

The common Council of the City of Knox met in regular session at the Knox City Hall on Tuesday April 22, 2014 at 7:00 PM CST, with the following members present: Mayor, Rick Chambers; Clerk-Treasurer, Jeff Houston; Councilmembers, Don Kring, Greg Matt, Jeff Berg, Linda Berndt, Ron Parker and City Attorney, Dave Matsey.

RE: AMENDMENT TO THE AGENDA

Mayor Chambers requested the following amendments to the agenda: Item #8 be changed from street paving to street sweeping. Strike item #9 transfer of funds and add as item #9 garbage pick up contract and item #9B burn permit for Starke County Economic Development Foundation.

Linda Berndt made a motion, seconded by Don Kring to make those amendments to the agenda. Motion passed with Five (5) ayes and No (0) nays.

RE: APPROVAL OF MINUTES

Minutes of the previous meeting were mailed to the Council prior to the meeting for their review. Jeff Berg made a motion, seconded by Ron Parker to approve the minutes as presented. Motion passed with Five (5) ayes and No (0) nays.

RE: LEGISLATIVE UPDATE - SENATOR JIM ARNOLD

Indiana State Senator, Jim Arnold, gave a legislative update to the Council on the recently concluded general assembly session. He highlighted several pieces of legislation that passed including bills dealing with transportation funding, Common Core, pre-kindergarten and a new criminal code.

RE: KLOECKNER DRIVE PROJECT - CHARLIE WEAVER

Starke County Economic Development Foundation President, Charlie Weaver, gave an update on three projects involved with the upgrading of Kloeckner Drive at the entrance to the industrial park.

Bids were opened in March for the re-construction of the intersection of Kloeckner Drive and Highway 8. 50% will be paid for from the Economic Development Administration U.S. Department of Commerce Grant, 40% by the County, and 10% by the Development Foundation. That project will begin July 1st after the fish spawn.

On May 8th the bid will be let by INDOT on the widening and upgrading of the road through the industrial park including the moving of fire hydrants and lowering of a main. that project should see substantial completion this year. The project will begin at Pacific Avenue.

The third project involves removing timber in all three industrial parks in the County. The land would then be leveled to make each site "shovel ready" for a project. Eventually the Development Foundation would like to put up a shell building on the cleared land in Knox.

RE: BURN PERMIT FOR SCEDE

Charlie Weaver explained the project of removing the timber on Development Foundation property, Salvageable wood has been removed, but to keep costs down. The Foundation would like to burn the left over wood. IDEM approval has already been obtained. The Councilmembers had several questions about the process. Mr. Weaver said that the contractor could have a representative come to the next council meeting and explain the process in more depth. Ton Parker made a motion, seconded by Greg Matt to table the issue until the next meeting on May 13th. Motion passed with Five (5) ayes and No (0) nays.

RE: TOLL BROTHERS TAX ABATEMENT - BRIAN TRAPP

Brian Trapp from Toll Brothers gave an update on present operations at the plant as part of an annual review for compliance for the tax abatements from the City. There are presently 30 employees and they are in the process of hiring 4 more. They also have about 10 temps at the present time. Ron Parker made a motion, seconded by Greg Matt to find toll Brothers in substantial compliance with the statement of benefits for personal property. Motion passed with Five (5) ayes and No (0) nays.

Linda Berndt made a motion, seconded by Jeff Berg to find toll Brothers in substantial compliance with the statement of benefits for real estate. Motion passed with Five (5) ayes and No (0) nays.

RE: STREET SWEEPING AGREEMENT WITH INDOT

Mayor Chambers presented the new agreement between the City and INDOT for the sweeping of Heaton Street (Highway 35). It calls for the State to pay the City #360.00 per curb mile per year for the sweeping of four miles of road a minimum of twice a year, for a total of \$1,440.00. Greg Matt made a motion, seconded by Ron Parker to approve the Mayor to sign the agreement. Motion passed with Five (5) ayes and No (0) nays.

RE: GARBAGE CONTRACT

Mayor Chambers presented the following agreement between the City and Waste Management.

AMENDMENT TO SOLID WASTE DISPOSAL AGREEMENT

This Amendment to the Solid Waste Disposal Agreement is made and entered as of the 22 day of April 2014, by and between Waste Management of Indiana, L.L.C. ("Contractor") and the City of Knox, Indiana ("City").

Recitals

- 1. The City and Contractor executed a Solid Waste Disposal Agreement on November 22, 2011 (the "Contract").
- 2. The Contract provides in Section 10 that it can be extended for 2 additional 2 year terms upon mutual agreement.
- 3. The City and Contractor now desire to extend the term of the Contract, which is now scheduled to terminate on July 31, 2014.

Amendments

The City and Contractor hereby agree to amend the Contract as follows:

- 1. Term. The term of the Agreement shall be extended for the period of August 1, 2014 through and including July 31, 2016. This Contract may be further extended by mutual agreement in writing signed by both parties.
- 2. Pricing. The City shall pay the following rates:

August 1, 2014 - July 31, 2015	\$13.00/unit
August 1, 2015 - July 31, 2016	\$13.36/unit
- 3. No Other Changes. Except as amended herein, all other terms of the Contract will continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed as of the day and year first above written.

THE CITY OF KNOX, INDIANA

WASTE MANAGEMENT OF INDIANA, L.L.C.

By: _____

By: _____

Its: _____

Its: _____

Greg Matt made a motion, seconded by Ron Parker to Authorize Mayor Chambers to sign the agreement. Motion passed with Five (5) ayes and No (0) nays.

RE: CLERK-TREASURER'S REPORT

Clerk-Treasurer Houston presented to the council information his office received on April 14 about how the circuit breaker credits affect what the City of Knox receives in property taxes. The City will receive \$218,971.49 less than the approved budget. When the DLGF does the budgets they do not take into account the circuit breaker credits. The biggest problem will be the general fund that will receive \$150,500.00 less. The majority of the properties in Knox are capped at 1%. In addition the assessed values of properties has dropped about 15 million dollars since 2008. The City will either have to cut, find alternative sources of funds or spend down their fund balances.

RE: MAYOR'S REPORT

Mayor Chambers reported that a water line was discovered broken at the depot. Tens of thousands of gallons of water were lost per day, but the water was flowing through a drain and wasn't easily detected. An outside contractor has been hired to bore under the road to repair the line. The City has been flushing the hydrants and they are almost done. The Mayor said it seems to work better doing it during daylight hours instead of at night.

RE: COUNCIL ITEMS

Councilman Jeff Berg asked the Council what kind of changes they would like to see on Ordinance #1142 Outdoor Displays, Don Kring said he was concerned about the 25 foot set back rule for displays. He would like to see it changed to about 10feet. Councilman Berg pointed out that the BZA could grant variances in cases where that is a problem. Mayor Chambers pointed out that as it now stands no outdoor storage or displays are permitted. City Attorney Matsey said he will check to see if there is a time limit on when the ordinance can be reconsidered. Councilmen Linda Berndt asked if Smith Farm Store could or would be grandfathered in.

RE: VOUCHERS AND ALLOWANCES

The following properly filed vouchers (see Voucher Docket, Voucher #18303 - #18350) were presented and approved.

Rick Chambers, Mayor

Attest: _____
Jeffery J. Houston, Clerk-Treasurer