

MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF AUBURN
HELD ON SEPTEMBER 7, 2010

The Common Council of the City of Auburn met in regular session in the City Hall Council Chambers at 210 East Ninth Street on this 7th day of September, 2010, at the hour of 6:00 P.M. It was noted that proper legal notice had been given to the media as required by Indiana statute.

The meeting was called to order by Mayor Norman E. Yoder who presided.

MOMENT OF SILENT MEDITATION OR REFLECTION

Mayor Yoder asked all to stand for a moment of silent meditation or reflection.

PLEDGE OF ALLEGIANCE

Mayor Yoder led the group in the Pledge of Allegiance to the flag of the United States of America.

ROLL CALL

On call of the roll, members of the Council present were Mike Walter, Dick Stahly, Keith Schrimshaw, Marilyn Gearhart, Jim Finchum, and Dennis Ketzenberger. Also present were City Attorney Erik Weber and Clerk-Treasurer Patricia Miller.

READING OF THE JOURNAL

After review of the minutes, Councilwoman Gearhart moved to approve the minutes of the August 17th regular meeting of the Common Council. The motion was seconded by Councilman Finchum and was carried by the following vote of the Council: Walter, aye; Stahly, aye; Gearhart, aye; Schrimshaw, aye; Finchum, aye; and Ketzenberger, aye.
Nays, none.

RECOGNITION OF VISITORS

Wayne Scott, Keith Scranton, and Dave Kurtz with **The Star** were present.

COMMUNICATION

Keith Scranton voiced concern for the noise associated with the ACD festivities at Crickets Tavern on Friday of Labor Day Weekend. Scranton stated that he and his family were offended by the volume of the music that did not stop until after the 1:00am deadline.

Mayor Yoder stated that the music stopped at 1:12am and there were other complaints.

CLERK-TREASURER

Clerk-Treasurer Patricia Miller presented payroll and general vouchers in the amount of \$1,333,664.16.

Councilman Finchum moved to approve the vouchers in the amount of \$1,333,664.16. The motion was seconded by Councilwoman Gearhart.

Councilman Walter stated he would abstain from voting on voucher 25144 to Kroger in the amount of \$111.37 as he is employed by that company. Walter further stated he would vote against voucher 25111 to Fort Wayne Newspapers in the amount of \$93.60 for a subscription for the Mayor's office explaining that it was an unnecessary expense.

The motion to approve the vouchers as presented was carried by the following vote of the Council: Walter, aye with the exception of voucher 25144 to Kroger in the amount of \$111.37 on which he abstains and voucher 25111 to Fort Wayne Newspapers in the amount of \$93.60 on which he votes nay; Stahly, aye; Schrimshaw, aye; Gearhart, aye; Finchum, aye; and Ketzenberger, aye. Nays, none.

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Clerk Treasurer Miller presented the claims paid by the SRF Loan Banking Institution for the Wastewater Improvement Project from October 2009 through August 19, 2010. Miller stated that the State Board of Accounts auditors notified the Clerk's office that these must be approved by Council. Miller explained that the supporting detail is available in her office at any time, but due to time constraints associated with the SRF payment distribution process, the claims would be submitted for approval after they are paid.

Councilwoman Gearhart moved to approve payment of the vouchers as submitted. The motion was seconded by Councilman Finchum and was carried by the following vote of the Council: Walter, aye; Stahly, aye; Gearhart, aye; Schrimshaw, aye; Finchum, aye; and Ketzenberger, aye. Nays, none.

ORDINANCES AND RESOLUTIONS

Councilman Finchum read ORDINANCE NO. 2010-10 AN ORDINANCE ESTABLISHING PAY CLASSIFICATIONS, AND SALARY RANGES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF AUBURN, INDIANA, FOR THE YEAR 2011

Following is a proposed Ordinance fixing the salaries of appointed officers and employees of the City of Auburn, Indiana, for the year 2011 as follows:

Section I. Pay Classifications

Section II. Department Heads

Section III. Employees within departments

Mayor's Office

Clerk-Treasurer's Office

City Administrative Division

Law Department

Engineering Department

Building, Planning & Development Department

Street Department

Park and Recreation Department

Police Department

Fire Department

Electric Utility Department

Water Utility Department

Water Pollution Control Department

Section IV. All Departments and moved said Ordinance be passed on first reading. The motion was seconded by Councilwoman Gearhart.

Mayor Yoder stated that there are no changes from the current salary ordinance in effect.

