

The City of Nappanee Common Council met in regular session on Monday April 4, 2011 at 7:00 PM in the Council Chambers at the Nappanee Municipal Center. Mayor Larry Thompson called the meeting to order. City Attorney Brian Hoffer led the Pledge of Allegiance.

ROLL CALL: On call of the roll the members were present or absent as follows:

Present: Todd Nunemaker, Janet Brown, Jeff Kitson, Donald Miller

Absent: Michael Stull

Others Present: Mayor Larry Thompson, Clerk-Treasurer Kimberly A. Ingle, City Attorney Brian Hoffer, Park/Street Supt./Manager Wayne Scheumann, Police Chief Julie Dijkstra, Zoning Adm/Code Enforcement/Fire Chief Donald Lehman, Water and Wastewater Supt./Manager Gale Gerber, Sr. Center Director Conda Fink, EMS Director Jim Sumpter, Jr., ten guests and two members of the news media.

APPROVAL OF MINUTES: Mayor Thompson stated that the first matter of business would be the approval of the minutes of the meeting held March 21, 2011. Jeff Kitson made a motion to approve the minutes as mailed by the Clerk-Treasurer. Donald Miller seconded the motion and the motion carried, *viva voce*.

PETITIONS AND COMMENTS BY CITIZENS: Ruth Trinkley, 402 North Madison Street, verbalized her concerns about a home in her neighborhood where a meth bust was conducted. Her concerns centered on an open dumpster and the safety of our citizens. Police Chief Julie Dijkstra stated that the meth was being manufactured in the garage area – and the Elkhart County Health Department would monitor the cleanup. Dijkstra said Trinkley should call the Police Department if she sees something that generates these concerns. Donald Lehman stated that the Elkhart County Health Department would be glad to address Mrs. Trinkley's questions.

Sheila and Jewell Losee, owners of His, Hers and More Salon, were present to present a Rescues for Pets kit to the Nappanee Fire Department. Losees' in cooperation with Project Breathe made the presentation to Fire Chief Donald Lehman. Also present were Tom Bishop and Jim Hoover of Invisible Fence and Anne Reel, Executive Director of the Elkhart County Humane Society.

REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS: None

UNFINISHED BUSINESS: Mayor Thompson introduced Ordinance No. 1449, specifying requirements to sell Food Concessions in the Downtown Business Improvement District, on third reading. Donald Miller made a motion to pass Ordinance No. 1449 on third and final reading. Janet Brown seconded the motion. Mayor Thompson called for any questions or discussion. There were none. On call of the roll the votes were cast as follows: Yea: Todd Nunemaker, Janet Brown, Jeff Kitson, Donald Miller; Nay: None. All votes being cast in the affirmative Mayor Thompson proclaimed Ordinance No. 1449 passed and adopted.

Mayor Thompson introduced Ordinance No. 1451, amending the Policy and Procedures Manual, Cell Phone Reimbursement, on third reading. Janet Brown made a motion to pass Ordinance No. 1451 on third and final reading. Donald Miller seconded the motion. Mayor Thompson called for any questions or discussion. There were none. On call of the roll the votes were cast as follows: Yea: Todd Nunemaker, Janet Brown, Jeff Kitson, Donald Miller; Nay: None. All votes being cast in the affirmative Mayor Thompson proclaimed Ordinance No. 1451 passed and adopted.

NEW BUSINESS: Mayor Thompson presented a letter from Stephen Helmuth, Rocket Science Ice Cream, requesting the Council's consideration to allow the use of a concession trailer to sell Rocket Science Ice Cream to be located at the Dal-Mar Catering parking lot, West Market Street, beginning no earlier than April 1 and closing no later than October 31, 2011. This request is an exception to the zoning ordinance, outside sales provision. This request is identical to that approved in the past. Jeff Kitson made a motion to allow Rocket Science Ice Cream to have their concession trailer as requested. Donald Miller seconded the motion and it carried, *viva voce*.

APPROVAL OF CLAIMS: Todd Nunemaker made a motion to approve APV nos. 10646 - 10730, totaling \$190,598.01 as submitted. Janet Brown seconded the motion and it carried, *viva voce*.

REPORTS OF CITY OFFICERS: EMS Director Jim Sumpter, Jr. presented his written report for March 2011.

Fire Chief Donald Lehman presented his written report for March 2011.

Police Chief Julie Dijkstra was called out of the meeting. She had no written report.

Park and Street Supt./Manager Wayne Scheumann presented his written report for March 2011. Scheumann reminded everyone that next week would be Odd Sized Trash Collection. Scheumann also informed the Council that construction will start on North Oakland Avenue on April 11 and traffic flow will be limited until September 2, 2011.

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Senior Center Director Conda Fink presented her written report for March 2011.

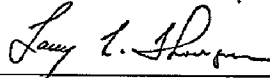
Zoning Adm/Code Enforcement/Fire Chief Donald Lehman presented his written report for March 2011.

Mayor Thompson presented his written report for March 2011. Mayor Thompson reported that he would be in Indianapolis on Wednesday to testify against the proposed amendments to the Rental Ordinance Bill. Thompson reminded everyone about the Pet Expo on Saturday April 9, 2011 to raise funds for the Nappanee Dog Park.

