

**AGENDA OF THE COMMON COUNCIL
City of Angola, Indiana
210 N. Public Square**

Monday, June 19, 2023 – 7:00 p.m.

CALL TO ORDER BY MAYOR HICKMAN

1. Council Member roll call by Clerk-Treasurer Herbert.

Crum _____ Olson _____ Armstrong _____ Martin _____ McDermid _____

2. Remarks by Mayor Hickman

3. Request approval of the June 5 minutes. (attachment)

- Minutes of June 5 Board of Public Works and Safety meeting presented for Council information (attachment)

UNFINISHED BUSINESS

1. Ordinance No. 1731-2023. AN ORDINANCE AMENDING THE ORDINANCE FIXING COMPENSATION OF APPOINTED OFFICERS, DEPUTIES, AND OTHER EMPLOYEES AND OF POLICE AND FIREFIGHTERS OF THE CITY OF ANGOLA, INDIANA FOR THE YEAR 2023. (second and third reading) (attachment)
2. Ordinance No. 1732-2023. AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYEE BENEFITS – LEAVE PROGRAMS. (second reading) (attachment)

NEW BUSINESS

1. Ordinance No. 1733-2023. AN ORDINANCE AMENDING THE ANGOLA MUNICIPAL CODE CHAPTER 8.05 SOLID WASTE. (monthly rate \$17.10) (first reading) (attachment)
2. Ordinance No. 1734-2023. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ANGOLA, INDIANA. (302 W. Gilmore) (first reading) (attachment)
3. Resolution No. 2023-848. A RESOLUTION BY THE COMMON COUNCIL OF THE CITY OF ANGOLA, STEUBEN COUNTY, INDIANA, DECLARING THE CITY WILL FUND PROJECT PLANNING AND UPDATE CURRENT DOWNTOWN PLAN IF IT IS OVER FIVE YEARS OLD. (attachment)

4. Presentation by Isaac Lee Executive Director of the Steuben County Economic Development Corporation.
 - Consideration and action on the 2024 Funding Request (Fee for Service Contract) with the Steuben County Economic Development Corporation in the amount of \$59,430. (attachment)
 - Consideration and action on the 2024 Additional Funding Allocation Request (Additional Line Item Allocation) with the Steuben County Economic Development Corporation in the amount of \$25,000. (attachment)
5. YMCA of Steuben County regarding possible in-kind work contributions toward Sheets Family Park.
6. Request approval of the Façade Grant Agreement with Maumee One, LLC for property at 109 E Maumee St. in the amount not to exceed \$5,000. (attachment)
7. Clerk-Treasurer's Depository Statement and Cash Reconciliation for the month ending May 2023 is presented for Council information. (attachment)
8. Reports:
 - Clerk-Treasurer
 - Department heads
9. Request approval of the Allowance of Accounts Payable Vouchers 63339 through 63579 totaling \$819,569.95 which includes interfund transfers of \$156,046.99 (separate attachment)
10. Other new business.

NEXT MEETING

The next Common Council meeting is Wednesday, July 5.

ADJOURNMENT

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least three business days ahead of scheduled meeting. Contact the Clerk-Treasurer, 210 North Public Square, Angola, IN 46703, (260) 665-2514 extension 7353, clerktreasurer@angolain.org as soon as possible but no later than three business days before the scheduled event.

June 5, 2023

The regular meeting of the Common Council of the City of Angola, Indiana was called to order at 7:02 p.m. at City Hall, 210 North Public Square with Mayor Richard M. Hickman presiding. Council Members Gary L. Crum, David A. Olson, Kathleen G. Armstrong, David B. Martin, and Jerold D. McDermid answered roll. No council member was absent. Clerk-Treasurer Ryan P. Herbert recorded the minutes.

Among those present were City Attorney Kim Shoup, Economic Development and Planning Director Jennifer Barclay, City Engineer Amanda Cope, Fire Chief Doug Call, Water Superintendent Tom Selman, Wastewater Superintendent Jeff Gaff, Street Commissioner Chad Ritter, Assistant Police Chief Darrin Taylor, Human Resource Director Sue Essman, and Deputy Clerk Stephanie Dean.

Also, among those present were Randy Coffey, Jennifer Sharkey, Beth Swary of *WLKI*, and Caitlynn Shipe of *The Herald Republican*.

APPROVAL OF THE MINUTES

Council Member Olson moved to approve the May 15, 2023 minutes. Council Member Crum seconded the motion. The motion carried 5-0.

NEW BUSINESS

Ordinance No. 1731-2023, AN ORDINANCE AMENDING THE ORDINANCE FIXING COMPENSATION OF APPOINTED OFFICERS, DEPUTIES, AND OTHER EMPLOYEES AND OF POLICE AND FIREFIGHTERS OF THE CITY OF ANGOLA, INDIANA FOR THE YEAR 2023, was read by title and presented to Council on first reading. Council Member McDermid moved to approve. Council Member Crum seconded the motion. The motion carried 5-0.

Ordinance No. 1732-2023, AN ORDINANCE AMENDING THE CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYEE BENEFITS – LEAVE PROGRAMS, was read by title and presented to Council on first reading. Council Member Olson moved to approve. Council Member McDermid seconded the motion. The motion carried 5-0.

Wastewater Superintendent Gaff reported quotes had been received for the WWTP Clarifier Lining Project as follows:

Midwest Coatings	\$35,000.00
CTR Coatings	\$29,700.00
Advance Rehab	\$23,000.00

No Council action was required at this time.

Council Member Armstrong moved to approve the Proposal for Professional Services for 2023 MS4 Permit Renewal Services with Wessler Engineering in the amount not to exceed \$16,500. Council Member Olson seconded the motion. The motion carried 5-0

Council Member Martin moved to find Vestil Manufacturing/ Vestil Manufacturing Corp./ Vestill LLC in substantial compliance with the Statement of Benefits for Real Estate Improvements located at 749 Growth Parkway and Personal Property located at 299 North Wayne Street for Resolution No. 2017-712. Council Member Crum seconded the motion. The motion carried 5-0

Council Member Martin moved to find Baril Coatings USA, LLC located at 401 Growth Parkway in substantial compliance with Statements of Benefits for Real Estate Improvements and Personal Property for Resolution No. 2019-756. Council Member Crum seconded the motion. The motion carried 5-0.

Council Member Martin moved to find IMP Realty LLC leased to Patrick Industries, Inc. located at 409 Growth Parkway and 101 Industrial Drive in substantial compliance with Statements of Benefits for Real Estate Improvements for Resolution No. 2015-666. Council Member Olson seconded the motion. The motion carried 5-0.

Council Member Martin moved to find Patrick Industries, Inc. located at 409 Growth Parkway and 101 Industrial Drive in substantial compliance with Statements of Benefits for Personal Property for Resolution No. 2015-667. Council Member McDermid seconded the motion. The motion carried 5-0.

Discussion was held regarding the resident share of the unit cost for curbside municipal waste services under agreement with Republic Services of Indiana LP. The yearly increase with Republic is effective July 1st with the cost per unit raised to \$17.09. Council Member Olson moved to set the resident share at \$17.10 per unit. Council Member McDermid seconded the motion. Discussion followed. The motion carried 5-0.

DEPARTMENT HEAD REPORTS

Economic Development and Planning Director Barclay reported that the new downtown sculptures were installed the past weekend. Thank you to everyone who helped and the sculpture sponsors. Fourth of July parade registration has begun. Anybody wishing to be in the parade can register online or stop in at City Hall to fill out a form. The parade theme is hometown heroes. Food Truck Fridays will begin in July at the Commissioner's Park on the corner of East Gale and South Martha Streets. Please see flyers. West Commons construction should start by the end of the month. MSD of Steuben County has started constructions on their facility upgrades. Belle Tire on North Wayne Street is set to start construction anytime now.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

Council Member McDermid moved to approve the Allowance of Accounts Payable Vouchers 63040 through 63338 totaling \$1,216,524.34. Council Member Armstrong seconded the motion. The motion carried 5-0.

OTHER NEW BUSINESS

Water Superintendent Selman reported that he had attended a meeting in Bryan Ohio today regarding aquifer monitoring in their area. Selman asked Council for permission to share the information from the City of Angola's study with this group. Discussion followed and Council reached consensus that Selman can and should share the data from the study.

ADJOURNMENT

There being no further business, the meeting was considered adjourned at 7:22 p.m.

Richard M. Hickman, Mayor
Presiding Officer

Attest:

Ryan P. Herbert, Clerk-Treasurer

MAY 1, 2023

The regular meeting of the Board of Public Works and Safety of the City of Angola, Indiana was called to order by Chair Richard M. Hickman at 6:30 p.m. City Hall, 210 N Public Square. Members Richard M. Hickman, David B. Martin, and David A. Olson answered roll call. No member was absent. Clerk-Treasurer Ryan P. Herbert recorded the minutes.

Among those present were Chief of Police Ken Whitmire, Fire Chief Doug Call, Economic Development and Planning Director Jennifer Barclay, City Engineer Amanda Cope, Water Superintendent Tom, Selman, Wastewater Superintendent Jeff Gaff, Park Superintendent Matt Hanna, Street Superintendent Chad Ritter, and Engineering Assistant Nick Gerber

Also, among those present were Cheri Carpenter, Christine Reiniche, and Oksana Kotkina of The Herald Republican.

APPROVAL OF MINUTES

Member Olson moved to approve the April 3, 2023 Minutes. Member Martin seconded the motion. The motion carried 3-0.

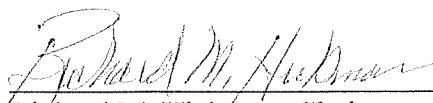
ORDER OF BUSINESS

Member Olson moved to approve the 2023 Northwest Fox Lake Sanitary Forced Main Extension Contract. Member Martin seconded the motion. The motion carried 3-0.

