

June 13, 2017

MINUTES OF A REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF NEW HAVEN, INDIANA

The Common Council of the City of New Haven, Indiana, met at the City Administration Building on the 13th day of June at the hour of 7:00 p.m. in regular session in accordance with the rules of the council.

The meeting was called to order by Mayor Terry McDonald who presided.

On call of the roll, the members of the Common Council were shown to be present or absent as follows:

Present: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Absent: Steve McMichael

Also Present: Attorney Steve Harants

Terry Werling made a motion to approve the minutes of the previous meeting as mailed. Dave Cheviron seconded the motion and the motion was approved.

The first item on the agenda under unfinished business was the public hearing regarding the New Haven City Council Confirmatory Resolution Application of Quincy Recycle Paper Inc. for the Designation of Economic Revitalization Area No. NH-81. Rachel Black from the Department of Planning Services said Quincy Recycle Paper, Inc. located at 2210 Summit Street will be investing \$715,000.00 to purchase a baler to replace the existing equipment which is obsolete. She said there will be two full time jobs created and twenty-three full time jobs will be retained. Quincy Recycle Paper, Inc. is eligible for a five year deduction for personal property improvements. Mike Malloy, General Manager from Quincy Recycle Paper, Inc. was present. Mayor McDonald declared the public hearing regarding the New Haven City Council Confirmatory Resolution Application of Quincy Recycle Paper Inc. for the Designation of Economic Revitalization Area No. NH-81 open to the public and making the first call for public comments. Mayor McDonald made the second call, and the third call for public comments. Charles Hatten President of the New Haven Chamber of Commerce said Quincy Recycle Paper is a great company and he supports it completely. Mayor McDonald asked if there were any additional comments. Seeing and hearing none, Mayor McDonald declared the public hearing closed.

The next item was the public hearing regarding the City of New Haven City Council Confirmatory Resolution Application of Superior Aluminum Alloys, LLC for the Designation of Economic Revitalization Area No. NH-82. Rachel Black said Superior Aluminum Alloys, LLC is located at 14214 Edgerton Road plans to invest \$942,000.00 in real property improvements and \$11.9 million in personal property for manufacturing equipment. Rachel said they will retain one hundred and thirty-two full time jobs as well as add twelve full time positions. She said they are eligible for a seven year deduction for real property improvements and a ten year deduction for personal property. Mayor McDonald declared the public hearing regarding the City of New Haven Council Confirmatory Resolution Application of Superior Aluminum Alloys, LLC for the Designation of Economic Revitalization Area No. NH-82 open to the public and making the first call for public comments. Mayor McDonald made the second call, and the third call for public comments. Charles Hatten said Superior Aluminum Alloys is part of the New Haven triangle and there are a lot of good things that are going to happen in this area and it is nice to have them in this area. Mayor McDonald asked if there were any additional comments. Seeing and hearing none, Mayor McDonald declared the public hearing closed.

The next item on the agenda was the consideration of the New Haven City Council Confirmatory Resolution Application of Quincy Recycle Paper Inc. for the Designation of Economic Revitalization Area No. NH-81. Terry Werling made a motion to approve by title only the New Haven City Council Confirmatory Resolution Application of Quincy Recycle Paper Inc. for the Designation of Economic Revitalization Area No. NH-81. Craig Dellinger seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Nays: None

Absent: Steve McMichael

The Deputy Clerk then numbered and read by title only Resolution R-17-16 the New Haven City Council Confirmatory Resolution Application of Quincy Recycle Paper Inc. for the Designation of Economic Revitalization Area No. NH-81.

The Presiding Officer declared Resolution R-17-16 to have passed.

The next item on the agenda was the consideration of the City of New Haven City Council Confirmatory Resolution Application of Superior Aluminum Alloys, LLC for the Designation of Economic Revitalization Area No. NH-82. Floyd Ball made a motion to approve by title only the City of New Haven City Council Confirmatory Resolution Application of Superior Aluminum Alloys, LLC for the Designation of Economic Revitalization Area No. NH-82. Dave Cheviron seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Nays: None

Absent: Steve McMichael

The Deputy Clerk then numbered and read by title only Resolution R-17-17 the City of New Haven City Council Confirmatory Resolution Application of Superior Aluminum Alloys, LLC for the Designation of Economic Revitalization Area No. NH-82.

The Presiding Officer declared Resolution R-17-17 to have passed.

