

**NOVEMBER 16, 2020**

The regular meeting of the Common Council of the City of Angola, Indiana was called to order at 7:00 p.m. at the Angola Training Center, 306 West Mill Street 1B, with Mayor Richard M. Hickman presiding. Council Members Gary L. Crum, David A. Olson, Kathleen G. Armstrong, David B. Martin, and Jerold D. McDermid answered roll call. No Council Member was absent. Clerk-Treasurer Debra A. Twitchell recorded the minutes.

Among those present were Chief of Police Stu Hamblen, City Attorney Kim Shoup, Water Superintendent Tom Selman, City Engineer Amanda Cope, Wastewater Superintendent Craig Williams, Human Resources Administrator Sue Essman, and MS4/Engineering Assitant Kristen Thomas.

Also, among those present were Jeff Rowe of Baker Tilly Financial Advisors, Colin Meadowcroft of WLKI, and Ashlee Hoos of *The Herald Republican* via phone.

**REMARKS BY THE MAYOR**

Mayor Hickman stated that COVID-19 cases were dramatically rising in Steuben County as well as all around the state. Today he signed an executive order for all public meetings to be held electronically beginning December 1 until further notice.

**APPROVAL OF THE MINUTES**

Council Member Olson moved to approve the November 2, 2020 minutes. Council Member McDermid seconded the motion. The motion carried 5-0.

The October 5, 2020 minutes of the Board of Public Works and Safety were presented for Council information.

**UNFINISHED BUSINESS**

At 7:02 p.m. Mayor Hickman declared open the public hearing for the proposed sewage works rates and charges. There being no public comment, the hearing was considered closed at 7:02 p.m. Ordinance No. 1654-2020, AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR USE AND SERVICES BY THE SEWAGE WORKS OF THE CITY OF ANGOLA, INDIANA, AND AMENDING THE ANGOLA MUNICIPAL CODE, was read by title and presented to Council on third and final reading. Council Member Martin moved to approve. Council Member Armstrong seconded the motion. The motion to approve on third and final reading carried 5-0. (9% increase)

At 7:03 p.m. Mayor Hickman declared open the public hearing for the proposed waterworks rates and charges. There being no public comment, the hearing was considered closed at 7:03 p.m. Ordinance No. 1655-2020, AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR USE AND SERVICES BY THE WATERWORKS OF

THE CITY OF ANGOLA, INDIANA, AND AMENDING THE ANGOLA MUNICIPAL CODE, was read by title and presented to Council on third and final reading. Council Member Martin moved to approve. Council Member Olson seconded the motion. Council Member Martin recommended the rates and charges be implemented over a three-year period and explained his reasons why. Jeff Rowe with Baker Tilly explained the adjustment based on the Cost of Service Study is revenue neutral and suggested the recommendation by Council Member Martin is more of a policy decision. Discussion followed. Council Member Martin then moved to amend the ordinance and set the proposed rates and charges over a three-year period. Council Member Crum seconded the motion. Discussion followed. On call of the vote to amend the ordinance, the motion carried 3-2. Council Members Olson and Armstrong dissented. City Attorney Shoup advised because the amending motion makes a substantive change to the ordinance, the ordinance is now invalid and must be represented with the three-year schedule of rates and charges along with another public hearing. No further action was taken by Council.

At 7:19 p.m. Mayor Hickman declared open the public hearing for the proposed waterworks rates and charges for fire protection, hydrant rental, and private sprinklers. There being no public comment, the hearing was considered closed at 7:19 p.m. Ordinance No. 1656-2020, AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR USE AND SERVICES BY THE WATER WORKS OF THE CITY OF ANGOLA, INDIANA, AND AMENDING THE ANGOLA MUNICIPAL CODE, was read by title and presented to Council on third and final reading. Council Member Martin moved to amend the ordinance by striking the word "municipal" from section (A)(3) and proceed with adoption. Council Member Crum seconded the motion. Council Member Martin expressed his belief that fire protection should be a tax supported service and not a utility service fee. Jeff Rowe with Baker Tilly explained the multiple reasons municipalities are transitioning away from tax supported fire protection. Discussion followed. The motion to amend and approve on third and final reading was denied 4-1. Council Members Crum, Olson, Martin, and McDermid dissented.

#### NEW BUSINESS

Ordinance No. 1657-2020, AN ORDINANCE REGARDING THE ACCOUNTING AND APPROPRIATION OF COVID-19 GRANTS, was read by title and presented to Council on first reading. Council Member Martin moved to approve. Council Member McDermid seconded the motion. The motion to approve on first reading carried 5-0. Council Member Martin moved to poll the Council for unanimous consent and moved to waive Common Council Meetings - Rule 22 to allow for second and third readings. Council Member McDermid seconded the motion. The motion to suspend Common Council Meetings - Rule 22 carried 5-0. Ordinance No. 1657-2020 was then read by title and presented to Council on second reading. Council Member Martin moved to approve. Council Member Crum seconded the motion. The motion to approve on second reading carried 5-0. Ordinance No. 1657-2020 was then read by title and presented to Council on third and final reading. Council Member Martin moved to approve. Council Member Olson seconded the motion. The motion to approve on third and final reading carried 5-0. (For purposes of

adoption, this ordinance is now numbered 1655-2020 pursuant to Angola Municipal Code, Common Council Meetings - Rule 23.)

