



Common Council Meeting – Minutes

Date: May 18, 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 1 member 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.
- Approval of Minutes from May 4, 2020: The minutes from the May 4, 2020 meeting were submitted by Mayor Jenkins. Councilman Miller motioned to approve the minutes. Councilwoman Huff seconded. There was no further discussion regarding the minutes. The minutes were approved unanimously by voice vote.
- Petitions or comments from citizens:
 - Public Hearings were opened and closed with no public comment for the following:
 - Ordinance 1569 – Annexation CR 54
 - Alley Vacation on East Lincoln Street
 - Street and Alley Vacation on Metzler Street
- Reports from Committees, Boards and Commissions:
 - Clerk-Treasurer Report: CT Knight introduced and commented on the CT Report for the April Month End. The report reflects an adjustment due to the receipting in of funds from a matured CD, but CT Knight had inadvertently not provided the staff with the paperwork reflecting that the funds were immediately reinvested. Thus the proceeds from the CD were recognized as income in the General Fund and the new CD was listed in the Investment portion of the report. Thus the General Fund was overstated by the amount of the CD. After

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City should contact the Office of the City Clerk-Treasurer as soon as possible but no later than 48 hours before the scheduled event. Contact Info: 300 West Lincoln Street, Nappanee, Indiana 46550. Telephone (574) 773-2112. Email: jknight@nappanee.org.



the explanation, Councilwoman Huff motioned to approve the CT Report for the month of April. Councilwoman Yoder seconded. The CT Report was approved unanimously via roll call vote.

- Cash Flow Projection Report: CT Knight discussed the cash flow analysis that he and Mayor Jenkins created. The analysis looked at the General Fund, MVH Fund, and Parks and Rec Fund. The projection assumed a reduction and deferral of property tax revenue as well as a reduction in MVH funding. The metric that Baker Tilly uses when preparing cash flow analysis annually is a 15% cash available to total expenses at year end. In the normal and worst cases, each fund was in excess of the 15% metric. This calculation did not take into account cash reserves held in CD investment accounts. Had those cash reserves been included, the coverage would have far surpassed the normal and worst-case scenarios discussed. Councilman Miller noted his appreciation for the report. Councilman Nunemaker inquired as to how often we would submit the report. CT Knight indicated that it could be submitted whenever the Council would like to see it. The report was created to be updated on a monthly basis as actuals were realized. Councilman Nunemaker noted that his concern was trying to decide what to do with the CD's that mature in the future as to whether or not to hold the as cash reserves or reinvest them. CT Knight agreed with Councilman Nunemaker about paying attention to the interest rate environment and the impact some of the economic downturn may cause in the upcoming year. Mayor Jenkins reiterated the importance of being cautious at budget time to consider the impact that reductions in MVH and other taxes may have on 2021.

- Unfinished Business:

- EMS Write-Offs: Councilman Nunemaker motioned to untable the write-offs from the prior meeting on May 4th. Councilman Rosa seconded. The write-offs were untabled by voice vote. CT Knight responded to Councilman Nunemaker's questions from the May 4th meeting. The amount of the write-offs was due to uncollectability related to the outstanding amounts exceeding the maximum amount that Medicare and other insurance would cover. Prior write-off amounts fluctuated due to the number of months included in the request and the number of calls that EMS had received. After the explanation the original motion to approve the write-offs from the May 4th meeting went back into effect. Councilman Nunemaker motioned to approve the write-offs. Councilwoman Huff seconded. The write-offs were approved unanimously via roll call vote.



- Second Reading of Ordinance 1569 – Annexation on CR 54: Mayor Jenkins noted a correction in the Ordinance that should have reflected two tracts instead of one. The Mayor amended the document. Councilwoman Huff motioned to approve the Ordinance on second reading. Councilwoman Yoder seconded. The second reading was approved via roll call vote.
- Resolution 730-20 Fiscal Plan for Annexation on CR 54: Mayor Jenkins presented the Resolution for approval with a few typographical corrections and a paragraph of clarification. Councilman Nunemaker motioned to approve the Resolution. Councilwoman Rosa seconded. The Resolution was approved unanimously via roll call vote.
- Second Reading of Ordinance 1570 – Rezoning of LFM Property: Mayor Jenkins noted that this was presented to the Plan Commission and then forwarded to Council prior to being in Ordinance form. This Ordinance is due to amending the Planning and Zoning Ordinance #1258 which will be amended to reflect the new zoning. City Legal Counsel Hoffer interjected that it was important to note that this was brought through the Planning and Zoning Commission and the pertinent information was provided to the Council at the last meeting. Councilwoman Huff motioned to approve Ordinance 1570 on second reading. Councilman Miller seconded. The Ordinance was approved unanimously on second reading via roll call vote.
- New Business:
 - First Reading of Ordinance 1568 – RTC/RTN Annexation: Mayor Jenkins introduced this Annexation request. It is a property north of Wellfield Park. He displayed a map showing the layout of the property approximating 78 acres. There is roughly a 30% contiguity. Councilman Nunemaker motioned to approve the request. Councilwoman Yoder seconded. Councilman Nunemaker inquired if this property would be rezoned R-1? Harley Schwartz confirmed that it would be and noted that some apartments may be on the parcel. Superintendent Lehman interjected that with the apartments involved, he would suggest this be considered a “planned development”. Mayor Jenkins commented that initially it would come through as R-1. Mr. Schwartz and Mayor Jenkins went into further discussion of the layout of the property. The first reading of the Ordinance was approved unanimously via roll call vote.



