COUNCIL MEETING MINUTES
January 23rd, 2017

The Common Council of the City of Kokomo, Indiana met Monday January 23rd, 2017 at 6:00 P.M. in the City Hall Council Chambers.

The meeting was called to order by President Hayes.

President Hayes states, those who wish to stand may stand, or you may remain seated.

Invocation was offered by Pastor Donald Young from Southview Church.

Pledge:

Present: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Whikehart, Sanders, Miklik

Absent: None

The minutes of the Public Hearing & Council Meeting Minutes December 12th, 2016 & Public Hearing & Special Council Meeting Minutes December 19th, 2016, Re-Organizational Council Meeting Minutes January 9th, 2017 and Special Council Meeting Minutes January 9th, 2017 were declared approved as presented.

COMMUNICATIONS:

Council Attorney Corbin King states, based upon sworn information publications in Kokomo meet the statutory definition of “newspaper” and qualify as publications in which placement of legal advertising is required. By Law we have to pass a motion, recognizing the Kokomo Tribune and Kokomo Herald for us to do legal advertising; so I need a motion from the Council.
Cont. Communications.
The statement read by Council Attorney supporting the Kokomo Tribune and Kokomo Herald. Councilman Kennedy made the motion; seconded by Councilman Miklik.
All those in favor:
Aye: All
Nay: None
The vote was 9 to 0.

Bill Ramseyer 1701 Stoneview Drive Kokomo, Ind. states, I became a resident of the City of Kokomo again, West Side Annexation in 2012; at that time we heard a lot of promises how wonderful it would be with City services. One of the things that we desperately need our City Sewers. With all the rain that we have had and the actions of some of our other neighbors prior being annexed in the City turned my property into a collection bowl for ground water. In the last nine days are septic tank has been pumped twice. It is a thousand gallon tank. They pump out two gallons each time. The last time was Friday afternoon; and by Friday evening I could not flush a toilet. I am going to have it pumped again tomorrow. It is all most to the point where I can-not really afford to live in a hotel until the rain stops; and I can-not afford to live there; and keep pumping things out. A couple of weeks ago I talked with Rick Gunning he told me when the weather brakes this Spring they plan to do an engineering survey of the area. After five years there has been nothing done. How long does the City have before they have to do something?

Councilman Wyant asks, how old is your septic system?

Bill Ramseyer states, fifty years old.
Cont. Communications.
Councilman Wyant states, when they put them in back then they did not put preminter drains around them. Is there any possibility you could talk to somebody about putting a preminter drain, and run it the excess water away to a drain that is legal to put into to. That would be cheaper than putting in a whole new system.

Bill Ramseyer states, my lot is not wide enough back where the septic field is. You have to be so many feet away from the septic fingers for the preminter drain from what I understand. It can-not be right on the property line. There is just not space to do it.

Councilman Wyant states, there are quite a few people in the business that puts them in. If you want to see me after the meeting I will give you a name. You can check with him, and see if he can help you. I know the City may not have plans to put them in there; but I know they are going to. I know what it’s costing you to pump that tank; it’s not cheap. I know someone who could come out and look at it.

Councilman Miklik asks, have you talked to the County Drainage Board on their drains? I do know there are several areas out there where the County Surveyor and the County Drainage Board were looking at putting in County drains to pull that water off.

Councilman Wyant states, you are allowed to fix the one you have if it is possible. If you can get a preminter drain put in there, even if it’s enough just to get rid of the excess water to help you. I would be happy to give you the phone number to call.

Councilman Kennedy ask, if you had not been annexed what would you do?
Cont. Communications.
Bill Ramseyer states, I would have to do something; that would be on me.

Councilman Kennedy states, my question is, I am sure their probably has been water there before. It just did not happen when you got annexed; you are wanting storm water removal not sewers. It is a storm water problem. Storm water drainage is different than from Sewer Drainage; so it is the Strom water that is backing up your system.

Councilman Wyant states, the problem is the system is fifty years old, and they start failing after so many years. The problem is when they put yours in, they did them all that way. They did not require the preminter drains to be put in at that time; but yet they can go back in sometimes and put these preminter drains in and help you out a lot.

Councilman Kennedy states, keep in mind that the Sewage and all the Storm drains is not a budgeted item from the City Council. That is separate thru the Administration. I would contact the Deputy Mayor David Tharp, and see what his response is for the area.