The next item on the agenda under new business was the consideration of the New Haven City Council Resolution Approving 2017 Pay 2018 Real and Personal Property Compliance with Statement of Benefits (CF-1) Forms. Rachel Black said the Compliance with Statement of Benefits Form (CF-1) are filed each year by the companies the Council has approved for tax abatements to demonstrate the level to which the companies have fulfilled their employment investment goals they submitted to their Application Statement of Benefits Forms. Rachel said she reviews the compliance forms and based on policy the companies need to either create or retain at least seventy-five percent of the full-time and part-time jobs submitted on the form or creating or retaining at least seventy-five percent of the total salaries submitted on the SB-1 form. If this has not been met then they look at the investments which has too equal to or exceed seventy-five percent of what was submitted on the SB-1 form. Rachel said all the companies which have been approved by Council are in compliance. She said as far as the number of retained jobs one-hundred and twenty-four percent was met. And create jobs, ninety-two percent was met. The created payroll, one-hundred and twenty-nine percent was met at over \$33 million. Craig Dellinger made a motion to approve by title only the New Haven City Council Resolution Approving 2017 Pay 2018 Real and Personal Property Compliance with Statement of Benefits (CF-1) Forms. Floyd Ball seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger

Nays: None

Absent: Steve McMichael

The Deputy Clerk then numbered and read by title only Resolution R-17-18 the New Haven City Council Resolution Approving 2017 Pay 2018 Real and Personal Property Compliance with Statement of Benefits (CF-1) Forms.

The Presiding Officer declared Resolution R-17-18 to have passed.

The next item on the agenda was the public hearing regarding Additional Appropriation for Fund #24 Park and Recreation Non-Reverting Fund. Park Superintendent Mike Clendenen said this is for capital improvements and there will be an addition to the fund due to the sale of the Hartzell Street property and equipment declared as surplus. Mike said there is currently \$159,000.00 in the fund and they would like the opportunity to spend some of this money. He said last year they appropriated \$25,000.00 for improvements and \$15,000.00 for consultants. Mike said they do not have a project to spend the money on immediately, but want the opportunity to spend some of it so he is asking to raise the appropriation an additional \$100,000.00 into the improvements so it will be available. He said there is a lot of needs so they will spend the money with due diligence but want to opportunity because it is a long process and they want the money available. Dave Cheviron asked Mike what they were looking at to spend the money on. Mike said it could be improvements to the parks, additional equipment and a lot more opportunities to go after grants which require matching funds. Mike said they are in the process of doing their five year master plan so they are going to be identifying and prioritizing things they would like to accomplish. Mike said they would like to keep \$100,000.00 in the fund for the next few years for their sustainability as long as the funds are available. Mayor McDonald

declared the public hearing regarding Additional Appropriation for Fund #24 Park and Recreation Non-Reverting Fund in the amount of \$100,000.00 open to the public and making the first call for public comments. Charles Hatten asked if the funds would be available for programming. Mike Clendenen said no, it is for improvements, maintenance and replacing trucks. Charles asked if it could be used for the Bandshell and Mike said only if there were improvements made to it. Mayor McDonald made the second call, and the third call for public comments. Seeing and hearing none, Mayor McDonald declared the public hearing closed.

The next item which came before Council was the consideration of a Resolution Regarding Additional Appropriation for Fund #24 Park and Recreation Non-Reverting Fund. Terry Werling made a motion to approve by title only a Resolution Regarding Additional Appropriation for Fund #24 Park and Recreation Non-Reverting Fund in the amount of \$100,000.00. Bob Byrd seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger
Nays: None
Absent: Steve McMichael

The Deputy Clerk then numbered and read by title only Resolution R-17-19 a Resolution Regarding Additional Appropriation for Fund #24 Park and Recreation Non-Reverting Fund.

The Presiding Officer declared Resolution R-17-19 to have passed.

The next item was the consideration of a Resolution Regarding Source of Funding for the Community Crossings Local Road and Bridge Matching Grant Fund. The Director of Engineering, Keith Schlegel said they have been waiting for the opportunity to pass this resolution to give a clear path to the Indiana Department of Transportation. He said the purpose of this resolution is for the City to match the funds. Bob Byrd made a motion to approve by title only the Resolution Regarding Source of Funding for the Community Crossings Local Road and Bridge Matching Grant Fund. Craig Dellinger seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger
Nays: None
Absent: Steve McMichael

The Deputy Clerk then numbered and read by title only Resolution R-17-20 a Resolution Regarding Source of Funding for the Community Crossings Local Road and Bridge Matching Grant Fund.

The Presiding Officer declared Resolution R-17-20 to have passed.

The next item was the consideration of a Resolution to Transfer Funds from Fund #257 LOIT Special Distribution Fund to the Local Road and Bridge Matching Grant Fund. Mayor McDonald said this is where the match money is coming from and Clerk Treasurer Brenda Adams wanted Council to know this is the final transfer for this. Floyd Ball made a motion to approve by title only a Resolution to Transfer Funds from Fund #257 LOIT Special Distribution Fund to the Local Road and Bridge Matching Grant Fund in the amount of \$1 million. Craig Dellinger seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Terry Werling, Bob Byrd, Floyd Ball, Craig Dellinger
Nays: None
Absent: Steve McMichael

The Deputy Clerk then numbered and read by title only Resolution R-17-21 a Resolution to Transfer Funds from Fund #257 LOIT Special Distribution Fund to the Local Road and Bridge Matching Grant Fund.

