

JULY 11, 2018

TOWN COUNCIL MEETING

Those present:

Chalmer Tobias	Cam Kissinger	Jenny Foust	David Fenker
Jim Smith	Aaron Popplewell	Dan Gray	Kent Coble
Laura Rager	Steve Shumaker	Eric Seaman	Jeanne Hickling
Allen Miracle	Keith Gillenwater	Diane Hauptert	Andy Buroker
Adam Penrod	Tenille Zartman	Richard Sereno	Sam Krouse
Carrie Mugford	Aaron Reust	Linda Coble	Dennis Young
Matt Mize	Jim McCann	Neal Houser	Debbie Young
Craig Walters	Sabrina Cline	Joyce Joy	Molly Woods

Those absent: Tom Dale. A quorum was attained.

The July meeting of the North Manchester Town Council was held at the Public Safety Building, 709 W. Main Street, North Manchester, Indiana, on July 11, 2018 at 7:00 p.m., pursuant to notice duly given in accordance with the rules of the Council. The meeting was called to order by council president Chalmer Tobias, who presided.

MINUTES

Minutes of the 06/06/18 regular & 06/06, 06/12, 06/19, 6/22, 06/26 special meetings were presented for approval. Motion to approve the minutes as presented: Smith/Miracle. Motion passes unanimously. Councilmember Laura Rager abstained from the 06/06/18 regular meeting due to her absence.

VISITOR COMMENTS

Jim McCann addressed council to talk about the dangers of second hand smoke and express his support of the enhanced smoking ordinance. McCann gave a history of second hand smoke and spoke about the prevalence of smoking in public areas.

UNFINISHED BUSINESS

1. Enhanced Smoking Ban Ordinance – Clerk-Treasurer Carrie Mugford read general ordinance #3 by title only. Motion to approve on second reading: Smith/Miracle. Councilmember Jim Smith expressed his approval of the ordinance but suggested some amendments for clarity. Motion to amend GO#3 by removing paragraph J in section 9: Smith/Miracle. Motion passes unanimously. Motion to amend section 15 paragraph E by adding the word “enclosed” to the paragraph to mean that owner must enforce this ordinance if a person is smoking in an enclosed area: Smith/Miracle. Motion passes unanimously. Motion to amend section 9 paragraph C by adding the sentence “Marked outside designated areas with cigarette butt receptacles away from main entrances are allowed.”: Smith/Miracle. Motion passes unanimously. Smith clarified the last amendment as meaning restaurants and bars are allowed to have marked outside smoking areas with receptacles. Motion to approve GO#3, 2018, on second reading as amended. Smith/Miracle. Motion passes unanimously. Third and final reading enhanced smoking ordinance as amended will be at the August council meeting.

NEW BUSINESS

1. Open 2018 Water Softening Salt Bids – Town Attorney Matt Mize stated that four bids were received on time at town hall. Bids were received as follows:

Cargill Salt: \$132.00 per ton

Morton Salt: No Bid

Midwest Salt: \$115.00 per ton

Compass Minerals: \$113.70 per ton

Town Manager Adam Penrod noted that softening the water is a great asset to the town. Most communities don't soften water because of the expense. The bids are taken under advisement and reviewed by Penrod and Mize. Penrod will have a recommendation at the next council meeting. The water department purchases about 600 tons of softening salt per year.

2. Midwest Poultry Rezoning Request – GO #5, 2018. TM Penrod welcomed Sam Krouse of Midwest Poultry and Andy Buroker from Faegre Baker Daniels Consulting. Buroker presented a request to rezone 25.1 acres currently zoned residential estate and limited industrial to business general. This rezoning request is part of the plan to relocate MPS headquarters. Krouse gave an overview of the project, including the location, office space and warehouse. The new building will take advantage of the natural layout and beauty of land near the river. Buroker gave a description of the immediate area and acceptable uses of the business general classification. Buroker respectfully requested approval of the plan commission recommendation to change zoning of the land. Clerk-Treasurer Mugford read general ordinance #5 verbatim. Motion to approve on first reading: Rager/Miracle. Motion passes unanimously. Smith asked if council should move ahead with third reading. Buroker mentioned that approval would keep the process moving but was not necessary. Motion to suspend the rules and move to third reading: Smith/Rager. Motion passes unanimously. Mugford read GO#5 by title only. Motion to approve on third reading: Rager/Smith. Motion to reinstate the rules: Rager/Smith. Motion passes unanimously.