Councilman Walter moved to amend Ordinance 2010-10 to add the following section:
SECTION V. POSTING OF ACTUAL SALARIES ON CITY WEB SITE
Upon the filing of the City's Form 100-R with the State Board of Accounts for the year 2011, the Clerk-Treasurer shall post the salary reported thereon for each position title on the City's web site. The posted information shall not include the names or addresses of the employees holding the positions. If the reported salaries differ among multiple employees holding identical positions, the Clerk-Treasurer shall list each reported salary separately. The motion was seconded by Councilman Schrimshaw.

Councilman Walter explained that salary information is public record. Placing it on the website merely facilitates public access.

Mayor Yoder stated that he believes the salaries will be posted on a state government website in the near future.

Councilman Finchum and Councilwoman Gearhart expressed concern that publicizing salaries could cause animosity between employees within the same department.

Councilman Stahly stated that this would limit the ability of a department head to reward an employee for extraordinary work. Publicizing salaries will only cause dissention among the employees. Councilman Ketzenberger agreed.

The motion to approve the amendment failed by the following vote of the Council: Walter, aye; Stahly, nay; Schrimshaw, nay; Gearhart, nay; Finchum, nay; and Ketzenberger, nay.

Councilman Walter stated that he will personally see that the salaries are publicized.

The motion to pass Ordinance 2010-10 on first reading was carried by the following vote of the Council: Walter, aye; Stahly, aye; Gearhart, aye; Schrimshaw, aye; Finchum, aye; and Ketzenberger, aye. Nays, none.

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Councilman Finchum read **ORDINANCE NO. 2010-11 AN ORDINANCE FIXING THE SALARIES FOR ELECTIVE OFFICERS OF THE CITY OF AUBURN FOR THE YEAR 2011**
Summary: This Ordinance proposes to fix the salaries for the elected officers of the City of Auburn for the year 2011. The salaries for 2011 shall be: 1) \$1,928.84 Biweekly for the Mayor; 2) \$1,862.88 Biweekly for the Clerk-Treasurer; 3) \$165.64 Biweekly for the Members of the Council; 4) \$50.00 per meeting per diem for the Member of the Council who serves on the Plan Commission and \$20.00 per meeting per diem for the Member of the Council who serves on the Plan Commission Sub-Committee and moved said Ordinance be passed on first reading. The motion was seconded by Councilwoman Gearhart.

Mayor Yoder stated that there are no changes from the current elected officials' salary ordinance in effect.

Councilman Walter stated that since the salaries have changed since 2007, he would be voting against the Ordinance explaining that elected officials' compensation should not be increased during their term of office.

The motion to pass Ordinance 2010-11 on first reading was carried by the following vote of the Council: Stahly, aye; Schrimshaw, aye; Gearhart, aye; Finchum, aye; and Ketzenberger, aye. Walter, nay.

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Councilman Finchum read ORDINANCE NO. 2010-12 AN ORDINANCE DELAYING THE EFFECTIVE DATE OF THE PHASE TWO (2) INCREASE OF THE RESTATED WASTEWATER RATES TO NOVEMBER OF 2011

Summary: This ordinance serves to delay the wastewater (sewer) rate increases previously passed in Ordinance 2009-11 as it relates to phase two (2), from an effective date of November of 2010, to an effective date of November of 2011 and moved said Ordinance be passed on first reading. The motion was seconded by Councilman Stahly.

Mayor Yoder explained that the Ordinance in 2009 contained a section that would increase the rates by another 25% in November 2010 to assist in funding the mandated Wastewater Improvement Project. The projection is that by the end of this year or next year, the City will have the cash balances needed to meet the obligations for payments on the bond that financed the project. Mayor Yoder stated that this will be reviewed again next year.

Councilman Schrimshaw asked if this would be looked at periodically throughout the next year to assure the bond obligations are being met.

Mayor Yoder assured that this project is being monitored closely.

The motion to pass Ordinance 2010-12 on first reading was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; Finchum, aye; and Ketzenberger, aye. Nays, none.

REPORT OF MAYOR

Mayor Yoder stated that the 2011 Budget will be presented at the October 5th meeting and if any members would like to meet for review before that date, they should contact his office.

Councilwoman Walter stated that any review of the budget should be conducted publically.

NEW BUSINESS

MISCELLANEOUS

ANNOUNCEMENTS

The next Council meeting will be held Tuesday, September 21, 2010 at 6:00 P.M. in the City Hall Council Chambers.

ADJOURNMENT

There being no further business to come before the Council, Councilwoman Gearhart moved the meeting be adjourned. The motion was seconded by Councilman Finchum and was carried by the following vote of the Council: Walter, aye; Stahly, aye; Schrimshaw, aye; Gearhart, aye; Finchum, aye; and Ketzenberger, aye. Nays, none.

APPROVED BY THE COMMON COUNCIL

Norman E. Yoder, Mayor

ATTEST:

Patricia M. Miller, Clerk-Treasurer

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