

Common Council Meeting – Monday, June 27, 2011 – Held at Ligonier City Hall – 7:00 pm – Audio Available

Pledge of Allegiance to the Flag

Call to order – Public Hearing for Additional Appropriations

Hearing was for additional appropriations of \$10,000 for real estate purchase from the land purchase fund. As there was no comment from the public on the matter, Mayor Fisel closed the public hearing.

Call to order by Mayor Fisel – Common Council Meeting

Roll Call

Present: Council President Ken Schuman, Council members John Pettit, Gary Bishop, and Karen Richendollar

Absent: Council member John Lutton

Also Present: Mayor Patty Fisel, City Attorney Steve Hagen, and Clerk Treasurer Barb Hawn

Minutes from previous meeting of June 13, 2011

Motion to approve by: Gary Bishop

Seconded by: Ken Schuman

Vote: All Ayes

Citizens Comments - None

Unfinished Business

1. Council President Pro Tempore

Procedure calls for a Council President Pro Tempore to be named at the first meeting of January of each year. This was inadvertently omitted from the meeting and therefore addressed at this meeting.

Motion to name Ken Schuman as the Council President for 2011 by: Gary Bishop

Seconded by: John Pettit

Vote: All Ayes

2. County Certificate Sale

The City is interested in property to be sold at the certificate sale on June 30, 2011 in Albion. The primary property of interest is 201 Pigeon Street, adjacent to property already owned by the City and along the future expansion of the river walk. This is a vacant lot which would be ideal for a parking lot for a future canoe launch. Ken Schuman has been designated as the bidder and the City is registered for the sale.

Motion to purchase the property up to \$10,000 by: Gary Bishop

Seconded by: John Pettit

Vote: All Ayes

3. Amended Credit Card Ordinance - Ordinance 791-2011

A request was made to allow the City departments to have up to two credit cards for employee use. The amendment to the current ordinance allows the department head to be the custodian of the cards for the department and responsible for the log in and out of the cards by the employees. Purchases must still be authorized and appropriated.

Motion to pass ordinance 791-2011 on the first reading by: Gary Bishop

Seconded by: Ken Schuman

Vote: All Ayes

Motion to suspend the rules and pass ordinance 791-2011 on the second reading by: Gary Bishop

Seconded by: Ken Schuman

Vote: All Ayes

Motion to further suspend the rules and pass ordinance 791-2011 on the third and final reading by:
Gary Bishop Seconded by: Ken Schuman Vote: All Ayes

4. Property Owner/Tenant Ordinance Review

At the request of Councilman Pettit, copies of ordinance 769-2010 were made available to council members for their review. Mayor Fisel asked Mr. Pettit to explain his request to the audience. To summarize, he feels the ordinance as stated is fine but is not happy with its enforcement, feeling action is directed more at the landlord than the tenant. Chief Shearer explained that with a single family dwelling, code enforcement is more able to hold the tenant responsible, but in a multi-tenant dwelling, code enforcement is done through the landlord as they are not able to identify which tenant is in violation. The discussion ended in a consensus that ordinance 769-2010 is fine as stated.

New Business

1. Additional Appropriation – Ordinance 790-2011

Ordinance 790-2011 calls for additional appropriation of \$10,000 for the purchase of real estate from the land purchase fund.

Motion to pass ordinance 790-2011 on the first reading by: Gary Bishop

Seconded by: John Pettit

Ayes: John Pettit, Gary Bishop, Karen Richendollar, and Ken Schuman Nays: None

Motion to suspend the rules and pass ordinance 790-2011 on the second reading by: Gary Bishop

Seconded by: John Pettit *Vote: All Ayes*

Motion to further suspend the rules and pass ordinance 790-2011 on the third and final reading by:

Gary Bishop *Seconded by: John Pettit* *Vote: All Ayes*

2. Humane Society Request for 2012 Funding

A request from the Noble County Humane Society for 2012 funding in the amount of \$6111.44 was received. This is to cover the City's portion of costs to care for stray animals brought to the shelter from the Ligonier city limits. As the City previously allotted for \$7200 in C.E.D.I.T. funds for the Humane Society, it was recommended to provide assistance in this amount.

Motion to assist the Noble County Humane Society with a 2012 contribution of \$7200 from C.E.D.I.T.

funds by: Ken Schuman Seconded by: Gary Bishop Vote: All Ayes

3. Perry Township Fire Contract for 2012

Barb Donley, Trustee was present on behalf of Perry Township. She asked that contract pricing for 2012 be held to the 2011 contract pricing. She reminded council that the cost is to house the vehicles as the township pays their own insurance and fuel.

Motion to approve the Perry Township fire contract for 2012 in the amount of \$27,638.83 and authorize the Mayor to sign said contract by: Gary Bishop

Seconded by: Ken Schuman *Vote: All Ayes*

4. Elkhart Township Fire Contract

A call was received from Sheila Jett, Trustee of Elkhart Township regarding the fact that a fire contract for 2011 had not been received. A new one year contract was prepared at the 2010 price of \$3083.34.

Motion to approve the Elkhart Township fire contract for 2011 in the amount of \$3083.34 and authorize the Mayor to sign said contract by: Ken Schuman

Seconded by: Gary Bishop

Vote: All Ayes

The pricing for 2012 will be reviewed and discussed with Mrs. Jett before determining new pricing.

5. Triad – City Engineer Contract

City Engineer Rick Pharis is no longer with Brads-Ko and with his departure Brads-Ko does not employ a PE eligible to be the city engineer. The Board Works approved a contract with Triad, Pharis' current employer, for the remainder of 2011. The new contract is identical to the Brads-Ko contract and was reviewed by City Attorney Steve Hagen.

Motion to accept the Triad contract and authorize the Mayor to sign said contract by: John Pettit

Seconded by: Ken Schuman

Vote: All Ayes

Claim Registers – APV # 33813 through 33939

Motion to approve by: Gary Bishop

Seconded by: Ken Schuman

Vote: All Ayes

Comments by Members of Council and Administration

City Engineer Rick Pharis: The ad for the second bidding of the pavilion at Pettit Park will be in the Advance Leader the next two consecutive weeks and will be advertised in the Kendallville News Sun as well. Only one bid was received on the initial bidding and it was rejected by the Board of Works.

Council Member Gary Bishop: Gary advised council of a resident complaint he received from John Lutton's district on the North Side of the City. He explained to the resident that the matter referred to is a civil matter, and not a City matter.

Police Chief Bryan Shearer: On July 25, the City will recognize the police and firemen who were part of a life saving for Mr. Hursey.

City Clerk-Treasurer Barb Hawn: Barb advised Council that additional appropriations will be necessary for the Debt Service fund due to the fact that the 2010 GO Bond was issued at the end of December 2010 and was not included in the budget prepared in July 2010.

Mayor Patty Fisel: The City is registered for the bidding at the Commissioners Certificate sale on June 30th. This is a new process and she looks forward to a successful purchase for the City.

Adjournment

Motion to adjourn by: Gary Bishop