3. Alley Vacation Request – Building commissioner Steve Shumaker explained the alley in the request to vacate is an improved alley south of the old Maple Park property. Plan Commission did meet to consider the requested vacation and denied the request after hearing from adjoining property owners. Shumaker noted that it was not a unanimous vote among the members. Since plan commission motioned to deny the request there is no ordinance for council to consider. Shumaker noted that this improved alley been present in the neighborhood for generations. Traffic Commission also met and considered the requested closure. Traffic voted unanimously to deny the request. Neal Houser, 203 S Buffalo, confirmed that the alley, as laid out, is on his property and he would like to recoup it. Houser remarked that closing the alley will also benefit the newly finished house south of the alley. Houser stated he is willing to pay to remove the asphalt and clear the area if necessary. Debra Young, 601 W Main Street, noted that cars and buses use the alley every day. The alley has always been there to use, there is no need to inconvenience people. Young suggested buying land from Houser to maintain the alley. Shumaker provided photos to show where the property lines actually are. Councilmember Allen Miracle asked Town Attorney Matt Mize what his involvement is with the new houses. Mize explained that his company, GIMI, and Harp Development bought the Maple Park property and worked jointly to develop it. Mize acknowledged that he built the house that Mr. Houser lives in. Ian Poston, HARP Development, built the house to the south of the alley. TM Penrod stated that there were traffic studies done and the alley is used more than acknowledged. Council President Chalmer Tobias commented that the alley is not as busy as Main Street but removing it would cause a significant redirection of traffic. Councilmember Laura Rager remarked that without the alley Half Street would have to be made a one way street because it is too narrow for two cars to pass. Diane Hauptert, 305 E Seventh Street, observed that the alley has been there for over 80 years. Hauptert questioned the need to remove it now. Smith asked if the council had the option to accept the recommendation of Plan Commission and Traffic Commission or overturn the recommendations. Motion to affirm recommendation by Planning and Traffic to not close the alley between Maple Street and Half Street: Smith/Rager. Motion passes unanimously. Tobias

questioned Mr. Houser's options. Penrod responded that Houser can remove the asphalt from his property and the town will shift the alley south onto the other property. Smith commented that hopefully Mr. Houser allows the traffic to flow as usual or that something can be worked out. Rager inquired whether the town can go through the process of making that alley an actual street. Street Superintendent Craig Walters noted that there are utilities that run underneath the alley which should be considered when making a decision.

4. Authorization to Transact Real Property, Resolution #7, 2018 – TM Penrod stated that the building previously used as Manchester Early Learning Center was sold at auction. However, the final closing on the building still has to take place. In order for Penrod to transact real property council needs to pass this resolution. This resolution authorizing the town manager to transact real property on behalf of the town is done for every town manager. Mugford read resolution #7 verbatim. Motion to approve: Rager/Miracle. Motion passes unanimously.

5. Approval of Discontinuation of Dispatch Services, Resolution #8, 2018 – TM Penrod introduced resolution #8, 2018, to discontinue dispatch services in North Manchester. Penrod explained that when central dispatch was created the town council considered moving dispatch to the county. At the time, council decided to keep the services local. Cell phones were not as prevalent and most people had land lines. After it was decided to keep dispatch local the county took away 911 fund distributions from the town. Last year the county passed a Public Safety Access Point (PSAP) levy and is now getting 0.25% of property taxes to pay for central dispatch. The residents of North Manchester are now paying for central dispatch and our own dispatch. All cell phone 911 calls already go to central now. Only calls from landlines come directly to our local dispatch. Discontinuing our dispatch will streamline services and reduce duplication of expenses. Penrod stated that this resolution is a public statement of the council's intent to eliminate dispatch services. The county will be notified after passage of the resolution. Clerk-Treasurer Mugford read resolution #8 verbatim. Motion to approve: Smith/Rager. Motion passes unanimously. Penrod explained that there will be no services lost because the dispatch centers already communicate. One dispatcher will be retained in an administrative position with normal day time hours. There are still several steps to be taken before the switch can be made. The move to central dispatch should be done no later than January 1, 2019.

