

The Town Council of the Town of Warren met Monday, August 26, 2002, for a Regular Council Meeting in the meeting room of the Town Hall Annex, 131 N. Wayne Street, in accordance with the rules of this Town Council and applicable law.

Those present were: Council Members, Chod Boxell, Jacqueline Huffman and Harold Jones; Clerk-Treasurer, Marilyn Morrison; Employees, Larry Poulson, Darrel Bice, and Dennis Spitzer; Others, Carol Pugh of HCUED, Warren Weekly Reporter, Huntington Herald Press Reporter, Tim Ford, and Attorney Bendall.

President Jones called the meeting to order at 6:30 p.m.

As advertised, President Jones announced the opening of a public hearing on the proposed 2003 Municipal Budget. Following discussion of the proposed budget, citizen input was requested. Hearing none, President Jones closed the public hearing. Ordinance 2002-11, 2003 Municipal Budget, was introduced by President Jones.

Minutes of the Regular Meeting of August 12 were approved as submitted.

President Jones introduced Attorney Bendall who detailed the development of documentation for the consideration of a proposed annexation. Proposed Ordinance 2002-12 was introduced by President Jones and read by title only. The ordinance would provide for the annexation of certain real estate contiguous to the Town and owned by the United Methodist Home, currently being developed as a golf course and residential housing. Following discussion Council, by consensus, set a public hearing for November 11 at 6:30 p.m. The Clerk-Treasurer was given notice to post, publish, and mail notification no later than sixty days before the hearing as determined by state statute.

President Jones introduced Resolution 4-2002, fiscal plan for and in support of the proposed Ordinance 2002-12. Attorney Bendall summarized the resolution. Following discussion, Jones moved, seconded by Huffman, adoption of Resolution 4-2002. The motion was approved unanimously.

Engineering Services, providing engineering services to the United Methodist Home, had notified Morrison that IDEM had requested further information in regard to execution of a capacity agreement related to sewer connections. While approval of waiver from the IDEM imposed sewer moratorium has been received, further documentation would be necessary to complete the necessary permitting. Morrison informed Council that Ben Adams of Schnelker Engineering had been notified of the situation and was working with Engineering Services to comply with the IDEM request. Part of that documentation would need signature of the Council President. Huffman moved, seconded by Boxell, that President Jones be authorized to execute necessary documentation upon recommendation of Schnelker Engineering. The motion was approved unanimously.

Morrison submitted invoices from Schnelker Engineering in the amount of \$249,449 and Financial Solutions Group in the amount of \$23,455 for services rendered related to the wastewater project. Further relayed to Council was that Bob Deal of USDA-Rural Development had stated that those expenses would be reimbursable through the grant/loan from that agency. Jones moved, seconded by Huffman, approval of invoices as submitted. The motion was approved unanimously.

Morrison submitted the preliminary financial report for the wastewater project as prepared by Greg Guerrettaz of Financial Solutions Group. Discussed was relevant information related to the rates and charges of the wastewater department and the need to meet USDA-Rural Development rate standards for receipt of the grant/loan as awarded to the Town for the project. Introduced and summarized was Ordinance 2002-13, an ordinance to modify existing rates and charges within the wastewater works with a recommended increase of 27.35%. By consensus, a public hearing was set for September 9 at 6:30 p.m.. The Clerk-Treasurer was directed to post, publish, and mail notice as required by state statute.

Attorney Bendall reviewed Ordinance 2002-14, a proposed bond ordinance prepared by Ice Miller, Indianapolis attorneys employed by the Town Council as bond counsel, to cover financing issues related to the construction of additions and improvements to the wastewater system in the issuance of revenue bonds and the collection, segregation and distribution of revenues and the safeguarding of interest of the owners of those revenue bonds and other relevant matters. Following discussion, President Jones introduced Ordinance 2002-14 by title. Following further discussion, Jones moved, seconded by Boxell, to suspend rules to allow consideration of adoption of an ordinance at the same meeting as introduced. The motion was approved unanimously. Jones moved, seconded by Huffman, to adopt Ordinance 2002-14. The motion was approved unanimously.

