 6 TAXPAYER CERTIFICATION											
I hereby certify that the representations in this statement are true.											
Signature of authorized representative								Date signed (month, day, year) 05/20/2020			
Printed name of authorized representative Tom Stuetzer								Title CFO			

# RESOLUTION NO. 2020-776

FOR USE OF THE DESIGNATING BODY															
<p>We have reviewed our prior actions relating to the designation of the economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.</p>															
<p>A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____. <i>NOTE: This question addresses whether the resolution contains an expiration date for the designated area.</i></p>															
<p>B. The type of deduction that is allowed in the designated area is limited to:</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">1. Installation of new manufacturing equipment;</td> <td style="width: 10%;"><input type="checkbox"/> Yes</td> <td style="width: 10%;"><input type="checkbox"/> No</td> <td rowspan="4" style="width: 30%; vertical-align: top;"> <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18  <i>Check box if an enhanced abatement was approved for one or more of these types.</i> </td> </tr> <tr> <td>2. Installation of new research and development equipment;</td> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td>3. Installation of new logistical distribution equipment;</td> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td>4. Installation of new information technology equipment;</td> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> </table>			1. Installation of new manufacturing equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 <i>Check box if an enhanced abatement was approved for one or more of these types.</i>	2. Installation of new research and development equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	3. Installation of new logistical distribution equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	4. Installation of new information technology equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No
1. Installation of new manufacturing equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 <i>Check box if an enhanced abatement was approved for one or more of these types.</i>												
2. Installation of new research and development equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No													
3. Installation of new logistical distribution equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No													
4. Installation of new information technology equipment;	<input type="checkbox"/> Yes	<input type="checkbox"/> No													
<p>C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ _____. <i>(One or both lines may be filled out to establish a limit, if desired.)</i></p>															
<p>D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____. <i>(One or both lines may be filled out to establish a limit, if desired.)</i></p>															
<p>E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____. <i>(One or both lines may be filled out to establish a limit, if desired.)</i></p>															
<p>F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____. <i>(One or both lines may be filled out to establish a limit, if desired.)</i></p>															
<p>G. Other limitations or conditions (specify) _____</p>															
<p>H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Year 1</td> <td><input type="checkbox"/> Year 2</td> <td><input type="checkbox"/> Year 3</td> <td><input type="checkbox"/> Year 4</td> <td><input type="checkbox"/> Year 5</td> <td rowspan="2" style="width: 20%; vertical-align: top;"> <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18            Number of years approved: _____  <i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i> </td> </tr> <tr> <td><input type="checkbox"/> Year 6</td> <td><input type="checkbox"/> Year 7</td> <td><input type="checkbox"/> Year 8</td> <td><input type="checkbox"/> Year 9</td> <td><input type="checkbox"/> Year 10</td> </tr> </table>			<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ <i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i>	<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10		
<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ <i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i>										
<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10											
<p>I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? <input type="checkbox"/> Yes <input type="checkbox"/> No            If yes, attach a copy of the abatement schedule to this form.            If no, the designating body is required to establish an abatement schedule before the deduction can be determined.</p>															
<p>Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.</p>															
Approved by: (signature and title of authorized member of designating body)	Telephone number: ( ) _____	Date signed (month, day, year)													
Printed name of authorized member of designating body	Name of designating body														
Attested by: (signature and title of attester)	Printed name of attester														
<p>* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.</p>															

## IC 6-1.1-12.1-17

### Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

## EXHIBIT "C" APPLICANT'S STATEMENT OF BENEFITS (Form SB-1/Real Property)

STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS

State Form 51737 (R8) (10-14)

Prescribed by the Department of Local Government Finance

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)  
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

## INSTRUCTIONS.

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5 (b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

20 20 PAY 20 21
FORM SB-1 / Real Property
<b>PRIVACY NOTICE</b> Any information concerning the cost of the property and related salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer E. J. Brooks Company dba TydenBrooks					
Address of taxpayer (number and street, city, state, and ZIP code) 409 Hoosier Drive, Angola, IN 46703					
Name of contact person Suzan Sanders		Telephone number (260) 624-4803		E-mail address suzan.sanders@tydenbrooks.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body E. J. Brooks Company					
Location of property 409 Hoosier Drive, Angola, IN				Resolution number 2020-775	
County Steuben				BLDG taxing district number 0429	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Building improvements including wiring, duct work, air lines, slab for dust collectors and parking lot improvements.				Estimated start date (month, day, year) 06/01/2020	
				Estimated completion date (month, day, year) 12/31/2021	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 37.00	Salaries \$1,509,000.00	Number retained 37.00	Salaries \$1,509,000.00	Number added 40.00	Salaries \$1,223,000.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values			1,927,000.00		
Plus estimated values of proposed project			134,000.00		
Less values of any property being replaced					
Net estimated values upon completion of project			2,061,000.00		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds)			Estimated hazardous waste converted (pounds)		
Other benefits 11,000 DUCT WORK MCLATCHER 54,000 PARKING LOT 4,000 SLAB FOR DUST COLLECTOR CONCRETE 25,000 NEW AIR LINES 40,000 2020 - \$20K, 2021 - \$20K - BLDG EFFICIENCY IMPROVEMENTS					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) 05/20/2020	
Printed name of authorized representative Tom Stuetzel				Title CFO	

