

The Common Council of the City of Knox met in regular session Tuesday, March 28, 2023, in the City Hall at 6:00 P.M. CST with the following members present: Mayor Dennis Estok; Clerk-Treasurer Cyndi Kidder; Council Members Jeff Berg, Sherry Cowen, Bill Gustafson, Don Kring and City Attorney Autumn Ferch. Ron Parker was absent. There is no amendment to the agenda.

RE: APPROVAL OF MINUTES REGULAR MEETING 3/14/23

Copies of the previous minutes were mailed to the Council prior to the meeting for their review. Bill Gustafson made a motion to approve minutes as presented. The motion was seconded by Sherry Cowen and passed by a vote of Four (4) ayes and No (0) nays.

RE: ORDINANCE #2023-OR1 – RE ESTABLISH AND AUTHORIZE USE OF THE RAINY-DAY FUND

Mayor Estok presented Ordinance #2023-OR1 to the Council. Jeff Berg made a motion approving the 1<sup>st</sup> reading of Ordinance #2023-OR1. The motion was seconded by Don Kring and passed by a vote of Four (4) ayes and No (0) nays. Sherry Cowen made a motion to suspend the rules and have a second reading of Ordinance #2023-OR1. Jeff Berg seconded the motion, and it passed by a vote of Four (4) ayes and No (0) nays. Jeff Berg made a motion to approve the 2<sup>nd</sup> reading and adoption of Ordinance #2023-OR1. The motion was seconded by Bill Gustafson and passed by a vote of Four (4) ayes and No (0) nays.

ORDINANCE #2023-OR1

ORDINANCE TO RE-ESTABLISH AND  
AUTHORIZE USE OF THE RAINY DAY FUND

WHEREAS, Indiana Code 36-1-8-5(b) allows municipalities to establish a special fund entitled “Rainy Day Fund” to receive transfers of unused and unencumbered funds; and

WHEREAS, the City of Knox had already established the Rainy Day Fund however, the original use cannot be found; and

WHEREAS, the Common Council of the City of Knox has determined there to be a need and purpose for the re-establishment and appropriation of the Rainy Day Fund pursuant to the above statutory authority; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Knox as follows:

1. Establishment of the Rainy Day Fund. The Rainy Day Fund is hereby re-established and assigned Fund Number #2236.
2. Receipts into the Rainy Day Fund. In any fiscal year, the Common Council may transfer not more than ten percent (10%) of the town’s total annual budget into the Rainy Day Fund, unless otherwise authorized by Indiana state statute.
3. Expenditures from the Rainy Day Fund. The purpose of the City of Knox Rainy Day Fund is to defray general operating expenses of the City of Knox, including, but not limited to:
  - (A) Wages, benefits, costs of services, supplies, equipment, capital improvements, repairs, and any other purpose that may be allowed by law.
4. Appropriation of the Rainy Day Fund. The Rainy Day Fund shall be subject to the same appropriation process as other funds that receive tax monies.

BE IT FURTHER ORDAINED that this Ordinance be in full force and effect from and after its passage by the Common Council and signing by the Mayor.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF KNOX, STARKE COUNTY, INDIANA, THIS 28th DAY OF MARCH 2023.

COMMON COUNCIL OF THE CITY OF KNOX:

\_\_\_\_\_  
Jeff Berg, Council President

\_\_\_\_\_  
Don Kring, Council Member

\_\_\_\_\_  
Sherry Cowen, Council Member

\_\_\_\_\_  
Bill Gustafson, Council Member

\_\_\_\_\_  
Ron Parker, Council Member

Approved by the Mayor this 28th day of March 2023.

\_\_\_\_\_  
Dennis Estok, Mayor

Attest: \_\_\_\_\_  
Cyndi Kidder, Clerk-Treasurer

RE: RESOLUTION #2023-RE1 – DECLARING FUND #2505 A DORMANT FUND AND TRANSFER TO RAINY DAY FUND

Mayor Estok presented Resolution #2023-RE1 to the Council. Jeff Berg made a motion approving Resolution #2023-RE1. The motion was seconded by Sherry Cowen and passed by a vote of Four (4) ayes and No (0) nays.

