



## ***Common Council Meeting – Minutes***

Date: March 31, 2020

Time: 7:00 pm

**Council Members in Attendance On Line (OL) via Videoconference:** Todd Nunemaker, Anna Huff, Amy Rosa, Brandie Yoder, Denny Miller

**Also Present:** **Mayor:** Phil Jenkins (IP), **City Attorney:** Brian L. Hoffer (OL), **Clerk Treasurer:** Jeff Knight (IP), and 14 guests (OL). Denise Federow and Merrie Chapman from the press were in attendance (OL).

- Call to Order: Mayor Jenkins called the meeting to order at 7:06 pm and opened with prayer for the City and Country.
- Roll Call: All Council members were in attendance via videoconference.
- The minutes from the March 16, 2020 meeting were submitted by Mayor Jenkins. Councilman Miller motioned they be accepted. Councilwoman Huff seconded. There was no further discussion regarding the minutes. The minutes were approved unanimously by voice vote.
- Mayor Jenkins asked if there were any petitions or comments from citizens. There were none.
- Reports from Committees, Boards and Commissions: There were none for consideration.
- Unfinished Business – Third Reading of Ordinance 1567 – InTech Annexation: Mayor Jenkins shared the annexation documents on screen for the attendees to view. Councilwoman Yoder motioned to approve Ordinance 1567 on third reading. Councilwoman Huff seconded the motion. Mayor Jenkins opened the floor to questions or comments from the Council members. As this had been thoroughly vetted two prior times, there were no further questions or comments. A roll call vote ensued with Councilman Nunemaker, Councilwoman Huff, Councilwoman Rosa, Councilwoman Yoder, and Councilman Miller all voting yes. There were no opposition votes. The motion passed unanimously.
- New Business – Amish Acres Plat Approval: Superintendent Lehman presented a letter describing action taken by the Planning Commission. The Commission members voted 7-0 to approve the preliminary plat as presented. The Council presentation pertained to non-conforming buildings, built after the survey of this subdivision, that impact the City's right-of-way. The main building of concern extends 16' into the right-of-way. It is a grist mill that is not on a permanent foundation. City



attorney Brian Hoffer drew up a document outlining four bullet point conditions for approval of this plat. The buyer's attorney has reviewed the bullet points. Mr. Hoffer discussed the conversation with the buyer's attorney regarding the language of the agreement. Mr. Hoffer edited the agreement based upon the conversations with the buyer's attorney and re-issued it to the attorney. He confirmed the attorney received the updated agreement and confirmed that the updated agreement would be presented at the Council meeting this evening. The Mayor opened the discussion for questions or comments. Councilwoman Huff inquired if the owners were different from those of the reading barn and the theater. Mayor Jenkins responded that it was the same owners. Superintendent Lehman reiterated that the changes made to the agreement continue to be in the spirit of the document the Planning Commission approved. The motion is to approve the plat as described in the letter with the addition of the bullet points being added to the plat for final approval. This will go back to the Planning Commission on April 16<sup>th</sup> for final approval. Councilman Nunemaker made the motion to approve the plat inclusive of the bullet points. Councilman Miller seconded. There were no further questions or comments. At that point a roll call vote was held with Councilman Nunemaker, Councilwoman Huff, Councilwoman Rosa, Councilwoman Yoder, and Councilman Miller all voting yes. There were no opposition votes. The motion passed unanimously.

- Due to the current method of holding meetings via videoconference, the Mayor requested to have the authority to sign the A/P Vouchers on behalf of the Council. Once the pandemic is behind us, Council members will sign the APV's on the own behalves. Councilman Nunemaker made the motion. Councilwoman Huff seconded. Approval for the Mayor to sign on behalf of the Council was approved unanimously by voice vote.

A/P Vouchers: Accounts Payable Vouchers in the amount of \$510,447.30 were submitted for approval. Councilman Nunemaker made the motion to approve the vouchers and Councilwoman Huff seconded. The Council approved accepting the A/P Vouchers unanimously by a voice vote.

- Reports of City Officers: There were no reports submitted by the department heads for this meeting, with the exception of the Parks Department for February. Councilman Nunemaker asked Fire Chief Lehman if he is pleased with the newly acquired radios. Chief Lehman responded that they are working out well. What has been received thus far is the dual band pagers. The Fire Department is being forced to upgrade their radios to 800 megahertz. The switchover is scheduled for January 1<sup>st</sup>.

Mayor Jenkins took a moment to publicly recognize the work being done by Chief/Superintendent Lehman who is servicing as the liaison of the City with the Joint Information Center on Elkhart County's Incident Management team during this pandemic time. His work is greatly appreciated.



Superintendent Gerber mentioned work being done in advance of the water main project, commenting that it is important for the citizens to leave the flags in place as they try to get the surveying complete. He asked the press to help get the word out into the community. Regarding the work being done at the Wastewater Treatment Plant, due to the pandemic and the impact it is having on the employees of LD Docsa, the work has been paused. Mayor Jenkins told the Council that LD Docsa completed enough of the work to allow the Wastewater Treatment Plant to function.

Mayor Jenkins concluded the meeting with a brief update on actions taken by his Executive Order for the City that are consistent with what Governor Holcomb has put in place. City employees are continuing to work, but City Hall has locked its doors to the public. The Executive Order is scheduled to last until April 16<sup>th</sup> and will be reviewed again as that time approaches.

With no further business to be discussed, Councilman Miller motioned to adjourn the meeting and Councilwoman Yoder seconded. The meeting was adjourned at 7:38 pm by unanimous voice vote.

Note: OL = On Line; IP = In Person