# RESOLUTION NO. 2020-776

FOR USE OF THE DESIGNATING BODY		
We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:		
A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.		
B. The type of deduction that is allowed in the designated area is limited to:		
1. Redevelopment or rehabilitation of real estate improvements <input type="checkbox"/> Yes <input type="checkbox"/> No		
2. Residentially distressed areas <input type="checkbox"/> Yes <input type="checkbox"/> No		
C. The amount of the deduction applicable is limited to \$ _____.		
D. Other limitations or conditions (specify): _____		
E. Number of years allowed: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input type="checkbox"/> Year 4 <input type="checkbox"/> Year 5 (* see below)		
<input type="checkbox"/> Year 6 <input type="checkbox"/> Year 7 <input type="checkbox"/> Year 8 <input type="checkbox"/> Year 9 <input type="checkbox"/> Year 10		
F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, attach a copy of the abatement schedule to this form.		
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.		
We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.		
Approved (signature and title of authorized member of designating body)	Telephone number ( )	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	
<p>* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.</p> <p>A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4, 1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)</p> <p>B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)</p> <p>IC 6-1.1-12.1-17 Abatement schedules Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:</p> <ol style="list-style-type: none"> <li>(1) The total amount of the taxpayer's investment in real and personal property.</li> <li>(2) The number of new full-time equivalent jobs created.</li> <li>(3) The average wage of the new employees compared to the state minimum wage.</li> <li>(4) The infrastructure requirements for the taxpayer's investment.</li> </ol> <p>(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.</p> <p>(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.</p>		

**RESOLUTION NO. 2020-775**

**EXHIBIT "D"**

The Manufacturing Equipment Applicant consents to the incorporation of Section 14 of the Act into any resolution or other approval of the Statement of Benefits Personal Property/Form SB-1/PP for the installation of new manufacturing equipment and new logistical distribution equipment, and/or any resolution or other approval of the Statement of Benefits Real Estate Improvements/Form SB-1/Real Property for the redevelopment or rehabilitation of real estate. The fee calculated per said Section 14 shall be determined by applying a percentage of seven percent (7.0%).

Dated: May 27, 2020

E.J. Brooks Company, a foreign for-profit corporation

By: Suzan Sanders

SUZAN SANDERS, Controller  
Name and Title

RESOLUTION NO. 2020-777

**A RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS  
FOR THE CITY OF ANGOLA FOR THE GENERAL FUND AND FORWARDED  
TO THE COMMON COUNCIL FOR THEIR ACTION AND PASSAGE  
PURSUANT TO IC 6-1.1-18.6**

WHEREAS, certain conditions have developed since the adoption of the existing annual budget for the year 2020 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for various functions of departments.

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ANGOLA, INDIANA, that for the expenses of the city government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law; and

BE IT FURTHER RESOLVED, that where it has been shown that certain existing appropriations have unobligated balances, which will be available for transferring as follows:

		GENERAL – Clerk-Treasurer
\$1,400.00	from	101-041.00-00432.30 Travel Expense
\$1,000.00	to	101-041.00-00413.05 Employers Share Group Medical
\$ 400.00	to	101-041.00-00413.08 Employers Share Group Dental

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana on the 1st day of June 2020 by the vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

---

Richard M. Hickman, Mayor  
Presiding Officer

Attest:

---

Debra A. Twitchell, Clerk-Treasurer

This resolution presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. this \_\_\_\_\_ day of June 2020.

---

Debra A. Twitchell, Clerk-Treasurer

**RESOLUTION NO. 2020-777**

This resolution signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of June 2020.

---

Richard M. Hickman, Mayor

**RESOLUTION NO. 2020-778**

**A RESOLUTION PROVIDING FOR THE TRANSFER OF CASH  
TO THE LOCAL ROAD AND BRIDGE MATCHING GRANT FUND**

WHEREAS, the Community Crossing Matching Grant is an opportunity provided by the Indiana Legislature whereby communities are awarded moneys for infrastructure improvement projects;

WHEREAS, communities that are awarded grants are required to match the grant amount as a condition of the Community Crossing Matching Grant program;

WHEREAS, the City of Angola applied for and received a Community Crossing Matching Grant for \$772,242.74 to reconstruct three streets and maintenance for 21 streets;

WHEREAS, bids for these projects were received on May 18 and subsequently awarded in the amount of \$878,220.00 of which the City's 25% share is \$219,555.00 with a Grant 75% share of \$658,665.00;

WHEREAS, the Common Council, pursuant to HEA 1001-2016, established a Local Road and Bridge Matching Grant Fund for the receipt of said grant funds;

WHEREAS, the State Board of Accounts has directed units who received grant funds to transfer any cash match to the Local Road and Bridge Matching Grant Fund;

WHEREAS, the City matching grant cash for these projects is available in the Motor Vehicle Highway Fund and Motor Vehicle Highway Restricted Fund;

THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ANGOLA, INDIANA that for the expenses of the city government to meet the matching grants requirements, the following cash totaling \$219,555.00 is hereby transferred to the Local Road and Bridge Matching Grant Fund.

\$ 57,070.51 from 201 Motor Vehicle Highway Fund

\$162,484.49 from 203 Motor Vehicle Highway Restricted Fund

PASSED AND ADOPTED by the Common Council of the City of Angola, Steuben County, Indiana this 1st day of June 2020.

---

Richard M. Hickman, Mayor

Attest:

---

Debra A. Twitchell, Clerk-Treasurer



**RESOLUTION NO. 2020-778**

This resolution presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ day of June 2020.

\_\_\_\_\_  
Debra A. Twitchell, Clerk-Treasurer

This resolution signed and approved by me, the Mayor of the City of Angola, Indiana this \_\_\_\_\_ day of June 2020.

\_\_\_\_\_  
Richard M. Hickman, Mayor



# COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)

Prescribed by the Department of Local Government Finance

2020 PAY 2021

FORM CF-1 / Real Property

## INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

## PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

SECTION 1 TAXPAYER INFORMATION			
Name of taxpayer Town Center Development, LLC		County Steuben	
Address of taxpayer (number and street, city, state and ZIP code) PO Box 11772 Fort Wayne IN 46860		DLGF taxing district number Angola City	
Name of contact person Melissa Glaze		Telephone number	

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body Common Council of the City of Angola	Resolution number 14-656	Estimated start date (month, day, year) 11/04/2014
Location of property 190 & 200 N. Public Sq. Angola IN 46703		Actual start date (month, day, year) 11/04/2014
Description of real property improvements: See attached		Estimated completion date (month, day, year) 08/01/2015
		Actual completion date (month, day, year) 02/27/2016

SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		12
Salaries		130,379
Number of employees retained		
Salaries		
Number of additional employees	4	12
Salaries	85,000	130,379

SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	185,000	214,000
Plus: Values of proposed project	375,000	
Less: Values of any property being replaced		
Net values upon completion of project	560,000	214,000
ACTUAL	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project		
Less: Values of any property being replaced		
Net values upon completion of project		

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative Melissa Glaze	Title member	Date signed (month, day, year) May 12, 2020

**ATTACHMENT TO FORM CF-1, page 1, Section 2**

Name of taxpayer

Town Center Development, LLC

**SECTION 2**

**LOCATION AND DESCRIPTION OF PROPERTY**

Description of real property improvements and/or new manufacturing equipment to be acquired

Through an internal corridor, join 190 and 200 N Public Sq. to create a larger facility with improved food areas and ADA compliant restrooms.

