The Common Council of the City of Kokomo, Indiana met Monday November 28th, at 6:00 P.M. in the Council Chambers for the purpose of a Public Hearing on Ordinance #6847.

The meeting was called to order by President Hayes.

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

Absent: None

President Hayes called for any comments from the audience, hearing none the Public Hearing was adjourned.
Present: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Whikehart, Sanders, Miklik

Absent: None

The minutes of the Public Hearing & Council Meeting Minutes November 14th, 2016 were declared approved as presented.

COMMUNICATIONS: President Hayes states, I will be setting a Public Hearing for Ordinance #6846 for December 12th, 2016 at 6:00 P.M. in the Council Chambers.

Councilman Cameron states, we have some people in the audience tonight representing my District. They are called West Monroe Street Community Reading & Vegetable Garden Proposal. They have a really good idea. They have a neighborhood watch. They have some Church people. They do have food pantries that they are working on. I am going to follow this thru. I will get some more information to you; but I have to get an approval how this can be done.

President Hayes states, the folks that he is referring too, welcome. It sounds good. Thank you for caring about your Community. You have a good man helping you out there.

Councilwoman Sanders states, I just wanted to let everyone know that the Community Service was on November 22nd. Mayor Goodnight did have a proclamation. We are going to be having the Mayor’s Breakfast in January.

There were no committee reports given at this regular meeting.
ORDINANCE 6846: AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF KOKOMO, INDIANA
First reading

Ordinance 6846 was read by the Clerk by title only. Councilman Cameron moved for passage on ordinance #6846 on first reading; seconded by Councilman Wyant.

Councilman Cameron states, Soupley’s is on the corner of Monroe and Washington Street; just parallel to the East of that is an Alley. It has not been used. We are going to give that to the owners of Soupley’s and that other building right across. They will take ownership of it, and it will be off our books.

Vote for passage follows:
Aye: All
Nay: None

The vote was 9 to 0 for passage on first reading.

ORDINANCE 6847: Additional Appropriation from the Motor Vehicle Highway Fund in the amount of $1,000,000
Second reading

Ordinance 6847 was read by the Clerk by title only. Councilman Kennedy moved for passage on ordinance #6847 on second reading; seconded by Councilman Haworth.

Councilman Kennedy states, I would like to thank Councilman Miklik for carrying this for me at our last meeting; since I was Chairing the Meeting. This is a match for our normal activities. We have to come up with a Million Dollars in order to get a Million. It is a two for one deal. That was what our Public Hearing was about and we had no one question that at the last meeting; so I move for approval on second reading.
Cont. Ordinance #6847.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on second reading.

ORDINANCE 6848:
AN ORDINANCE REPEALING SECTION 130.05 OF THE CITY OF KOKOMO, INDIANA CODE ORDINANCES
First reading

Ordinance 6848 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6848 on first reading; seconded by Councilwoman Sanders.
Councilman Whikehart states, this is a former ordinance that actually restricted, and prohibit pin ball machines to be within the City of Kokomo. This is one of those things that are no longer relevant or enforced. It is another example of modernizing City Ordinances. I encourage the Council to pass ordinance #6848.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6849:
ORDINANCE AMENDING THE STANDARDS FOR RENTAL HOUSING WITHIN THE CITY OF KOKOMO, INDIANA
First reading

Ordinance 6849 was read by the Clerk by title only. Councilman Cameron moved for passage on ordinance #6849 on first reading; seconded by Councilman Wyant.
Cont. Ordinance 6949.
Councilman Cameron states, this ordinance is getting the rental properties in compliance with the residential. I for one did not know there was a difference of a height of grass; eight inches is the number. This also will give the Board of Public Works easier guidelines to follow then the previous one.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6850:

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, AMENDING ORDINANCE 6567 (AS ASMENDED) OF THE KOKOMO CODE OF ORDINANCES REGARDING STREET AND SIDEWALK CUTS

