

**Common Council Meeting – Monday, November 14, 2011 – Held at Ligonier City Hall – 7:00 pm – Audio Available**

**Call to order by Mayor Fisel**

**Pledge of Allegiance to the Flag**

**Roll Call**

Present: Council President Ken Schuman, Council members John Pettit, Gary Bishop, John Lutton, Mayor Patty Fisel, City Attorney Steve Hagen, and Clerk Treasurer Barb Hawn

Also in attendance were newly elected council members for 2012: Julia Bell, Chris Fought, Becky Gray, and Kelly Ware

Absent: Council member Karen Richendollar

**Minutes from previous meeting of October 24, 2011**

***Motion to approve by: John Lutton      Seconded by: Gary Bishop      Vote: All Ayes***

**Citizens Comments - None**

**Unfinished Business**

**1. Fire Contracts**

Dating back to 1998, the City reimbursed Perry Township a portion of the Elkhart Township fire contract for the use of their trucks on runs made. A motion to allow payment was found in minutes from 1998, referring to the 1998 contract. Although there was no formal agreement or contract beyond 1998, the clerk-treasurer continued to make payment to Perry Township until her term ended in 2007. With a new clerk-treasurer in 2008, further payments for 2008 – 2010 were not made. It was suggested to make this payment part of the Perry Township contract in the future with a designated amount. Further information is needed for a final decision.

***Motion to table the issue for further information and to allow Barb Donley, Perry Township Trustee to get the necessary information from the SBOA as to the correct way to proceed by: Gary Bishop***

***Seconded by: Ken Schuman      Vote: All Ayes***

**2. Elected Officials Salaries for 2012**

A comparison of mayor and clerk-treasurer salaries of surrounding and similar size cities was made available from information provided by IACT. The current annual salaries for Ligonier are: Mayor \$34,703.13, Clerk-Treasurer \$40,633.02, and Council Members \$2500.00.

Discussions regarding the responsibilities of the Mayor were discussed with the consensus that the job is more complex and more regulated with the weight of the city on the Mayor's shoulders. The Mayor's salary is currently lower than all City department heads which will range from \$40,788 to \$46,315 for 2012.

***Motion to set the Mayor's salary for 2012 at \$42,000 by: John Lutton***

***Seconded by: Ken Schuman***

***Discussion: Lutton feels that \$42,000 will be a good starting point to get the Mayor compensated according to the responsibilities. Council member Bishop stated he feels strongly that the Mayor should be paid higher than the highest paid department head, even if only by \$1.***

***Vote: Ayes – John Lutton, Ken Schuman, and John Pettit***

***Nay – Gary Bishop***

The Mayor then addressed the Clerk-Treasurer's salary. She stated she feels it is important to keep the salary close to other cities. The position requires administrative abilities in that she is in charge of the office and employees. Mayor Fisel asked for suggestions for a raise.

***Motion to set the Clerk-Treasurer's salary for 2012 to the same level of the Mayor at \$42,000 by: Gary Bishop***

***Seconded by: Ken Schuman      Vote: All Ayes***

The City Council member's salaries for 2012 were then addressed. Comparisons were not available. Bishop feels that a raise is in order.

***Motion to set the council member's salary for 2012 at \$4,000 by: Gary Bishop***

***Seconded by: John Lutton***

***Vote: All Ayes***

#### **New Business**

1. Appointment to Noble County Convention & Visitors Bureau

Chris Fought is the current City representative to the bureau and the Mayor asked for council approval to appoint him for another term.

***Motion to allow the appointment of Chris Fought as the City representative to the NCCVB by: Ken Schuman***

***Seconded by: John Lutton***

***Vote: All Ayes***

2. Council Meeting Day Change

Conflicts with Council meeting dates discussed, the first being the regularly scheduled meeting of December 26, 2011. With Christmas falling on Sunday, December 26 will be the employee holiday. Suggestions for a date change or cancellation were entertained.

***Motion to cancel the December 26, 2011 City Council meeting by: Ken Schuman***

***Seconded by: John Lutton***

***Vote: All Ayes***

The next conflict is the January 9, 2012 City Council meeting and January 11, 2011 BOW meeting. IACT is holding boot camp for newly elected officials in Indianapolis during this time. The Mayor and Clerk-Treasurer will be attending. Suggestions for date changes were entertained.

***Motion to change the first January City Council meeting to Thursday, January 12, 2012 at 7:00 pm and the first January BOW meeting to Thursday, January 12, 2012 at 1:30 pm by: Ken Schuman***

***Seconded by: Gary Bishop***

***Vote: All Ayes***

The Mayor also entertained the thought of moving the day of the Council meetings from the second and fourth Monday of the month to the second and fourth Tuesday of the month beginning in 2012. Current meeting day conflicts with the West Noble School Corporation board meeting. Due to member conflicts, the consensus was to leave the meetings on Monday as is.