6. OJI Intertech Equipment and Real Property Tax Abatement, Resolution #6, 2018 – Grow Wabash County Executive Director Keith Gillenwater introduced Richard Sereno, President of Oji Intertech, Inc. Gillenwater provided tax abatement scoring sheets to council. Gillenwater explained that OJI Intertech is requesting tax abatement on \$3,557,141 of real property and \$633,264 of machinery. This new expansion is expected to add 9 new employees. Gillenwater ran the project through the tax abatement scoring criteria and it scored 67 points which qualifies for a 10 year abatement. Sereno gave a history of OJI in North Manchester and an overview of the products made at the facility. OJI came to North Manchester in 1998. At that time they had \$4 million in sales and today average \$28 million in sales. OJI started with 23 employees and now have 114 employees. The company has seen incredible growth in the last 20 years. The automotive division runs 24 hours a day making headliners for third row passenger vehicles but is looking to diversify into more features of the interior of the auto. The packaging division makes a cardboard product used to package items such as salt and fragile products. Every Morton Salt container material is made in North Manchester. Industrial packaging is used for parts that need to ship without scratching. OJI is diversifying its product line with this expansion. Sereno commented that OJI is trying to get more involved in the community and encourage the employees to be active in the community. The average wage for most employees is \$15.07. Sereno presented short video of employees talking about the company. Mugford read resolution #6, 2018, verbatim. Motion to approve the 10 year abatement: Rager/Smith. Motion passes unanimously.

DEPARTMENTAL & COMMISSION REPORTS

Appointments – None at this time.

Police Dept. – Report included in packet. TM Penrod reported that Karsten Kersey has been hired to fill an open patrol position. Kersey is already on the road because he previously attended police academy. Manchester University has requested closure of East Street on September 21 for the annual walk into my future event for elementary students.

Fire Dept. – Report included in packet. Fire Chief Cam Kissinger reported that the July 4th fireworks went very well.

Code Enforcement – Report included in packet.

Plan Commission – Building Commissioner Steve Shumaker noted that there is no planned activity scheduled for July.

Board of Zoning Appeals – Nothing more to add.

Traffic Commission – Did not meet

Parks & Recreation – TM Adam Penrod remarked that the roof damage over the pool has been in review for over a year now. The insurance company has withdrawn its first conclusion. There will be thermal imaging done to the roof in the next few weeks to further try to get answers. Miracle noted the income statement added to the council packet for the parks department and thanked Mugford for the information.

Town Life Center – No report. Penrod commented that TLC has been pretty quiet during the summer months.

Tree Advisory – Report included in packet.

Grow Wabash County – Keith Gillenwater gave an update on the activities of Grow Wabash County. The company “10X” has announced it will locate in Wabash at the former Spiece warehouse. Gillenwater is excited to have OJI expanding its operations. Grow Wabash County has been busy with normal programming including another round of the Leadership Development class. Gillenwater feels this is a great year with total development on supported projects already above last year’s level.

RDC – Penrod reported that the Redevelopment Commission had a brief meeting in June for housing development updates.

Medcor – Did not meet.

Solid Waste – Nothing to add.

Storm Water Board – Penrod reported that the storm water board met and approved the docket.

Public Works – Reports submitted in packet. Wastewater Superintendent Aaron Popplewell reported that the open position at the wastewater plant has been filled by street department employee, Ricardo Prater. Popplewell also reported that Aron Reust passed his certification class to become a class III operator. Penrod congratulated Reust and acknowledged the difficulty of the certification process.

TOWN MANAGER’S REPORT

Town Manager Adam Penrod gave a housing development update. Penrod met with the developer to discuss more details from the engineer and site development contractor. Penrod reported that the group is trying to make a list of options to determine if there are any value engineering possibilities. The developer still needs confirmation from the engineer on proper direction to begin.

Penrod noted that he will be meeting with the Strauss family to discuss options for the downtown Community Foundation building that burnt. Penrod will report when he has more information.

CLERK-TREASURER’S REPORT

1. Financial Reports – Approved subject to audit.
2. Claims - The Town claim docket totaling \$478,492.72 and the Public Works docket totaling \$404,868.16 were submitted for payment. Motion to pay our bills: Smith/Rager. Motion carried by unanimous voice vote of members present.
3. Budget Discussion – Council will have a work session to discuss possible staffing changes in the coming year on July 30 at Town Hall.

VISITOR COMMENTS

Nancy Cripe, 107 N Elm Street, spoke in support of the smoking ban ordinance as it was originally passed on first reading. Cripe expressed concern about the suggested amendments. Cripe feels that removing the prohibition against smoking in service lines leaves service workers vulnerable to second hand smoke where they work. Cripe would also keep the enforcement of a non-smoking area in front of buildings. Having the non-smoking area in the ordinance allows citizens to notify business owners to stop people from smoking in front of a building.

COUNCIL COMMENTS

President Tobias acknowledged that he had received multiple pages of signatures from people opposing the smoking ban ordinance. Those signatures will be maintained at Town Hall.

Meeting adjourned at 8:24 pm.

TOWN COUNCIL, TOWN OF N. MANCHESTER

Chalmer Tobias, President

Laura Rager, Vice-President

Tom Dale

Allen Miracle

Jim Smith

ATTEST:

Carrie Mugford, Clerk-Treasurer