

The Common Council of the City of Knox met in regular session on Tuesday September 8, 2015 at the Knox City Hall at 7:00 PM CST with the following members present: Mayor, Rick Chambers; Clerk-Treasurer, Jeff Houston; Councilmembers, Greg Matt, Jeff Berg, Don Kring, Linda Berndt, Ron Parker and City Attorney, Dave Matsey.

RE: AMENDMENT TO AGENDA

Mayor Chambers asked that the agenda be amended to change the order of business. He presented the amended agenda to the Council. Don Kring made a motion, seconded by Ron Parker to accept the amended agenda. Motion passed with Five (5) ayes and No (0) nays.

RE: APPROVAL OF MINUTES

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

RE: CITIZENS COMMENTS

Mayor Chambers said there has been a citizen complaint about the placement of dumpsters in the alley between Main and Shield street in the downtown area. The family that made the complaint was not present. The Mayor tried to work out the problem between the two property owners, but was unable to come up with a mutually agreed solution. The vendor who owns the dumpster in question, Republic, doesn't want to deal with the problem anymore and has pulled the dumpster out. He thinks the problem will re-occur when a new company is contracted to bring in another dumpster.

RE: PLANNING COMMISSION - ZONING AMENDMENT

Planning Commission President, Jeff Berg read the following findings of fact and recommendation to the Council.

Knox Plan Commission
September 1, 2015
Public hearing: Amendment of Knox Zoning Map
Owner: Stare County Economic Development Foundation

FINDINGS OF FACT

A Public Hearing was held on September 1, 2015 upon the petition to amend the City of Knox zoning map filed by the Starke County Economic Development Foundation from R-1 Single Family Residential to M-1 Light Industrial. The Knox Plan Commission makes the following findings of fact:

1. The requested rezoning from R-1 Single Family Residential to M-1 Light Industrial is consistent and that the proposed project property will be part of the Knox Industrial Park and enhance the tax base of the City of Knox, Indiana by creating additional employment opportunities for the residents of Knox.
2. There will be no adverse effect on the adjacent property owners. Several owners were present at the hearing and spoke in positive support for the project.
3. There is presently insufficient available land within the City of Knox zoning district that is zoned M-1.
4. The proposed change in the zoning map will further the purposes of the zoning ordinance and the Knox Comprehensive Plan, to wit; this land rezoned to M-1 Light Industrial and its operations will be contained within the Knox Industrial Park.

RECOMMENDATION

IT IS THEREFORE RECOMMENDED by the Knox Plan Commission that the City of Knox Common Council approve and grant this petition to amend the Knox Zoning map filed by the Starke County Economic Development Foundation.

RECOMMENDED, this 1st day of September, 2015

Jeff V. Berg, President, Knox Plan Commission

Charlie Weaver asked that the council pass the recommendation to grant the petition to amend the zoning map to rezone from R-1 to M-1 the 16 acres at 250 East and Pacific Avenue on the South East corner.

Don Kring made a motion, seconded by Linda Berndt to approve the recommendation and rezone the property. Motion passed with Five (5) ayes and No (0) nays.

RE: PUBLIC HEARING TO DECLARE AN ECONOMIC REVITALIZATION AREA FOR TCS

Mayor Rick Chambers opened the public hearing to consider declaring an economic revitalization area for TCS. A sign in sheet was passed around. Starke County Economic Development Foundation Director, Charlie Weaver spoke in favor of the project. He noted that sixteen acres would be used at the South East corner of 250 East and 50 South and would result in about 20 new jobs. A tax phase in would be utilized. He said this is a necessary step to move the project forward. No further comments were made. The Mayor closed the meeting.

RESOLUTION #919 DECLARING ECONOMIC REVITALIZATION AREA FOR TCS

Mayor Rick Chambers presented Resolution #919 to the Council and read it out loud. Greg Matt made a motion, seconded by Jeff Berg to approve the resolution as presented. Motion passed with Five (5) ayes and No (0) nays. Mayor Chambers noted that exhibit "A" referred to in the resolution

is the survey of the TCS property.