Water and Wastewater Supt./Manager Gale Gerber reported that the one hundred block of Morningside Drive would be closing Wednesday, for several days, for Water Utility work related to the US 6 East Project.

Janet Brown offered a prayer.

ADJOURNMENT: The meeting adjourned at 7:22 PM.



Mayor

ATTEST: Kimberly A. Ingle, I.A.M.C., C.M.C.
Clerk-Treasurer

Common Council Minutes
May 16, 2011

The City of Nappanee Common Council met in regular session on Monday May 16, 2011 at 7:00 PM in the Council Chambers at the Nappanee Municipal Center. Mayor Larry Thompson called the meeting to order. City Attorney Brian Hoffer led the Pledge of Allegiance. Council member Janet Brown offered a prayer.

ROLL CALL: On call of the roll the members were present or absent as follows:

Present: Todd Nunemaker, Michael Stull, Janet Brown,

Absent: Jeff Kitson, Donald Miller

Others Present: Mayor Larry Thompson, Clerk-Treasurer Kimberly A. Ingle, City Attorney Brian Hoffer, Police Chief Julie Dijkstra, Water and Wastewater Supt./Manager Gale Gerber, thirteen guests and two members of the news media.

APPROVAL OF MINUTES: Mayor Thompson stated that the first matter of business would be the approval of the minutes of the meeting held May 2, 2011. Janet Brown made a motion to approve the minutes as mailed by the Clerk-Treasurer. Todd Nunemaker seconded the motion and the motion carried, *viva voce*.

PETITIONS AND COMMENTS BY CITIZENS: None

REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS: Mayor Thompson presented the Clerk-Treasurer's Financial Report for April 2011 for the Council's approval. Janet Brown made a motion to accept the Clerk-Treasurer's Financial Report as presented. Todd Nunemaker seconded the motion and the motion carried, *viva voce*.

UNFINISHED BUSINESS: None

NEW BUSINESS: Mayor Thompson introduced Denise Hernandez from the Elkhart County Convention and Visitors Bureau to discuss the Quilt Garden Project. Hernandez stated that Nappanee has two Quilt Gardens on the Tour this year. One is located at the Nappanee Center on West Market Street and the other is located at Amish Acres. Hernandez also mentioned the murals on the north side of the John's Butcher Shop building. Hernandez and Mayor Thompson thanked the Quilt Garden Committee for their commitment to this project.

Mayor Thompson stated that a group by the name of Garden Courts is looking at securing property in the City of Nappanee to located income based senior housing. They are working on financing applications with HUD and the Council members may be contacted to provide letters supporting this project. This is not a City Project it is totally private.

Water and Wastewater Supt./Manager Gale Gerber made a presentation to the Council concerning the City's "Green Initiatives" in the recent past and proposed projects in the future. June is "Green Month".

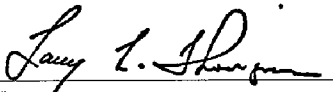
Corey Martin was present to make the Council familiar with the group he is affiliated with, an alternative school, "The Crossing". Martin stated that "The Crossing" will be opening late summer in Nappanee and will be using several rooms on the City owned second floor of the old Central School building. Martin stated that "The Crossing" is an alternative school that focuses on Dropout Prevention and alternative school grades 9-12. "The Crossing" will be working with WaNee Community Schools' alternative school; they will have a local Board. Mayor Thompson stated that he has been actively working with "The Crossing" and they have his full support.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS: Todd Nunemaker made a motion to approve APV nos. 10930 - 11027, totaling \$187,186.41 as submitted. Janet Brown seconded the motion and it carried, *viva voce*.


REPORTS OF CITY OFFICERS: Police Chief Julie Dijkstra stated that this is National Police Week and our Department will be conducting a Memorial Service on Tuesday May 17th at 5:00 PM at the Police Station.

Mayor Thompson asked that everyone remember the family of 20-year veteran and former Police Chief Richard (Dean) Middaugh, who passed away on May 9, 2011.

ADJOURNMENT: The meeting adjourned at 7:55 PM.



Mayor

ATTEST: 
Clerk-Treasurer

Common Council Minutes
June 6, 2011

The City of Nappanee Common Council met at the Nappanee Municipal Center on Monday, June 6, 2011. City Attorney Brian Hoffer called the meeting to order and lead the Pledge of Allegiance and offered a prayer.

ROLL CALL: On call of the roll the members were present or absent as follows:

Present: Todd Nunemaker, Jeff Kitson, Donald Miller

Absent: Michael Stull, Janet Brown

Others Present: Deputy Clerk-Treasurer Tiffany Egendoerfer, City Attorney Brian Hoffer, Senior Center Director Connie Fink, Zoning Administrator/Fire Chief Don Lehman, Assistant EMS Director Steve Heckathorn, Police Chief Julie Dijkstra, Park/Street Supt./Manager Wayne Scheumann, Water/Wastewater Supt./Manager Gale Gerber, two guests and 2 members of the news media.

