PUBLIC HEARING
&
COUNCIL MEETING MINUTES
August 11th, 2014

The Common Council of the City of Kokomo, Indiana met Monday August 11th, 2014 at 7:00 P.M. in the Council Chambers of the City Building for the purpose of a Public Hearing on Ordinance #6764.

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

Absent: None

President Kennedy called for any comments from the audience, hearing none the Public Hearing was adjourned.

COUNCIL MEETING MINUTES
August 11th, 2014

The Common Council of the City of Kokomo, Indiana met Monday August 11th, 2014 at 7:00 P.M. in the City Hall Council Chambers.

The meeting was called to order by President Kennedy.

Invocation was offered by Councilwoman Sanders.

Pledge:

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

Absent: None

The minutes of the July 28th, 2014 Council Minutes were declared approved as presented.
COMMUNICATIONS: President Kennedy states, I am turning it over to Councilman Hayes for a special presentation.

Councilman Hayes states, fellow Council Members we are honored tonight to have a rising star in our presence. We would at this time bring Tionna Brown, her mom and dad and her coach to the microphone.

I am Tionna Brown 602 Marshall Drive Apt 20 Kokomo, Ind. I am Tionna Beard, (Mom) and I am Tryon Brown (Dad) and Coach, K.O. Jackson 1502 East Sycamore Drive Kokomo, Ind.

Councilman Hayes states, the purpose of reading your name and address in this case is that you will now become part of the record of this organization and this meeting. At this time I am honored to bring forward the Honorable Mayor Greg Goodnight.

Honorable Mayor Goodnight states, sometimes when you are Mayor of the City of Kokomo you are approached by people like Council Member Hayes and asked to do good things. Today is one of those times. It is my Honor and my Privilege to offer the following Proclamation on behalf of the citizens of Kokomo. Mayor Goodnight presented her with a Proclamation; Now there for I Greg Goodnight Mayor of the City of Kokomo, Indiana do now declare Monday August 11th, 2014 as Tionna Brown Day in Kokomo, Indiana and call up on all citizens to recognize the hard work and commitment that Tionna Brown has made and to join me in recognizing and commending her recent success at the 2014 USA Track and Field Junior Olympics.

Councilman Hayes states, this is a start of a long career for you. We want to remind you of just a few things that I think will carry you through your life. Keep God in your life, listen to your parents, and I know you have to listen to your coach; he wants to make you better.
Cont. Communications.
Keep making those good grades, as your education is very important. Famous Baseball Player Satchel Paige quote was and as a track person you will understand this (don’t look back something or someone might be gaining on you).

Councilman Hayes states, I would like to bring forward two members of Mayor’s Youth Council on Substance Abuse and Prevention of Howard County. They gave this same presentation to the County Commissioners and ask if they could do this for ours.

Mariah Boger 2208 Avalon Court Kokomo, Ind., Josiah Leuck 114 St. Louis Court Kokomo, Ind. They gave a brief presentation on how Tobacco Companies are targeting youth today.

President Kennedy states, we will be having a Public Hearing on Ordinance #6762 on August 25th, 2014. We are anticipating at that meeting having the first reading of the Smoking Ordinance and the first reading of the Animal Ordinance.

Councilman Summers states, I would like to recognize one of our Council Members, Councilman Wyant’s Birthday, and his Wedding Anniversary tomorrow of 47 years to his lovely bride.

Councilwoman Sanders states, last Tuesday was a National night out and it was a wonderful event. Councilman Summers and I were at Indian Heights it was a really good opportunity to be out with the neighborhoods.

COMMITTEE REPORTS: Councilman Hayes states, this is a report from the Smoking Committee today. We passed out a draft to the Council Members. Should anyone in the public like a copy they can receive it from the City Clerk.
Cont. Committee Reports.

Our next meeting will be August 18\textsuperscript{th}, 2014 at 5:30 P.M. and the first reading will be August 25\textsuperscript{th}.

Councilman Miklik states, last Thursday the Kokomo Howard County Coordinating Council reported out on our Public Transportation for the year up thru July 31\textsuperscript{st}, 2014. I am very pleased to report that the Trolley usage has jumped 31\% for the first 6 months of this year. The Senior Buses has jumped 3000 and First City Rider has gone down. The passenger count from January 1\textsuperscript{st} thru July 31\textsuperscript{st} over-all has been 299,000 total. The Trolley was 210,000. We are getting a lot of usage from the Public Transportation; 300,000 in the first 6 months.