First reading

Ordinance 6850 was read by the Clerk by title only. Councilman Miklik moved for passage on ordinance #6850 on first reading; seconded by Councilwoman Sanders.
Councilman Miklik states, this ordinance pertains to an update to the amendment of the original ordinance in Chapter 97 that reflects street cuts in a graduated amount four-times. The maximum height allowed for grass and weeds at rental properties; so it is the same standards existing in the code for non-rental housing. It has not been amended in thirty years. This will put it in line with the other Cities that we deal with. I will read the ordinance.
Cont. Ordinance 6850.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6851:

AN ORDINANCE OF THE
COMMON COUNCIL OF THE
CITY OF KOKOMO, INDIANA,
AMENDING ORDINANCE 5559
(AS AMENDED) OF THE
KOKOMO CODE OF
ORDINANCES REGARDING
PERMIT FEES
First reading

Ordinance 6851 was read by the Clerk by title only. Councilman Kennedy moved for passage on ordinance #6851 on first reading; seconded by Councilman Whikehart.

Councilman Kennedy states, this ordinance will help us to set the new permit fees. These fees would include anyone who asks for maps or prints, building permit fees. In addition electrical permit fees, and then there is a section on miscellaneous fees. This would be all the permits that anyone would need established thru the City as required by Law. This sets the fee structure for that. This will bring everything in-line with current standards.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.
ORDINANCE 6852:  AN ORDINANCE AMENDING
#6619 FOR CERTAIN FEES
PERTAINING TO THE CITY’S
WASTEWATER AND
STORMWATER UTILITY
First reading

Ordinance 6852 was read by the Clerk by title only. Councilman Kennedy moved for passage on ordinance #6852 on first reading; seconded by Councilman Haworth.

Councilman Kennedy states, this is the waste water fee increase; which we would commonly know as our sewer bill. There has not been an increase in this Waste Water since 2004. Meanwhile, the cost for other utilities has climbed steadily; for instant Electricity is up about 58%, our water bill is up about 48%. Even with these increases, the cost to City of Kokomo residents remains the lowest in North Central Indiana. This increase amounts to about a 9.7% increase, based on 6,000 gallons of water usage. The average sewage bill would increase to about $3.67 per month. City’s Electricity cost at Waste Water treatment facility has more than doubled since 2004; and because of mandates by the Federal Government the City has $27,731,080 in Combined Sewer Overflow projects. The increase is necessary for us to continue to improve our infrastructure; hopefully it will be minimal increase per house-hold.

The rates do vary a little bit for manufactures. I move for this Council to pass this ordinance on first reading.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.
ORDINANCE 6853:

ORDINANCE OF THE
COMMON COUNCIL OF
THE CITY OF KOKOMO,
INDIANA AUTHORIZING AND
APPROVING A PILOT AND
SERVICES AGREEMENT FOR
THE SILVER BIRCH OF
KOKOMO RESIDENTIAL CARE
FACILITY
First reading

Ordinance 6853 was read by the Clerk by title only. Councilman Whikehart moved for passage on #6853 on first reading; seconded by Councilwoman Sanders.

Councilman Whikehart states, Ordinance 6853 seeks this Council approval and adoption of a payment-in-lieu-of-taxes and services agreement between the City and the developer of the Silver Birch of Kokomo Residential Care Facility, which will be located on approximately 6.4 acres at 408 South Washington Street. A payment-in-lieu-of-taxes agreement- or a Pilot -is a statutorily created tool that permits a property owner to make payments as specific times throughout the year with respect to designated real property that is subject to an exemption under the Indiana Code.

The Pilot must be calculated so that the payments are in an amount equal to the amount of property taxes that would have been levied by the governing body for the City upon the real property requesting the Pilot. The Pilot payments will be used for such things as City services, including police and fire protection.

Based on my review of the proposed Ordinance and the agreement, the developer of this Project has ensured the City that it meets all the statutory requirements required to enter into a Pilot agreement, including that it will provide decent, safe, sanitary, and affordable assisted living residential care facilities for the elderly, low income residents of the City and surrounding area, which this City needs.
Cont. Ordinance #6853. Therefore, I ask the Council to approve and adopt the proposed Ordinance 6853.

