The Common Council of the City of Kokomo, Indiana met Monday November 26th, 2018 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 Lewis Hall from Grace Memorial Church.

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

Absent: None

Councilman Kennedy states, Mr. President please let us note for the minutes that we have a procksee in the place of Councilman Wyant this evening.

The minutes of the Council Meeting November 19th, 2018 were declared approved as presented.

COMMUNICATIONS: President Hayes states, I want to recognize that the Council has agreed to the schedule for next year. We also received a copy of the Holiday schedule for the City Employees. We do not control that but the Administration shares that with Council every year.

Councilman Wyant states, December 3rd, at 8:00 P.M. We Care Park will be showed on ABC all over the United States. Cross your fingers, and hope that they bring a check to me for $50,000.
Cont. Communications.
I told them to make the check to We Care. I do not keep any of the proceeds from that. Thank you. If anybody wants to come this Wednesday evening ABC is coming back to film. I don’t know what that is all about. It might be a surprise.

Councilwoman Sanders states, I want to congratulate Susie Zody. She was recognized on Fox 59 for her work on the Horse Farm. It’s a Farm that serves under serve children. It’s a wonderful Program. She has been working there for several years. This is a wonderful thing for the Community. We are very thankful for the work that she does, and the people there.

Councilwoman Young states, I was out riding around in the Districts. I would like to commend the Street Department for how they are doing in removing the leaves. They are doing a wonderful job.

President Hayes states, I am sure they appreciate the comment; they don’t get good ones a lot of times.

Councilman Whikehart states, I do want to mention that Officer Bruce Rood has been mentioned on the News recently for one of the things that he did for the Kokomo Police Department; it actually has been expanded beyond that. There are kids that can help Officers who have been injured, to survive. I just want to congratulate Bruce, and his hard work, and making Kokomo look so good.

President Hayes states, Mr. Paul if you could stand-up; I just want to say that work that was done on the tank is just beyond compare. I know you played a large part in that. I just want to give you a round of applause.
Cont. Communications.
Councilman Wyant states, I want to thank Jerry; because about a
week ago he bought the switch to turn on the lights at We Care
Park. He donated back to JR Dennis in memory of his daughter. He
is very great-full Jerry. Thank you so much for what you do.

Christy Allen 1135 S. Bell St. Kokomo, Ind. states, my church
address is 625 N. Union. I will also add that I am an Elected Official.
I am on the Kokomo School Board. I am not coming to you tonight
for that. At no time I am speaking on their behalf. There were 99
Churches in Howard County, and we make 100\textsuperscript{th} Church. We don’t
care what you believe, who you love, what you do, your welcomed. I
started this Church so that homeless or nearing homeless can
come. If your utilities are cut off, your elderly or disable, we will
help. We can do your laundry for you; and you can also take a
shower. She passed out a hand-out to Council Members. I would
like all of you to come out. We are there from 9:00 a.m. to 6:00 p.m.
you can come, and take a tour, and see the things we do. Thank
you.

There were no committee reports given at this regular meeting.

ORDINANCE 6922: Rezoning: M1 & R5 to M2
Location: 401,503,507 & 511 E. Sycamore Street
Petitioner: Matt Johnson

Ordinance 6922 was read by the Clerk by title only.
Councilwoman Young moved for suspension of the rules and pass
ordinance #6922 on first and second reading; seconded by
Councilman Wyant.
Vote for suspension of the rules:
Aye: All
Nay: None
Cont. Ordinance #6922.
The vote was 9 to 0 for suspension of the rules.
Councilwoman Young moved for passage on ordinance #6922 on second reading; seconded by Councilman Haworth.
Councilwoman Young states, Matt Johnson for Fortune Management Companies is requesting a change in zone classification from M1 (Low Density Multi-Family Residential) & R5 (Urban Residential) to M2 (General Multifamily Residential). The properties are located at 401, 503, 507 & 511 East Sycamore Street. The planned use is for an Apartment Building. It is for a resident dwelling. The apartments will be 1-2 bedrooms, and fifty-eight units. The cost for rental is going to be a lot less than some of the other apartments that have been built brand new. There were no remonstrators at the Plan Commission Meeting.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first and second reading.