Councilman Cameron states, I passed out in the caucus today the final draft that we are looking at on the Animal Ordinance. By Friday give us any input you have on it. We would like to bring it to the next Council Meeting for first reading.

**ORDINANCE 6760:**

**AN ORDINANCE REGULATING ACTIVITIES WITHIN PUBLIC RIGHTS-OF-WAY**

First reading

Ordinance 6760 was read by the Clerk by title only. Councilman Summers moved for passage on ordinance #6760 on first reading. Seconded by Councilwoman Sanders.

Councilman Summers states, Whereas, the Common Council of the City of Kokomo, Indiana adopted Ordinance 6567 establishing protocol for street and sidewalk cuts; and, Whereas Ordinance 6567 is accompanied by the City of Kokomo Right of Way Excavation Handbook approved by the City of Kokomo Board of Works and Safety on May 6\textsuperscript{th}, 2009.
Council Meeting Minutes  
August 11th, 2014 Page-5

Cont. Ordinance #6760.
Whereas, in order to address these activities, it is necessary to amend Ordinance 6567. Now, therefore, be it ordained, by the Common Council of City of Kokomo, Indiana that pursuant to this ordinance the following sections of the Kokomo Municipal Code shall be amended to read as follows with the removal of strikethrough language and addition the bold language.

OBSTRUCTIONS: No person shall obstruct or endanger, or permit anything to obstruct or endanger the free passage or proper use of the public of any right-of-way, sidewalk, alley, or public place, except as maybe provided otherwise in this section without first acquiring a right-of-way permit from the City of Kokomo Department of Engineering, Traffic, and Inspection Services.

PERMITS: Any person, firm or corporation desiring to undertake any activity in the right-of-way including to open, cut, bore into or under any street, alley, or other public way or right-of-way paved or unpaved, shall be required to obtain a right-of-way permit for such purpose. This includes any activity that obstructs or endangers the free passage or property use of the right-of-way. This ordinance as its stated is in a right-of-way areas. We have Council here this evening that will give us some additional information in reference to this ordinance.

Lawrence McCormack Corporation Counsel states, basically this is an expansion of our assisting excavation ordinance to cover any blockage of traffic in the right-of-way; so if there is any utility work being done that would block the right-of-way in any way they would have to come in and get a permit. From our standpoint this is a public safety issue.
CONT. ORDINANCE #6760
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6762: AN ORDINANCE VACATING RIGHT OF-WAYS-LOCATED IN THE CITY OF KOKOMO, INDIANA
First reading

Ordinance 6762 was read by the Clerk by title only. Councilwoman Young moved for passage on ordinance #6762 on first reading. Seconded by Councilman Wyant.

Councilwoman Young states, this is an ordinance vacating right-of-ways in the City. Family Services Association has petitioned this body to vacate a portion of a certain right-of-ways from Jackson Street, and a certain portion of Lafountain Street, an a alley to the West right-of-way of the railroad East of Lafountain Street to the North of Jackson Street. Whereas, the vacation of the Right-of-ways would not limit access to any real estate or hinder the growth or development of the neighborhood in which it is located; and there are no public utilities maintained in the Right-of-ways. Notice of the proposed vacation right-of-ways were served to all necessary parties. The Council is also setting a Public Hearing on this petition at our next Council Meeting. It is hereby founded that property notice was served in accordance with IC Code. The following description right-of-ways located in the City of Kokomo should be and it is hereby vacated. I encourage my Council Members to pass this ordinance.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.
ORDINANCE 6764:  
AN ORDINANCE VACATING A PORTION OF UTILITY AND DRAINAGE EASEMENTS LOCATED IN THE CITY OF KOKOMO, INDIANA  
Second reading  
Ordinance 6764 was read by the Clerk by title only. Councilman Cameron moved for passage on ordinance #6764 on second reading. Seconded by Councilman Haworth.  
Councilman Cameron states, this petition deals with having Trilogy Health Services put in development of clubhouse and 11 duplex buildings with two bedroom units that will encompass all three lots in this area. In order to do this they have to vacate some utility drainage easements.  
Vote for passage follows:  
Aye: All  
Nay: None  
The vote was 9 to 0 for passage on second reading.

