



Common Council Meeting – Minutes for February 5, 2024

Council Members in Attendance: Ben Leavitt (OL), Austin Yoder, Amy Rosa, Dustin Geyer

Also Present: Mayor: Phil Jenkins, **City Attorney** Brian Hoffer, **Clerk-Treasurer** Jeff Knight, **Guests:** 5 (IP), and two members of the press (IP) 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 and opening prayer.
- Roll Call: Council members listed above were in attendance in person or online as noted. Council Member Veenstra was unable to attend.
- Approval of Minutes from the January 22nd, 2023, Council meeting: Council Member Geyer motioned to approve the minutes. Council Member Rosa seconded. The minutes were approved unanimously by voice vote.
- There were no petitions or comments by citizens, no reports of committees, boards, or commissions, and no unfinished business.
- New Business:
 - Utility Charge-Offs: CT Knight presented the utility bill balances to be charged-off. The balance was just over \$15,000. These utility account balances are tied to people who were tenants/renters and left without paying the balance owed on the account. These balances will be removed from the accounting system and the individual names and addresses will be turned over to the State via the TRECS Program in an attempt to collect the balances owed by offsetting potential state income tax refunds. The list of names is also kept on hand just in case any of these people move back into the City so they can be made to pay the balance prior to putting the water and sewer service back into their name. Council Member Geyer asked if all of these names were of people who were tenants at the properties and not property owners. CT Knight said yes. Council Member Geyer asked if the recourse then was to garnish their tax refund. CT Knight said yes. The TRECS program is designed to match the name of the individual with the debt owed and try to get them to pay the balance by issuance of a letter indicating that if the balance is not paid then there will be a reduction in their tax refund to cover the debt outstanding. If the balance is not paid, then the State will do the tax refund offset. This does not mean the City will receive payment for the full balance owed, or any of the balance. There is a hierarchical system whereby monies owed at the State and County levels gets paid out first and then the municipality is paid if there is anything left over. There is also a \$20 fee and then a % of the balance kept by the State for offering the TRECS Program. Council Member Geyer asked if there was any way of knowing how much the City would be able to get back. CT Knight said it all depends on how much is owed to other entities whether they be State, County, or local. Council Member Geyer asked if there was a statute of limitations on how far back these can be collected. CT Knight said he would have to check. Council Member Rosa clarified how the system works when a homeowner/apartment owner tries to put utilities in their name if there was a balance owed by one of their tenants who left. CT Knight said they would be able to do so because the balance stays with the tenant who left. Council Member Rosa motioned to approve the utility charge-offs. Council Member Geyer seconded. The utility charge-offs were approved unanimously by voice vote.



- Approval of Accounts Payable Vouchers: City 2024 APV's Totaling \$174,644.56: CT Knight presented the APV's for approval. Council Member Geyer motioned to approve the 2024 City APV's in the amount of \$174,644.56. Council Member Yoder seconded. The APV's were approved unanimously by voice vote. Subsequently, there was a typographical error found regarding the total dollar amount of the APV's listed on the Agenda. The amount was shown as \$176,644.56. The actual amount was \$174,644.56.
- Reports by City Officers: Mayor Jenkins informed the Council that the City has received an early coordination letter from INDOT regarding repaving work that will be done on US 6 west of Nappanee (from SR 106 to the Nappanee city limit by Gen Y Hitch). The project is targeted to begin construction in early 2026.

The next Council Meeting is scheduled for February 20th, but the Mayor will be out of town that day. He asked if the Council could meet on the 26th or if they still wished to meet on the 20th. Council Member Geyer motioned to move the meeting to Monday, the 26th. Council Member Rosa seconded. Changing the next Council Meeting date from the 20th to the 26th was approved unanimously by voice vote.

CT Knight showed the Council a schedule of all of the investments which included invested amounts, maturity dates, and rates.

Mayor Jenkins concluded with an update on the Fire Station project. Council Member Leavitt asked who the members of the technical review team are. Mayor Jenkins responded Todd Nunemaker (architect), Doug Berger (engineer), Don Lehman (Fire Chief), Steve Heckathorn (Asst. Chief), Jeff Knight (CT).

- Adjournment: With no further business to discuss, Council Member Geyer motioned to adjourn the meeting and Council Member Yoder seconded. The meeting was adjourned at 7:22 pm by unanimous voice vote.

Phil Jenkins, Mayor

Attest: _____
Jeff Knight, Clerk of the Council