ORDINANCE 6923: Rezoning: R5 to NC
Location: 1308 West Jackson Street
Petitioner: Rodney Collins
First reading

Ordinance 6923 was read by the Clerk by title only. Councilwoman Young moved for suspension of the rules, and pass ordinance #6923 on first and second reading; seconded by Councilman Haworth.
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 #6923 on second reading; seconded by Councilman Haworth.
Cont. Ordinance #6923.
Councilwoman Young states, Rodney Collins is requesting a change in zone classification from R5 (High Density Urban Residential) to NC (Neighborhood Commercial) for property located at 1308 West Jackson Street. The planned use is a parking lot for an existing business. He will be adding a buffer there as well.

Rodney Collins Hot Rod Properties, states, I believe it will add about 15 more parking spaces the way that I have it figured; with having three separate businesses there; parking is just a problem. It has been for years.

President Hayes asks, what type of buffer?

Rodney Collins states, I have talked with the neighbor that lives in the house right there a fence or trees or bushes. She does not seem to have a preference. My mind was to put a fence up.

President Hayes states, I encourage you to continue to work with the people in the neighborhood. It’s a good thing. I appreciate you coming forward.

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

**RESOLUTION 2723:** Transfer of Funds within the General Fund, MVH Fund, Park & Recreation Fund, Airport Fund

Resolution 2723 was read by the Clerk by title only. Councilman Whikehart moved for passage on resolution #2723, seconded by Councilwoman Sanders.
Cont. Resolution #2723.
Councilman Whikehart states, this is something that is done every year; when the Departments under spend. We are able to take money from one account, and move to another to pay for projects; some of which were planned for next year. Due to the budget of our Department Heads, were actually able to complete them now. I would urge Council to support Resolution #2723.
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 10th, 2018 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 following.

Adjourned at 6:15 P.M.

___________________________
Presiding Officer

ATTEST:

___________________________
City Clerk
AGENDA
KOKOMO COMMON COUNCIL
CITY OF KOKOMO, INDIANA
PUBLIC INFORMATIONAL MEETING AT 5:30 P.M.
IN THE LOUKS CONFERENCE ROOM LOCATED ON THE
FIRST FLOOR. PUBLIC HEARING AT 6:00 P.M. IN THE
COUNCIL CHAMBERS. COUNCIL MEETING IMMEDIATELY
FOLLOWING. DECEMBER 10TH, 2018
COUNCIL CHAMBERS CITY HALL 100 SOUTH UNION STREET

CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES: Council Meeting Minutes 11-26-2018

COMMUNICATIONS:

COMMITTEE REPORTS:

ORDINANCE 6920: AN ORDINANCE VACATING RIGHT-
Cameroon OF-WAY LOCATED IN THE CITY OF
KOKOMO, INDIANA
Second reading
## 2018 Encumbrances Master Listing by Fund by PO Number