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)  
THAT WAS APPROVED AFTER JUNE 30, 1991**

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner (2) the county auditor, and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☐ the property owner **IS** in substantial compliance
- ☐ the property owner **IS NOT** in substantial compliance
- ☐ other (specify) \_\_\_\_\_

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing

☐ AM  
☐ PM

Date of hearing (month, day, year)

Location of hearing

**HEARING RESULTS (to be completed after the hearing)**

☐ Approved ☐ Denied (see instruction 4 above)

Reasons for determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

**APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]**

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.



May 18, 2020

Mayor Hickman and Angola City Council  
City of Angola  
210 N. Public Sq.  
Angola, IN 46703

**RE: 2021 FUNDING REQUEST (Fee for Service Contract) – STEUBEN COUNTY  
ECONOMIC DEVELOPMENT CORPORATION**

Dear Mayor Hickman and Angola City Council:

On behalf of the Steuben County Economic Development Corporation, thank you for your consideration of future support for our efforts to fulfill the mission of the organization:

*The mission of the Steuben County Economic Development Corporation Is to lead economic prosperity through collaboration while strengthening employment opportunities to improve the quality of life in Steuben County.*

Below is a summary of previous contracts from City of Angola government for the Steuben County Economic Development Corporation over the past eleven years:

2009	\$51,678
2010	\$51,678
2011	\$51,678
2012	\$51,678
2013	\$51,678
2014	\$51,678
2015	\$51,678
2016	\$51,678
2017	\$59,430
2018	\$59,430
2019	\$59,430
2020	\$59,430

**The request for 2021, as it was for 2020, remains constant at \$59,430.** Worth noting, over the life of our organization, City of Angola government has partnered with the Steuben County EDC on a number of initiatives above and beyond the fee for service agreement. We remain excited about the possibilities for City of Angola.



Accomplishments and Objectives for the year and beyond:

- Since 2016, we facilitated over **65 projects** to the county, 62 of which were local expansion projects that created **714 new jobs** and **retained over 7,900 jobs**
- Since 2016, the work that we have done has led to **increase in CEDIT funding** in the county and CEDIT has surpassed the **\$2.2 million mark** collected for the first time in 2020. This is a direct **result from the work in economic development**
- Projects above resulted in **\$24,500,000 new payroll**
- Since 2016, Total Investment to the county included **\$287,000,000 in Real Property and Personal Property**
- The City of Angola ranked **Tied for 6<sup>th</sup>** as a Top 100 Micropolitan in Site Selection Magazine, placed in the Top 10 for the **third year in a row** and has ranked in the Top 100 for 13 out of the last 14 years
- For every **public dollar** spent in tax abatements for these above projects, its generated **\$54** in private sector investment.
- We continued our **Business Retention and Expansion (BR&E)** program, the EDC on average meets with over **70** businesses throughout the county annually. **We are the only entity in Steuben County with the sole commitment to do this work**
- Understanding Workforce Development is a major priority for the EDC now and into the future. Here are a few examples of how we help our employers eliminate barriers.
  - o Locating **training funding for all employees** within the Steuben County **labor shed**
  - o Played a critical role in expanding the **Indiana EDGE Credit** program to include our full labor shed and not exclude employees that are hired in our county that live outside of our state
  - o SCEDC hired a third full-time employee to for Workforce Development
- Continue to play a role in bringing more utility capacity to Steuben County for growth.
- Continue working with all partners on the Steuben County Housing Strategy Steering Committee

There are many exciting initiatives on the horizon. We thank you for your past support and trust we can count on your continued support. Thank you very much!

Respectfully,

  
Isaac R Lee, MBA  
Executive Director

c: Steuben County EDC Board of Directors

**Steuben County Economic Development Corporation**  
**10 Year Revenue Analysis and Projections**

Year	2011		2012		2013		2014		2015		2016		2017		2018		2019		2020		REQUESTED 2021	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
Steuben County	130,488	63%	130,488	62%	130,488	62%	130,488	62%	130,488	62%	130,488	62%	140,000	60%	150,000	62%	150,000	62%	150,000	62%	150,000	62%
City of Angola	51,678	25%	51,678	24%	51,678	24%	51,678	24%	51,678	24%	51,678	24%	59,430	25%	59,430	24%	59,430	24%	59,430	24%	59,430	24%
Town of Ashley	2,519	1%	2,519	1%	2,519	1%	2,519	1%	2,519	1%	2,519	1%	2,897	1%	2,897	1%	2,897	1%	2,897	1%	2,897	1%
Town of Clear Lake	1,716	1%	1,716	1%	1,716	1%	1,716	1%	1,716	1%	1,716	1%	2,000	1%	2,000	1%	2,000	1%	2,000	1%	2,000	1%
Town of Fremont	11,902	6%	11,902	6%	11,902	6%	11,902	6%	11,902	6%	11,902	6%	13,687	6%	13,687	6%	13,687	6%	13,687	6%	13,687	6%
Town of Hamilton	6,649	3%	6,649	3%	6,649	3%	6,649	3%	6,649	3%	6,649	3%	7,646	3%	7,646	3%	7,646	3%	7,646	3%	7,646	3%
Town of Hudson	0	0%	4,235	2%	4,235	2%	4,235	2%	4,235	2%	4,235	2%	4,870	2%	4,870	2%	4,870	2%	4,870	2%	4,870	2%
Town of Orland	2,413	1%	2,413	1%	2,413	1%	2,413	1%	2,413	1%	2,413	1%	2,775	1%	2,775	1%	2,775	1%	2,775	1%	2,775	1%
<b>Total Local Public Sector</b>	<b>207,365</b>		<b>211,600</b>		<b>211,600</b>		<b>211,600</b>		<b>211,600</b>		<b>211,600</b>		<b>233,305</b>		<b>243,305</b>		<b>243,305</b>		<b>243,305</b>		<b>243,305</b>	
<b>TOTAL CEDIT REVENUES:</b>	<b>1,335,789</b>		<b>1,668,732</b>		<b>1,781,757</b>		<b>1,848,903</b>		<b>1,823,388</b>		<b>1,961,568</b>		<b>1,988,522</b>		<b>2,151,124</b>		<b>2,151,124</b>		<b>2,296,530</b>			
<b>SCEDC / CEDIT REVENUE *</b>	<b>16%</b>		<b>13%</b>		<b>12%</b>		<b>11%</b>		<b>12%</b>		<b>11%</b>		<b>12%</b>		<b>11%</b>		<b>11%</b>		<b>11%</b>			