The Presiding Officer declared Resolution R-17-21 to have passed.

Any other comments that may properly come before the Council, Keith Schlegel said they presented the draft modifications of Chapter 51 to Steve Harants for review. The purpose of the revisions were to provide a funding mechanism for things like sump pump removal from the sanitary plumbing laterals, parameter tiles, and the lateral reconstruction program. Keith said on the sump pump they were requiring an inspection and if the inspection is not voluntarily granted by the property owner they were proposing to place a fee to recoup the monies for the treatment

of the source of clear water. He said Attorney Steve Harants was concerned about the fourth amendment of the City forcing their way into a home to do the inspection. Keith said there are ways other communities have successfully gained entry into homes without violating the fourth amendment. He said one of the options is to establish a pool of qualified inspectors, giving the property owner the opportunity to pay for inspection or have the City offer to do the same service free of charge. Steve said one of the communities did this by saying the property owner has to certify to the City their connections are legal and they can use a private contractor or they can let the City do it. Steve said the City can provide a list of qualified people to do the inspections. He said he does not think the City should mandate who to pick but just offer them a selection of qualified people. There was a discussion on possibly making the property owner use a licensed engineer or plumber. Keith said they are working on educational flyers to be include in the monthly bill for wastewater customers only and put it on the City's website. He said they were hoping to do as many as three educational brochures. Bob Byrd said he noticed there was a traffic jam at the pool and people were parking in the overflow lot but it was so busy they were blocking other people in. Mike said there is an ordinance and signs were put up for no parking on Glencoe Blvd. and there were still people parking there. Mike said now there is a bright yellow line painted which they hope will stand out and they have an overflow parking sign in the back area. Bob asked if a big yellow X could be put in the areas they should not park in. Mike said they could do that. Bob said he spoke to Bob Nelson who is on the East Allen County School Board about some of the plans for the school and it is going to be fantastic which will give the students an opportunity for a better education. Terry Werling thanked the Department Heads for coming to the Council Meetings. Terry Werling said the community is looking good and it gives you a good warm feeling when you drive into New Haven and thanked everyone for their hard work. Mayor McDonald thanked all the Departments for a successful Canal Days. Mayor McDonald said all the departments have been working very hard and there has been a lot of activity with the Fire, EMS and Police Department.

Under public comments, Marvin Jarvis said during the last heavy rain a couple weeks ago his daughter who lives in Highland Terrace had a neighbor tell her, her downspout was flooding his basement. Marvin said when he spoke with the neighbor he said he had spoken with someone from the City who told him they cannot do anything to help him because the sump pumps are pumping water into the storm sewer. Marvin said he did not think it was a very good answer and he thinks a lot of people will look for help to make changes to their sump pump if they get the education on what to do. Marvin asked if there is anything they can do to get the word out quickly to help fix this. Public Works Superintendent Dave Jones said they have at least seven or eight times in the newsletter offered free inspections and out of eight hundred homes only twelve people have asked for the inspection over the last four or five years. Mayor McDonald said they are working on it. Keith Schlegel said the Board of Works approved the purchase of a tool which will be beneficial for the Highland Terrace subdivision specifically to cut the obstruction out of the sewer for additional capacity. Keith said they are taking steps to move forward. Charles Hatten said everyone did a great job on Canal Days and they are going to try to tweak a couple things to help the businesses. Charles said one of the things they talked to the businesses about is the downtown corridor and how it is going to look after they get the S.R. 930 and high school projects done. Charles said he took a tour of the Multimatic plant and it is awesome with unbelievable state of the art equipment. Charles said the Chambers has redone the old City Hall and there will be an article in the East Allen County Times about it, but they are having a grand opening on Wednesday, July 6, 2017 at 5 p.m. Keith said they are receiving bids for the Community Crossing Project on Thursday, June 15, 2017. He said they will be taking the lowest and most responsive bidder to the Board of Works for their approval. Keith said they are expecting construction work to begin on July 5, 2017 and thanked Council for making the dollars available. Bob Byrd said there are some roads in the Meadowbrook subdivision in pretty bad shape. Keith said he was aware of them and one of the problems is in several cases is there is underground infrastructure work that needs to be accomplished before they can start to build the roadways.

Floyd Ball moved to adjourn the meeting. Craig Dellinger seconded the motion and the motion was approved.

Debra Adams
Deputy Clerk

Mayor Terry McDonald
Presiding Officer