



Common Council Meeting – Minutes for February 6, 2023

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

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

- Call to Order: Mayor Jenkins called the meeting to order at 7:00 pm and led the Council in the Pledge of Allegiance. Councilman Leavitt opened the meeting with prayer.
- Roll Call: Council members listed above were in attendance.
- Approval of Minutes from the January 17, 2023, Council meeting: Councilwoman Veenstra motioned to approve the minutes. Councilman Geyer seconded. The minutes were approved unanimously by voice vote.
- There were no petitions or comments by citizens, and no reports of committees, boards, or commissions.
- Unfinished business:
 - 2nd Reading – Ordinance 1615 – Mark Hutsell Rezoning for 158 E. Centennial: Mayor Jenkins presented the ordinance for consideration on second reading. Councilman Leavitt motioned to approve the ordinance on second reading. Councilwoman Rosa seconded. Ordinance 1615 was approved unanimously by voice vote on second reading.

Councilwoman Rosa motioned to suspend the rules and move to third reading. Councilwoman Veenstra seconded. The rules were suspended by unanimous voice vote.

3rd Reading – Councilwoman Rosa motioned to approve the ordinance on third reading. Councilman Leavitt seconded. Ordinance 1615 was approved unanimously by roll call vote.

- 2nd Reading – Ordinance 1616 – Newcomer Property Management Rezoning for 401 E. Wabash Ave: Mayor Jenkins presented the ordinance for consideration on second reading. Councilman Geyer motioned to approve the ordinance on second reading. Councilwoman Veenstra seconded. Councilman Leavitt recused himself due to a potential business conflict of interest. Ordinance 1616 was approved with 3 yes votes, 0 no votes, and 1 abstention.

Councilman Geyer motioned to suspend the rules and move to third reading. Councilwoman Rosa seconded. The rules were suspended with 3 yes votes, 0 no votes, and 1 abstention.

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.



3rd Reading – Councilwoman Rosa motioned to approve the ordinance on third reading. Councilwoman Veenstra seconded. Ordinance 1616 was approved via roll call vote with 3 yes, 0 no, and 1 abstention.

- **New Business:**

- Cancellation of Dormant Checks. CT Knight presented the checks that were two years old or older for cancellation. Upon cancellation, the funds will be returned to the funds from which they were drawn. Councilman Leavitt asked if the balance of \$15,183.07 was typical. CT Knight said this had not been done for a couple of years, but that he believed so. Mayor Jenkins pointed out the age of a few of the checks and noted that they pre-dated CT Knight assuming the CT responsibilities. Councilman Leavitt motioned to approve the cancellations. Councilwoman Rosa seconded. The cancellation of dormant checks was approved unanimously by voice vote.
- 1st Reading – Ordinance 1614 – Establishing Funds for CCMG and Federal Highway: Mayor Jenkins presented the ordinance noting that this was driven by the recent State Board of Accounts audit. The federal monies for these funds had been budgeted using the LOIT Special Use fund. Instead they should have their own fund numbers and LOIT Special Use should no longer be used. City Attorney Hoffer commented that the Council had the authority to set up whatever funds were deemed necessary. Councilwoman Veenstra motioned to approve the ordinance establishing two new funds. Councilwoman Rosa seconded. Ordinance 1614 was approved unanimously by voice vote on first reading.
- Resolution 768-23 – Final Internal Transfers for 2022: CT Knight presented the transfers to cover negative balances. Councilman Geyer motioned to approve the transfers. Councilwoman Veenstra seconded. The transfers were approved unanimously by voice vote.
- 1st Reading – Ordinance 1617 – Amending Ordinance 1597 – 2022 Salary Ordinance: Mayor Jenkins presented the ordinance. He discussed how certain line items pertaining to the police department only received a 5% increase in 2022 when the intent for those items was to increase them to \$1,000. Councilwoman Rosa confirmed that the five line items listed existed in 2022. Mayor Jenkins said yes. Councilman Geyer asked what the amount was prior to the bump to \$1,000. Mayor Jenkins responded that it was originally \$750 multiplied by 5% (\$787.50). Councilwoman Veenstra asked what the timing of these payments was throughout the year. Mayor Jenkins said it is a one-time payment at the end of the year, the first paycheck in December. Councilman Leavitt motioned to approve Ordinance 1617 on first reading.



Councilman Geyer seconded. Ordinance 1617 was approved unanimously by voice vote on first reading.

- 1st Reading – Ordinance 1618 – Amending Ordinance 1610 – 2023 Salary Ordinance: Mayor Jenkins presented the ordinance. He walked the Council through the various changes. Councilwoman Rosa commented that this is the first year that a spreadsheet chart was utilized versus the old format. Mayor Jenkins said that is correct and once everything is in place it should be better. Councilman Leavitt noted that the various certifications did not apply to seasonal employees. Mayor Jenkins said that was correct as well. Councilman Leavitt said his biggest concern regarding the Park seasonal employees was making sure the pay was competitive. Mayor Jenkins discussed the hiring possibilities of seasonal staff for Park. Councilwoman Rosa motioned to approve the ordinance. Councilman Leavitt seconded. Ordinance 1618 was approved unanimously by voice vote on first reading.
- Approval of Accounts Payable Vouchers: 2023 APV's Totaling \$1,061,708.78: CT Knight said the APV's contain one payroll, \$454,158.66 for infrastructure costs that were shifted to the ARPA funds, and \$119,624.18 for R. Yoder Construction for work completed on Oakland Trail. Councilman Leavitt motioned to approve the APV's. Councilman Geyer seconded. The APV's were approved unanimously by voice vote. Councilman Geyer motioned to approve the APV's. Councilman Leavitt seconded. The APV's were approved unanimously by voice vote.
- Reports by City Officers: Mayor Jenkins proposed to have a special meeting of the Council on February 13th instead of the regularly scheduled meeting on the 21st due to scheduling conflicts. The next Council meeting would be on March 6th. Councilwoman Rosa motioned to move the regularly scheduled meeting to February 13th at 7:00 pm. Councilwoman Veenstra seconded. The meeting was changed to the 13th unanimously by voice vote.
- Adjournment: With no further business to be discussed, Councilman Leavitt motioned to adjourn the meeting and Councilwoman Veenstra seconded. The meeting was adjourned at 7:26 pm by unanimous voice vote.

Phil Jenkins, Mayor

Attest: _____
Jeff Knight, Clerk of the Council