President Hayes states, you also need to get in touch with Councilman Miklik who is your Council person; and also get in touch with the Deputy Mayor. You specifically asked the question how long does the City have before they have to do something. I am not aware of a Statute, because I am not an Attorney. I think it makes good sense for the City to do a survey; a study to see is this impacting everybody in that district or is it just one, two or three homes. I know it is a mess.
Cont. Communications.
Councilman Wyant is an expert on that, and Councilman Miklik is a sharp guy, and I would also like for you to get a hold of the Deputy Mayor as Councilman Kennedy stated.

Councilman Miklik states, I will explain the whole process to you. There is a Statue but I do not have it, and that is up to the Lawyer to say. If you really want to get into it; Mr. President I would be glad to work on this individually if it is ok with Bill.

President Hayes states, I have assigned him to you; also I would get Attorney Corbin King involved to help you with that Statue. If there is a Statue he will find it.

Attorney Corbin King states, the key is you were grandfathered in the septic, and we did not make you hook-up on annexations; so it is kind of a give and take with what you now presented a problem. How are we going to solve it? You come here today, and we already have two people on your side to try and help you solve it. He is coming from his vast experience doing that to give you a name of a man that may-be able to help you; Tom is going to go and look from the City’s perspective what we can do. I would say that an engineering study would need to be done before you can just say, hey we are going to fix your problem by April 1st; that is not feasible. The point is I am glad that you came here; but now we got some action points to do it and Tom is going to talk to me too. We are going to try to help you. That is what we want to do for you.

Councilman Wyant states, we passed an ordinance. If your septic is working properly, and we have a City sewer right down your street or behind your home, and your septic system is working you do not have to hook to the septic; let’s say he can take care of your problem for you at less expensive. Will you hook to the City if they run one down there, if he can?
Cont. Communications.
Bill Ramseyer states, after the last two weeks, we will hook up to anything.

President Hayes states, at least you have some options, talking to Councilman Wyant. Councilman Miklik can get with our Attorney, and we can find out what we can do.

President Hayes states, we do have some guest in the audience, that I would like for her to come forward.

Kathy Kennedy 1826 West Madison Kokomo, Ind. states, I am Senior Society President of Chief Peshewa Society Children of the American Revolution. Our Youth Group learns Leadership skills, and they also do Veterans Projects, and they learn about American History. For our National Contest we are learning how to vote; and things of that nature. We thank you for allowing us to attend, and learn.

President Hayes states, thank you for coming.

COMMITTEE REPORTS: City Clerk handed out the Council Committees for the year 2017.

COUNCIL APPOINTMENTS: President Hayes states, we have several Council Appointments tonight they are as follows: Loan Administration Board for the Revolving Loan Fund, Re-appointed Denise (Lanning) Clark, Howard County Recycling District Board, Donnie Haworth, Kokomo Traffic Commission, Re-appointed Debbie Root, Council Representative To The Policy Board of Kokomo Howard County Governmental Coordinating Council, Bob Hayes, Tom Miklik, Kokomo Redevelopment Commission, Mike Wyant, Human Rights Commission, Cindy Sanders, Rev. William Smith (2) year term, Dara Johnson (3) year term,
Cont. Council Appointments.
These appointments were unanimous by the Council.

President Hayes states, we do have one vacancy, and we need to appoint another person to the Re-Development Commission; and by Statue it must be a Republican.

**ORDINANCE 6856:**
Rezoning: AG to R-1
Location: 4410 S. 150 E.
Petitioner: Scott LaDuct
First reading

Ordinance 6856 was read by the Clerk by title only. Councilwoman Young moved for suspension of the rules and pass ordinance #6856 on first and second reading; seconded by Councilman Wyant.

Vote for suspension of the rules:
Aye: All
Nay: None
The vote was 9 to 0 for suspension of the rules.
Councilwoman Young moved for passage on ordinance #6856 on second reading; seconded by Councilman Haworth.

Councilwoman Young states, the petitioner Scott LaDuct is requesting a change in zone classification from AG (Agriculture) to R1 (Very Low Density Residential) for property located at 4410 South 150 East. The plan for this property is to use for a residential.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first and second reading.
President Hayes states, this marks the end of this Council Meeting; and our next Council Meeting will be January 30th, 2017 with an Informational Meeting at 5:30 P.M. in the Louks Room; and Council Meeting at 6:00 P.M. in the Council Chambers.

Adjourned at 6:25 P.M.

________________________________________
PRESIDENT

ATTEST:

________________________
CITY CLERK