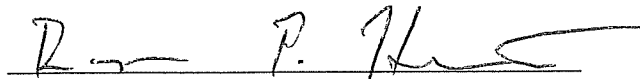
Cheri Carpenter of 228 Broadmore Circle and Christine Reiniche of 230 Broadmore Circle addressed the board regarding drainage problems on their properties. They explained there was a significant amount of water that runs from other properties into their yards and significant standing water after rain events. City Engineer Cope reported that she had been in contact with the property owners and had been onsite. Cope presented two possible options that would help alleviate the drainage problems. Option A was estimated to cost \$3,850 and option B with a total estimate of \$6,400. Discussion followed. Member Olson moved to table the matter until the next meeting so the Board could investigate the matter further. Member Martin seconded the motion. The motion carried 3-0.

ADJOURNMENT

There being no further business, the meeting was considered adjourned at 6:56 p.m.


Richard M. Hickman, Chair

Attest:



Ryan P. Herbert, Clerk-Treasurer

ORDINANCE NO. 1731-2023

AN ORDINANCE AMENDING THE ORDINANCE FIXING COMPENSATION OF APPOINTED OFFICERS, DEPUTIES, AND OTHER EMPLOYEES AND OF POLICE AND FIREFIGHTERS OF THE CITY OF ANGOLA, INDIANA FOR THE YEAR 2023

Be it hereby ORDAINED by the Common Council of the City of Angola, Steuben County, Indiana that Ordinance No. 1701-2022, Section 4 is being amended by the text of existing provisions in this style type, additions in **this style type**, and deletions in ~~this style type~~:

Section 1. Ordinance No. 1701-2022 for the year 2023, Section 4. Fire department is amended to read as follows:

- (A) The hourly rate of firefighters who are not exempt from the provisions of the Fair Labor Standards Act (FLSA) and who are working the 28-day work period shall
 - (1) receive hourly rate based on 2,756 hours per salary ordinance year (13 28-day work periods times 212 hours); and
 - (2) receive overtime for all hours worked over 212 hours in a 28-day work period.
- (B) Compensation for full-time fire department firefighters will be as follows:
 - (1) Firefighter (**without minimum certifications***) - beginning with the hire date and continuing through the second year of continuous service with the Angola Fire Department. **Start rate will be established by Human Resources and the Fire Chief, based on prior experience.**
 - (2) First Class Firefighter (**with minimum certifications ***) - beginning with ~~the third year of continuous service with the Angola Fire Department.~~ **the hire date. Start rate will be established by Human Resources and the Fire Chief, based on prior experience.**
 - (3) ~~After completion of one year of continuous service as Firefighter, the Fire Chief may recommend First Class Firefighter status for a firefighter who has had previous full-time firefighting experience of at least two years, successfully completed and holds I and II and Medical First Responder Firefighter Certifications or equivalent and has displayed a level of performance with the department which would warrant consideration. Such recommendation shall be carefully considered and must receive approval from the Office of the Mayor.~~

*Minimum Certifications: Firefighter I and II and EMR, NIMS 100,200,700&800, HazMat Operations.

ORDINANCE NO. 1731-2023

Section 6. Effective date.

This ordinance shall become and remain in full force and effect upon passage and adoption by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the _____ day of June 2023 by the vote of _____ ayes and _____ nays.

Richard M. Hickman, Mayor
Presiding Officer

Attest:

Ryan P. Herbert, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of _____ a.m./p.m. this _____ day of June 2023.

Ryan P. Herbert, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this _____ day of June 2023.

Richard M. Hickman, Mayor

ORDINANCE NO. 1732-2023

**AN ORDINANCE AMENDING THE
CITY OF ANGOLA, INDIANA EMPLOYEE HANDBOOK, EMPLOYEE
BENEFITS – LEAVE PROGRAMS**

BE IT HEREBY ORDAINED by the Common Council of the City of Angola, Indiana that the Employee Handbook is being amended by the text of existing provisions in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~:

Section 1. Employee Benefits – Leave Programs- Personal Time Off (PTO) is amended to read as follows:

Personal Time Off (PTO)

Effective January 1, 2023, all full-time employees, **upon hire**, are provided paid time-off (PTO) leave in accordance with the following schedule:

Fire Department	1 st Quarter Hire	2 nd Quarter Hire	3 rd Quarter Hire	4 th Quarter Hire
PTO days	9	6	3	0
Police Department	1 st Quarter Hire	2 nd Quarter Hire	3 rd Quarter Hire	4 th Quarter Hire
PTO days	15	10	5	0
Dispatch	1 st Quarter Hire	2 nd Quarter Hire	3 rd Quarter Hire	4 th Quarter Hire
PTO days	12	8	4	0
All other employees	1 st Quarter Hire	2 nd Quarter Hire	3 rd Quarter Hire	4 th Quarter Hire
PTO days	6	4	2	0

Hire Dates

1st Quarter – January 1 through March 31

2nd Quarter – April 1 through June 30

3rd Quarter – July 1 through September 30

4th Quarter – October 1 through December 31

Fire department employees will be provided with nine (9) PTO days annually beginning January 1st.

Police department employees will be provided with fifteen (15) PTO days annually beginning January 1st.

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Dispatch employees will be provided with twelve (12) PTO days annually beginning January 1st.

All other full-time employees will be provided with six (6) PTO days annually beginning January 1st.

For the purpose of this policy, a day is equal to the number of hours an employee would work on a routinely scheduled day. Current PTO time balances are shown on your payroll stub.

Employees may take PTO leave in increments as little as one-quarter ($\frac{1}{4}$) hour.

At the request of your supervisor, employees should complete the Request for Leave form 11-018. Forms are available in your department or in the Human Resources folder on the Common Drive. Emergency requests for time-off should be discussed with your supervisor.

Approval of leave requests is the responsibility of your supervisor and is subject to the operational needs of the department. The City reserves the right to deny PTO requests when such time-off would interfere with busy times, limited staff or other circumstances which jeopardize the operations of the department.

PTO time does not carry forward to the next calendar year and must be taken prior to each January 1st. Employees are not permitted to work in the same job classification while on PTO for the purposes of receiving extra pay.

Employees who voluntarily resign from employment **or are the subject of reduction in force/layoff** will receive payment for any unused PTO time.

Employees who are involuntarily terminated from **employment due to disciplinary action documented through the Human Resources office** will not receive payment for any unused PTO time. ~~This does not apply in the case of reduction in force/layoff.~~

PTO leave is not considered work time and does not apply toward the calculation of overtime.

Section 2. Employee Benefits – Leave Programs- Sick Leave is amended to read as follows:

Sick Leave

The City provides a sick leave program for all full-time employees. The sick leave program is designed to assist the employee with the continuation of wages in the case of

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illness or injury. Employees are expected to manage their sick leave effectively to ensure a positive balance to provide a safety net if illness or injury should occur.

Employees will be credited with one (1) workday of sick leave for each full calendar month of work. Earned sick leave is credited to your "sick leave account" on the first of each month and current balances are shown on your payroll stub. Newly hired employees are awarded sick time beginning on the first of the month following their hire date.

For the purposes of this policy, a workday is equal to the number of hours an employee would work on a routinely scheduled workday.

Employees may take paid sick leave in increments as little as one-quarter (1/4) hour. Approval of leave requests is the responsibility of your supervisor.

Use of Paid Leave with FMLA: Generally, FMLA leave is unpaid. However, if an employee also has accrued paid leave available, and if the employee's leave request meets the requirements for use of that paid leave, the employee must use the available paid leave at the same time as the FMLA leave. Similarly, if an employee requests accrued paid leave for a purpose that is also covered by the FMLA, the employee must use FMLA leave at the same time as the paid leave. If the purpose for the leave would not ordinarily qualify as a reason to use the accrued paid leave, then the employee will not receive pay under that leave program while on FMLA.

The maximum balance allowable in an employee's sick leave account is ninety (90) workdays.

Paid sick leave may be requested for the following circumstances:

- Illness, injury, pregnancy or childbirth-related conditions of the employee which renders the employee unable to work,
- To provide care for a member of the employee's immediate family during illness, injury, pregnancy or pregnancy-related condition,
- Adoption or adoption-related obligations where the employee's presence is reasonably required, or
- Exposure of the employee or a member of the employee's immediate family to a contagious disease which could potentially jeopardize the health of the employee or others in the workplace.
- Medical, dental, vision or other health-related exams or appointments of the employee or a member of the employee's immediate family where the employee's presence is reasonably required, and the appointment could not be made during an employee's non-work time.
- In the event of a declared emergency. Refer to Page 30 of the Employee Handbook for information.

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For the purposes of this policy, immediate family is defined as the employee's spouse, child or stepchild, parent or stepparent, brother or brother-in-law, sister or sister-in-law, parent-in-law or child-in-law, grandparent or grandchild or in legal guardianship cases.

At the request of your supervisor, employees should complete a Request for Leave form 11-018. Forms are available in your department or on the Common Drive in the Human Resources folder.

The City reserves the right to request any and all appropriate documentation to substantiate any request or to investigate in order to approve payment of sick leave. Should investigation reveal improper, misleading or fraudulent use or paid sick leave, the employee will be subject to disciplinary action, up to and including discharge.

Employees who resign or retire **or the subject of reduction in force/layoff** from employment with the City are eligible to receive payment for any unused sick time at the rate of ten dollars (\$10.00) for each full day of unused sick time up to a maximum of ninety (90) days.

Employees who are involuntarily terminated from employment **due to documented disciplinary action through the Human Resources office** will not receive payment for any sick time. ~~This does not apply in the case of reduction in force/layoff.~~

Sick leave is not considered work time and does not apply toward the calculation of overtime.

Section 3. Employee Benefits – Leave Programs- Vacation is amended to read as follows:

Vacation

Effective January 1, 2023,* all full-time employees, except full-time firefighters and full-time dispatchers, receive paid vacation leave in accordance with the following schedule:

<u>Upon the completion of continuous service of:</u>	<u>Leave Time</u>
One (1) full year -----	1 week
Two (2) to four (4) years-----	2 weeks
Five (5) to nine (9) years -----	3 weeks
Ten (10) years to nineteen (19) years -----	4 weeks
Twenty (20) or more years -----	5 weeks

Full-time firefighters who work the 24-hour schedule receive paid vacation time in accordance with the following schedule:

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<u>Upon the completion of continuous service of:</u>	<u>Leave Time</u>
One (1) full year -----	6 days
Four (4) years to nine (9) years -----	10 days
Ten (10) years or more -----	16 days

Full-time dispatchers received paid vacation time in accordance with the following schedule:

<u>Upon the completion of continuous service of:</u>	<u>Leave Time</u>
One (1) full year -----	4 days
Two (2) to - four (4) years -----	8 days
Five (5) to nine (9) years -----	12 days
Ten (10) years to nineteen (19) years -----	16 days
Twenty (20) or more years -----	20 days

*Employees hired prior to January 1, 2023, will receive vacation time on their anniversary date in accordance with the above schedule.