- Set Public Hearing for Ordinance 1568 for June 15, 2020 at 7:00 pm: Councilwoman Rosa motioned to set the public hearing for June 15, 2020 at 7:00 pm. Councilwoman Huff seconded. The meeting date and time was approved unanimously via roll call vote.
- Special Use for MA Properties: Superintendent Lehman discussed the special use request received by the Board of Zoning Appeals for a vacant lot at 802 S. Elm St. to be developed into a parking lot. The property is zoned R-1. The parking lot would be approved with several conditions and it was approved by that Board 4-0. There was one abstention due to business related reasons. Mr. Miller also commented on the location and intended use of the parking lot as well as access and egress in response to Councilman Nunemaker's question about its use. Councilwoman Huff motioned to approve the special use. Councilman Miller seconded. Councilwoman Rosa asked if Superintendent Lehman had received a voicemail relating to concerns that Mike Brown had with the request and if those concerns would be handled through the engineering work. Superintendent Lehman confirmed both. The special use was approved unanimously via roll call vote.
- Resolution 729-20 Declaration of Official Intent to Reimburse Expenditures: Mayor Jenkins commented that this is regarding the water improvement project with the water tower and the mains along US 6. The City will utilize a loan from the SRF to fund the project. This will be similar to the project funding utilized three years ago. Some of the costs will be up-front costs. The City will recoup some of those expenses from the SRF funding. Councilwoman Yoder motioned to approve the Resolution. Councilman Miller seconded. Councilman Nunemaker inquired how the \$7 million amount was derived. Mayor Jenkins responded that these are hard and soft costs related to the projected included in the Asset Management Plan. This amount does have a slight bit of buffer in it. Councilman Nunemaker asked if this Resolution was only regarding the dollar amount and not inclusive of a time frame. City Counsel Hoffer responded that this Resolution would be inclusive of a time frame but that it would be longer than a year. This Resolution sets the stage for future reimbursement. Mayor Jenkins gave a brief overview of the funding timetable. The Resolution was approved unanimously via roll call vote.
- First Reading of Ordinance 1571 – East Lincoln Street Alley Vacation: City Legal Counsel Hoffer gave a brief overview of the request. Councilwoman Yoder motioned to approve the Ordinance on first reading. Councilwoman Rosa seconded. Tonya Stanley (with NIPSCO)



commented that they have reached out to the neighbors and would be purchasing their portion of the alley. The Ordinance was approved unanimously via roll call vote.

- First Reading of Ordinance 1572 – Metzler Street and Alley Vacation: Mayor Jenkins discussed the location and the request in general. Councilwoman Huff motioned to approve the first reading of the Ordinance. Councilman Miller seconded. There were no further questions or comments. The first reading of the Ordinance was approved unanimously via roll call vote.
- Approval of Accounts Payable Vouchers: 2020 APV's totaling \$352,474.03: Councilman Nunemaker motioned to approve the APV's. Councilwoman Huff seconded. Councilman Nunemaker asked what the APV for the MVH Sprayer was for. Superintendent Warren confirmed it was for a street line sprayer. The APV's were approved unanimously via roll call vote.
- Reports of City Officers:
 1. EMS: Superintendent Sumpter submitted his monthly report. There were no questions.
 2. Fire: Superintendent Lehman submitted his monthly report. There were no questions.
 3. Police: No report was submitted. Chief Rulli was not in attendance and there were no questions.
 4. Street Superintendent: Superintendent Warren submitted his monthly report. There were no questions. He did comment that the work on Stahley Drive should be completed by the end of the week.
 5. Park superintendent: Superintendent Davis submitted his monthly report along with a memo relating to the closing of the City pool for this year.
 6. Senior Center Director: No report was submitted. There were no questions. They have been working from home.
 7. Water/WWTP: Superintendent Gerber submitted his monthly report but was unable to attend. There were no questions.
 8. Clerk-Treasurer: No additional reports were submitted. There were no further questions.
 9. Mayor – Mayor Jenkins said that a video was created for Memorial Day and will be put on the City's website. He noted his appreciation for all who have served their country.
- Adjournment: With no further business to be discussed, Councilwoman Yoder motioned to adjourn the meeting and Councilwoman Huff seconded. Everyone in attendance voiced their appreciation of Brandie's service to the Council and wished her well going forward. The meeting was adjourned at 8:07 pm by unanimous voice vote.



Phil Jenkins, Mayor

Attest: _____
Jeff Knight, Clerk of the Council