## COMMON COUNCIL COUNCIL CHAMBERS OCTOBER 2, 2012

Mayor Kristen Brown called a regular meeting of the City Common Council to order at approximately 6:00 P.M. in the City Council Chambers.

### I. Meeting Called to Order

- A. Opening Prayer was given by Eric Steinke from St. Peter's Lutheran Church.
- B. Pledge of Allegiance was led by Mayor Brown.
- C. Roll Call was taken. Dascal Bunch, Ryan Brand, Frank Jerome, Frank Miller, Tim Shuffett, Aaron Hankins and James Lienhoop were present.
- D. Tim Shuffett moved to accept the minutes from the September 10, 2012 Special City Council meeting. Ryan Brand seconded the motion. Motion passed unanimously by a vote of seven (7) to zero (0).
- E. Tim Shuffett made a motion to accept the minutes from the September 18, 2012 City Council meeting. Frank Miller seconded the motion. Motion passed by a vote of seven (7) to zero (0).

# II. Unfinished Business Requiring Council Action

- A. Second Reading of an Ordinance entitled "ORDINANCE NO. 33, 2012, AMENDED FROM ORDINANCE NO. 10, 2012 (ORIGINAL ORDINANCE NO. 24, 2011) 2012 SALARY ORDINANCE." Jeff Logston, Director of Finance and Operations, presented this Ordinance indicating the addition of a second Aviation Manager through the end of the year, allowing the opportunity for training of a new Manager. Jeff also stated the number of Battalion Chiefs was corrected in this Ordinance to reflect a total of four (4) and the Master Mechanic position removed. Dascal Bunch made a motion to pass the second reading and adopt this Ordinance. Tim Shuffett seconded the motion. Motion passed by a vote of six (6) to one (1). Aaron Hankins voted nay.
- B. Second Reading of an Ordinance entitled "ORDINANCE NO. 34, 2012, AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR 2013." Jeff Logston presented an overview of the budget with a power point display. Jim Lienhoop questioned the capital budget, suggesting the need to seek Council approval on larger capital items prior to purchases being made. Jim recommended the process that has been used in the past, which is an "A" and "B" priority system. Jim also stated that with the priority system the Council's right would be in place to see how the larger capital purchases would be made. Jim stated that Council should be exercising oversight on larger purchases. He also stated that this system has been the past practice concerning capital budget matters. Jim explained that the Council is not changing the approved capital budget amounts, but money of that magnitude needs to be brought before the Council to move from "B" to "A" priority before being spent. Jim Lienhoop described the process as if the capital item is an "A" priority (or

a capital item without designation) it can be used for any purpose and purchased at any time; however, expending funds from a "B" priority line item would require Council approval. Discussion followed on legal authority for the "A" and "B" priority system, reference was made to City of Columbus Ordinance 3.08. It could not be determined whether the "A" "B" priority list had a legal basis under the ordinance. Discussion followed. Frank Miller indicated he would like to see the Columbus Economic Development Income Tax (CEDIT) funds used toward economic development projects. Jeff Logston stated approximately 25% of EDIT funds are unappropriated at this time. Frank indicated he would like to see some of the money spent toward an additional employee with the Columbus Economic Development Board. Mayor Brown stated the city has not missed an economic development opportunity because of not having cash on hand. Much discussion followed. Jim Lienhoop moved to amend the budget as presented to provide an allocation for capital items as to their "A" or "B" priority, specifically amending 101-022-434 in capital expenditures to allow for \$100,000.00 as "A" priority and the balance of \$1,111,350.00, 101-022-452, as "B" priority. Further, to amend 402-023-453 to designate that line as "B" priority in the amount of \$185,400.00. Frank Miller seconded the motion. Discussion followed. Jeff Logston made comment to the Council that should the "A" and "B" priority for capital items have no legal authority, the amendment to reflect "A" and "B" capital items will have no true impact but to reflect two separate capital lines on the budget. Motion to amend the budget Ordinance passed by a unanimous vote of seven (7) to zero (0). Jim Lienhoop made a motion to approve the Ordinance as amended. Tim Shuffett seconded the motion. Motion passed by a vote of five (5) to two (2). Nay votes were Frank Miller and Aaron Hankins.