Bice reported that repairs and replacement of equipment had been completed at the water treatment plant. In discussion with Bice, Council Members requested that Bice continue to work with Brudney Construction to make sure landscaping is completed and not delayed until spring.

President Jones summarized a letter from IDEM in which notice was given that an application for waiver from the sewer moratorium to allow construction of villas by the United Methodist Memorial Home had been approved. Morrison reported that upon receipt of the notice, copies had been forwarded to UMM Home officials.

Minutes of Regular Meeting, August 26, 2002, continued

As requested at the previous meeting, copies of the sections of Town Code dealing with rules and regulations within Tower Park had been submitted to Council for review. Following discussion, it was determined that the matter be submitted to the Advisory Park Board for its input, specifically related rules for use of the walkway.

President Jones summarized a letter as submitted by the Clerk-Treasurer to American Legal Publishing directing the re-codification of Town Code as previously approved by Council. Ordinances from 2000-6 to 2002-10 were submitted.

President Jones, in reporting that Wes Ambriole, Sign Source of Fort Wayne, has prepared preliminary plans for additional entrance signs to the Town as well as a sign at the Fire Station and directional signage, recommended that the plans be submitted to "Our Town", the Chamber of Commerce, and Warren Area Local Development for input into the process. Morrison reported that Ambriole would be available to meet on September 10<sup>th</sup> at 7:00 p.m with the "Our Town" committee. Council concurred recommending that all groups, Council, WALDC, and Chamber, be invited to that meeting.

Morrison reported that Nelson Steele of Butler Fairman Engineering had informed that INDOT Enhancement Grant monies had been awarded throughout the state. Although information had not been received regarding the Town application, it would appear that the streetscape project as submitted will not be funded. Steele expressed interest in meeting with Council and the "Our Town" committee to discuss other routes of funding for the project.

An invoice in the amount of \$2800 from Spectrum Engineering for preparation and submission of a Electric Distribution System Upgrade Report, that report having previously been accepted and approved by Council, was submitted by Morrison. Following discussion, Huffman moved, seconded by Boxell, approval of payment. The motion was approved unanimously.

Following discussion, Jones moved, seconded by Boxell, to designate Morrison as a voting delegate to the National League of Cities Conference. The motion was approve unanimously.

President Jones reviewed registration information for the Indiana Main Street Conference to be held in Nappanee on September 25-26. By consensus, Council opened registration to at least two members of the "Our Town" committee and Town Officials. Those wanting to attend must contact Morrison by September 5<sup>th</sup> for registration to be submitted.

President Jones read a letter from the United Methodist Home inviting Town Officials and employees to attend a September 11 memorial service. By consensus, Council approved town employees attending the service.

Following the reading of a recommendation from the Warren Public Library Board that Jim Berghoff be re-appointed by Town Council to a four year term, Council approved the request by consensus.

Following discussion, Huffman moved, seconded by Boxell, approval of a sewer credit request in the amount of \$139 as the user had installed a new lawn. Application prior to the usage had not been made therefore requiring Council approval. Utility Manager Bice concurred with the request. The motion was approved unanimously.

President Jones read notification from INDOT of two scheduled area planning meetings. Boxell agreed to attend one scheduled for North Manchester with Bice to attend the Fort Wayne meeting. Neither requires registration.

Morrison submitted a request from the Town of Andrews for the Town of Warren to conduct mosquito spraying with Andrews covering all costs. As previous documents are on file, as the Town had previously had an agreement with Andrews for that use, Morrison submitted a proposed charge to Andrews for use of the equipment and employee making the total cost for each spraying event approximately \$500. Jones, seconded by Huffman, moved that the request be approved, upon submission of proof of insurance by Andrews. The motion was approved unanimously.

