

MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF AUBURN
HELD ON JUNE 1, 2010

The Common Council of the City of Auburn met in regular session in the City Hall Council Chambers at 210 East Ninth Street on this 1st day of June, 2010, at the hour of 6:00 P.M. It was noted that proper legal notice had been given to the media as required by Indiana statute.

The meeting was called to order by Mayor Norman E. Yoder who presided.

MOMENT OF SILENT MEDITATION OR REFLECTION

Mayor Yoder asked all to stand for a moment of silent meditation or reflection.

PLEDGE OF ALLEGIANCE

Mayor Yoder led the group in the Pledge of Allegiance to the flag of the United States of America.

ROLL CALL

On call of the roll, members of the Council present were Mike Walter, Dick Stahly, Keith Schrimshaw, Marilyn Gearhart, and Dave Painter. Also present were City Attorney Erik Weber and Clerk-Treasurer Patricia Miller.

READING OF THE JOURNAL

After review of the minutes, Councilwoman Gearhart moved to approve the minutes of the May 18th regular meeting of the Common Council. The motion was seconded by Councilman Painter and was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

RECOGNITION OF VISITORS

Vivian Likes, William Spohn, Jim Littlejohn, Anita Bacon, Jerry Outman, Lynn Siples, Emma Taylor, Mike Littlejohn, Beth Snow, Dick Martin, Debra Klink, Thad Weghorst, Clinton Knauer, Chris Schweitzer, Tom Smith, Robert Overy, Mary Hohler, Connie Rademan, Patty McGill, Steve Bruns, Merv Delagrange, Ted Hansen, Barbara Stonestreet, Julie Western, Steve Eckert, Rod Walker, Lori Berndt, Terry Berndt, Gene Bosworth, Ronald Mautner, Sarah Mautner, Jonathan Moss, Barb Morrow, Blaine Stuckey, and Dave Kurtz with **The Star** were present.

CLERK-TREASURER

Clerk-Treasurer Patricia Miller presented payroll and general vouchers in the amount of \$870,651.03.

Councilman Painter moved to approve the vouchers in the amount of \$870,651.03. The motion was seconded by Councilwoman Gearhart.

Councilman Walter stated he would vote against voucher 23965 for membership to the Auburn Butler Chamber Partnership in the amount of \$199.00.

The motion to approve the vouchers as presented was carried by the following vote of the Council: Walter, aye with the exception of voucher 23965 to Auburn Butler Chamber Partnership in the amount of \$199.00 on which he votes nay; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

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Clerk-Treasurer Miller presented a CF-1 form for Rieke Corporation.

Councilman Painter reported that he made a site visit. Employment was down but salaries had increased.

Councilman Painter moved to approve Rieke Corporation as being in substantial compliance. The motion was seconded by Councilwoman Gearhart.

Councilman Walter stated he would abstain from voting repeating his previous concerns with regard to substantial compliance being a Certified Public Account's question. Walter stated that since he has no way of actually knowing whether Rieke Corporation is in compliance or not in compliance, he will abstain.

The motion to approve Rieke Corporation as being in substantial compliance was carried by the following vote of the Council: Walter, abstain; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

ORDINANCES AND RESOLUTIONS

Councilwoman Gearhart read ORDINANCE NO. 2010-07 AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF AUBURN

Summary: This ordinance proposes to amend a portion of the zoning map of the City of Auburn, Indiana by changing the zoning of R-3P, Multi-Family Residential Planned Unit Development (PUD) District to C-2 General Commercial District. The City of Auburn Plan Commission by certification recommends this change and moved said Ordinance be passed on first reading. The motion was seconded by Councilman Stahly.

Vivian Likes with the Building, Planning, and Development Department explained that the applicant and property owner requested this change to accommodate the construction of a new medical clinic and to add professional offices in the future. The clinic will be a single story building with a residential appearance with an attached garage.