### III. New Business Requiring Council Action

- A. Reading of a Resolution entitled "RESOLUTION NO. 24, 2012, RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE STATEMENT OF BENEFIT FORMS IN CONJUNCTION WITH AN APPLICATION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1-7." (Advanced Mold & Engineering, Inc.) Mary Ferdon, Community Development Director, along with Myron Moorman, President of Advanced Mold & Engineering, Inc., presented this request for tax abatement. Advanced Mold & Engineering, Inc. requested tax abatement on personal property in conjunction with purchase and installation of new computer numeric controlled machines and electronic discharge machines at their facilities located at 7980 South International Drive in Columbus in the amount of \$500,000.00. Mr. Moorman indicated Advanced Mold & Engineering, Inc., will retain 18 current full-time employees and plan to hire one additional employee. Jim Lienhoop stated the Incentive Review Committee met prior to the Council meeting and found Advanced Mold & Engineering, Inc. to be in substantial compliance. Jim Lienhoop made a motion to approve the Resolution. Dascal Bunch seconded the motion. Motion passed by a vote of six (6) to one (1). Aaron Hankins voted nay.
- B. Reading of a Resolution entitled "RESOLUTION NO. 25, 2012, RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE STATEMENT OF BENEFIT FORMS IN CONJUNCTION WITH AN APPLICATION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1-7." (Woodside Associates, LLC). Mary Ferdon indicated on September 18, 2012 Council members passed a tax abatement for Woodland and Associates, LLC for real and personal property. Later it was determined that the correct name of the company is Woodside Associates, LLC. Mary explained Woodside

Associates, LLC is requesting tax abatement for real property to construct a 468,000 square foot facility at 6105 S 300 W, Columbus in the amount of \$14,500,000.00, to be leased to The Phoenix Group. She stated The Phoenix Group will be asking for personal property tax abatement. Mary requested approval of this tax abatement with Woodside Associates, LLC and asked that the tax abatement with Woodland Associates, approved on September 18, be null and void. Discussion followed. Jim Lienhoop stated the Incentive Review Committee met prior to the Council meeting and found Woodside Associates, LLC to be in substantial compliance. Frank Jerome made a motion to approve the tax abatement. Dascal Bunch seconded the motion. Motion passed by a vote of six (6) to one (1). Aaron Hankins voted nay.

C. Reading of a Resolution entitled "RESOLUTION NO. 26, 2012, RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE STATEMENT OF BENEFIT FORMS IN CONJUNCTION WITH AN APPLICATION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1-7." (The Phoenix Group, Inc). Mary Ferdon presented this Resolution. The Phoenix Group requested tax abatement for personal property in conjunction with manufacturing sub-assembly for various automotive and equipment suppliers. The plant is scheduled to be operational by 2015 and The Phoenix Group anticipates creating 50 new full-time jobs. Frank Jerome moved to approve the tax abatement. Tim Shuffett seconded the motion. Motion passed by a vote of six (6) to one (1). Nay vote was Aaron Hankins.

Tim Shuffett made a motion to suspend the rules of order and to hear Items E, F and G at this time. Jim Lienhoop seconded the motion. Motion passed by a vote of six (6) to one (1). Aaron Hankins voted nay.

E. First Reading of an Ordinance entitled "ORDINANCE NO. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "RS4" (RESIDENTIAL: SINGLE-FAMILY) TO "RMc" (RESIDENTIAL: MULTI-FAMILY WITH CONDITIONS)." (Curt & Michelle Aton Rezoning). Jeff Bergman, Planning Director, presented this Ordinance by displaying several photos of the property being discussed and the surrounding area. Property owner, Curt Aton, was in the audience to answer any questions. Jeff indicated this is a multi-family request located on Central Avenue in Columbus. He stated the Columbus Plan Commission reviewed the application for rezoning at its September 12, 2012 meeting and forwarded to the City Council with a favorable recommendation by a vote of nine (9) in favor and zero (0) opposed. The Plan Commission recommended that a condition be put on the property which essentially requires a site plan to be submitted and approved by the Plan Commission. The Plan Commission will hold a public hearing to discuss the details of how the property will be developed, which will give the neighbors another opportunity to be involved. Much discussion followed. A community resident spoke about worries of additional traffic in the already congested area. Jeff Bergman stated zoning regulations would allow up to eighteen (18) units on the property. A resident discussed concerns of use of the alley as an entrance to the apartments and questioned the possibility of large trash dumpsters near his home. Jeff indicated many of these concerns would be addressed if the zoning was approved and site plans would be presented. Property owner, Curt Aton, stated site plans have addressed the issue of a non-alley entrance and adequate parking for 12-18 units. Jeff stated a couple of items that were expressed in the Columbus Plan Commission meeting were the shortage of multi-family sites and the fact that infrastructure is already present. This allows opportunity to add assessed value by adding homes to the city without further extending infrastructure. Frank Jerome made a motion to deny the request for rezoning. No second

followed. Tim Shuffett made a motion to pass the first reading and place in proper channels, but limit the site to a maximum of two (2) stories and maximum of twelve (12) units. Ryan Brand seconded the motion. Before final vote Curt Aton commented that he would like for the Columbus Plan Commission to set the parameters for height and number of units. Motion passed by a vote of four (4) in favor and two (2) opposed with Jim Lienhoop abstaining. The two nay votes were Frank Jerome and Aaron Hankins.