May 18, 2020

Year	2011		2012		2013		2014		2015		2016		2017		2018		2019		2020	
	\$	%	\$	%	\$	%														
Steuben County	864,388	65%	801,708	60%	1,001,532	60%	1,069,054	60%	1,109,666	60%	1,094,353	60%	1,177,285	60%	1,193,463	60%	1,291,051	60%	1,378,320	60%
City of Angola	292,618	22%	336,516	25%	420,393	25%	445,439	25%	465,782	25%	459,354	25%	494,165	25%	500,955	25%	541,918	25%	578,550	25%
Town of Ashley	14,025	1%	13,247	1%	16,548	1%	17,818	1%	18,335	1%	18,082	1%	19,452	1%	19,719	1%	21,332	1%	22,774	1%
Town of Clear Lake	9,722	1%	13,247	1%	16,548	1%	17,818	1%	18,335	1%	18,082	1%	19,452	1%	19,719	1%	21,332	1%	22,774	1%
Town of Fremont	67,576	5%	85,543	6%	104,366	6%	106,905	6%	115,634	6%	114,038	6%	122,680	6%	124,366	6%	134,536	6%	143,630	6%
Town of Hamilton	50,124	4%	50,329	4%	62,873	4%	71,270	4%	69,662	4%	68,700	4%	73,907	4%	74,922	4%	81,049	4%	86,527	4%
Town of Hudson	23,747	2%	20,241	2%	25,286	2%	35,635	2%	28,016	2%	27,630	2%	29,723	2%	30,132	2%	32,596	2%	34,799	2%
Town of Orland	13,587	1%	16,959	1%	21,186	1%	17,818	1%	23,473	1%	23,149	1%	24,904	1%	25,246	1%	27,310	1%	29,156	1%
Total CEDIT Collection	1,335,787		1,337,790		1,668,732		1,781,757		1,848,903		1,823,388		1,961,568		1,988,522		2,151,124		2,296,530	



May 26, 2020

Mayor Richard Hickman  
City of Angola  
210 N Public Square  
Angola, Indiana 46703

Dear Mayor Hickman

We would like to present this request to you and the Angola Common Council for the consideration of a rate adjustment on the Municipal Solid Waste and Recycling Material contract dated June 6, 2016.

The bid specification Item XI, page 17, indicates that we may ask Council annually to review the rates compensation based on certain circumstances. We understand Council has sole authority in considering such request, and the rate may escalate no more than 80% of the percent change in the Municipal Cost Index.

The American City and County web site shows the MCI is up **1.64%** for the January 2019 to January 2020 period. At a contract cap of 80% of the change in the MCI, the requested rate increase would be **1.31%** applied to each line item on the original bid Form: residential service, recycling service, and commercial containers at various City locations based upon the current unit rates.

If the Angola Council approves this requested rate adjustment the rate would be for a one- year period starting July 1, 2020.

Thank you for your consideration.

Sincerely

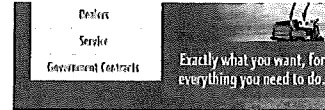
*Craig A Lutz*

Craig Lutz  
Manager, Municipal Services  
Republic Services



<https://www.americancityandcounty.com/municipal-cost-index/>

AMERICAN  
**CITY & COUNTY**



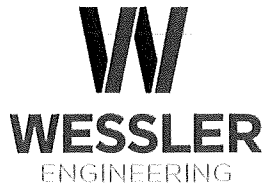
## MUNICIPAL COST INDEX



The Municipal Cost Index (MCI), developed exclusively by *American City & County*, is designed to show the effects of inflation on the cost of providing municipal services. State and local government officials rely on *American City & County's* Municipal Cost Index to stay on top of price trends, monitor price increases for commodities, make informed government contract decisions and plan budgets intelligently. Since 1978, readers have loyally referred to the Municipal Cost Index to determine the cost of inflation and, hence, the rising cost of doing business as a local government.

On this page, Municipal Cost Index data for the current year and the year-to-year percentage change in the index compared to that month last year are displayed. Additionally, related data for the three indices that comprise the Municipal Cost Index are also shown. Scroll down to find historical data for the Municipal Cost Index and its component indices dating back to 1978.