For the purposes of this policy, a week is equal to the number of days an employee would work in a routinely scheduled workweek and a day is equal to the number of hours an employee would work on a routinely scheduled workday. Current vacation time balances are shown on your payroll stub.

Employees are encouraged to take vacation leave in one (1) week increments but may be taken in as little as one-quarter (1/4) hour.

At the request of your supervisor, employees should complete the Request for Leave form 11-018. Forms are available in your department or in the Human Resources folder on the Common Drive. Emergency requests for time-off should be discussed with your supervisor.

Approval to take leave is the responsibility of your supervisor and is subject to the operational needs of the department. The City reserves the right to deny vacation requests when such time-off would interfere with busy times, limited staff or other circumstances which jeopardize the operations of the department.

Vacation leave time does not carry forward and must be taken prior to the anniversary date when new vacation time is earned. Employees are not permitted to work in the same job classification during their vacation for the purposes of receiving extra pay.

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Employees who voluntarily resign from employment **or are the subject of reduction in force/layoff** will receive payment for any unused vacation time.

Employees who are involuntarily terminated from employment **due to documented disciplinary action through the Human Resources office** will not receive payment for any unused vacation time. ~~This does not apply in the case of reduction in force/layoff.~~

Vacation leave is not considered work time and does not apply toward the calculation of overtime.

This ordinance shall become effective following passage and adoption by the Common Council and approval by the Mayor.

DULY PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the _____ day of June 2023 by the vote of ____ ayes and ____ nays.

Richard M. Hickman, Mayor
Presiding Officer

Attest:

Ryan P. Herbert, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of _____ a.m./p.m. this _____ day of June 2023 2022.

Ryan P. Herbert, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this _____ day of June 2023.

Richard M. Hickman, Mayor

ORDINANCE NO. 1733-2023

**AN ORDINANCE AMENDING THE ANGOLA MUNICIPAL CODE
CHAPTER 8.05 SOLID WASTE**

WHEREAS, the City of Angola provides by contract curbside solid waste collection services to residential users;

WHEREAS, said contract cost per unit for residential users is \$17.09;

WHEREAS, the City provides administrative services for the billing and collection of said cost per unit;

THEREFORE, BE IT HEREBY ORDAINED by the Common Council of the City of Angola, Indiana that:

Section 1. Section 8.05.070 Charges and billing – Refusal to pay is amended to read as follows:

(A) Charge Establishment and Collection Power. The city is authorized and empowered to determine and fix a fair and reasonable charge to be made against every owner, occupant or lessee of property, and to establish a method of assessment and collection of these charges.

(B) Charge – Billing. Each owner, tenant or occupant of such residence shall pay to the city \$17.10 per month for such collection service, and such charge shall be added to and paid along with each utility bill. If there is no meter at any residence, the solid waste charge shall be billed to the owner, tenant, or occupant.

(C) Refusal to Pay Charges. In the event that the tenant, owner, or occupant refuses or neglects to pay the monthly charges for solid waste collection, the charges shall become an obligation of the property owner and may be filed as a lien against the property by the Clerk-Treasurer.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the _____ day of July 2023 by the vote of _____ ayes and _____ nays.

Richard M. Hickman, Mayor
Presiding Officer

Attest:

Ryan P. Herbert, Clerk-Treasurer

ORDINANCE NO. 1733-2023

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of _____ a.m./p.m. this _____ day of July 2023.

Ryan P. Herbert, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this _____ day of July 2023.

Richard M. Hickman, Mayor

ORDINANCE NO. 1734-2023

**AN ORDINANCE AMENDING THE ZONING MAP OF THE
CITY OF ANGOLA, INDIANA**

SUMMARY

This ordinance amends the Zoning Map of the City of Angola, Indiana by changing the zoning of approximately .20-acre of land to High Density Multiple-Family Residential (R5) District. The property wholly includes Parcel ID 760626240627000012 and located at 302 W. Gilmore St.

WHEREAS, Ordinance No. 1286-2008, as amended, adopted an Official Zoning Map for the City of Angola, Indiana; and

WHEREAS, Indiana Code section §36-7-4-600 et. Seq provides for amendments to the zoning map of a municipality by ordinance of the municipality; and

WHEREAS, the City of Angola Plan Commission at its June 12, 2023 held a legally advertised Public Hearing; and

WHEREAS, the City of Angola Plan Commission, on June 12, 2023, heard input from the public and ultimately forwarded a *favorable recommendation* to the Angola Common Council of said real estate.

**NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF ANOGOLA, INDIANA:**

THAT, the Zoning Map of the City of Angola shall be amended in the following manner:

The .20-acre parcel located at 302 W. Gilmore St. The legal description is attached hereto as Exhibit A.

The aforementioned tract of land shall officially be changed to the High Density Multiple-Family Residential (R5) District.

The tract of land is illustrated in Exhibit B, also attached hereto. The zoning change shall also apply to associated rights-of-way, to the centerline of the street.

BE IT FURTHER ORDAINED that the Ordinance be in full force and effect after its passage by the Common Council and after the occurrence of all other action required by law.

ORDINANCE NO. 1734-2023

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, this _____ day of _____, 2023.

Richard M. Hickman, Mayor

Attest:

Ryan Herbert, Clerk-Treasurer

This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of _____ a.m./p.m. this _____ day of June 2023.

Ryan Herbert, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this _____ day of _____ 2023.

Richard M. Hickman, Mayor

ORDINANCE NO. 1734-2023

Exhibit A

~~CONVEYS AND WARRANTS TO:~~ The City of Angola, a political subdivision of the State of Indiana, the property described below located in Steuben County, Pleasant Township, State of Indiana, to wit:

Lot Numbered One Hundred Fifty-Seven (157) in the Plat of Gilmore's Addition to the Village (now City) of Angola, as recorded in Plat Book 1, Page 2, Steuben County Recorder's Office. The common address of said property is: 302 W. Gilmore Stret, Angola, IN 46703.

Exhibit B





CITY OF ANGOLA INDIANA

Department of Economic Development & Planning

210 North Public Square Angola, Indiana 46703 | 260.665.7465 | 260.665.9164 fax | planning@angolain.org

**City of Angola Plan Commission
Certificate and Recommendation**

On June 12, 2023, the City of Angola Plan Commission held a legally advertised Public Hearing to consider a Zoning Map Amendment (rezoning) request made by City of Angola, Richard Hickman for 302 W. Gilmore St. The Plan Commission heard the Staff Report and offered public input from anyone who wished to speak.

The rezoning request includes changing the zoning of the property to R5 (High Density Multiple-Family Residential District). A map of the area is attached as Exhibit A for further clarification.

The City of Angola Plan Commission is forwarding a *favorable* recommendation to the Angola City Council concerning the proposed Zoning Map Amendment.

Certified by:

Brett Steele, *Planner*

Economic Development and Planning Department



CITY OF ANGOLA INDIANA

Department of Economic Development & Planning

210 North Public Square Angola, Indiana 46703 | 260.665.7465 | 260.665.9164 fax | planning@angolain.org

Exhibit A



Project Name:	Gilmore Townhomes
Application Type:	Rezone
Applicant/Owner:	City of Angola
Location:	302 W Gilmore Street
Current Zoning & Overlay Districts:	Small to Medium General Commercial (C1) District
Proposed Zoning:	High Density Multiple-Family Residential (R5) District
Current Use:	Vacant
Proposed Use:	Dwelling, multiple-family (five to eight units per building)
Hearing Date:	June 12, 2023
Required Notice:	Legal Notice of the Public Hearing appeared in The Herald Republican on June 2, 2023. Thirty-three (33) property owners within 300-feet of the project were sent notice by Certificate of Mailing on May 31, 2023.
Applicable Code Provisions:	Title 18: Unified Development Ordinance Indiana Code: Zoning Ordinance 36-7-4-600 Series
Floodplain Status:	Not within a floodplain

Summary

In March of 2023 the City acquired a dilapidated property that had been left neglected for some time. Before acquiring the property, the City conducted a Phase I & II on the property. All environmental concerns have been and will be addressed. The building was razed, and the lot is being turned back into a grass lot. The City wishes to rezone the property in hopes of working with a developer to construct market rate townhomes on the property. Ultimately the goal is to put the property back on the tax roll and provide much needed housing for the community.

Applicable Zoning Code Provisions

Although an end user is identified in this case, the following permitted uses would be permitted by right if the rezone request were approved.

(A) Accessory Permitted Uses.

- (1) Home business, type 1.
- (2) Small wind turbine system.