<table>
<thead>
<tr>
<th>Fund</th>
<th>P.O. Number</th>
<th>Date</th>
<th>Vendor Name</th>
<th>Vendor No</th>
<th>Account Number</th>
<th>Encumbrance</th>
<th>Liquidated</th>
<th>Outstanding</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Fund - Building Maintenance</strong></td>
<td>15068</td>
<td>11/15/18</td>
<td>Thyssenkrupp Elevators Corp</td>
<td>594</td>
<td>101-1803-417-40-21</td>
<td>149,450.00</td>
<td>74,725.00</td>
<td>74,725.00</td>
<td>City Hall Elevators #2</td>
</tr>
<tr>
<td></td>
<td>15131</td>
<td>12/6/18</td>
<td>Kingdom Construction</td>
<td>3355</td>
<td>101-1803-417-40-21</td>
<td>44,000.00</td>
<td>-</td>
<td>44,000.00</td>
<td>City Hall Roof - Remaining Balance</td>
</tr>
<tr>
<td><strong>General Fund - Fire</strong></td>
<td>15040</td>
<td>11/6/18</td>
<td>Public Safety Medical Services</td>
<td>954</td>
<td>101-2200-422-30-13</td>
<td>59,134.81</td>
<td>-</td>
<td>59,134.81</td>
<td>Medical Services/Annual Physical</td>
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<tr>
<td><strong>General Fund - Public Maintenance &amp; Refuse</strong></td>
<td>15114</td>
<td>11/30/18</td>
<td>Indiana Safety &amp; Supply Co</td>
<td>824</td>
<td>101-3000-432-40-44</td>
<td>24,940.20</td>
<td>-</td>
<td>24,940.20</td>
<td>Trash totes - 96 gallons</td>
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<tr>
<td></td>
<td>15118</td>
<td>11/30/18</td>
<td>J &amp; K Communications Inc.</td>
<td>2726</td>
<td>101-3000-432-40-44</td>
<td>14,444.55</td>
<td>-</td>
<td>14,444.55</td>
<td>Radios for 5 trash packers</td>
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<tr>
<td><strong>Total General Fund</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>291,969.56</td>
<td>74,725.00</td>
<td>217,244.56</td>
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<tr>
<td><strong>Motor Vehicle Highway - Traffic Engineering</strong></td>
<td>15125</td>
<td>12/3/18</td>
<td>Monroe Construction Group LLC</td>
<td>3529</td>
<td>201-3202-429-40-21</td>
<td>139,801.75</td>
<td>-</td>
<td>139,801.75</td>
<td>Traffic Storage Building - Contractor's portion</td>
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<tr>
<td></td>
<td>15126</td>
<td>12/3/18</td>
<td>Community 1st MVH Escrow FBO Monroe</td>
<td>5361</td>
<td>201-3202-429-40-21</td>
<td>7,357.98</td>
<td>-</td>
<td>7,357.98</td>
<td>Traffic Storage Building - Retainage's portion</td>
</tr>
<tr>
<td><strong>Total Motor Vehicle Highway</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>147,159.73</td>
<td>-</td>
<td>147,159.73</td>
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<tr>
<td><strong>Parks</strong></td>
<td>15070</td>
<td>11/15/18</td>
<td>HWC Engineering, Inc</td>
<td>3407</td>
<td>204-5001-452-30-15</td>
<td>60,000.00</td>
<td>14,018.75</td>
<td>45,981.25</td>
<td>5-Year Master Plan</td>
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<td><strong>Total Parks</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>60,000.00</td>
<td>14,018.75</td>
<td>45,981.25</td>
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<tr>
<td><strong>Plan Commission</strong></td>
<td>15130</td>
<td>12/6/18</td>
<td>Krieg Devault LLP</td>
<td>2588</td>
<td>220-3100-41-30-15</td>
<td>20,000.00</td>
<td>-</td>
<td>20,000.00</td>
<td>Updating the current zoning ordinance</td>
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<tr>
<td><strong>Total Plan Commission</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>20,000.00</td>
<td>-</td>
<td>20,000.00</td>
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<tr>
<td><strong>Edit</strong></td>
<td>15034</td>
<td>11/2/18</td>
<td>Kokomo Community Development Corp</td>
<td>4798</td>
<td>444-6502-465-3015</td>
<td>218,977.37</td>
<td>-</td>
<td>218,977.37</td>
<td>Infill project - 2A</td>
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<tr>
<td></td>
<td>15035</td>
<td>11/2/18</td>
<td>Kokomo Community Development Corp</td>
<td>4798</td>
<td>444-6502-465-3015</td>
<td>308,466.68</td>
<td>-</td>
<td>308,466.68</td>
<td>Infill project - 2B</td>
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<tr>
<td><strong>Total Edit</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>527,444.05</td>
<td>-</td>
<td>527,444.05</td>
<td></td>
</tr>
<tr>
<td><strong>Total All Funds</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,046,573.34</td>
<td>88,743.75</td>
<td>957,829.59</td>
<td></td>
</tr>
</tbody>
</table>
December 10\textsuperscript{th}, 2018

To: Council Members, Council Attorney
Re: Christmas Party
From: Brenda Ott, City Clerk

This memo is to remind you we will be having our annual Christmas Party for the Council on December 10\textsuperscript{th}, 2018. The food will be delivered between 5:00-5:15 in the Louks Room.