The motion to pass Ordinance 2010-07 on first reading was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

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Councilwoman Gearhart read RESOLUTION NO. 01-2010 A RESOLUTION AUTHORIZING APPLICATION SUBMISSION AND LOCAL MATCH COMMITMENT

Summary: This Resolution supports authorizing the submittal of the Community Development Block Grant (CDBG) Planning Grant application to the Indiana Office of Community and Rural Affairs and addressing matters related thereto and moved said Resolution be passed on first reading. The motion was seconded by Councilman Stahly.

Mayor Yoder recessed the Council meeting and opened the Public Hearing for the CDBG Planning Grant Application for Downtown Revitalization Study.

Building, Planning, and Development Administrator William Spohn stated that this is for a planning grant application out of Community Block Grant Funds. This is the first of two public hearings that must take place. These meetings allow the opportunity for citizens to discuss the use of funds for the planning process as well as anything else that may come up regarding community development. The maximum grant award would be \$50,000.00. The City will supply matching funds in the amount of \$5,600.00. A Downtown Advisory Committee was formed. Three meetings took place with business owners and building owners. A summary of the items discussed were:

- Increase foot traffic to the downtown area
- Building façade renovation
- How to maintain the existing buildings
- Streetscape improvements
- Future grant opportunities
- Parking space for shoppers and residents
- Larger focal events
- Improve sidewalks
- Extend business hours

The Advisory Committee then created a scope for the revitalization plan as follows:

- Distinguish Auburn as a tourist destination
- Improve the appearance and function of Downtown
- Marketability and Promotion of the Downtown area
- Downtown Management Organization/Structure
- Economic Restructuring

Request for Qualifications were sent to ten to twelve consulting firms. Eight proposals were received. The review process is currently under way. The application should be submitted by the end of June; middle of July at the latest. Administrator Spohn went on to say that another part of the application calls for a second resolution which would address the condition of sidewalks, the number of vacant buildings, the number of buildings that are deteriorating, and the number of public facilities that need attention.

Councilman Walter asked for the definition of blighted area.

Administrator Spohn explained that blighted area is two or more public facilities in need of repair or if there are twenty five percent of the buildings vacant.

Councilman Walter asked if that definition appears in IC 36-7-14.

Administrator Spohn stated the City was told to use to IC 36-7-14 as a guideline. The proposed resolution is the exact model from the Indiana Office of Community and Rural Affairs.

Councilman Walter expressed concern for the impact of designating an area as blighted with regard to the possible ramifications for insurance rates, banking institutions, and property taxes. Walter inquired if the individual residential property owners had been notified.

Jonathon Moss addressed the Council expressing support of the revitalization planning project.

Mayor Yoder closed the Public Hearing and reconvened the Council meeting.

The motion to pass Resolution 01-2010 on first reading was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

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Councilwoman Gearhart read RESOLUTION NO. 02-2010 A RESOLUTION DESIGNATING BLIGHTED AREAS WITHIN THE CITY OF AUBURN, INDIANA
Summary: This Resolution supports designating blighted areas within the core central downtown area of the City of Auburn, Indiana with a desire to eliminate the blight within those areas and moved said Resolution be passed on first reading. The motion was seconded by Councilman Painter.

Councilman Walter repeated his concern that there isn't a definition of blighted area in the statute. Walter further stated that the plain english definition of blight does not fit downtown Auburn. The Resolution designating areas as blighted is just not true.

Mayor Yoder asked Spohn if the City could receive the grant without this Resolution.

Administrator Spohn replied that the Resolution is a requirement for the grant money.

Councilwoman Gearhart stated that the "Whereas clauses" in the Resolution define blight.

Councilman Stahly asked how and who determined the boundaries of this area.

Administrator Spohn explained that this has been looked at for quite some time. The steering committee and the Mayor were included in the determination of the area.

Following further discussion, the motion to pass Resolution 02-2010 on first reading was carried by the following vote of the Council: Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Walter, nay.