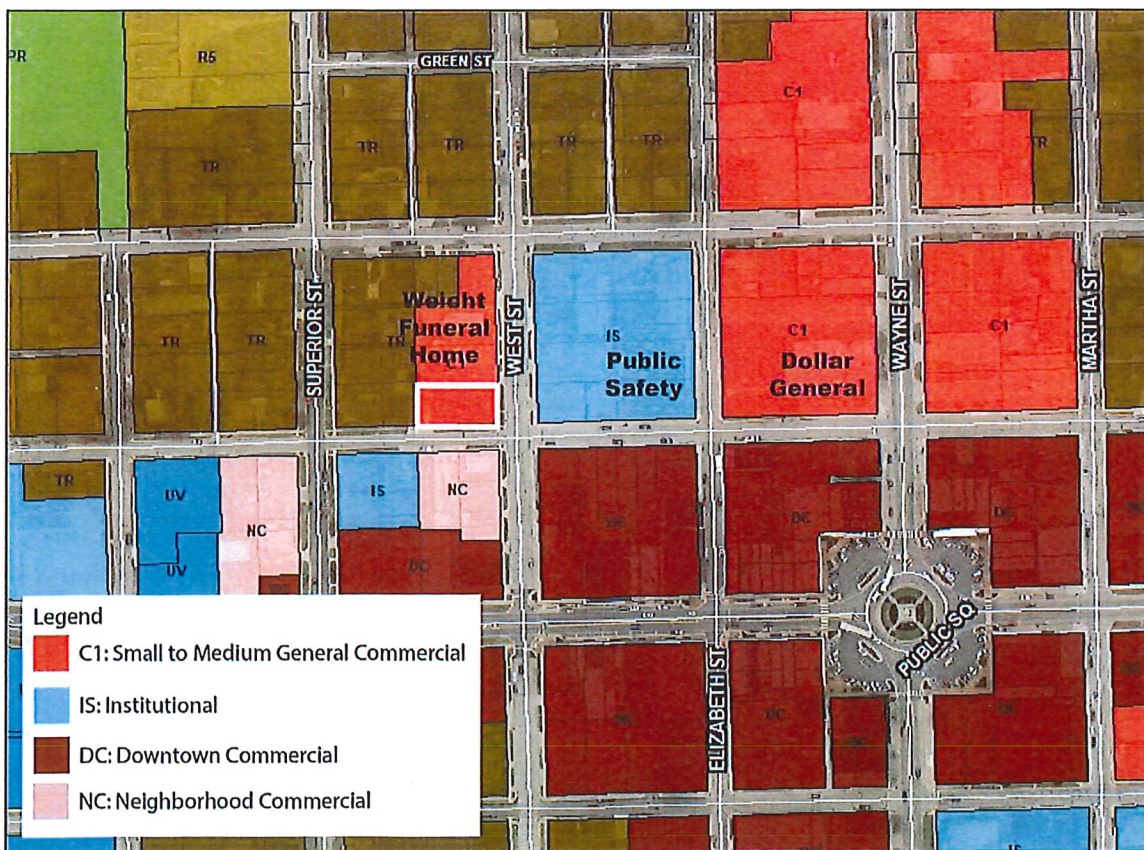
(B) Residential Permitted Uses.

- (1) Assisted living facility.
- (2) Dwelling, multiple-family (five to eight units per building).
- (3) Fair housing facility (large).
- (4) Retirement community.

Contextual Zoning & Land Use

The property is zoned C1: Small to Medium General Commercial. This area is a transition between Downtown and surrounding neighborhoods. Surrounding land uses include:

- North – Weicht Funeral Home
- East – Public Safety campus
- South – homes, commercial
- West – homes

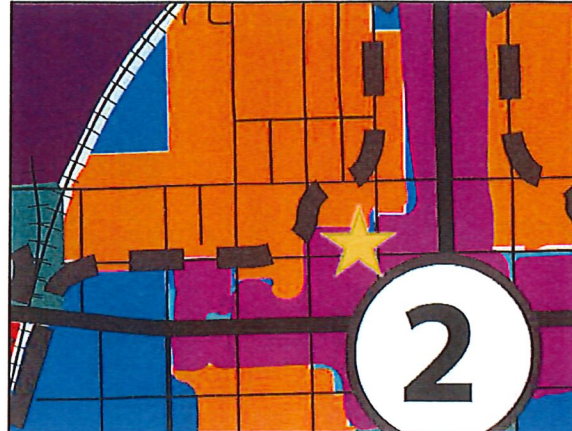


Comprehensive Plan

Objective 1.5: Strongly encourage redevelopment of underutilized, vacant, or abandoned structures and lots.

Objective 1.7: Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped.

The Future Land Use maps shows this area as a Mixed-Use with High Density Residential to the north-west of the property.



Steuben Co. Housing Study

Steuben Co. completed a housing study in 2020. The study reports potentially over 2,000 households of all income levels have the potential to move into Steuben Co. each year. 31% are younger singles or couples; 24% are empty nesters & retirees with 36% housing preference of rental units. The annual absorption rate for Angola alone is 26 to 33 rental units each year and 88 to 110 units county wide.

Public Input

There has been no public input as a result of the public notices being sent.

Staff Conclusion & Recommendations

In conclusion, Staff is supportive of the request. The redevelopment of this property is beneficial to the community. Given the 2020 housing study there is no question housing of this type is needed. Utilities are ready to be tapped into and parking is not an issue in this section of downtown. Analyzing the building form and development standards, staff believes approx. 6-units those being 2-story and approximately 1,000-sf will fit on the lot. Once the City identifies a developer, we will work with them to ensure a context sensitive design is selected.

Findings of Fact are not required for rezoning petitions. Indiana Code 36-7-4-602; 603; and 608 require the Plan Commission to "pay reasonable regard to"

1. The Comprehensive Plan;
2. Current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values through the jurisdiction; and
5. Responsible development and growth.

Motion to:

- ☒ Forward a favorable recommendation
☐ Forward an unfavorable recommendation
☐ Forward no recommendation
☐ Table to _____ (date)

Vote of Members:

	Yes	No	Abstain	Absent
Jerold McDermid	✓			
Veryl Carpenter 2 nd	✓			
Jeff Martin	✓			
Amanda Cope	✓			
Joshua Fletcher	✓			
Christina King				X
Brant Moore	✓			
Jeffrey Peters				X
Nick Sutton	✓			
Susan Ralston	✓			
Stephen White 1 st	✓			

MINUTES OF THE PUBLIC MEETING
OF THE CITY OF ANGOLA PLAN COMMISSION
HELD ON JUNE 12, 2023

The Plan Commission held a regularly scheduled public hearing/meeting on Monday, June 12, 2023, at 5:00 p.m., the minutes are recorded and prepared by the Department of Economic Development and Planning Staff.

President Martin called the public meeting to order at 5:00 p.m.

Roll Call and Confirmation of Quorum

Present Commission Members: Jeff Martin, Josh Fletcher, Amanda Cope, Jerry McDermid, Steve White, Veryl Carpenter, Susan Ralston, Brant Moore, and Nick Sutton. Absent Members: Tina King, Jeff Peters, and non-voting member Austin Budreau. Also present: Director Jennifer Barclay, Planner Brett Steele, and City Attorney Kim Shoup. President Martin confirmed the quorum.

Minutes

Member McDermid made a motion to approve May 08, 2023 and May 15, 2023 minutes as presented, Member Carpenter seconded the motion and all members present were in favor, none opposed.

President Martin reviewed the rules and procedures of the public hearing.

President Martin presented Glendarin Hills Golf Club Maintenance Building Development Plan, 3333 Glendarin Way.

Planner Steele presented the case Glendarin Hills Golf Club Maintenance Building requesting development plan approval located at 3333 Glendarin Way. The property is zoned R2: Medium Density Single-Family District. Legal notice of the public hearing appeared in The Herald Republican on June 2, 2023. Six (6) property owners within 300-ft of the project were sent notice by Certificate of Mailing on June 1, 2023. Applicable code provisions include Title 18: Unified Development Ordinance, Indiana Code: Development Plan 36-7-4-1400 series. The project is not located within floodplain. Staff is recommending approval.

Planner Steele started by stating Glendarin Hills Golf Club was developed in 1999. Homes were meant to be constructed throughout the golf course. As of now only Section I of the homes has been completed. Existing barns along the private drive of Glendarin Way were used as their maintenance building and storage. Those barns will be razed and housing is planned to be developed along the road.

Planner Steele continued that today they wish to construct a new 50' x 125' maintenance building north-west of the existing club house. Along with the maintenance garage the building will include an office and private restroom. The building will be accessed via a stone drive from the club house.

Planner Steele stated the building will be finished with dark grey steel siding and asphalt shingles. Access to the building is gained via three, 12'x12' overhead doors and two man doors. Outdoor lighting will be minimal and above the five entry doors installed on a dusk to dawn wall pack.

Planner Steele then presented to the board two current site photos showing the terrain as it sits today. Both images reflected views looking NW of the club house of location of build site.

Planner Steele continued into contextual zoning and land use stating the property is zoned R2. The immediate surrounding uses include to the north; PR zoning and Heritage Hills Subdivision, to the south;

R1 zoning and vacant AG zoning, to the east: PR zoning and AG zoning, and to the west: R1 and R2 housing, Kohls, Menards and other commercial use.

Planner Steele stated the comprehensive plan, future land use map supports this project with the following principles. Principle 1, Objective 1.5: Strongly encourage redevelopment of under-utilized, vacant, or abandoned structures and lots.

As of the meeting date, no public input has been received as a result of the legal notices noted Planner Steele.

Planner Steele concluded with staff is encouraged to see expansion of the current property and is supportive of the request. A new accessory structure to the Glendarin Hills Golf Club further assures their commitment to our community for providing a resort-style course to our locals and visitors. Additionally, the large size of the property may accommodate the addition and embraces Angola's comprehensive plan of providing redevelopment to under-utilized lots.

President Martin asked for further questions by the board, there were none.

President Martin opened the public hearing. Seeing no petitioner present to speak, President Martin closed that portion of the case.

President Martin asked for further public comment, there were none.

President Martin closed the public portion of the hearing and asked if there were findings. Planner Steele presented the Findings of Fact for Glendarin Storage Building.

1. The development plan is consistent with the City of Angola Comprehensive Plan objectives 1.5 'Strongly encourage redevelopment of under-utilized, vacant, or abandoned structures and lots'. All members present agreed, none opposed.
2. The development does not cause a hazard or unsafe conditions for drivers on the existing streets or at points of access because there are no proposed improvements to public streets or access, nor does staff feel improvements are necessary for this request. All members present agreed, none opposed.
3. The development does not cause existing or proposed streets to exceed their capacity or cause traffic congestion because the intensity of the existing use is not changing. Improvements are being made to the site and that only affects the users. All members present agreed, none opposed.
4. The development plan does dedicate the necessary right-of-way for future expansion of perimeter roads as indicated in the thoroughfare plan because adequate right-of-way already exists. No additional right-of-way is necessary. All members present agreed, none opposed.
5. The development does create a safe environment for pedestrians to safely move about the development and to connect to perimeter pedestrian facilities because its placement connecting to existing building infrastructure and the addition is disturbing a minimal footprint of the property. All members present agreed, none opposed.
6. The development arranges the proposed facilities appropriately for the function of the development and uses existing pathways. Additionally, placement of storage structure is near primary structure and screened location. All members present agreed, none opposed.
7. The development is compatible with surrounding uses, buildings, and districts or will effectively buffer those uses with which it is in conflict to ensure neighborliness and aesthetic quality. The development is an expansion of support-based accessory structures and uses to an already established and accepted use. The finishes will match current structures, and all setbacks are met with ample buffering. All members present agreed, none opposed.