Thank you,
Brenda
December 6th, 2018

TO: Council Members, Council Attorney, Controller, News Media

From: Brenda Ott, City Clerk

The following is the scheduling of all Council Meetings for December 10th, 2018.

Informational Meeting: 5:30 P.M.
Public Hearing: 6:00 P.M.
Council Meeting: Immediately following:

Thank you,
Brenda Ott
City Clerk
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO.6920

PETITION FOR VACATION

East Sycamore LLC petitions the Common Council of the City of Kokomo for the vacation of a right-of-way and in support of the Petition shows the Council as follows:

1. Petitioner proposes to vacate:

Beginning at the northwest corner of Lot #24 in David Foster’s East Addition to Kokomo, as recorded in Recorder’s plat book 1 Page 2; thence east 132 feet along the North line of said lot 24 to the northeast corner thereof; thence South 132 feet along the East lines of Lots 23 and 24 to the North boundary of Superior Street; thence East 16 feet along said north boundary to the Southwest corner of Lot 14 in said David Foster’s East Addition; thence north 280 feet along the West lines of Lots 14 and 27 in said David Foster’s East Addition to the South Boundary of Sycamore Street; thence west 16 feet along the South Boundary of Sycamore Street to the northeast corner of Lot 26 in said David Foster’s East Addition; thence South 132 feet along the east lines of Lots 25 and 26 to the southeast corner of said lot 25; thence west 132 feet along the south line of said lot 25 to the east boundary of Apperson Way; thence south 16 feet to the place of beginning.

2. The right-of-way when vacated will be attached to the adjoining real estate.

3. The names and addresses of the owners of real estate abutting or near the said public way are as follows:

Albright LLC 329 N Main St Kokomo IN 46901
Gilead House Inc. 406 E Sycamore St Kokomo IN 46901-4825
Housing Authority Of The City Of Kokomo PO Box 1207 Kokomo IN 46903-1207

4. The utility companies that may be affected include the following:

NIPSCO; 2000 Home Avenue, Kokomo, IN 46901
Indiana American Water Company, Inc.; 1700 East Superior Street; P.O. Box 740; Kokomo IN 46903-0740
Comcast; 1002 East Center Road; Kokomo, IN 46902
Duke Energy Corp.; 1619 W Deffenbaugh St.; Kokomo IN 46902
AT&T Indiana; Right-Of-Way Dept.; 302 W Washington Street, Floor 1; Lebanon, IN 46052

5. Vacating the above right-of-way is appropriate for the following reasons:

A. Petitioner owns an interest in real estate adjoining the right-of-way to be vacated.
B. Vacating the right-of-way will not hinder or interfere with the public's access to any of the adjoining real estate.
C. The proposed vacation of the right-of-way will not hinder the growth or development of the neighborhood, but will allow the petitioner to redevelop and grow within the neighborhood.
D. Vacating the right-of-way will facilitate the development of all of the real estate in the affected block.
E. Recorder’s Plat Book 3 page 117 for the vacation of an alley east and adjacent to the proposed vacation, notes that the alley described in this Ordinance 6920 had been vacated in 1861. That 1861 record, if it exists, has not been located.

Wherefore Petitioner requests:

1. A hearing on this petition be set within thirty (30) days after it is received by the Council.
2. The Clerk of the Council to publish notice of the hearing on this petition as required by I.C. 36-7-3-12 (c) in the manner prescribed in I.C. 5-3-1 in the form and content as attached as Exhibit A hereto.
3. After such notice and hearing, the Council approves the proposed ordinance attached to this petition vesting the entire vacated right-of-way to the adjoining property owners as set forth above.