## RESOLUTION #2023-RE1

RESOLUTION DECLARING FUND #2505  
KNOX ECONOMIC DEVELOPMENT  
A DORMANT FUND  
AND AUTHORIZING THE TRANSFER  
OF SAID DORMANT FUND BALANCE  
TO RAINY DAY FUND #2236

WHEREAS, the Common Council of the City of Knox, Indiana finds that the purposes for which the Knox Economic Development Fund (#2505) was created are no longer in effect, and

WHEREAS, the monies collected into this fund have not been used as appropriated for several years and the fund has become dormant; and

WHEREAS, IC 36-1-8-5 allows for any unused and unencumbered fund balance whose purpose has been fulfilled to be transferred to the Rainy Day Fund (#2236) and dissolve the dormant fund upon order of the Common Council of the City of Knox, Indiana.

WHEREAS, it is in the best interest of the City of Knox to close certain dormant funds for transparency and ease of accounting; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Knox, Indiana that the Common Council does hereby declare the Knox Economic Development Fund (#2505) to be dormant and authorizes the Clerk-Treasurer to transfer the remaining balance to the Rainy Day Fund (#2236) and close the dormant fund.

Approved and Adopted by the Common Council of the City of Knox, Indiana this 28th day of March 2023,

Common Council of the City of Knox, Indiana

\_\_\_\_\_  
Dennis Estok, Mayor

ATTEST: \_\_\_\_\_  
Cyndi Kidder, Clerk-Treasurer

RE: RESOLUTION #2023-RE2 – CONFIRMING INTEREST IN PURCHASE OF REAL ESTATE FOR DEVELOPMENT

Mayor Estok presented Resolution #2023-RE2 to the Council. Jeff Berg made a motion approving Resolution #2023-RE2. The motion was seconded by Don Kring and passed by a vote of Four (4) ayes and No (0) nays.

## RESOLUTION #2023-RE2

RESOLUTION CONFIRMING INTEREST  
IN THE PURCHASE OF REAL ESTATE  
FOR DEVELOPMENT PURPOSES

WHEREAS, the Common Council of the City of Knox, Indiana is interested in purchasing a several parcels of real estate in Knox, Starke County, Indiana, to be used to possibly develop affordable housing in the City of Knox, and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Knox, Indiana in accordance with I.C. 36-1-10.5-5 as follows:

1. The Common Council hereby confirms that it is interested in the purchase of several parcels of real estate from the current owner, Southbrook, Inc, for use by the City of Knox. Said parcels consist of approximately 21 acres and legally described as Lots 26-77 in Sunnyside Estates – per deed.
2. The Common Council hereby appoints the Mayor as purchasing agent.
3. The Mayor, as purchasing agent, is hereby charged with appointing 2 appraisers to appraise the described real estate to determine the fair market value of such real estate.
4. The appraisals authorized and provided for herein shall be returned to the City of Knox within thirty (30) days after the date that this Resolution is passed and adopted by the City Council.

Approved and Adopted by the Common Council of the City of Knox, Indiana this 28th day of March 2023,

Common Council of the City of Knox, Indiana

\_\_\_\_\_  
Dennis Estok, Mayor

ATTEST: \_\_\_\_\_  
Cyndi Kidder, Clerk-Treasurer

RE: CLERK-TREASURER'S REPORT

Clerk-Treasurer Cyndi Kidder informed the Council about her attending the 28<sup>th</sup> Annual ILMCT Institute and Academy in Muncie, Indiana. The topics were specifically for municipal Clerks and Clerk-Treasurers.

RE: MAYOR'S REPORT

1. There is a meeting with Surf on April 12, it is about moving forward with broadband internet.
2. The water at the City Parks will be turned on around April 15<sup>th</sup> for the restrooms.
3. Spring Cleanup/ Dumpster Days are April 29, 30 back by the sewer plant.
4. The City-wide yard sale date is not set yet. Working with Rachel to set up the dates.
5. Housing and rental shortages are a big concern, so we are looking at how to approach it at this time.

RE: COUNCIL ITEMS

Councilman Bill Gustafson asked when leaf pick up is? Leaf pickup is the 1<sup>st</sup> week of April and the 1<sup>st</sup> week of May.

RE: CITIZEN'S COMMENTS

Linda VanNorman asked where the land was that the City may purchase. Mayor Estok informed Mrs. Van Norman it is the rest of Short Drive Area.

RE: VOUCHERS AND ALLOWANCES

The following properly filed vouchers (See Voucher Docket, APV #34113 - #34164) were presented and approved. There being no further business to come before the Council at this time the meeting upon motion was duly adjourned.

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Dennis Estok, Mayor

Attest: \_\_\_\_\_  
Cyndi Kidder, Clerk-Treasurer