ORDINANCE 6766:  
First reading  
Ordinance 6766 was read by the Clerk by title only.
Cont. Ordinance #6766.
Councilman Hayes moved for passage on ordinance #6766 on first reading. Seconded by Councilman Haworth.
Councilman Hayes states, this is our annual ordinance fixing the maximum salaries of Appointive Officers, Deputies as detailed in the title of this ordinance. This also includes Contractual obligations that the City has one with the Fire Department which we just finished negotiations. It was reported out retiree health was a concession and there was some more economic benefits received to cover the retirees that they can use to cover their insurance. In this ordinance we have a Contractual obligation to the Kokomo Police Department which is detailed in here. There are copies you can get from the Clerk and all Council Members have a full copy of the seventeen pages. I encourage passage of this ordinance.

President Kennedy states, this is an activity as Councilman Hayes said that we have to do every year. We have to bring up the Salary Ordinances, and it is always prior to budget time.

Pam Jones 236 West 400 South Kokomo, Ind. states, we have been asking about the Dog Ordinance and who was going to assume those duties and responsibilities other than animal control; would that be included in that ordinance?

President Kennedy states, no. That would be a budget line item.

Vote for passage follows:
Aye: All
Nay: None
Abstain: Summers
The vote was 8 to 0 for passage on first reading.

First reading

Ordinance 6767 was read by the Clerk by title only. Councilman Hayes moved for passage on ordinance #6767 on first reading. Seconded by Councilman Wyant.

Councilman Hayes states, this will fix the Salaries of the Elected Officials; which will include Mayor, City Clerk and the Common Council. I would like to point out that the Mayor is keeping his salary at the 2007 level, and the City Clerk and the Common Council has not received a raise in many years, and we will not get one this year; so we would like to point that out. I encourage the passage on this ordinance on first reading.

President Kennedy states, we always have to have two ordinances to cover salaries one for Contractual and Non-Contractual people and one for Elected Officials. That is by Law.

Vote for passage follows:

Aye: All
Nay: None

The vote was 9 to 0 for passage on first reading.
RESOLUTION 2657: Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration, of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. chapter 53, Title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

Resolution 2657 was read by the Clerk by title only. Councilman Miklik moved for passage on resolution #2657. Seconded by Councilwoman Sanders.

Councilman Miklik states, Whereas the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project. Whereas, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost. Whereas, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

Now therefore be it resolved by the Common Council of the City of Kokomo, Indiana; the Mayor of the City of Kokomo, Indiana is authorized to execute and file an application for federal assistance on behalf of the City of Kokomo with the Federal Transit Administration for Federal assistance. The Mayor of the City of Kokomo, Indiana is authorized to execute and file with the applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement. The Mayor of the City of Kokomo, Indiana is authorized to execute grant and cooperative agreements with the Federal
Cont. Resolution #2657. 
Transit Administration on behalf of the City of Kokomo. The Director of the Kokomo/Howard County Governmental Coordinating Council is authorized to furnish such additional information as the United States Department of Transportation may require. I move that we adopt this resolution. 
Vote for passage follows: 
Aye: All 
Nay: None 
The vote was 9 to 0 for passage.

RESOLUTION 2658: A RESOLUTION ADOPTING THE HOWARD COUNTY MULTI-HAZARD MITIGATION PLAN

Resolution 2658 was read by the Clerk by title only. Councilwoman Young moved for passage on resolution #2658. Seconded by Councilman Cameron. 
Councilwoman Young states, this is a resolution adopting the Howard County Disaster Mitigation Plan. In order for communities to be eligible for future mitigation funds from Fema they must develop their own disaster plan, and resubmit the plan to Fema. Whereas the City of Kokomo, with assistance from Christopher B. Burke Engineering, LTD, has gathered information and prepared the Howard County Multi-Hazard Mitigation Plan; and Whereas, the Howard County Multi-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and Whereas, the City of Kokomo is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and Whereas, the City of Kokomo has reviewed the Plan and affirms that the Plan will be updated no less then every ten years.
Cont. Resolution #2658.  
Now, therefore be it resolved that the Common Council of the City of Kokomo, Howard County, Indiana, adopts the Howard County Multi-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.  
Vote for passage follows:  
Aye: All  
Nay: None  
The vote was 9 to 0 for passage.

President Kennedy states, our next Council Meeting will be August 25th, 2014 with an Informational Meeting at 6:30 P.M. in the Louks Room; Public Hearing at 7:00 P.M., and Council Meeting immediately following.

Adjourned at 7:40 P.M.  

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PRESIDING OFFICER

ATTEST:

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CITY CLERK