President Jones read a letter from the Indiana Municipal Electric Association inviting town officials and employees of the electric utility to a meeting/dinner in Gas City on Thursday, September 12. The meeting is at no cost and is being sponsored by various vendors. Those interested should contact Morrison by September 9<sup>th</sup> for registration purposes.

Morrison reported that having attended a tax restructuring workshop detailing the impact on TIF districts, discussion with Buddy Downs of Ice Miller, Legal Firm, had resulted in a recommendation that a conference call or meeting be held with Ice Miller as consulting attorney to the I-69 TIF project, local attorney, town officials, and county officials to discuss state imposed taxation procedures within the district. Following further discussion, Council concurred with the recommendation and directed Morrison to set a meeting or conference call.

Morrison reported that Integration Systems had completed the computer hardware/software update and that disk drives of the replaced computers had been cleared. Morrison and Bice are to determine which computers are to be moved to the water treatment plant and to the Knight Civic Center, as previously approved by Council. Further discussion will be held concerning the remaining units.

Minutes of Regular Meeting, August 26, 2002 continued

Morrison submitted a list of utility accounts totaling \$11,835.93 with a request to remove those accounts from active status. Covered were accounts under \$40, bankruptcies, and accounts in a deceased person's name covering the past eight years. Even being written off, the accounts will be added to a listing of persons owing money as that amount would be due before another account would be opened in that person's name. In addition, those persons would owe an increased amount of customer deposit even if money owed is paid. Boxell moved, seconded by Huffman, approval. The motion was carried unanimously.

Morrison submitted a packet of financial information that had been requested and a subsequent report from Financial Solutions Group for costs related to connection of a proposed car wash and miniature golf course at I-69 as had been discussed previously by Council. No further project status information is available at this time.

Also submitted was a copy of county-wide CEDIT distribution for 2003. Morrison reported that she had contacted the Huntington County Auditor's office as the report is not accurate showing a reduction in the Town of Warren share of over \$30,000 due to calculation being done incorrectly. That calculation had been done by Abstract Levy and not by population as had been approved when the CEDIT fund was approved by County officials. Upon review of Morrison's request, the Auditor's Office reported that the calculations were in error and that a revised report would be issued to all receiving units in Huntington County.

Bice gave an overview of utility/street projects. Requested was permission for Rick Scheiman, utility employee, to attend re-certification for Tree Trimming on September 24, 25 in Gas City at a cost of \$200. Council concurred.

Fire Chief Ford reported that J&K Communications had recommended that the communication tower at Town Hall and base equipment in the Police Station not be moved as had been considered. Installation of the base equipment should be completed within the next month. Ford also reported that boots and some additional uniform accessories had been ordered completing the update of uniforms.

Carol Pugh, Executive Director of Huntington County Economic Development, gave a general report of activities and thanked the members of Council and town officials for their openness in providing information and support. The November 10 monthly meeting of HCUED will be held in Warren at the newly renovated Daugherty Equipment offices.

Announcements were as follows:

- |                 |                                      |
|-----------------|--------------------------------------|
| September 9, 23 | Council Meetings                     |
| September 10    | HCUED, 7:00 a.m.                     |
|                 | WALDC, Noon                          |
|                 | "Our Town", 7:00 p.m.                |
| September 15-19 | IACT Annual Conference, Indianapolis |
| September 25-26 | Mainstreet, Nappanee                 |

General discussion was held.

There being no further business to come before Council, the meeting was adjourned.

By \_\_\_\_\_ Clerk-  
Marilyn Morrison Treasurer

Approved by Town Council:

As \_\_\_\_\_ President As \_\_\_\_\_ Member  
Harold Jones Jaqueline Huffman

As \_\_\_\_\_ Member As \_\_\_\_\_ Member  
Ron Neff (Absent) Chod Boxell