8. The development does or will satisfy the applicable development standards of Division II of this title, Zoning Districts once all plan review and routing comments are adequately addressed. All members present agreed, none opposed.
9. The development does or will satisfy the applicable standards of Division VI or this title, Development Standards, once all plan review and routing comments are adequately addressed. All members present agreed, none opposed.
10. The development does or will satisfy the applicable standards in Division V of this title, Design Standards, once all plan review and routing comments are adequately addressed. All members present agreed, none opposed.
11. The development does or will satisfy the applicable development and other applicable provisions of this title. All members present agreed, none opposed.
12. The development does or will satisfy the applicable construction requirements of the City of Angola's construction standards, once all plan review and routing comments are adequately addressed. All members present agreed, none opposed.

President Martin asked for a motion. **Member Moore made a motion to approve Glendarin Storage Building development. Member Sutton seconded the motion. All members present were in favor, none opposed.**

President Martin moved to the next item on the agenda – Popshelf Retail Development

Director Barclay presented the case Popshelf Retail Development requesting development plan approval located at 140 Eyster Dr. The property is zoned C2: Medium and Large General Commercial District. Legal notice of the public hearing appeared in The Herald Republican on June 2, 2023. Nine (9) property owners within 300-ft of the project were sent notice by Certificate of Mailing on May 26, 2023. Applicable code provisions include Title 18: Unified Development Ordinance, Indiana Code: Development Plan 36-7-4-1400 series. The project is not located within floodplain. Staff is recommending conditional approval.

Director Barclay advised that Popshelf (stylized as “pOpshelf”) is a retail concept that offers home furnishings, health and beauty items, home cleaning supplies, arts and crafts and party goods, with 95% of items priced at \$5 or less. Popshelf parent company is Dollar General Corporation. Direct competitors include HomeGoods, Wal-Mart, and Target.

Director Barclay stated Popshelf is proposing a ±10,640-sf standalone retail store with thirty-one (31) parking spaces, landscaping, and lighting on 1.24-acre lot.

Director Barclay went into the site plan stating that The front façade of the building will face N. Wayne St with access from Eyster Dr (private drive). Across N. Wayne Street is the Steuben County Trail. Parking will be located in the front of the building with 29-standard parking and 2-ADA parking stalls. Loading docks and trash receptacles located along the south façade. Semis will pull straight into the parking area then back into the loading dock.

Director Barclay dove into landscaping that street tree landscaping required five canopy trees within 20-ft of right-of-way. These plantings have not been accounted for. Parking Lot landscaping includes 6-deciduous trees and 10-shrubs which meet standards however plantings shall be planted within 10 feet of the parking lot edge which is not the case. Lot Planting include foundation planting 10-shrubs along front façade which satisfy the requirement, however yard planting who require an additional 5-canopy trees which are not accounted for. To summarize, the applicant needs to revise landscaping plans accounting for Street Tree and Yard Planting requirements. To this date no signage information has been submitted for the project. Director Barclay referenced public facilities that to date sidewalks have

not been planned for along N. Wayne St. – this is required. Additionally, staff recommends a crosswalk be painted through the parking lot guiding pedestrians to internal sidewalks.

Director Barclay then presented to the board five site images captured to reflect views from Eyster Drive, in addition to the intersection looking Northwest and views looking West from N Wayne St.

Director Barclay continued into contextual zoning and land use stating the property is zoned C2. The immediate surrounding uses include to the north: medical offices and sports complex, to the South: substation and car dealership, to the east: trails and big box retailers, and to the west: vacant ground.

Director Barclay advised that objective 1.5 from the Angola Comprehensive Plan supported the project by strongly encourage redevelopment of under-utilized lots and objective 1.7: Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped.

Director Barclay reference members of the board to review plan review comments to be address for the project.

To this date, no public input has been received from the public notices being sent per Planner Steele.

In conclusion, Director Barclay stated that staff is encouraged to see the investment into the community. The new building will be similar in scale, finish and context as surrounding development. Given some outstanding items that need to addressed in order to determine compliance with Angola's standards, staff suggest the following conditions of approval: A landscape plan be approved by staff prior to the issuance of any permits; a signage plan be applied for separately; revise facades, other than front facades, for compliance with [AMC 18.160.060 Architectural Standards - Commercial (B) Architectural Features (2) Other Facades (b) Long/Large Facades] and those revisions be approved by staff prior to the issuance of any permits; revise site plan to include sidewalk along N. Wayne St.; and all routing comments are adequately addressed determined by staff.

Director Barclay asked members if there were any questions. Member McDermid asked how many items have been addressed on the revised plans that have been submitted. It was noted by Director Barclay that she briefly has looked at the landscape plan and not all was complete, believed petitioner was looking at code differently. Director Barclay noted her response, along with Park Superintendent Matt Hanna's reflect those missing points for landscaping.

President Martin asked if staff had any concerns with outstanding items. Director Barclay advised that she had no concerns.

President Martin inquired if there were further questions by the board. There were none.

President Martin opened the public hearing. Josh Allen, Cross Development out of Cincinnati, thanked staff for their review. Mr. Allen advised all outstanding items have been advised in most recent submission such as sign information, architectural design, including sidewalk that was missed on first submission, and storm water calculations. Mr. Allen stated they are working on the landscaping and the calculations to provide proper information.

Member Carpenter asked for confirmation sidewalk was to be installed. Mr. Allen confirmed that there was to be a new sidewalk to connect to trail across the street.

President Martin asked for further questions for petitioner, there was none.

President Martin opened the floor to further public comment, there was none.

President Martin closed the public portion of the hearing and asked if there were findings. Director Barclay presented the Findings of Fact for Popshelf Retail Development.

1. The development plan is consistent with the City of Angola Comprehensive Plan objectives 1.5 'Strongly encourage redevelopment of under-utilized, vacant, or abandoned structures and lots' and 1.7 'Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped'. All members present agreed, none opposed.
2. The development does not cause a hazard or unsafe conditions for drivers on the existing streets or at points of access because there are no proposed improvements to public streets. Traffic generated is expected to be minimal. INDOT will determine if any improvements are needed on Eyster Drive. All members present agreed, none opposed.
3. The development does not cause existing or proposed streets to exceed their capacity or cause traffic congestion because the intensity of the proposed development is minimal. All members present agreed, none opposed.
4. The development fronts US 127, also known as N Wayne St., which already has adequate right-of-way for this development. No additional right-of-way is necessary. All members present agreed, none opposed.
5. The development will create a safe environment for pedestrians by the placement of a sidewalk along N. Wayne Street and painted crosswalk to the front entrance of the building. All members present agreed, none opposed.
6. The development arranges the proposed development appropriately for the function of the development including location of parking, loading dock, trash receptacles, and drainage. Additionally, the development will meet all development standards for landscaping and lighting and use high-quality finished materials. All members present agreed, none opposed.
7. The development is compatible with surrounding uses, buildings, and districts because similar uses exist immediately adjunct to the development. Additionally, the building will be similar in setback and finished materials. All members present agreed, none opposed.
8. The development does comply with the standards of Division II of this title, Zoning Districts. All members present agreed, none opposed.
9. The development does or will comply with the standards of Division VI of this title, Development Standards, once all plan review and routing comments are adequately addressed and conditions of approval are made. All members present agreed, none opposed.
10. The development does comply with the standards in Division V of this title, Design Standards. All members present agreed, none opposed.
11. The development will satisfy all other applicable provisions of this title once all plan review and routing comments are adequately addressed and conditions of approval are made. All members present agreed, none opposed.
12. The development will satisfy or exceed construction requirements of the City of Angola's construction standards, once all plan review and routing comments are adequately addressed and conditions of approval are made. All members present agreed, none opposed.

President Martin asked for a motion. **Member Moore made a motion to conditionally approve the development plan with conditions a landscape plan be approved by staff prior to the issuance of any permits; a signage plan be applied for separately; revise facades, other than front facades, for compliance with [AMC 18.160.060 Architectural Standards - Commercial (B) Architectural Features (2) Other Facades (b) Long/Large Facades] and those revisions be approved by staff prior to the issuance of any permits; revise site plan to include sidewalk along N. Wayne St.; and all routing comments are adequately addressed determined by staff. Member Carpenter seconded the motion. All members present were in favor, none opposed.**

President Martin moved to the next item on the agenda Speedway Professional Park.

Planner Steele presented the case as Speedway Professional Park requesting rezoning located at 3400 block of N SR 127 – Extra Territorial Jurisdiction. The property is zoned AG: Agricultural District and proposed zoning of C2 and High Impact. Legal notice of the public hearing appeared in The Herald Republican on June 2, 2023. Nine (9) property owners within 300-ft of the project were sent notice by Certificate of Mailing on May 26, 2023. Applicable code provisions include Title 18: Unified Development Ordinance, Indiana Code: Zoning Ordinance 36-7-4-600 Series, Indiana Code: Subdivision Control 36-7-4-700 Series and 36-7-4-1015 Series. The project is not located within floodplain.

Planner Steele advised that the Primco/Smith Road LLC property along SR-127 has been utilized for construction staging and stockpiling of materials since at least 2006. Planning for the future, the company intends to relocate one of their concrete batch plants to this location. The petitioner has owned this 40.9-acre parcel of land since 2016 and wishes to plat the property into two lots and rezone each lot to maximize the area's growth.

Planner Steele stated that currently, the City of Angola is in the advanced stages of negotiations and planning on running city utilities along State Road 127 to Pokagon State Park opening the possibility of growth north of the city limits. The petitioner wishes to plat approximately 4.5-acres fronting the SR-127 to promote commercial development that provides goods and services to the regional population and tourist, rezoning this lot to C2: Medium to Large General Commercial District. Additionally, the second lot will encompass the remaining acreage of 36-acres requesting a rezone to HI: High Impact District to accommodate the future operation of gravel/sand mining. The petitioner desires favorable recommendation on proposed rezone before presenting primary plat before plan commission on July 10th.