Month (2020)	Municipal Cost Index (MCI)	MCI Yr-Yr % Change	Construction Cost Index (CCI)	CCI Yr-Yr % Change	Consumer Price Index (CPI)	CPI Yr-Yr % Change	Producer Price Index (PPI)	PPI Yr-Yr % Change
Jan	255.56	1.64%	292.27	1.69%	258.82	2.43%	199.40	0.40%



*More than a Project™*

May 22, 2020

Craig Williams  
City of Angola  
210 N Public Sq.  
Angola, IN 46703

Re: Proposal for Professional Services  
Wastewater Improvements

Dear Mr. Williams:

We are pleased to present this Proposal to the City of Angola, Indiana (hereinafter referred to as OWNER) to provide Professional Services for the work related to Wastewater Improvements including a Preliminary Engineering Report (PER) and Design services, herein described as the PROJECT;

## **I. PROJECT DESCRIPTION**

The PROJECT shall consist of completing an Indiana Finance Authority State Revolving Fund (SRF) PER that identifies needed improvements within the City of Angola's wastewater system, both in the collection system and at the treatment plant. The PROJECT also includes design services for Kings Lift Station Rehabilitation, Metal Spinners Lift Station Rehabilitation, and Manhole and Sewer Rehabilitation.

## **II. SCOPE OF SERVICES – BASIC SERVICES**

Wessler Engineering, Inc. (ENGINEER) shall provide the following Professional Services:

### **A. Phase 1- Preliminary Engineering Report for SRF**

1. General PER Assistance
  - a. Assist with completing and submitting the SRF application.
  - b. Attend the SRF project planning meeting with OWNER
  - c. One (1) site visit to serve as kick-off meeting.
  - d. One (1) site visit to evaluate and document the existing conditions, including identification of pertinent design constraints.

- e. Prepare and submit draft PER to the OWNER. Deliver 3 bound copies of draft documents, plus electronic copies of PDF formats of documents.
  - f. Review the Draft PER with the OWNER. Address OWNER's review comments, and make the necessary revisions in the Final PER.
  - g. Conduct internal QA/QC reviews of PER prior to milestone design submittals. Incorporate QA/QC review comments.
  - h. Upon final approval of the PER by OWNER, present the PER to OWNER and interested parties at a scheduled Public Hearing and submit three hard copies and an electronic PDF file to the OWNER.
  - i. Submit the PER to the SRF program for review. Revise the PER as necessary to obtain SRF approval of the report.
2. PER Development for Kings Lift Station Rehabilitation, Metal Spinners Lift Station Rehabilitation, and Manhole and Sewer Rehabilitation.
- a. CCTV review of sewer segments
  - b. Prepare a Draft PER containing the following for the projects to be designed by ENGINEER:
    - (1) Identify the current condition of the existing lift stations, sewer segments and manholes in need of rehabilitation and improvement. Include results of any previous fieldwork and observations completed outside of this agreement and information provided from the city's investigations.
    - (2) Document the issues and need for improvements, including health and safety concerns, lack of capacities, aging infrastructure, etc. as identified through calculations and field investigations.
    - (3) Prepare a list of possible project alternatives. Alternatives including "do nothing" and "dig and replace" will be included in the analysis of alternatives. Alternatives will be screened and ranked based upon system effectiveness, cost, sustainability, and environmental impact.
    - (4) Evaluate historical flow monitoring and modeling data, current and future land use planning, population trends and projections, and all other data that may affect the sizing of the lift stations over a 20-year study period.

- (5) Identify regulatory and permitting requirements and issues.
  - (6) Provide an evaluation of the environmental impacts of the recommended improvements, including historic preservation, wetlands and 100-year floodplain maps, and construction concerns as required by SRF.
  - (7) Include in the PER project scope exhibits and project costs including construction and non-construction costs (legal, engineering, financial consultant, etc.
  - (8) Complete the SRF Design Summary Form.
  - (9) Complete the Green Project Initiative Form and prepare a Business Case for the Green Initiatives for consideration of a reduction in financing interest rate by the SRF program.
  - (10) Develop a proposed implementation schedule and phasing for the recommended wastewater system improvements included in the PER scope.
  - (11) Summarize the results of the investigations, engineering evaluations, recommendations, cost estimates, and schedule in a PER. The PER will follow and adhere to the guidelines established by the Indiana Finance Authority SRF program.
3. PER – Assistance for City Design Projects for Sewer Extensions
    - a. City Design Projects include Sanitary Extension Projects.
    - b. Assist City in evaluations, discussions, alternatives, cost estimates, historical information, permitting requirements, and all other SRF PER items for the City Design projects. ENGINEER to incorporate the City Design Project items into the PER.
    - c. Up to 16 hours included for City PER Assistance
  4. PER - Assistance for Design Projects by Others for Wastewater Treatment Plant Improvements
    - a. Design Projects by Others include Wastewater Treatment Plant Improvements.
    - b. Evaluations, discussions, alternatives, cost estimates, historical information, permitting requirements, and all other SRF PER items of the Wastewater Treatment Plant Improvements to be provided by others. ENGINEER to incorporate these items into the PER.

## B. Phase 2 – Design Services

ENGINEER shall provide design services as listed below for the following wastewater improvements: two (2) lift stations, sewer main rehabilitation and manhole rehabilitation.

Design services for the wastewater treatment plant improvements and the sewer extensions to be performed by others.

1. Rehabilitation/Improvement of Kings Lift Station and Metal Spinners Lift Station:
  - a. Perform a topographic field survey of the lift station sites. Information to be obtained by the field surveys include utilities located by the respective agency; existing infrastructure; surface improvements including streets and sidewalks; topography.
  - b. Create design plans and specifications for:
    - (1) converting the existing wet wells into submersible lift stations
    - (2) demolition of the existing dry wells.
    - (3) lift station layout, valve vault, valves, and all necessary piping;
  - c. Evaluate, size and select submersible pumps.
  - d. Design HOA (Hand / Off / Auto) interfaces to allow the stations to operate in manual, as well as automated modes. This shall also allow bypassing of controls when in hand mode.
  - e. Design of a new PLC (Programmable Logic Controller).
  - f. Design new HMIs (Human Machine Interfaces) with process status, alarm information, mode selection, and set-point changing ability.
  - g. It is the intent of the project to use the existing SCADATA system for telemetry between the wastewater plant and the lift stations. Additional SCADATA nodes may be required alongside the existing ones to achieve the level of control desired by the Owner.
  - h. Design new primary control panels and concrete pads to house the new controls and electronic equipment in the lift stations.
  - i. Design and selection of primary and auxiliary level sensing methods.
  - j. Prepare preliminary design including draft specifications based upon EJCDC language while utilizing OWNER front-end documents, where applicable. Prepare technical specifications and schedules of lift station rehabilitation and conversion. Prepare draft

construction plans including maintenance of traffic, erosion control, and details. Submit draft construction plans, specifications, and engineer's estimate of construction cost for review by OWNER.