City Attorney Hoffer asked for a motion to elect a presiding officer for the meeting. Don Miller made the motion to elect Jeff Kitson as presiding officer. Todd Nunemaker seconded the motion and the motion carried: viva voce.

APPROVAL OF MINUTES: Jeff Kitson stated that the first order of business would be the approval of minutes of the meeting held May 16, 2011. Donald Miller made the motion to approve the minutes as mailed by the Clerk-Treasurer. Todd Nunemaker seconded the motion and the motion carried, viva voce.

PETITIONS AND COMMENTS BY CITIZENS: None

REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS: None

UNFINISHED BUSINESS: None

NEW BUSINESS: None

APPROVAL OF CLAIMS: Todd Nunemaker made the motion to approve claims nos. 11028-11166, totaling \$447,917.47 as submitted. Donald Miller seconded and the motion carried, viva voce.

REPORTS OF CITY OFFICERS: Assistant EMS Director Steve Heckathorn presented the written report for May 2011.

Fire Chief Don Lehman presented his written report for May 2011. Lehman also reminded the Council that the Department would be holding a barbecue fundraiser on June 24th.

Police Chief Julie Dijkstra presented her written report for May 2011. Dijkstra added that the Police Auction is being held on June 10th and a blood drive hosted by the Department is taking place on June 24th.

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Park/Street Supt./Manager Wayne Scheumann presented his written report for May 2011. Scheumann added that the E. Lincoln St. project would start on Tuesday, June 7th and that at the next Board of Works meeting, permission to make S. Elm St. 2-way during construction would be presented. Also, that N. Oakland Ave. is progressing with the eastside second asphalt being started and structures. Scheumann noted the bike path is open.

Senior Center Director Connie Fink presented her written report for May 2011.

Zoning Administrator Don Lehman presented his written report for May 2011.

ADJOURNMENT: The meeting adjourned at 7:10 PM.

Larry L. Sherman

Mayor

ATTEST: *Kimberly C. Ingle, I.A.M.C., C.M.C.*

Clerk-Treasurer

Common Council Minutes
July 5, 2011

The City of Nappanee Common Council met in regular session on Tuesday, July 5, 2011 at 7:00 PM in the Council Chambers at the Nappanee Municipal Center. Mayor Thompson called the meeting to order, lead the Pledge of Allegiance and offered prayer.

ROLL CALL: On call of the roll the members were present or absent as follows:

Present: Todd Nunemaker, Michael Stull, Janet Brown, Jeff Kitson, Donald Miller

Absent: None

Others Present: Deputy Clerk-Treasurer Tiffany Egendoerfer, City Attorney Brian Hoffer, Police Chief Julie Dijkstra, Zoning Admn./Code Enforcement/Fire Chief Don Lehman, Senior Center Conda Fink, Assistant EMS Director Steve Heckathorn, Water and Wastewater Supt./Manager Gale Gerber, Street and Park Supt./Manager Wayne Scheumann, six guests and 1 member of the news media.

APPROVAL OF MINUTES: Mayor Thompson stated that the first matter of business would be the approval of the minutes of the meeting held June 20, 2011. Donald Miller made a motion to approve the minutes as mailed by the Clerk-Treasurer. Janet Brown seconded the motion and the motion carried, *viva voce*.

PETITIONS AND COMMENTS BY CITIZENS: None

REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS: None

UNFINISHED BUSINESS: Mayor Thompson introduced Ordinance No. 1452, Flood Plain Ordinance, on second reading. Donald Miller made the motion to approve Ordinance No. 1452 as introduced. Jeff Kitson seconded the motion and the motion carried, *viva voce*.

NEW BUSINESS: Mayor Thompson presented Certification of No Tax Increment Replacement Levy for Nappanee Consolidated TIF District for 2012. Donald Miller made the motion to approve this certification. Michael Stull seconded the motion and the motion carried, *viva voce* with Jeff Kitson taking risqué from voting.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS: Todd Nunemaker made a motion to approve APV nos. 11245 - 11348, totaling \$223,070.17 as submitted. Michael Stull seconded the motion and it carried, *viva voce*.

REPORTS OF CITY OFFICERS: EMS Assistant Director presented the departments report for June 2011.

Fire Chief Don Lehman presented his written report of June 2011. Lehman also reminded the Council that the Firemen's Fish Fry is on July 16th.

Police Chief Julie Dijkstra had no written report to present.

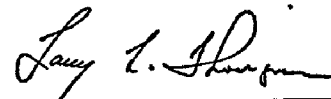
Street and Park Supt./Manager Wayne Scheumann presented his written report for June 2011. Scheumann stated that the Lincoln Street Project and Oakland Ave. Project were both still in construction.

Senior Center Director Conda Fink presented her written report for June 2011.

Zoning Admn./Code Enforcement Donald Lehman presented his written report for June 2011.

Mayor Thompson reminded everyone that the local food pantries are in need of donations. Thompson thanked all the departments for their help with the 4th of July activities.

ADJOURNMENT: The meeting adjourned at 7:17 PM.



Mayor

ATTEST: Kimberly C. Angle, I.A.M.C., C.M.C.
Clerk-Treasurer