Planner Steele then remarked on the existing site plan as it sits today and proposed the desired future on the location. Planner Steele mentioned the proposed plat would include 4.5-acres along SR-127 and would include a 50-ft access easement along the existing drive lane to the remainder of the property. On the north side of this drive the property has a standing pond and would likely not be developable. On the south side of the drive is feasible to have a commercial building and associated parking.

Planner Steele then provided members with an example of commercial use able to fit within the proposed acreage provided in the requested C2 zoning. Planner Steele referenced an area blocked off in the area of 1310 W Maumee St, which includes Cameron Family Medicine and Indiana Farm Bureau.

Planner Steele then provided members with list of permitted uses within each desired zoning district of High Impact and C2 for them to review. Planner Steele mentioned that owners operation would fall under Industrial Permitted Uses of Gravel and Sand Mining.

Planner Steele immediately informed members of the contextual zoning and land use as being Agricultural. To the North: C1 land, agricultural, and northeast to include estate residential, to the South: future site of Watershed Storage Condos and agricultural district, to the East: sand and gravel pit zoned HI, and finalizing to the West: C1 properties; Scoops Ice Cream.

Planner Steele reference six images to board to get a visual of the property. The first two images captured the proposed commercial lot from the east boundary looking for northwest and southwest. The remaining images captured the large remaining acreage and area where operation would be established well off the roadway on a existing large gravel pad.

Planner Steele mentioned the comprehensive plan supported this project. Planner Steele advised that *Principle 1 – MANAGE COMMUNITY FORM AND GROWTH*; Objective 1.2 – Utilize the Land Classification Plan and Land Classification Plan Map as the foundation for zoning decisions and Objective 1.5: Strongly encourage redevelopment of underutilized, vacant, or abandoned structures and lots. Additionally, *Principle 5 – PROMOTE ECONOMIC VIBRANCY*; Objective 5.3: Ensure that shovel-ready sites are available for business and industrial growth and Objective 5.7: Increase efforts to attract and retain businesses and residents. It was noted by Planner Steele that the Future Land Use map shows this area as Agricultural with General Commercial to the West/Northwest, High Density Residential to the southwest of the property, low density residential to the northeast, and Industrial to the east.

As of the meeting date, no public input has been received as a result of the legal notices noted Planner Steele.

Planner Steele mentioned that in conclusion, the development of this property further connects and densifies our sprawling commercial growth to the north. The property is beyond large enough to accommodate all development standards for HI district and the commercial outlot will capitalize on the potential expansion of utilities and enhance the visual appearance of the corridor. Planner Steele informed the board that commitments restricting certain land uses can be recorded.

President Martin inquired if there were further questions by the board.

City Engineer Cope asked for clarification High Impact rezoning that concrete batch plant fell under the gravel and sand mining. Planner Steele confirmed. City Engineer Cope mentioned that no other option than rezoning could include the concrete batch plant. Planner Steele confirmed, yes.

President Martin asked for City Engineer Cope to clarify her questions. Ms. Cope stated that she wanted to know that a concrete batch plant indeed fell under the category of Gravel and Sand mining and Planner Steele said yes.

With no further questions by members, President Martin opened the floor to whomever wanted to speak on behalf of the petition. Wayne Richardson, Bertsch-Frank and Associates of Fort Wayne stated his client, Speedway Ready Mix is located at the quarry east of this property. The owners of the quarry are wanting to expand into where they are housed so they are wanting to relocate their plant to this site. Mr. Richardson mentioned with knowledge of utilities running north of city limits, they wanted to incorporate a commercial lot fronting SR-127. Mr. Richardson mentioned the batch plant would be more than 1000-ft off the roadway, being well screened. It was noted by Mr. Richardson that the primary plat will require no variances and batch plant will use existing drive on proposed easement.

Member White asked if traffic would increase or change for SR-127. Mr. Richardson advised traffic would practically be the same, staging area trucks would decrease and the concrete trucks would increase.

President Martin wanted to confirm there was no intent for mining on the site, just relocation of the concrete batch plant. Mr. Richardson confirmed. President Martin asked on height of structure and Mr. Richardson was unsure.

President Martin then opened floor to further public comment. Jack Steven Mitchell, property owner to the north, took to the stand. Mr. Mitchell advised he isn't worried about the batch plant relocation, however, every other permitted use under High Impact. Mr. Mitchell wanted to remind members that zoning of High Impact doesn't mean that it will always remain a concrete batch plant.

President Martin opened the floor to anyone else wishing to speak on the petition. Jeff Fee, Angola, took to the stand. Mr. Fee wanted to clarify that it's a relocation of the plant and there is no mining access. It was confirmed by President Martin.

President Martin opened the floor again, none were present. That portion of the meeting was closed and members were asked if they had further questions for staff.

Engineer Cope asked Mr. Richardson if he felt the property owner would be open to the property being zoned with commitment of the strict use of concrete batch plant. Mr. Richardson advised the property owner was not present at the meeting and he could discuss it with him. Mr. Mitchell instantly remarked that he spoke with property owner Todd Fredrick and he is open to that possibility and would be happy to do so but was informed that it could not be done that way by staff members days before the meeting. Director Barclay advised Mr. Mitchell that City Attorney Shoup, Planner Steele and herself reviewed state code before the meeting and determined it was a possibility to record commitments on rezoning.

Director Barclay asked Mr. Richardson if his client would be fine with the commitment being recorded for the lot wishing for High Impact zoning, he confirmed that he would be fine.

Member Carpenter inquired if there would have to be provisions made for truck access coming and going from the property entry location. Statements were made by President Martin and Mr. Richardson that it would be a state highway decision when that time comes.

President Martin asked if there was further discussion, none was presented.

President Martin asked for a motion on lot 2: rezoning to High Impact. **Member McDermid made a motion to forward with favorable recommendation with commitment for the sole permitted use of concrete batch plant to be permitted as long as the property is zoned high impact. Member Ralston seconded the motion. All members present were in favor, none opposed.**

President Martin asked for a motion on lot 1: rezoning to C2: Medium to Large General Commercial District. **Member Moore made a motion to forward with favorable recommendation. Member White seconded the motion. All members present were in favor, none opposed.**

President Martin moved to the next item on the agenda Gilmore Townhomes.

Director Barclay presented the case as Gilmore Townhomes requesting rezoning located at 302 W. Gilmore St. The property is zoned C1: Small to Medium General Commercial District and proposed zoning of R5: High Density Multiple-Family Residential District. Legal notice of the public hearing appeared in The Herald Republican on June 2, 2023. Thirty-three (33) property owners within 300-ft of the project were sent notice by Certificate of Mailing on May 31, 2023. Applicable code provisions include Title 18: Unified Development Ordinance, Indiana Code: Zoning Ordinance 36-7-4-600 Series, Indiana Code: Subdivision Control 36-7-4-700 Series. The project is not located within floodplain.

Director Barclay stated that in March of 2023 the City acquired a dilapidated property that had been left neglected for some time. Before acquiring the property, the City conducted a Phase I & II on the property. All environmental concerns have been and will be addressed. The building was razed, and the lot is being turned back into a grass lot. The City wishes to rezone the property in hopes of working with a developer to construct market rate townhomes on the property. Ultimately the goal is to put the property back on the tax roll and provide much needed housing for the community.

Director Barclay referenced the applicable zoning code provisions for zoning of R5 and that under residential permitted uses allow for dwelling, multiple-family (five to eight units per building).

Director Barclay presented the contextual zoning and land use as being Agricultural. To the North: C1 zoning of Weicht Funeral Home, to the South: homes and commercial, to the East: public safety campus, and finalizing to the West: homes.

Director Barclay advised that objective 1.5 from the Angola Comprehensive Plan supported the project by strongly encourage redevelopment of under-utilized lots and objective 1.7: Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped.

Director Barclay mentioned that Steuben Co. completed a housing study in 2020. The study reports potentially over 2,000 households of all income levels have the potential to move into Steuben Co. each year. 31% are younger singles or couples; 24% are empty nesters & retirees with 36% housing preference of rental units. The annual absorption rate for Angola alone is 26 to 33 rental units each year and 88 to 110 units county wide.

Director Barclay stated the future land use map shows this area as a mixed-use with high density residential to the north-west of the property.

As of the meeting date, Director Barclay noted no public input has been received as a result of the legal notices.

Director Barclay remark on that in conclusion, Staff is supportive of the request. The redevelopment of this property is beneficial to the community. Given the 2020 housing study there is no question housing of this type is needed. Utilities are ready to be tapped into and parking is not an issue in this section of downtown. Analyzing the building form and development standards, staff believes approx. 6-units those being 2-story and approximately 1,000-sf will fit on the lot. Once the City identifies a developer, we will work with them to ensure a context sensitive design is selected.

President Martin inquired if there were further questions by the board for staff, none were noted.

President Martin noted no petition would be speaking since City of Angola was applicant.

President Martin opened the floor to public comment, none was noted and close.

President Martin mentioned he is excited to see this opportunity and with the need for housing within our community.

President Martin asked for a motion on rezoning of Gilmore St Townhomes. **Member White made a motion to forward with favorable recommendation to city council. Member Carpenter seconded the motion. All members present were in favor, none opposed.**

President Martin noted the last items for the evening's agenda pertained to address changes. City Engineer Amanda Cope spoke to their details. The proposed address is 2300 Wohlert St, vacant lot at the corner of Hoosier Dr and Wohlert St.

President Martin asked for a motion. Member Ralston made a motion to approve address change. Member McDermid seconded the motion. All members present were in favor, none opposed.

With no other business, President Martin asked for a motion to adjourn the June 12, 2023 meeting. **Member Martin made the motion; seconded by Member White. The motion carried unanimously.** The meeting was adjourned at 5:58p.m.

