



Common Council Meeting – Minutes

Date: April 20, 2020

Time: 7:00 pm

Council Members in Attendance via Videoconference: Todd Nunemaker Anna Huff, Amy Rosa, Brandie Yoder, Denny Miller

Also Present: Mayor: Phil Jenkins (in person), **City Attorney:** Brian L. Hoffer (via videoconference), **Clerk Treasurer:** Jeff Knight (in person) plus 12 guests (via videoconference) and 2 members of the press (via videoconference)

- Call to Order: Mayor Jenkins called the meeting to order at 7:00 pm.
- Roll Call: All members were present via videoconference. The members gave Mayor Jenkins authority to sign documents on their behalf. After the COVID-19 crisis is over, the members will sign the original documents.
- Approval of Minutes from March 31st, 2020: The minutes from the March 31st, 2020 meeting were submitted by Mayor Jenkins. Councilwoman Huff motioned to approve the minutes. Councilwoman Rosa seconded. There was no further discussion regarding the minutes. The minutes were approved unanimously by roll call vote.
- Petitions or comments from citizens: None were submitted
- Reports from Committees, Boards and Commissions: Clerk-Treasurer Knight submitted Clerk-Treasurer reports for the months of February and March. CT Knight commented on the new interest rate compression that was taking place due to the health crisis. Also noted were the adjustments made due to including BNY Mellon accounts in the bank reconciliation process. These accounts pertained to the bond payment accounts managed by BNY Mellon but were previously managed outside of the accounting software. Due to a recommendation by Baker Tilly, these funds have now been incorporated into KeyFund. Also noted was an adjustment made due to correct a double entry error. The correction was made post month end close. After consulting with Baker Tilly, it was deemed not necessary to re-open the month to make the correction if the adjustment was noted.



After the presentation, Councilman Nunemaker motioned to approve the Clerk-Treasurer's report for February. Councilwoman Huff seconded. Councilman Nunemaker inquired if the intent was to approve the first page of the report showing the summary of all the documentation. CT Knight said it was. The first page is a snapshot that replaces to old format. The rest of the documentation supports the various balances on the front page. Councilman Nunemaker noted that he did like the new format. He also asked about the negative balances that appeared on the Fund Reports in the payroll sections. CT Knight commented that these were negative balances that were carryovers from a prior audit. In order to clean these accounts up, new accounts were established and the old accounts were to be dormant for six months. At the end of six months, those accounts will need to be cleaned up and removed. With no further questions, the February CT Report was approved unanimously via roll call vote.

Subsequently, Councilwoman Yoder motioned to approve the March CT Report. Denny Miller seconded. Councilman Nunemaker confirmed the timing of one of the new CD's. With no further questions, the March CT Report was approved unanimously via roll call vote.

- Unfinished Business: There was none.
- New Business:
 - First Reading of Ordinance 1569 – Annexation of a Property on County Road 54 – Neil Kirkwood made the request to be connected to the City water and sewer system. Mayor Jenkins gave a brief synopsis of the location of the property. Councilman Nunemaker motioned to approve the first reading. Councilman Miller seconded. Councilwoman Huff inquired if the surrounding properties were annexed as well. Mayor Jenkins said only the property to the east was annexed. Mr. Nunemaker asked about why the Ordinance referred to two tracts of land but only one parcel. Mayor Jenkins clarified that this is one complete lot, but one parcel is 200' by 200' and tract two is immediately below. Mr. Kirkwood concurred. Councilwoman Huff asked if the intent was to build on the lot. Mr. Kirkwood said yes. With no further questions or comments, the First Reading was approved unanimously by roll call vote.

Commensurate with this annexation request, Mayor Jenkins asked the Council to approve setting the Public Hearing for May 18th, 2020. Councilwoman Rosa motioned for the hearing



to take place on May 18th. Councilwoman Huff seconded. The date was set unanimously by roll call vote.

○ Tax Phase-in Reviews:

- Mr. Jeff Kitson presented all the documentation for Fairmont Homes, The Aluminum Trailer Company, and Tri-State Crush. All companies were substantially compliant with their statements of benefits.
 - Fairmont Homes - Councilman Nunemaker commented that Fairmont Homes was a bit short but close and that the number of jobs (265) for the City of Nappanee was substantial. Mr. Kitson confirmed Councilman Nunemaker's comment and noted they had until the end of 2020 to reach the numbers. Councilwoman Huff motioned to approve the tax abatement. Councilman Miller seconded. The abatement was approved unanimously via roll call vote.
 - The Aluminum Trailer Company (Real Property and Personal Property) – Mr. Kitson noted a mean salary of \$62,000 with 167 additional employees. Councilman Nunemaker motioned to approve the real property tax abatement. Councilwoman Rosa seconded. Councilman Nunemaker commended the company for exceeding their numbers by over 400%. The real property tax abatement was approved unanimously via roll call vote.