Jim Crawford states, I am with Krieg DeVault LLP were serving as Counsel for this project. The project will create 119 units of assistance living care, 49 of which are efficiency units, 70 of which are one bedroom units. These units are set aside for persons of low and moderate income. The amount that they pay for their room is regulated by the Indiana Housing Community Development Authority; so those rents are restricted down for persons of 30% of area medium income. I think the rate is a little over $300.00; and it goes up about $600.00 for persons who make 60% of area medium income; however most of the units will be occupied by persons who are Medicaid eligible.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6854:  
Rezoning: PR & FH-OL to R-1  
Location: 3000 Timber Valley Drive  
Petitioner: John D. Routt & Christina L. Loresnton  
First reading  
Ordinance 6854 was read by the Clerk by title only. Councilwoman Young moved for suspension of the rules and pass ordinance #6854 on first and second reading; seconded by Councilman Haworth. Vote for suspension of the rules:
Aye: All
Nay: None
Cont. Ordinance #6854.
The vote was 9 to 0 for suspension of the rules.
Councilwoman Young moved for passage on ordinance #6854 on second reading; seconded by Councilman Haworth.
Councilwoman Young states, John D. Routt & Christina L. Loresnton are requesting a change in zone classification from PR (Parks & Recreation W/FH-OL (Flood Hazard Overlay) to R-1 (Very Low Density Residential) W/FH-OL (Flood Hazard Overlay) for property located at 3000 Timer Valley Drive. They are using it for Plan Residential.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first and second reading.

ORDINANCE 6855:
AN ORDINANCE AMENDING
CITY OF KOKOMO ZONING
ORDINANCE 6279, AS
AMENDED
First reading

Ordinance 6855 was read by the Clerk by title only. Councilwoman Young moved for suspension of the rules and pass ordinance #6855 on first and second reading; seconded by Councilman Whikehart.
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 #6855 on second reading; seconded by Councilman Whikehart.
Councilwoman Young states, this ordinance 6855 is an ordinance amending City of Kokomo Zoning Ordinance which is 6279.
Cont. Ordinance 6855.
In the proposed amendments it was set for Development Standards for Structure Zoning in the Districts. It also sets standards for Primary Structure heights for office center boundaries and for architectural centers overlay district. The amendment will be in full force with this passage; by this Council.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first and second reading.

RESOLUTION 2698: A Resolution Defining the Adjustment Policy for City of Kokomo Waste Water Utility

Resolution 2698 was read by the Clerk by title only. Councilman Kennedy moved for passage on resolution #2698; seconded by Councilman Haworth.

Councilman Kennedy states, this resolution places language that will allow for any adjustments to a sewage rate bill; that might be involved with the water utility. It also has language that sets up away in which it can be done. It will have to be approved thru the Board of Works. If someone had an error in their bill, or the water company actually adjusted their bill; because as we know sewage rates are based on water usage thru our City Utility. If there is an adjustment made to your water bill, then a person can actually ask for that adjustment to be made to their sewage bill. We would look at it, and this language allows for all those things that happen.
Cont. Resolution #2698.
There are several different ways in which it could happen. We need to get into those details; it is in the resolution. I move for approval. Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage.

RESOLUTION 2699: RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF
KOKOMO, INDIANA,
APPROVING PLAN
COMMISSION ORDER 2016-2

Resolution 2699 was read by the Clerk by title only. Councilwoman Young moved for passage on resolution; seconded by Councilman Haworth.
Councilwoman Young states, it is a resolution of the City of Kokomo City Council, and it approves Plan Commission Order 2016-2. The Resolution and the Re-Development Plan was approved and adopted by the Kokomo Re-Development Commission; so it complies with rules, and standards to the Comprehensive Plan. This Resolution seeks to establish the Near East Side Economic Development Area. The Redevelopment Commission has adopted Resolution No. 2016-13 and the Plan Commission issued its written Order approving the Declaratory Resolution, and the Plan. I now ask this Council to approve the Order of the Plan Commission and the geographic area that establishes the proposed area as an economic development area.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage.
President Hayes states, this marks the end of this Council Meeting, and our next Council Meeting will be December 12th, 2016 with an Informational Meeting at 5:30 P.M. in the Louks Room. Public Hearing at 6:00 P.M. in the Council Chambers and Council Meeting Immediately follows.

Adjourned at 6:30 P.M.

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PRESIDENT

ATTEST:

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CITY CLERK