Jeff Martin, *President*

Date

Brett Steele, *Secretary*

Date

DRAFT

RESOLUTION NO. 2023-848

**A RESOLUTION BY THE COMMON COUNCIL OF THE CITY OF ANGOLA,
STEUBEN COUNTY, INDIANA, DECLARING THE CITY WILL FUND
PROJECT PLANNING AND UPDATE CURRENT DOWNTOWN PLAN IF IT IS
OVER FIVE YEARS OLD**

WHEREAS, the City of Angola recognizes the importance of comprehensive project planning and the need to ensure that plans remain up to date; and

WHEREAS, it has come to the attention of the Common Council that certain project plans within the city limits are over five years old and may require updating to align with current priorities, developments, and regulations; and

WHEREAS, the City of Angola is committed to supporting the progress and growth of our community through effective planning and development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ANGOLA, STEUBEN COUNTY, INDIANA THAT:

Section 1: Funding Allocation

The City of Angola hereby authorizes the allocation of funds to cover the costs associated with project planning or the update of existing plans if they are over five years old.

Section 2: Evaluation of Plans

The City Council directs the appropriate city departments and officials to conduct a thorough evaluation of project plans within the city limits that are over five years old. This evaluation will assess the need for updates, taking into consideration changes in regulations, community priorities, and relevant developments.

Section 3: Budget Appropriation

The City Council authorizes the appropriation of funds from the appropriate budgetary resources to cover the expenses related to project planning or the updating of existing plans. These funds shall be utilized to engage qualified professionals, consultants, or firms to conduct the necessary studies, assessments, and revisions.

Section 4: Transparency and Public Engagement

The City of Angola recognizes the importance of transparency and public engagement in matters of community development. Therefore, the City Council encourages public input and seeks to involve stakeholders, residents, and relevant community organizations in the project planning or updating process. Public meetings, workshops, or other appropriate forums shall be arranged to gather feedback, suggestions, and concerns from the community.

RESOLUTION NO. 2023-848

Section 5: Reporting

The city administration shall provide regular progress reports to the City Council on the status of the project planning or updating efforts. These reports will include an overview of the activities conducted, expenses incurred, and any recommendations or findings made by the professionals or consultants involved.

Section 6: Effective Date

This resolution shall take effect immediately upon its approval by the City Council.

PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana on the ____ day of June 2023.

Richard M. Hickman, Mayor
Presiding Officer

Attest:

Ryan P. Herbert, Clerk-Treasurer

This resolution presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of _____ a.m./p.m. this _____ day of June 2023.

Ryan P. Herbert, Clerk-Treasurer

This resolution signed and approved by me, the Mayor of the City of Angola, Indiana this _____ day of June 2023.

Richard M. Hickman, Mayor



May 25, 2023

Mayor Hickman and Angola City Council
City of Angola
210 N. Public Sq.
Angola, IN 46703

**RE: 2024 FUNDING REQUEST (Fee for Service Contract) – STEUBEN COUNTY
ECONOMIC DEVELOPMENT CORPORATION**

Dear Mayor Hickman and Angola City Council:

On behalf of the Steuben County Economic Development Corporation, thank you for your consideration of future support for our efforts to fulfill the mission of the organization:

The mission of the Steuben County Economic Development Corporation is to lead economic prosperity through collaboration while strengthening employment opportunities to improve the quality of life in Steuben County.

Below is a summary of previous contracts from City of Angola government for the Steuben County Economic Development Corporation over the past ten years:

2012	\$51,678
2013	\$51,678
2014	\$51,678
2015	\$51,678
2016	\$51,678
2017	\$59,430
2018	\$59,430
2019	\$59,430
2020	\$59,430
2021	\$59,430
2022	\$59,430
2023	\$59,430

The request for 2024, we are asking for a slight increase to \$62,500. Worth noting, over the life of our organization, City of Angola government has partnered with the Steuben County EDC on a number of initiatives above and beyond the fee for service agreement. We remain excited about the possibilities for City of Angola.



Accomplishments and Objectives for the year and beyond:

- Since 2016, we facilitated over **98 projects** to the county that created **1,245 new jobs** and **retained over 12,000 jobs**.
- Since 2016, the work that we have done has led to **an increase in CEDIT funding** in the county and CEDIT has surpassed the **\$2.6 million mark** collected for the first time in 2022. This is a direct **result from the work in economic development**.
- Projects above resulted in **\$43,000,000 new payroll**.
- Since 2016, Total Investment to the county included **\$403,000,000 in Real Property and Personal Property**
- The City of Angola ranked **Again** as a Top 100 Micropolitan in Site Selection Magazine and has ranked in the Top 100 for 16 out of the last 17 years.
- For every **public dollar** spent in tax abatements for these above projects, it has generated over **\$30** in private sector investment.
- We continued our **Business Retention and Expansion (BR&E)** program, the EDC on average meets with over **70** businesses throughout the county annually. **We are the only entity in Steuben County with the sole commitment to do this work.**
- Working to finalize our SCEDC Strategic Plan which included conversations with over **300 participants** across the county.
- Working to launch our **new SCEDC website** which will provide us with more functionality to improve our services to the communities and investors.
- Continue to play a role in bringing more **utility capacity** to Steuben County for growth.
- Continue working with all partners on the Steuben County **Housing Strategy** Steering Committee to bring more units to the county.

There are many exciting initiatives on the horizon. We thank you for your past support and trust we can count on your continued support. Thank you very much!

Respectfully,

Isaac R Lee, MBA
Executive Director

c: Steuben County EDC Board of Directors



May 25, 2023

Mayor Hickman and Angola City Council
City of Angola
210 N. Public Sq.
Angola, IN 46703

**RE: 2024 ADDITIONAL FUNDING ALLOCATION (Additional Line Item Allocation) –
STEUBEN COUNTY ECONOMIC DEVELOPMENT CORPORATION**

Dear Mayor Hickman and Angola City Council:

On behalf of the Steuben County Economic Development Corporation, thank you for your consideration of future support for our efforts to fulfill the mission of the organization:

The mission of the Steuben County Economic Development Corporation is to lead economic prosperity through collaboration while strengthening employment opportunities to improve the quality of life in Steuben County.

For 2024, the Steuben County EDC would like this body to consider an additional allocation for funds for special projects that may arise during the calendar year. The amount of these additional funds for 2024 are being requested at **\$25,000**. These funds would stay under your control and would need to be requested for special projects during the calendar.

In the previous years, we have worked on several projects that have impacted the full county. These projects have required additional dollars. The latest projects are listed below.

- Housing Strategy Study
- IURC Intervention
- Strategic Planning

On these occasions, the issues have been bigger than the Steuben County EDC, and yet the appropriate entity to facilitate the conversation has been the Steuben County EDC. This work was done in addition to our annual program of work.

I would like to have a conversation with this body to further discuss the opportunities that could arise from this additional line allocation.

Additional updates were provided in my annual fee for service request to the Mayor Hickman and Angola City Council.

There are many exciting initiatives on the horizon. We thank you for your past support and trust we can count on your continued support. Thank you very much!

Respectfully,



Isaac R Lee, MBA
Executive Director

c: Steuben County EDC Board of Directors



Council Approved Amount _____

For office use only

CITY OF ANGOLA FAÇADE GRANT AGREEMENT

WHEREAS, the undersigned are the Owners of a building or structure located within the City of Angola ("City");
WHEREAS, the City has been designated by the City of Angola Common Council as an urban area in need of economic revitalization;
WHEREAS, the City has been authorized by statute to repair, rehabilitate and otherwise enhance said property so as to improve its overall general economic climate;
WHEREAS, the Owner(s) of the below described real estate are desirous of improving the property and have applied for and have met all of the eligibility requirements established by the City of Angola Common Council.

IN CONSIDERATION THEREOF, this _____ day of 20____, Maumee One, LLC ("Owner"), and the City of Angola ("City") for the mutual covenants stated herein, do pledge and agree as follows:

SECTION 1: SUBJECT PROPERTY AFFECTED

For purposes of this Agreement, "Owner" shall mean the Owner of the property hereinafter known as:

(INSERT PROPERTY ADDRESS) 109 E Maumee St. Angola, IN 46703

SECTION 2: CONSIDERATION AND SCOPE

Owner shall cause improvements to the public way and City shall grant money to the Owner for said enhancement and rehabilitation activities in a sum not to exceed \$5,000.

The parties expressly agree that improvements and rehabilitation activities undertaken under the terms of this Agreement are expressly for the betterment of the City of Angola. The parties hereto further agree that any improvement or activity contemplated by this Agreement is for the improvement of public spaces and/or works.

SECTION 3: CONTRACT DOCUMENTS

The following Documents are attached hereto and hereinafter incorporated by reference:

- a. This Agreement;
- b. Copy of the Recorded Property Deed;
- c. Grant Application;
- d. Description of Work;
- e. General Conditions/Specifications;
- f. Special Instructions (if any);
- g. Contract Addenda (if any).
- h. Evidence of insurance from property owner/tenant/contractor

This Agreement, together with other documents enumerated in this Section shall comprise the entirety of the Contract between the parties. All prior documents, negotiations or correspondence are to be considered as merged fully into this document.

City of Angola Façade Grant Program

04252018

CITY OF ANGOLA FAÇADE GRANT AGREEMENT (pg.2)

SECTION 4: WORK TO BE PERFORMED

Owner agrees to fully perform all of the work described in the documents enumerated in Section 4 of this Agreement. Owner, upon receipt of an executed Grant Agreement from the City, shall furnish all supervision, technical knowledge, personnel, labor, materials, tools, equipment and shall perform all work required for the rehabilitation and renovation of the subject property.