- k. Address all OWNER review comments.
  - l. Conduct internal QA/QC reviews of plans, specifications, and cost estimates prior to milestone design submittals. Incorporate QA/QC review comments.
  - m. Prepare and submit the Final Construction Documents in preparation for OWNER to bid the project. Deliver 3 bound copies of Final Construction Documents, plus electronic copies in Word, AutoCAD, and PDF formats.
  - n. IDEM permit to be completed and submitted for the rehabilitation/improvement of the Kings Lift Station and the Metal Spinners Lift Station.
2. Manhole and Sewer Rehabilitation:
- a. Design rehabilitation for approximately 6,100 LFT of sewer, ranging from 8" to 30" in diameter.
  - b. Perform coordination with OWNER and a reputable bypass pumping contractor to identify site specific bypass requirements for the sewer and manhole rehabilitation. Other tasks will include the identification of potential bypass suction and discharge points as well as routes between them, exploration of options for burial of bypass lines and maintenance of traffic considerations, and the development of bypass pumping plan requirements for inclusion in the Construction Documents.
  - c. Perform a walk-through of the PROJECT area with the OWNER, prospective bidders, and other personnel to discuss site specifics, bypass pumping, and other construction requirements such as PROJECT access that should be addressed as a part of the design.
  - d. Consider the location of potential access points to facilitate CIPP and their impact on utilities, traffic, etc.
  - e. Design of point repairs are NOT included in the PROJECT. The OWNER assumes no point repairs are needed.
  - f. Coordinate access with the local street department and affected property owners.
  - g. Identify the location, diameter, and source of all laterals discharging into the sewers to be rehabilitated.

- h. Determine the metrics and site conditions required for CIPP liner thickness calculations.
- i. Design minor rehabilitation methods for up to 50 manholes chosen to be included in the PROJECT.
- j. Coordinate with local utilities to identify potential conflicts and resolve them.
- k. Perform up to 24 hours of coordination with INDOT, as required, for rehabilitation work within INDOT ROW.
- l. Collaborate with specialty contractors (CIPP, bypass pumping, manhole rehabilitation).
- m. Design maintenance of traffic measures to keep roads and sidewalks open and safe.
- n. Prepare preliminary design including draft specifications based upon EJCDC language while utilizing OWNER front-end documents, where applicable. Prepare technical specifications and schedules of sanitary sewer and manhole rehabilitation. Prepare draft construction plans including sewer and manhole rehabilitation, bypass pumping, maintenance of traffic, erosion control, and details. Submit draft construction plans, specifications, and engineer's estimate of construction cost for review by OWNER.
- o. Address all OWNER review comments.
- p. Conduct internal QA/QC reviews of plans, specifications, and cost estimates prior to milestone design submittals. Incorporate QA/QC review comments.
- q. Prepare and submit the Final Construction Documents in preparation for OWNER to bid the project. Deliver 3 bound copies of Final Construction Documents, plus electronic copies in Word, AutoCAD, and PDF formats.
- r. Perform up to 20 hours of environmental and regulatory coordination, as required. Share project specifics with IDEM Facility Construction & Engineering Section. (Note: An IDEM Construction Permit is not anticipated. This will be verified during design to ensure compliance.) Identify and obtain other state and local coordination/permits that may be required.

### **III. ADDITIONAL PROFESSIONAL SERVICES**

If authorized in writing by the OWNER, the ENGINEER agrees to furnish Additional Professional Services in conjunction with the PROJECT including, but not limited to:

- A. Bidding Assistance Services: Upon written notice, ENGINEER shall provide Bidding Assistance services for the duration of the PROJECT Bid Phase.
- B. Construction Administration Services: Upon written notice, ENGINEER shall provide Construction Administration services for the duration of the PROJECT construction.
- C. Resident Project Representative: Upon written advanced notice, ENGINEER shall provide full or part-time Resident Project Representative (RPR) services for the duration of the PROJECT construction.

### **IV. OWNER'S RESPONSIBILITIES**

- A. The OWNER's responsibilities are contained in Attachment No. 1, Standard Terms and Conditions.
- B. OWNER shall provide the following information.
  - 1. Available existing design drawings
  - 2. Available existing design specifications
  - 3. Existing SCADATA system information

### **V. COMPENSATION**

In accordance with the Standard Terms and Conditions of the Agreement, ENGINEER shall provide the Professional Services for which OWNER shall compensate ENGINEER as follows:

- A. Compensation for Professional Services described in Article II.A and II.B shall be on a time and materials basis in the not-to-exceed amount of \$147,000.00 as follows:

Article II.A –PER for SRF	\$ 34,000.00
Article II.B – Design Phase	
Rehabilitation of Kings Lift Station & Metal	
Spinners Lift Stations	\$ 72,000.00
Sewer and Manhole Rehabilitation	\$ 41,000.00
 Total Estimated Fee:	 \$147,000.00
- B. Compensation for Additional Services, if requested in writing, shall be on a time and materials as mutually agreed to by OWNER and ENGINEER.



- C. Professional Services performed on a time and materials basis shall be invoiced by ENGINEER monthly based upon the actual hours and reimbursable expenses incurred in performing the Services per ENGINEER's Hourly Rate and Reimbursement Expense Schedule in effect at the time the Professional Services are performed.
- D. The Professional Services Fees contained in this Agreement shall be valid for a period of 60 days from the date of this Agreement.

## VI. SCHEDULE

Notice to Proceed (NTP) shall commence upon execution of this agreement.

