



Common Council Meeting – Minutes for April 15, 2024

Council Members in Attendance: Ben Leavitt, Austin Yoder, Amy Rosa, Dustin Geyer, Kelbi Veenstra

Also Present: Mayor Phil Jenkins **City Attorney** Brian Hoffer, **Clerk-Treasurer** Jeff Knight **Guests:** 5 (5 IP), and two members of the press (1 IP, 1 OL) were in attendance.

- Call to Order: Mayor Jenkins called the meeting to order at 7:00 pm and led the Council in the Pledge of Allegiance. Council Member Rosa offered the opening prayer.
- Roll Call: Council members listed above were in attendance in person.
- Approval of Minutes from the April 1, 2024, Council meeting: CM Geyer motioned to approve the minutes. CM Yoder seconded. The minutes were approved unanimously by voice vote.
- There were no petitions or comments by citizens.
- Reports of Commissions, Boards, or Commissions: CT Knight presented the CT Reports for the months of January, February, and March. The focus of the presentation was on the most recent month-end report for March. CT Knight commented that cash-on-hand totals \$21 million. One year ago, that number was \$17 million. This year the City has \$8 million in invested funds compared to \$7.3 million last year. Total cash and investments as of 3/31/24 were \$29.7 million compared to 24.7 million in 2023. The difference is comprised of a \$2.75 million GO Bond (\$2 million of this is to be used toward the US 6 expansion by the airport) and \$1.4 million in TIF growth along with lesser growth in other funds. CT Knight then discussed how two CDs matured on 4/11/24. One of those was the City Investor CD in the amount of \$817,000 and it was reinvested for four months at 5/51%. The other CD was for the CSO Reserve funds (\$634,000) and that was reinvested for 20 months at 5.17%. The CSO Reserve is only kept on hand in case the funds were needed to pay debt service on the CSO Bond. So having those funds invested for a longer period is not derogatorily impactful to the City. CT Knight noted that the DLGF sent out a notice that, as of 1/1/24, separated the Fire and EMS into its own Fund which segregates it from the General Fund. CM Geyer asked if that was the only change required. CT Knight said yes. CM Geyer asked if the GO Bond has a payment due in November. CT Knight thought that was correct. As it pertains to the short-term investment of the City Investor and Rainy-Day Funds, CM Geyer asked if the intent was to stay short term or go long term with those funds when they are reinvested. CT Knight and Mayor Jenkins responded that they would stay short term with the City Investor and re-evaluate the market at that time. CM Geyer motioned to approve the January, February, and March CT Reports as presented. CM Veenstra seconded. The CT Reports were approved unanimously by voice vote.
- There was no unfinished business.
- New Business
 - Petition for Outdoor Sales and Plant Stand – Matt & Evie Tobias: Mayor Jenkins presented the request. This is the annual request from the Tobias's who have been doing this for 12 years. This is their fourth year at this location. The operating time will be from May 1st through November 1st. CT Knight asked Mr. Tobias if they still intend to find a permanent location. His response was that this location was what they were wanting but there is still work to do for this to become the permanent location. CM Rosa motioned to approve the petition. CM Leavitt seconded. The petition was approved unanimously by voice vote.



- Review Compliance (CF-1) Forms for Tax Phase-in: Mayor Jenkins introduced Mr. Mark Collins (Nappanee Director of Development), explained how the tax phase-ins work and then Mr. Collins presented each tax phase-in for approval.
 - ATC: This is for *Real Property* with three years remaining on the ten-year abatement. They are in compliance with a score of 132% (far exceeds what was required). CM Leavitt motioned to approve the CF-1. CM Veenstra seconded. The ATC Real Property CF-1 was approved unanimously by voice vote.
 - LFM/InTech: InTech is the *Personal Property* portion of this abatement. InTech is at 159% of compliance. CM Geyer asked if the employment numbers reported were current numbers or numbers at some other point in time. Director Collins said the numbers are as of the time of filing. CM Rosa motioned to approve the CF-1 as presented. CM Yoder seconded. The InTech CF-1 was approved unanimously by voice vote.

LFM is the *Real Property* portion of this abatement. LFM is at 152% of compliance. This is in year two of five. CM Leavitt motioned to approve the CF-1. CM Geyer seconded. The LFM CF-1 was approved unanimously by voice vote.
 - Tri-State Crush: This company has both *Real Property* and *Personal Property*. The *Real Property* overall score was 112% with capital investments coming in at 89.1% of compliance. Further consideration of all the work they have done on the property allowed them to be considered in compliance. There are two years remaining. CM Rosa asked if the company indicated whether they have put in the improvements to capture the exhaust from the plant. This was not mentioned in the text message received from the owner. CM Leavitt asked if the \$802,000 invested in the property included the discussed dust collection system. Director Collins said it represents what they have invested in the property to date. CM Geyer motioned to approve the CF-1. CM Leavitt seconded. The Real Property CF-1 was approved unanimously by voice vote.

The *Personal Property* overall score was 116% of compliance. CM Geyer motioned to approve the Personal Property CF-1. CM Yoder seconded. The Personal Property CF-1 was approved unanimously by voice vote.
- Approval to sign Letter of Intent for Elkhart County Rural Collective – OCRA Stellar Pathways: Director Collins presented the letter of intent. With the sponsorship of the Elkhart County Convention and Visitors Bureau the City is working with MACOG and applying for the Stellar Pathways Grant. The grant includes \$1.5 million from INDOT, \$4 million from OCRA, \$1.5 million from IHEDA, \$75,000 from the ISDH, and a range of \$5,000 to \$75,000 from the IDNR. If selected, the funds would be distributed to Bristol, Wakarusa, Middlebury, and Nappanee. Mayor Jenkins noted that the Stellar Pathways was recently awarded to Marshall County. CM Geyer asked where the application process stands. Director Collins said the letter of intent needs to be submitted by May 1st. CM Geyer asked when the award would be given. Director Collins responded July of 2024. CM Leavitt motioned to approve signing the letter of intent. CM Yoder seconded. The approval was granted by unanimous voice vote.
- Approval of Accounts Payable Vouchers: City 2024 APV's Totaling \$232,001.52: CT Knight discussed the largest expenditure appearing on the register as being for the CT Department for software that will work



in conjunction with the existing accounting software to provide a more efficient purchasing process. The initial cost is \$19,500 (\$7,500 setup fee and \$12,000 for the first half of the annual usage fee). CM Geyer asked if this was a one-time fee. CT Knight said no. The annual usage fee is \$24,000. The Spendbridge system is tied directly to those vendors associated with the State QPA program. CM Geyer asked if this is up and running right now. CT Knight said no. The process is in the initial stages of the integration process. CM Rosa motioned to approve the APVs. CM Geyer seconded. The APV's were approved unanimously by voice vote.

- Reports by City Officers:
 - Clerk-Treasurer – Original Baker Tilly 2022 Master Service Agreement Letter – No action required.
 - Redevelopment – Notification of Adoption of Amendatory Declaratory Resolution – No action required.
 - Fire – April Report – No action required.
 - Police April Report – No action required.
 - Mayor Jenkins – Informed the Council that the CCMG award to the City is \$850,000. This is a 75/25 matching grant. Mayor Jenkins also reminded the Council the next meeting will not be until May 6th.
- Adjournment: With no further business to discuss, CM Leavitt motioned to adjourn the meeting and CM Yoder seconded. The meeting was adjourned at 7:45 pm by unanimous voice vote.

Mayor Jenkins

Attest: _____
Jeff Knight, Clerk of the Council