CITY OF KNOX, INDIANA
CONFIRMING RESOLUTION #919
SLIVERS PROPERTIES, LLC AND TRAFFIC CONTROL SPECIALISTS, INC.
(CR 250 E AT THE INTERSECTION WITH CR 50 S, a/k/a PACIFIC ROAD)

WHEREAS, the City of Knox Common Council, Starke County, Indiana, approved a Declaratory Resolution #923 at its regularly scheduled meeting held on August 11, 2015; and

WHEREAS, said Declaratory Resolution designated a parcel of land in the City of Knox, Starke County, Indiana located on the east side of CR 250 E at its intersection with CR 50 S, a/k/a Pacific Road, as an Economic Revitalization Area pursuant to Indiana Code 6-1.1-12-1 et seq. and

WHEREAS the City of Knox Common Council has on the 8th day of SEPTEMBER, 2015, conducted a public hearing for the purpose of considering all remonstrances and objections to the Declaratory Resolution designating an Economic Revitalization Area; and

WHEREAS, the City of Knox Common council has heard all of the evidence regarding the designation of an Economic Revitalization Area as set forth in Declaratory Resolution #923

NOW, THEREFORE, BE IT RESOLVED by the City of Knox Common Council, that Resolution #919 is hereby confirmed in its entirety.

BE IT FINALLY RESOLVED, THAT THE REAL ESTATE IN THE City of Knox, Starke County, Indiana as previously described is hereby designated and Economic Revitalization Area and that the site described in Exhibit "A" to Resolution #919, Is declared an Economic Revitalization Area within the meaning of I.C. 6-1.1-12.1-1(1) and I.C. 6-1-12.1-2.5.

ADOPTED this 8th day of SEPTEMBER, 2015.

CITY OF KNOX COMMON COUNCIL:

Attest:

Jeffery J. Houston, Clerk-Treasurer

PROPOSED DESCRIPTION FOR
STARKE COUNTY ECONOMIC DEVELOPMENT FOUNDATION, INC.
OF 16.0 ACRE +/- PARCEL

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 33 NORTH, RANGE 2 WEST OF THE SECOND PRINCIPAL MERIDIAN, CENTER TOWNSHIP, STARKE COUNTY, INDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 21, AS EVIDENCED BY A RAILROAD CROSSING BOLT; THENCE SOUTH 90°44'24" EAST (BASIS OF BEARINGS) ON THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 528.61 FEET TO A RAILROAD SPIKE; THENCE SOUTH 00°00'45" EAST ON THE WEST LINE OF A PARCEL OF LAND CONVEYED TO THE STARKE COUNTY DEVELOPMENT FOUNDATION, INC., AS RECORDED IN DEED RECORD BOOK 155, PAGE 452, A DISTANCE OF 1321.04 FEET TO THE SOUTH WEST CORNER OF A PARCEL OF LAND CONVEYED TO GEORGIA REALTY, L.L.C., A STATE OF INDIANA L.L.C., AS RECORDED IN DEED RECORD BOOK 156, PAGE 251, AS EVIDENCED BY A CAPPED 5/8-INCH IRON REINFORCING ROD; THENCE NORTH 89°41'00" WEST ON THE NORTH LINE OF A PARCEL OF LAND CONVEYED TO KNOX FERTILIZER AND CHEMICAL COMPANY, INC., AS RECORDED IN DEED RECORD BOOK 126, PAGE 171, A DISTANCE OF 528.32 FEET TO THE NORTHWEST CORNER OF SAID KNOX FERTILIZER PARCEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, AS EVIDENCED BY A CAPPED 5/8-INCH IRON REINFORCING ROD; THENCE NORTH 00°01'30" WEST ON SAID WEST LINE, A DISTANCE OF 1320.52 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 16.0 ACRES MORE OF LESS.

TO WHOM IT MAY CONCERN:

PARCEL IS SUBJECT TO ALL LEGAL EASEMENTS, COVENANTS, RESTRICTIONS AND GOVERNMENTAL RULES AND REGULATIONS.

PARCEL IS SUBJECT TO PUBLIC ROADS OFF THE NORTH AND WEST SIDES.

PARCEL IS SUBJECT TO 30' UTILITY AND DRAINAGE EASEMENT AS DESCRIBED IN DEED RECORD 147, page 993.

TERRITORIAL ENGINEERING, LLC, WALKERTON, INDIANA
15-164 JULY 23, 2015

RE: RESOLUTION #921 APPROVING TAX ABATEMENTS FOR SLIVERS PROPERTIES, LLC AND TRAFFIC CONTROL SPECIALISTS LLC

Charlie Weaver recommended the Council pass Resolution #921. This will phase in personal property taxes on new personal property over a 7 year period. About 50% of the tax normally collected will be received. Real estate taxes will be phased in over 10 years. A schedule is attached.