The project shall commence in phases as described in the table below:

MILESTONE	ANTICIPATED TIME
<b>PER PHASE</b>	
DRAFT PER – Wessler Evaluations completed	4 weeks from NTP
DRAFT PER – Combined with evaluations from others	2 weeks after receipt of all DRAFT PER information
FINAL PER – Submittal to SRF	2 weeks after receipt of DRAFT PER comments
<b>DESIGN PHASE</b>	
Preliminary Design (60%) Submittal	8 weeks after receipt of DRAFT PER comments
Final Design (100%) Submittal	6 weeks after receipt of Preliminary Design comments
<b>BID PHASE</b>	
Advertise to Bid	TBD
Bid Openings	TBD

## VII. STANDARD TERMS AND CONDITIONS

The Standard Terms and Conditions of this Proposal are included as Attachment No. 1.

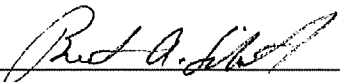
If this Proposal meets with your approval, it will become a Professional Services Agreement by signing in the space provided below, and will serve as our written Notice-to-Proceed upon the signature date. Please return one fully executed copy for our file and record.

This document may be executed in counterparts, each of which shall be deemed to be an original, and all such counterparts together shall constitute one and the same agreement. An electronic, telecopied, or facsimile signature shall be equivalent to and as binding as an original signature.

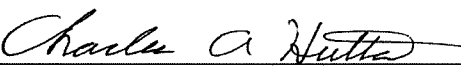
This Professional Services Agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ENGINEER  
WESSLER ENGINEERING, INC.

OWNER  
CITY OF ANGOLA, IN

  
\_\_\_\_\_  
Brent A. Siebenthal, P.E.  
President

\_\_\_\_\_

Attest:   
\_\_\_\_\_  
C. Aaron Hutton, P.E.  
Senior Project Manager

Attest: \_\_\_\_\_

Date: 5-22-2020

Date: \_\_\_\_\_

ADDRESS FOR GIVING NOTICE:  
Wessler Engineering, Inc.  
6219 South East Street  
Indianapolis, IN 46227

ADDRESS FOR GIVING NOTICE:  
City of Angola  
210 N Public Sq.  
Angola, IN 46703

Attachments:    No. 1 – Standard Terms and Conditions  
                      No. 2 – 2020 Hourly Rate and Reimbursable Expense Schedule  
                      No. 3 – E-Verify Affidavit  
                      No. 4 – Indiana Iran Investment Certification



## **ATTACHMENT NO. 1**

### **STANDARD TERMS AND CONDITIONS**

#### **1. Basic Agreement**

A. Engineer shall provide, or cause to be provided, the Basic Services as described in this Agreement, and Owner shall pay Engineer for such Services.

#### **2. Additional Services**

A. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.

B. Owner shall pay Engineer for such additional services as follows: For additional services of Engineer's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses, if any.

#### **3. Payment Procedures**

A. *Preparation of Invoices.* Engineer will prepare a monthly invoice in accordance with Engineer's standard invoicing practices and submit the invoice to Owner.

B. *Payment of Invoices.* Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

#### **4. Design without Construction Phase Services**

A. If Engineer's Basic Services under this Agreement do not include Project observation, or review of the Contractor's performance, or any other Construction Phase services, then (1) Engineer's services under this Agreement shall be deemed complete no later than the end of the Bidding or Negotiating Phase; (2) Engineer shall have no design or shop drawing review obligations during construction; (3) Owner assumes all responsibility for the application and interpretation of the Contract Documents, contract administration, construction observation and review, and all other necessary Construction Phase engineering and professional services; and (4) Owner waives any claims against the Engineer that may be connected in any way thereto.

#### **5. Termination**

A. This Agreement may be terminated by either party by thirty days written notice in the event of substantial failure to perform in accordance with the terms of this Agreement by the other party through no fault of the terminating party; provided, however, the nonperforming party shall have 14 calendar days from the receipt of the termination notice to cure or to submit a plan for cure acceptable to the other party.

B. Owner may terminate or suspend performance of this Agreement for Owner's convenience upon written notice to Engineer. Engineer shall terminate or suspend performance of the Services on a schedule acceptable to Owner, and Owner shall pay Engineer for all the Services performed plus termination or suspension expenses. Upon restart of suspended Services, an equitable adjustment shall be made to Engineer's compensation and the Project schedule.

#### **6. Owner's Responsibilities**

A. Provide Engineer with all criteria and full information as to Owner's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility, and expandability, and any budgetary limitations; and specify any design and construction standards that Owner requires be included in the Drawings and Specifications.

B. Designate in writing a person authorized to act as the Owner's representative. The Owner or his representative shall receive and examine documents submitted by the Engineer, interpret and define the Owner's policies and render decisions and authorizations in writing promptly to prevent unreasonable delay in the progress of the Engineer's services.

C. Furnish to the Engineer all available existing information for service and utilities locations, easements, right-of-way, encroachments, and zoning and deed restrictions.

D. Provide for full and free access for the Engineer to enter upon all property required for the performance of the Engineer's services under this Agreement.

E. Provide legal, accounting and insurance counseling services as necessary for the Project.

F. Pay for placement and payment for advertisement for Bids in appropriate publications, and all permit fees for agency approval of the Project.

G. Furnish above services at the Owner's expense and in such manner that the Engineer may rely upon them in the performance of his services under this Agreement.

H. Give prompt notice to the Engineer whenever the Owner observes or otherwise becomes aware of any defect in the Project or other event, which may substantially affect the Engineer's performance of services under this Agreement.

#### **7. Dispute Resolution**

A. Owner and Engineer agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice prior to invoking the procedures of Mediation or exercising their rights under law.

B. If Mediation is invoked, the Owner and Engineer agree that they shall first submit any and all unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or

relating to this Agreement or the breach thereof ("Disputes") to mediation by a mutually agreed upon party. If such mediation is unsuccessful in resolving the Dispute, then (a) the parties may mutually agree to a dispute resolution of their choice, or (b) either party may seek to have the Dispute resolved by a court of competent jurisdiction.

#### **8. Successors, Assigns, and Beneficiaries**

A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by paragraph 8.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

#### **9. General Considerations**

A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Engineer and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.