- F. First Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_\_, 2012, AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY TO BE A PART OF THE CITY OF COLUMBUS, INDIANA." (Browning Investments, Inc. Annexation). Jeff Bergman presented this Ordinance by indicating Browning Investments is requesting annexation and rezoning of 17.33 acres adjacent to the city limits. Jeff displayed photographs of the property and stated the property would be combined with the existing Woodside Northwest Industrial Park. Jeff stated the Columbus Plan Commission voted in favor of the request with a vote of eleven (11) in favor and zero (0) opposed with some conditions for consideration. No public comment. Tim Shuffett made a motion to pass the first reading and place in proper channels. Dascal Bunch seconded the motion. Motion passed by a vote of six (6) in favor and one (1) opposed. Aaron Hankins voted nay.
- G. First Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_\_, 2012, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "AP" (AGRICULTURE: PREFERRED) TO "13c" (INDUSTRIAL: HEAVY WITH CONDITIONS)." (Browning Investments Rezoning). Jeff Bergman presented this Ordinance. He stated the rezoning request is an I3, which is industrial heavy with conditions. No public comment. A motion was made by Tim Shuffett to pass the first reading and place in proper channels. Dascal Bunch seconded the motion. Motion passed by a vote of six (6) to one (1). Nay vote was Aaron Hankins.

### ITEM D

D. First Reading of an Ordinance entitled "ORDINANCE NO. 2012, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO ADOPT CHAPTER 8.37 OF THE COLUMBUS CITY CODE, SMOKING REGULATIONS." Kelly Benjamin, City Attorney, presented this Ordinance. Kelly indicated this Ordinance would include further smoking restrictions, including private clubs, riverboats, retail tobacco stores, bar or taverns, outdoor dining, outdoor transit areas, etc. Frank Jerome stated smoking enforcement for city property should be handled by policy, not through an Ordinance. Frank Miller discussed visiting several establishments with Frank Jerome. Mayor Brown opened the meeting to the public. Tim Gilliam, owner of the Cozy Lounge, spoke against this Ordinance. Several members of the public spoke. There were questions regarding the county's position on a more comprehensive smoking Ordinance. Aaron Hankins stated this Ordinance encroaches upon our freedom and liberty. Much discussion followed. Frank Jerome made a motion to table this for two (2) meetings. Frank Miller seconded the motion. Council was polled.

Dascal Bunch	nay
Ryan Brand	aye
Frank Jerome	aye
Frank Miller	aye
Tim Shuffett	nay
Aaron Hankins	aye
Jim Lienhoop	nay

Motion to table this Ordinance until November 6, 2012 passed by a vote of four (4) in favor and three (3) opposed.

H. Reading of a Resolution entitled "RESOLUTION NO. 27, 2012, RESOLUTION AMENDING RESOLUTION NO. 8, 2012 RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA AUTHORIZING THE CLERK-TREASURER TO MAKE TRANSFER OF APPROPRIATIONS FOR THE EDIT FUNDS PURSUANT TO I.C. 6.1.1-18-6." Luann Welmer, Clerk Treasurer, indicated the original Resolution included a transfer of funds for the Redevelopment Director salary; however, the new Director was not hired until much later in the year leaving a balance of funds. Mayor Brown filed a new Capital Improvement Plan with the County dedicating the excess funds to another project. Luann requested that the transfer of funds be reduced to \$35,000.00 in Personal Services and \$900.00 in Supplies. Tim Shuffett made a motion to approve the Resolution. Ryan Brand seconded the motion. Motion passed by a vote of six (6) to one (1). Aaron Hankins voted nay.

### **IV.** Other Business

- A. Standing Committee and Liaison Reports: none.
- B. Discussion Items: none.
- C. Next regular meeting is scheduled for **Tuesday**, **October 16**, **2012 at 6:00** o'clock P.M. in City Hall.
- D. Aaron Hankins moved to adjourn the meeting. Tim Shuffett seconded the motion. Motion to adjourn passed by a vote of seven (7) to zero (0). Meeting adjourned at 9:21 P.M.

	Presiding Officer	
Attest:		
Clerk Treasurer of City of Columbus		