RESOLUTION #921
CITY OF KNOX INDIANA
RESOLUTION APPROVING TWO STATEMENTS
OF BENEFITS FOR TAX ABATEMENT FILED BY
SLIVERS PROPERTIES, LLC AND TRAFFIC CONTROL SPECIALISTS, INC.

SLIVERS PROPERTIES, LLC AND TRAFFIC CONTROL SPECIALISTS, INC.
(CR 250 E AT THE INTERSECTION WITH CR 50 S, a/k/a PACIFIC ROAD)

WHEREAS, The City of Knox Common Council on 8 SEPTEMBER, 2015, adopted Resolution #919, finding and declaring an Economic Revitalization Area within the City of Knox, Starke County, Indiana, located on CR 250 E at the intersection with CR 50 S, a/k/a Pacific road; and

WHEREAS, Slivers Properties, LLC and Traffic Control Specialists, Inc., the joint petitioners herein, have filed with this Council two Statements of Benefits on the forms provided by the Indiana Department of Local Government Finance, and have provided this Council with a presentation in support thereof; and

WHEREAS, this Council is satisfied that the two Statements of Benefits forms meet with the requirements of law.

NO, THEREFORE BE IT RESOLVED:

Section 1. That the matters and things recited in the preamble hereof are hereby adopted and made a part of this Resolution by incorporation and reference as if repeated in full.

Section 2. That the city of Knox Common Council hereby determines:

A. That the additional number of individuals who will be employed, the annual salaries of the individuals, and that property which has been as described in the Statement of Benefits, are benefits which can be reasonably expected to result from the proposed project.

B. That the benefits described justify the deductions which will occur in tax abatement for this project.

C. That as a result of the above referenced Resolutions, the deduction to which the petitioner, Slivers Properties, LLC, is entitled to is 10 years in the case of the real estate, and the deduction to which the petitioner Traffic Control Specialists, Inc., is entitled to is 7 years in the case of new equipment.

D. That the location of the property is within the City of Knox Economic Revitalization Area.

E. That the statements of benefits filed by the joint petitioners, Slivers Properties, LLC and Traffic Control Specialists, Inc. meet the requirements of the Council and should be approved as submitted.

F. That this grant of approval and the deductions referred to herein, are subject to the report and oversight provisions as required by law.

Section 3. The City of Knox Common Council hereby accepts and approves the Statements of Benefits of the joint petitioners, Slivers Properties, LLC and Traffic Control Specialists, dated September 8, 2015, and hereby authorizes the signatures thereof, by each of the members of the Common Council and the attestation thereof by the Knox Clerk-Treasurer.

Section 4. By acceptance of the provisions of this Resolution, the joint petitioners herein, Slivers Properties, LLC and Traffic Control Specialists, Inc. agree to repay any taxes abated by this resolution in the event Slivers Properties, LLC, within (10) years in the case of the real estate, or Traffic Control Specialists, Inc., within (7) years in the case of new equipment, cease to do business at the location identified above, or substantially fail to meet their estimates of employees and salaries as a result of the proposed project.

Section 5. This resolution shall be in full force and effect after its adoption by the City of Knox Common Council.

DATED this 8TH DAY OF SEPTEMBER , 2015.

CITY OF KNOX COMMON COUNCIL:

Attest: _____
Jeffery J. Houston, Clerk-Treasurer

ATTACHMENT TO RESOLUTION #921
GRANTING TAX ABATEMENT TO TRAFFIC
CONTROL SPECIALISTS AND SLIVERS LLC.

This attachment identifies the abatement schedules for Traffic Control Specialists and Slivers LLC.

Traffic Control Specialists for all personal property that is eligible for abatement under any provision of the Indiana Code at the following schedule:

7 Years

Year 1	
Year 2	100% Abatement
Year 3	85% Abatement
Year 4	71% Abatement
Year 5	57% Abatement
Year 6	43% Abatement
Year 7	29% Abatement
	14% Abatement

Slivers, LLC for improvements to Real Property as determined eligible under any provision of the Indiana Code at the following schedule:

10 Years

Year 1	
Year 2	100% Abatement
Year 3	95% Abatement
Year 4	80% Abatement
Year 5	65% Abatement
Year 6	50% Abatement
Year 7	40% Abatement
Year 8	30% Abatement
Year 9	20% Abatement
Year 10	10% Abatement
	5% Abatement

Adopted by the Knox City Council as of this, the 8th day of September, 2015.