Councilman Nunemaker continued by motioning to approve the personal property tax abatement request as well. Councilwoman Huff seconded. The personal property tax abatement was approved unanimously via roll call vote.
 - Tri-State Crush (Real Property and Personal Property) – Mr. Kitson conceded that the numbers for Tri-State were close but low. This week they are putting in a new drainage system, they had a sampling sent in to IDEM and have the results so now they are just waiting to accrue enough money to tear down the old mill, they are paving the back half of the property, and adding some trees. Councilman Nunemaker noted that the company has an increased assessed evaluation of \$200,000. Councilman Miller asked how many of the seven



employees were full time. Mr. Kitson responded all seven. Councilman Miller then asked how many of the seven full time employees worked in Nappanee. Mr. Kitson was not able to answer that question. Councilman Miller also asked how many of the seven were from Nappanee. Mr. Kitson responded that they were not able to answer that. Councilwoman Yoder motioned to approve the real property tax abatement. Councilman Nunemaker seconded. Councilwoman Yoder asked if there was anything else that Tri-State was supposed to do or be doing. Mr. Kitson responded no and informed the Council of additional improvements the company has made. Councilman Miller asked for clarification of where the paving would take place on the property. Mr. Kitson responded the back half. Councilman Nunemaker inquired why there was no assessed value for the company since there was for the others. Mr. Kitson replied that the company was not able to contact anyone in the assessor's office during this health crisis time. Councilman Miller asked Mayor Jenkins if there was anything Council could do to improve community relations. Mayor Jenkins did note the owner's willingness to communicate with the City. He also commented that the neighbors should be encouraged to reach out to Travis with questions or concerns. The real property abatement was approved unanimously via roll call vote.

As it pertains to the personal property, Councilman Nunemaker motioned to approve the personal property tax abatement. Councilwoman Yoder seconded. The personal property tax abatement was approved unanimously by roll call vote.

- Seasonal Greenhouse request by Matt Tobias – Mr. Tobias was not present. Superintendent Lehman made the brief request presentation on his behalf. The greenhouse will be open from May 1st through November 1st. Councilwoman Yoder motioned to approve the request. Councilwoman Rosa seconded. The request was approved unanimously via roll call vote.
- LFM Rezoning (First Reading) – Superintendent Lehman presented the rezoning request. The Planning Commission voted 5-0 in favor of the rezoning. Once the annexation process is complete, the property will come into the City with the most restrictive R1 ordinance. It was petitioned to be changed to I1 Industrial and that is the essence of this request. Crystal Welsh also discussed the plan for the use of the property. Two citizens of Nappanee, Mr. and



Mrs. Green, were given the opportunity to speak in objection to the annexation and rezoning. Councilman Nunemaker motioned to approve the rezoning request. Councilwoman Huff seconded. The request was approved unanimously via roll call vote. A second reading of this request will be held at the Council meeting on May 4th.

- A/P Vouchers: Accounts Payable Vouchers in the amount of \$576,230.73 were submitted for approval. Councilman Nunemaker motioned to approve the APV's. Councilwoman Yoder seconded. The APV's were approved unanimously via roll call vote.
- Reports of City Officers:
 1. Fire Chief – Councilman Nunemaker asked Superintendent Lehman if there had been repair work on a firetruck. Superintendent Lehman confirmed there had been after some testing showed that it was necessary. Testing on the trucks is done once each year.
 2. Street Superintendent – Superintendent Warren informed the Council that Community Crossing awarded a grant to the City in the amount of \$470,000 for road improvements. Stahly Drive reconstruction has started with approximate completion date of May 15th. The Walnut Street Parking project will begin soon. Councilman Nunemaker inquired about the purchase of mosquito tablets. Superintendent Warren said that put these tablets in the storm drain catch basins. The tablets are 180-day tablets.
 3. Park Superintendent – Superintendent Davis informed the Council that many of the Parks plans are on hold due to the health situation. He is hoping to know more by the first of May.
 4. Water/WWTP – Superintendent Gerber gave an update on where the process stood with the future water improvements.
 5. Mayor – Mayor Jenkins noted his appreciation of the work that Superintendent Lehman has done at the county level during this time of COVID-19. Also mentioned was that a testing trailer was delivered to the City located at Central School. This is a drive through clinic to help the Amish population.
- Adjournment: With no further business to be discussed, Councilwoman Huff motioned to adjourn the meeting and Councilwoman Yoder seconded. The meeting was adjourned at 8:11 pm by unanimous voice vote.



Phil Jenkins, Mayor

Attest: _____
Jeff Knight, Clerk of the Council