Dated this 19th day of November, 2018. City of Kokomo, By: Beth Copeland, Corporation Counsel
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO  
ORDINANCE NO. 6920 

AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF 
KOKOMO, INDIANA  

WHEREAS, East Sycamore LLC has petitioned this body to vacate a portion of a certain right-of-way located in the City of Kokomo, more particularly described hereafter, and 
WHEREAS, this Council conducted a public hearing on the 11-26-2018, at 6:00 p.m., pursuant to the provisions of I.C 36-7-3-12(c) following presentation of proof of publication pursuant to I.C 5-3-1; and 
WHEREAS, notice of the proposed vacation was served on all necessary parties; and 
WHEREAS, the vacation of the right-of-way would not limit access to any real estate or hinder the growth or development of the neighborhood in which it is located; and 
WHEREAS, there are no public utilities maintained in the right-of-way, or if any be in said right-of-way then per statute an easement is maintained over said utility line; and 
WHEREAS, the Common Council of the City of Kokomo deems it appropriate and necessary to vacate said right-of-way as it no longer serves any public purpose.  

NOW, THEREFORE, be it ordained by the Common Council of the City of Kokomo, Indiana, that:  

SECTION I  

It is hereby found that the portion of right-of-way hereafter described should be vacated. Said right-of-way is not currently used for access to any real estate and will not hinder the public's access to a church, school, or other public building or place, or make access to any real estate by the public difficult or inconvenient. It is determined that such proposed vacation of the right-of-way complies with the purposes and provisions of I.C. 36-7-3-12 through I.C. 36-7-3-16.  

SECTION II  

It is hereby found that proper notice was given in accordance with I.C. 36-7-3-12(c) and I.C. 5-3-1.  

SECTION III  

It is hereby found that the following described right-of-way located in the City of Kokomo, Indiana, should be, and it is hereby vacated:
Legal description:

Beginning at the northwest corner of Lot #24 in David Foster’s East Addition to Kokomo, as recorded in Recorder’s plat book 1 Page 2; thence east 132 feet along the North line of said lot 24 to the northeast corner thereof; thence South 132 feet along the East lines of Lots 23 and 24 to the North boundary of Superior Street; thence East 16 feet along said north boundary to the Southwest corner of Lot 14 in said David Foster’s East Addition; thence north 280 feet along the west lines of Lots 14 and 27 in said David Foster’s East Addition to the South Boundary of Sycamore Street; thence west 16 feet along the South Boundary of Sycamore Street to the northeast corner of Lot 26 in said David Foster’s East Addition; thence South 132 feet along the east lines of Lots 25 and 26 to the southeast corner of said lot 25; thence west 132 feet along the south line of said lot 25 to the east boundary of Apperson Way; thence south 16 feet to the place of beginning.

The right-of-way when vacated will be attached to the adjoiner’s real estate.

SECTION IV

The City Clerk of the City of Kokomo, Indiana is instructed to furnish a copy of this vacation Ordinance to the Howard County Recorder for recording and to the Howard County Auditor.

SECTION V

This Ordinance shall be in full force and effect from and after its passage by this Council and its approval and signing by the Mayor of the City of Kokomo.

PASSED AND ADOPTED THIS 10th day of December, 2018.

COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA

By ______________________________________________

ROBERT L. HAYES SR., PRESIDENT

ATTEST:

_________________________
CLERK: BRENDA OTT

Presented by the Clerk of the Common Council of the City of Kokomo to the Mayor of the City of Kokomo, Indiana on this 10th day of December, 2018 at Kokomo, Indiana, for approval by his signature below.

By ______________________________________________

GREG GOODNIGHT

Mayor of the City of Kokomo, Indiana

ATTEST:

_________________________
CLERK: BRENDA OTT

This instrument prepared by: Beth Copeland, Corporation Counsel
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Beth Copeland
ORDINANCE 6920

Date: 10/25/2018
PUBLIC HEARING AGENDA

December 10th, 2018

CALL TO ORDER:

Roll CALL:

ORDINANCE 6920: AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF KOKOMO, INDIANA