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Mayor Yoder stated that the next Public Hearing addresses a CDBG DR-2 (Disaster Area) grant that if awarded will offset some of the cost to separate the storm sewer from the sanitary sewer from North Street to the north and east to Cedar Creek.

Mayor Yoder recessed the Council meeting and opened the Public Hearing for the CDBG DR-2 Application.

Administrator Spohn explained that the City is eligible to apply for this Community Development Block Grant due to the flooding issues a couple years ago which resulted in the declaration of a disaster area. The City could request up to a million dollars. The City would provide matching funds of another \$980,000.00. The grant application should be completed by the end of June. If the City does not receive this grant, there is another CDBG grant available through OCRA. Administrator Spohn stated that the City recently conducted a low-to-moderate-income benefit survey in which the City came in at 52.88 percent low/mod. Administrator Spohn reviewed the locations of the existing combined (sanitary and storm) systems by indicating these on the city maps. Administrator Spohn opened the discussion to the City Council and the public for any questions.

Ted Hansen asked if the streets would be totally torn up and would they be replaced with concrete or asphalt.

City Engineer Steve Bruns stated that if they are concrete now, they will be replaced with concrete.

Mayor Yoder stated that the City is under a court order to complete this sewer separation project over the next twelve years. If the City is awarded the grant money, it would reduce the amount of money the City would need to borrow and the rates would not be increased.

Robert Overy stated that it was his understanding that the new holding tank at the plant was to take care of the overflow.

Mayor Yoder explained that this is a three phase project. The tank and plant improvements are phase one. Phase two is the conveyance of water to the plant. Phase three is the separation of the sewer.

Mayor Yoder closed the Public Hearing and reconvened the Council meeting.

Councilwoman Gearhart read RESOLUTION NO. 03-2010 A RESOLUTION AUTHORIZING APPLICATION SUBMISSION

Summary: This Resolution supports and authorizes the submittal of the Community Development Block Grant Disaster Two (2) Application to the Indiana Office of Community and Rural Affairs addressing matters related thereto and moved said Resolution be passed on first reading. The motion was seconded by Councilman Stahly and was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

REPORT OF MAYOR

NEW BUSINESS

MISCELLANEOUS

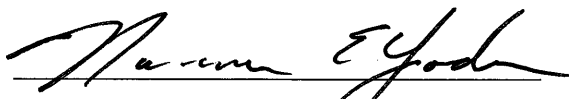
ANNOUNCEMENTS

The next Council meeting will be held Tuesday, June 15, 2010 at 6:00 P.M. in the City Hall Council Chambers.

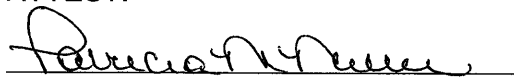
ADJOURNMENT

There being no further business to come before the Council, Councilwoman Gearhart moved the meeting be adjourned. The motion was seconded by Councilman Stahly and was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; and Painter, aye. Nays, none.

APPROVED BY THE COMMON COUNCIL


Norman E. Yoder, Mayor

ATTEST:


Patricia M. Miller, Clerk-Treasurer



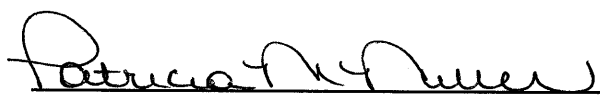
Clerk-Treasurer's Office

PO Box 506 Auburn, Indiana 46706 | 260.925.6450 phone | 260.920.3341 fax | clerktreasurer@ci.auburn.in.us | www.ci.auburn.in.us

Patricia M. Miller
Clerk-Treasurer

CERTIFICATE

I, Patricia M. Miller, the duly elected and acting Clerk-Treasurer of the Municipal City of Auburn, DeKalb County, State of Indiana, do hereby certify that attached thereto is an approved copy of the Excerpts of the Minutes of the City of Auburn Common Council Meeting held on the 1st day of June, 2010 , and that the same will be spread of record in the Minute Book of the City of Auburn.



Patricia M. Miller, Clerk-Treasurer
City of Auburn, Indiana