B. This Agreement is to be governed by the laws of the State of Indiana.

C. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

D. Not Used.

E. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$500,000.00.

F. Neither party shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or by the other's employees and agents.

G. The Engineer agrees to provide and maintain insurance coverage for Professional, Comprehensive General, Automobile, Worker's Compensation and Employer's Liability in amounts in accordance with Engineer's business requirements. Certificates evidencing such coverage will be provided to Owner upon request. For projects involving construction, Owner agrees to require its construction contractor(s), if any, to include Engineer as an additional insured on its policies relating to the Project.

H. The Engineer agrees to maintain records of payroll costs, including fringe benefit costs, and actual out-of-pocket costs on a generally recognized accounting basis and shall be available to the Owner during the life of this Agreement at mutually convenient times.

I. In the event any provisions of this Agreement shall be held to be invalid and non-enforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provisions, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

#### **10. Subconsultants**

A. Subconsultants to the Engineer are listed in the Agreement. Engineer may add, remove, or replace Subconsultants for reasonable cause with prior written approval of the Owner. In the event Owner does not approve the addition or the replacement of a Subconsultant listed in the Agreement, and Engineer cannot reasonably perform the Services intended for said Subconsultant, Owner agrees to contract directly with an entity qualified and capable of performing said Services. Owner further releases Engineer from all liability associated with the performance of said entity's Services.

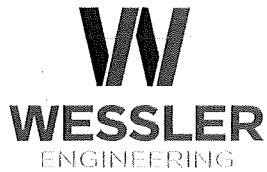


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## ATTACHMENT NO. 2

### 2020 HOURLY RATE and REIMBURSABLE EXPENSE SCHEDULE

<u>Position</u>	<u>Hourly Rate*</u>
Principal Engineer	\$230
Senior Project Manager I/II	\$190/\$215
Senior Project Engineer I/II	\$190/\$215
Project Manager I/II	\$155/\$165
Assistant Project Manager	\$130
Project Engineer I/II/III/IV	\$120/\$130/\$155/\$165
Engineer	\$105
Electrical Senior Project Manager I/II	\$195/\$220
Electrical Senior Project Engineer I/II	\$195/\$220
Electrical Project Manager I/II	\$160/\$170
Electrical Project Engineer I/II/III/IV	\$125/\$135/\$160/\$170
Control System Engineer I/II/III/IV	\$110/\$130/\$150/\$170
Environmental Services Senior Project Manager I	\$150
Environmental Services Project Manager I/II	\$130/\$140
Environmental Services Assistant Project Manager	\$105
Environmental Scientist I/II	\$80/\$95
CAD Manager I/II	\$120/\$150
Senior Designer I/II	\$115/\$130
Designer	\$105
GIS Technician	\$90
Technician I/II/III/IV	\$65/\$80/\$90/\$100
Senior Resident Project Representative I/II	\$110/\$120
Resident Project Representative I/II/III/IV	\$65/\$80/\$90/\$100
Field Services Manager I/II	\$120/\$130
Registered/Professional Land Surveyor	\$160
Survey Manager	\$130
Survey Crew Manager I/II	\$90/\$100
Survey Crew Chief I/II	\$85/\$95
Project Coordinator	\$90
Project Administrator	\$60



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Reimbursable Expenses shall be charged as follows:

<u>Item and Unit</u>		<u>Unit Cost</u>
Mileage (per mile)		At current IRS published rate
Copies:(each) Black & White	8.5"x11" / 11"x17"	\$0.12
	24"x36"	\$1.00
Color	8.5"x11" / 11"x17"	\$0.20/\$0.40
Plots-Bond: (each)	12"x18" / 24"x36"	\$0.50/\$1.00
GPS Survey Equipment/Robotic Total Station/Pole Camera		\$15.00 per hour
Postage/shipping/freight, Lodging and Per Diems		At Cost
Subcontractor/Subconsultant fees		Cost + 10%
eCommunication Construction Software License through Eastern Engineering (per project)		At Cost

\*Expert Witness Services (Court Hearings or Testimony, Depositions, Arbitration or Mediation Hearings) shall be charged at 150% of the Hourly Rate listed in this Schedule.

This Schedule is subject to change.

January 1, 2020

ATTACHMENT NO. 3  
E-Verify Affidavit

Pursuant to Indiana Code 22-5-1.7-11, the Engineer entering into a contract with the Owner is required to enroll in and verify the work eligibility status of all its newly hired employees through the E-Verify program. The Engineer is not required to verify the work eligibility status of all its newly hired employees through the E-Verify program if the E-Verify program no longer exists.

The undersigned, on behalf of the Engineer, being first duly sworn, deposes and states that the Engineer does not knowingly employ an unauthorized alien. The undersigned further affirms that, prior to entering into its contract with the Owner, the undersigned Engineer will enroll in and agrees to verify the work eligibility status of all its new hired employees through the E-Verify program

(Engineer): Wessler Engineering, Inc.

By (Written Signature): 

(Printed Name) Brent A. Siebenthal

(Title): President

Important – Notary Signature and Seal Required in the Space Below

STATE OF INDIANA

SS:

COUNTY OF MARION



Subscribed and sworn to before me this 02nd day of January, 2020.

(Signed) 

Gale E. Rebennack

My commission expires November 15, 2023

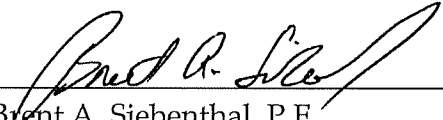
Residing in Morgan County, State of Indiana

## **ATTACHMENT NO. 4**

### **INDIANA IRAN INVESTMENT CERTIFICATION**

I, Brent A. Siebenthal, the duly authorized representative of Wessler Engineering, Inc., certify under penalty of perjury that Wessler Engineering, Inc. does not engage in investment activities in Iran as defined by I.C. 5-22-16.5.

Wessler Engineering, Inc.

By:   
Brent A. Siebenthal, P.E.  
President