3. Elected Official's Salary Ordinance Number 801-2011

#### **ORDINANCE 801-2011**

#### **AN ORDINANCE FIXING THE ANNUAL SALARIES OF THE ELECTED OFFICIALS OF THE CITY OF LIGONIER, INDIANA - EFFECTIVE, JANUARY 1, 2012**

Be it ordained by the Common Council of the City of Ligonier, Indiana:

Section 1: That the salary of the Mayor effective on January 1, 2012 shall be in the following amounts:

Per Annum \$42,000.00

Bi weekly \$1615.38

To be paid by: 1/3 General Fund, 1/3 Water Dept., 1/3 Waste Water Dept.

Section 2: That the salary of the Clerk-Treasurer effective on January 1, 2012 shall be in the following amounts:

Per Annum \$42,000.00

Bi weekly \$1615.38

To be paid by: 1/3 General Fund, 1/3 Water Dept., 1/3 Waste Water Dept.

Section 3: That the salary of each member of the Common Council effective on January 1, 2012 shall be in the following amounts:

Per Annum \$4000.00	per Quarter \$1000.00
To be paid by the General Fund	

Section 4: That this Ordinance shall be in full force and in effect from and after its passage, and shall be effective as the salaries provided herein and after January 1, 2012.

***Motion to pass ordinance 801-2011 on the first reading by: Ken Schuman***  
***Seconded by: Gary Bishop*** ***Vote: All Ayes***

***Motion to suspend the rules and pass ordinance 801-2011 on the second reading by: Ken Schuman***  
***Seconded by: Gary Bishop*** ***Vote: All Ayes***

***Motion to further suspend the rules and pass ordinance 801-2011 on the third and final reading by:***  
***Ken Schuman*** ***Seconded by: Gary Bishop*** ***Vote: All Ayes***

4. Local Disaster Emergency Ordinance Review

A model ordinance was received from the county. The Mayor is asking Council to give City Attorney Steve Hagen the authority to prepare an ordinance for the City based on the model ordinance. This would allow the City to be consistent with the other governmental units in the county.

***Motion to allow City Attorney Steve Hagen to prepare a local disaster emergency ordinance based on the model on the county's model ordinance by: Gary Bishop***  
***Seconded by: Ken Schuman*** ***Vote: All Ayes***

**Claim Registers – APV # 34949 through 35138**

***Motion to approve by: Gary Bishop*** ***Seconded by: John Lutton*** ***Vote: All Ayes***

**Comments by Members of Council and Administration**

***Fire Chief Jeremy Weaver:*** The fire department will host breakfast with Santa on Saturday, December 10, 2011 from 7-11 at the Fire Station.

***Police Chief Bryan Shearer:*** When the CEDIT plan was approved, Bryan had guesstimated on the pricing of the two new police cars which were budgeted. Because the police package offered by Ford is brand new, the cost will be \$3,000 higher than anticipated. CEDIT fund balance can support the additional cost and Bryan is asking for approval of the additional \$3,000.

***Motion to allocate an additional \$3,000 out the CEDIT for the cost difference by: Ken Schuman***  
***Seconded by: Gary Bishop***

***In further discussion Clerk-Treasurer Barb Hawn commented that allocation of additional funds would require a public hearing and ordinance allowing the additional spending. Schuman then amended his original motion.***

***Motion to support finding the additional \$3,000 funding to cover the cost difference of the police cars by:***  
***Ken Schuman*** ***Seconded by: Gary Bishop*** ***Vote: All Ayes***

***Street Superintendent Mike Burdette:*** The paving project on College Street is underway and weather cooperating will be completed this week. This project connects the street so it is no longer a dead end. The primary reason for the project was for public safety in allowing police, fire and rescue units the ability to get through as well as simplifying snow plowing and leaf pick up.

*Council Member John Pettit:* John advised that the group from Trine University working on a survey will be in attendance at the next meeting of the Future Ligonier Alliance on 11-21-11, Police Station at 6:00. They are seeking feedback and would appreciate attendance at the meeting.

*Council Member Gary Bishop:* Gary expressed that he still believes the amount of the Mayor's salary is not enough and feels strongly it should be higher than all department heads.

*Council President Ken Schuman:* Ken offered his congratulations to the newly elected City officials for 2012.

*City Attorney Steve Hagen:* Steve addressed the tax deeds from the certificate sale. They are imperfect deeds and it may be necessary to go a step beyond and do a quiet title as it may be a less expensive way of settlement by contacting the property owners.

***Motion to allow City Attorney Steve Hagen to proceed with contacting the owners and pursue a quit claim deed by: Gary Bishop                      Seconded by: Ken Schuman                      Vote: All Ayes***

*Council Member John Lutton:* John commended the FLA on the first Third Fridays event. He feels the first event had a pretty good turnout and could become a great thing for the City. The November Third Fridays event is this week. John also commented that he hopes the Council in years to come will push to plant trees to replace those taken down in whatever way they can.

*Mayor Patty Fisel:* The Mayor commented that City ordinance requires that when residents are removing snow they do not deposit snow on the street or sidewalk. She commended the City departments for the working together year round and especially during the snow season which is fast approaching.

The Mayor also addressed the aggressive dog draft ordinance. City Attorney Steve Hagen commented that the draft is ready and will be put on the next meeting agenda.

Mayor Fisel stated that she is honored to be able to serve the City for another four years.

#### **Adjournment**

***Motion to adjourn by: John Lutton                      Seconded by: Ken Schuman***