Greg Matt made a motion, seconded by Ron Parker to approve Resolution #921 by title only. Motion passed with Five (5) ayes and No (0) nays.

RE: RESOLUTION #920

Resolution #920 was struck from the agenda as this information was combined into Resolution #921.

RE: ECONOMIC DEVELOPMENT - FUTURE PLANS

Starke County Economic Development Foundation Director Charlie Weaver told the council that they would be invited to the ground breaking for TCS. There will be a local manufacturers day on October 8th at the Knox Middle School auxiliary auditorium. The foundation will do a presentation to the county and to the City on a five year plan for use of EDIT funds. He said it will affect the Knox Industrial Park. He also will be back at a later date about creating another TIF district in the Industrial Park.

RE: SELECTED FURNITURE

A public hearing and Resolution to grant Selected Furniture a waiver of non-compliance were tabled to a later date due to no representative being present.

RE: FUNDING OF INFRASTRUCTURE IMPROVEMENTS FOR WATER AND SEWER TO TCS PROPERTY

Bob Aloï from Territorial Engineering presented a project to the Council for running water and sewer to the property being developed by TCS.

Mayor Chambers noted that the cost of the project has dropped from about \$85,000.00 to about \$57,500.00 due to several factors, a hydrant was eliminated because one is located close enough to the property. There is a water line running under the road already and the development foundation is picking up costs for surveying, Engineering and resident project representative costs. The City would be responsible to install a grinder pump but the company would have to maintain it.

Greg Matt made a motion to pay the construction fees and contingency fees out of EDIT money for th project. Jeff Berg seconded the motion. Motion passed with five (5) ayes and No (0) nays.

RE: MAIN STREET COMPUTERS-REQUEST FOR USE OF DOWNTOWN LOT

Mayor Chambers said he had a request for use of a downtown lot for a jump house for a private party for Saturday September 26, 2015. City Attorney Matsey said he had concerns about insurance liability and he did not recommend granting permission. No action was taken on the request.

RE: RESOLUTION #918 - TRANSFER OF FUNDS

Clerk-Treasurer, Jeff Houston, read aloud the following transfer of funds.

RESOLUTION #918
TRANSFER OF FUNDS

WHEREAS; the Clerk Treasurer has advised the Common council a transfer of funds is now required in the General and Park and Recreation Fund.

BE IT RESOLVED; by the Common Council of the City of Knox that the Clerk-Treasurer is hereby allowed and directed to make the following transfer of funds.

GENERAL FUND:

Police Department 2,000.00 from 101005337-Repair Equipment
 2,000.00 to 101005332-Postage, Travel, Telephone

Fire Department 1,000.00 from 101006444-Personal Protective Equipment
 1,000.00 to 101006332-Postage, Travel, Telephone

PARK AND RECREATION FUND:

Park Department 488.49 from 216010114-Maintenance
 488.49 to 216010113-Recreation Director

Rick Chambers, Mayor

Attest: _____
Jeffery J. Houston, Clerk-Treasurer

RE: CLERK-TREASURER'S REPORT

Clerk-Treasurer Houston reminded the council that there would be a public hearing for the budget at the next council meeting. If the council needs any additional information or another copy of the Form 1's they should contact him at the office.

RE: COUNCIL ITEMS

Councilman Greg Matt noted the success of the recent Wood Starke Festival. Citizen Mary Bendt presented Mayor Chambers with the following letter of recognition.

The organizers of Wood Starke sincerely thank the CITY OF KNOX FOR ALL OF YOUR SUPPORT FOR Wood Starke 2015. Without the Park as well as the City's financial assistance. Wood Starke would never have become a reality. We also want to thank the members of the City Council and other individuals for their favorable comments about last year's event, which contributed a great deal to making this year a success, despite the weather. We've already reserved Wythogan Park for Wood Starke III on August 27, 2016.

RE: VOUCHERS AND ALLOWANCES

The following properly filed vouchers (see Docket Book Voucher #20824 - #20824) were presented and approved.

There being no further business to come before the council at this time the meeting upon motion was duly adjourned.

Rick Chambers, Mayor

Attest: _____
Jeffery J. Houston, Clerk-Treasurer