Ordinance No. 1658-2020, AN ORDINANCE AUTHORIZING THE BUY OUT OF EMPLOYEE ACCUMULATED LEAVE TIME DUE TO COVID-19, was read by title and presented to Council on first reading. Council Member Martin moved to approve. Council Member Crum seconded the motion. The motion to approve on first reading carried 5-0. Council Member Martin moved to poll the Council for unanimous consent and moved to waive Common Council Meetings - Rule 22 to allow for second and third readings. Council Member McDermid seconded the motion. The motion to suspend Common Council Meetings - Rule 22 carried 5-0. Ordinance No. 1658-2020 was then read by title and presented to Council on second reading. Council Member Martin moved to approve. Council Member Crum seconded the motion. The motion to approve on second reading carried 5-0. Ordinance No. 1658-2020 was then read by title and presented to Council on third and final reading. Council Member Martin moved to approve. Council Member McDermid seconded the motion. The motion to approve on third and final reading carried 5-0. (For purposes of adoption, this ordinance is now numbered 1656-2020 pursuant to Angola Municipal Code, Common Council Meetings - Rule 23.)

Ordinance No. 1659-2020, AN ORDINANCE AMENDING THE ANGOLA MUNICIPAL CODE, TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.15 DEPARTMENTS, BOARDS, COMMISSIONS, AND AGENCIES, was read by title and presented to Council on first reading. Council Member Martin moved to approve. Council Member Olson seconded the motion. The motion to approve on first reading carried 5-0. (Police Department 1925 and 1977 pensions) (For purposes of adoption, this ordinance is now numbered 1657-2020 pursuant to Angola Municipal Code, Common Council Meetings - Rule 23.)

Ordinance No. 1660-2020, AN ORDINANCE AMENDING THE ANGOLA MUNICIPAL CODE, TITLE 15 BUILDINGS AND CONSTRUCTION, CHAPTER 15.20 FLOOD HAZARD PREVENTION, was read by title and presented to Council on first reading. Council Member Martin moved to approve with the amendment of paragraph (A) line (8) changing permit fee from \$100 to \$50. Council Member Olson seconded the motion. Discussion followed. The motion to approve on first reading carried 4-1. Council Member Armstrong dissented. (Permit procedures add permit fee) (For purposes of adoption, this ordinance is now numbered 1658-2020 pursuant to Angola Municipal Code, Common Council Meetings - Rule 23.)

Ordinance No. 1661-2020, AN ORDINANCE AMENDING THE ANGOLA MUNICIPAL CODE, TITLE 13 PUBLIC SERVICES, CHAPTER 13.05 WATER, was read by title and presented to Council on first reading. Council Member Olson moved to approve. Council Member Crum seconded the motion. The motion to approve on first reading carried 5-0. (Delinquent account – water shutoff) (For purposes of adoption, this ordinance is now numbered 1659-2020 pursuant to Angola Municipal Code, Common Council Meetings - Rule 23.)

Resolution No. 2020-788, 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, was read by title and presented to Council for approval. Council Member Olson moved to approve. Council Member Crum seconded the motion. The motion to approve carried 5-0. (Police Department)

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

#### CLERK-TREASURER AND DEPARTMENT HEAD REPORTS

Clerk-Treasurer Twitchell reported that this is the time of year the Clerk's office looks at the feasibility of doing a transfer to the Rainy Day Fund. Clerk-Treasurer Twitchell and Deputy Clerk Herbert reviewed the calculations used to determine the feasibility. With the new property tax levy structure for funding the Fire Department they would not recommend moving any money to the Rainy Day Fund at this time until all funds with property tax levies are returned to a stable financial position with cash operating balances.

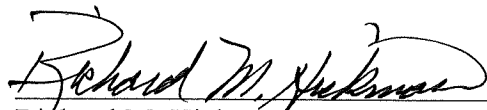
Wastewater Superintendent Williams Reported that the Parrish Excavating Hires Discharge Manhole Project has run into trouble related to long product lead times for materials. Some of the pipe needed is 14 weeks out from availability. The contract for the project had a defined start date with a 45-day construction period. A change order will be forthcoming to allow for the project construction to be moved back to late winter to early spring. Also, Williams provided public notice information for the upcoming Indiana Environmental Rules Board meeting. Last month, Mayor Hickman along with others testified to the Environmental Rules Board regarding the citizen's petition to direct IDEM to change water quality standards in Indiana pursuant to the 1994 CSO policy. The meeting where the Board will discuss and vote on this petition will be Wednesday, November 18 at 1:30 p.m. This item is at the end of the agenda for the meeting and should take place closer to 2:30 or 3:00 p.m.

#### APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

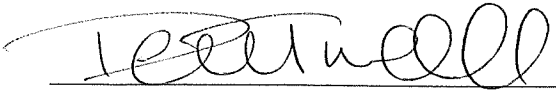
Council Member Martin moved to approve the Allowance of Accounts Payable Vouchers 48682 through 48919 totaling \$884,615.30 which includes interfund transfers of \$185,540.45. Council Member McDermid seconded the motion. The motion carried 5-0.

#### ADJOURNMENT

There being no further business, the meeting was considered adjourned at 7:52 p.m.

  
Richard M. Hickman, Mayor  
Presiding Officer

Attest:



Debra A. Twitchell, Clerk-Treasurer