SECTION 5: OWNER RESPONSIBILITIES

- a. Obtaining Quotes: Owner agrees to obtain up to two (2) quotes from qualified contractors prior to the initiation of work. Owner shall forward these quotes to the City. Owner will accept the most appropriate responsive and responsible bid. In the event Owner wishes not to proceed with any of the responsive bidders, he or she must submit in writing the reason therefore to the Department of Economic Development and Planning. The City may, in its discretion, permit Owner to select an appropriate contractor.
- b. Start date: Owner agrees to commence work within 30 calendar days of receipt of an executed Grant Agreement.
This requirement does not apply to the Owner's hiring of an architect or engineer and applies only to Contractor's providing labor and materials for construction.
- c. Subcontracting: The Owner agrees that he/she is completely responsible for the acts or omissions of his subcontractors and of the person either directly or indirectly employed by them. **Nothing in the Contract documents shall create any contractual relationship between any contractor, subcontractor or agent of Owner, and the City of Angola.**
- d. Equal Employment and Federal Labor Standards: The Owner will not discriminate against any employee or applicant for employment because of race, creed, color, age or national origin.
- e. Permits, Fees, Engineering Studies and Registered Surveys: The Owner shall obtain and pay for all necessary permits, inspection charges and licenses for the authorization and execution of the work and labor performed. The Owner shall furnish all engineering studies and registered surveys as required and specified.
- f. Compliance with Code: The Owner shall perform all work done under the contract in a journeyman-like manner and in conformance with applicable codes, ordinances, regulations, and requirements whether or not covered by the specifications and drawings for the work as made part of the contract.
- g. Protection and Storage: The Owner shall protect the premises and public right of ways from damage. Drop cloths shall be used when required. Sidewalks and roadways shall be kept clear of materials and equipment. The premises shall be protected from weather and natural elements. (see insurance details (i))
- h. Clean Up and Clearance: The Owner shall keep the premises clean and orderly during the course of the work and remove all debris at the completion of the work. Materials and equipment that have been removed and replaced as part of the work shall belong to the Owner unless stated otherwise in the specifications. If lead hazard abatement is involved, clearance is required. Liability of all damages that may occur is that of the building owner/tenant.
- i. Insurance: Owner shall maintain, during the entire term of this Agreement, general liability insurance in an amount equal to \$500,000.00 or more combined single limit.
- j. Information Exchange: The Owner shall agree to submit to the City, upon request, any information concerning work performed or to be performed under this Contract.

Property Taxes: Property taxes for the building cited in the grant application must be current and proof of that status must be provided.

CITY OF ANGOLA FAÇADE GRANT AGREEMENT (pg.3)

SECTION 6: QUALIFYING IMPROVEMENTS

- a. The City shall only extend payment upon the terms and conditions set forth herein, and only for qualifying work. "Qualifying Work" shall be defined as those improvements listed within the Grant Application, made a part hereof by operation of Section 3.
- b. Owner may not use City funds for any of the following items:
 - i. Interior improvements;
 - ii. Additions to existing structures;
 - iii. Sidewalks;
 - iv. Purchase of furnishings, equipment or other personal property
 - v. Improvements completed or in progress prior to notification of approval;
 - vi. Repair or creation of features not compatible with original architecture.

SECTION 7: PERMANENCE OF IMPROVEMENTS; REMEDIES OF CITY

The parties agree that City funds used to purchase and/or otherwise finance exterior improvements to the above described real estate are considered permanent in nature and will remain with the subject property, even in the event of sale by Owner to a third-party.

Owner may not remove, dispose of or otherwise procure the absence of any fixture or improvement financed with City Funds. In the event that Owner should remove any fixture, improvement or any part thereof, The City shall have the right to receive the full amount of the grant made to Owner under the terms of this Agreement.

Nothing in this section may be construed as abrogating or altering any other remedies ascribed to the City or to the Owner by operation of this Agreement. The remedy contemplated under this section is additional to any other remedy available at law or equity.

SECTION 8: PAYMENT

The City shall reimburse Owner a sum not to exceed \$ 5,000 for monies expended for the work. That sum is payable when the following terms and conditions have been fully met:

- a. Owner has fully performed all of the work described in the contract documents.
- b. Owner has expended an amount equal to or greater than the grant amount described above.
- c. Owner has completed, signed and delivered an invoice, cancelled payment check, and claim form to the City indicating total project cost.
- d. Owner has complied with the "no lien" provisions contained in Section 11 of this Agreement.

After Owner has fully performed, Payment shall be due within thirty (30) days following completion of all terms of this Contract and final inspection of same by the Owner, any relevant regulatory agencies and the City.

The City shall not be obligated to pay any sum in excess of \$5,000.00 for work performed under this Agreement.

SECTION 9: CONFLICT OF INTEREST

No member of the governing body of the community and no other officer, employee or agent of the community, who exercises any function or responsibilities with the planning of the project, shall not be involved with the review or approval of a project associated in this Contract; and, shall take appropriate steps to assure compliance.

City of Angola Façade Grant Program

CITY OF ANGOLA FAÇADE GRANT AGREEMENT (pg. 4)

SECTION 10: INDEMNIFICATION

Owner, Owner's agents and any contractor or subcontractor acting on behalf of Owner, hereby agree to indemnify, defend, and hold harmless the City of Angola from and against any and all losses, liabilities, damages, expenses, cost and fees (including, without limitation, attorney's fees and other professional fees) incurred by the City arising from Owner's breach or the acts or omissions of Owner, its employees, agents, subcontractors, invitees and representatives.

SECTION 11: NO LIENS

As material consideration for the execution of this Agreement by City, the parties hereto agree that no liens shall attach to the Project or to the Work or to any funds that may be payable under this Agreement, in any case by reason of payment or non-payment by or to Owner, or any subcontractor's mechanics, journeymen, laborers or persons performing labor upon furnishing materials equipment or machinery for the Work (collectively "waiving person"). Owner, for it and for all other waiving persons, hereby WAIVES all right to claim a lien, or to file notice of a lien, against the Project or the Work for any purpose. If any liens are filed, Owners shall at its expense, obtain the release or discharge of the lien. If Owner fails to promptly do so, City shall have all legal and equitable rights and remedies against Owner.

SECTION 12: AUTHORITY

Each person signing this Agreement in a representative capacity on behalf of Owner or City warrants and represents that

- (i) said person has the actual authority and power to sign and bind the person's respective principal to this Agreement; and
- (ii) all action necessary to authorize execution of this Agreement has been duly taken.

SECTION 13: WARRANTIES

Owner hereby warrants that the Work, including all labor materials, soil compaction and workmanship for a period of one (1) year from and after full completion of all of the work will be free of defects, irregularities and deficiencies, and shall promptly repair, at Owner's expense, all such defects, irregularities and deficiencies detected by the City, its successors or agents, within said one-year period.

SECTION 14: BREACH; REMEDIES

In the event of a breach or threatened breach of this Agreement, the City shall have the right to monetary damages, equitable relief (including without limitation, specific performance) or any other rights or remedies available at law or equity. All remedies of the City shall be cumulative and shall not be deemed exclusive.

SECTION 15: MODIFICATION; WAIVER; ENTIRE AGREEMENT

The provisions of this Agreement may not be waived, amended or modified except by the express terms of an instrument or documents written and signed by the City and the Owner.

This Agreement and its attachments constitute the entire understanding between the parties. If for any reason a provision hereof is determined by a court of competent jurisdiction to be invalid, unenforceable or illegal, said determination shall not affect the validity of all other provisions of this Agreement.

SECTION 16: ADDITIONAL COVENANTS

The rights and obligations of the parties hereunder shall inure to the benefit of and shall be binding upon, the heirs, personal representatives, successors and assigns of Owner and City, provided that this Agreement may not be assigned by Owner without the express written consent of the City.

Angola Historic Preservation Commission
Certificate of Appropriateness
Staff Report

Application Name: 109 E Maumee St – Window replacement
Application Number: 060623
Property Owner: Maumee One, LLC
Tenant: ROCO Hair Shop
Property Address: 109 East Maumee Street Angola, In
Local Landmark or District: Downtown Angola Local Historic District
Rating: Contributing
Architectural Style: Italianate
Architect/Builder: Unknown
Date Constructed: c. 1880
Meeting Date: June 6, 2023

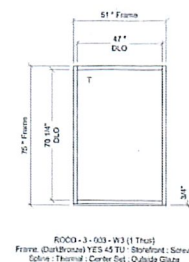
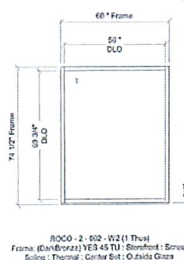
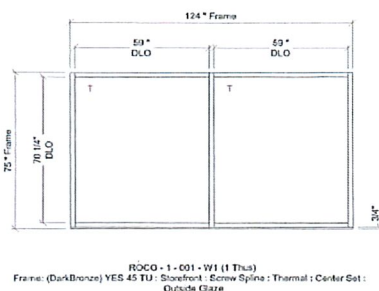
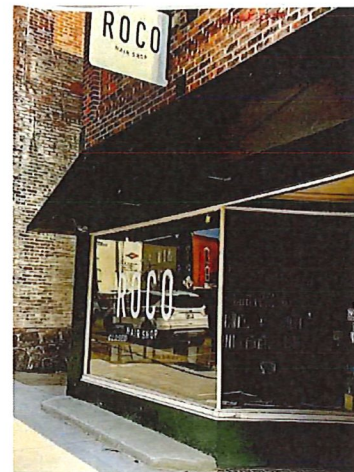
Description of structure

109 E Maumee St is a two-story building that features distinctive Italianate style. The building's exterior retains much of the original brick at the top of the structure and features large commercial storefront windows on the ground floor displaying the local business names.

Description of proposed project

The property owner would like to replace three commercial aluminum storefront windows. The three proposed windows would be dark bronze anodized 2" x 4 1/2" thermally broken storefront framing as follows:

- Window 1: (1) approximately 124" x 75" fixed frame with (1) vertical framing member
- Window 2: (1) approximately 60" x 75" fixed frame
- Window 3: (1) approximately 51" x 75" fixed frame
- Corner Post: (1) custom angle corner post, 2x6 framing wrapped in color matched aluminum brake metal.
- Sills, Jamb, Head: install new 2" x 6" framing wrapped in color matched aluminum brake metal.



Applicable Ordinance Authority

Section A(1)(c) of Chapter 15.25.070 of the City of Angola Municipal Code requires a Certificate of Appropriateness to be issued by the Commission before a permit is issued for, or work is begun on, a conspicuous change in the exterior appearance of any historic building or any part of or appurtenance to such building, including walls, fences, light fixtures, steps, paving, and signs by additions, reconstruction, alteration, or maintenance involving exterior color change if cited by individual ordinance. As such, a Certificate of Appropriateness must be issued for the work proposed at 109 E Maumee St.

Applicable Guidelines

Page 71 'Storefronts' of the Guidelines states "non-historic storefronts -defined as those constructed within the past 50 years and not adding to the architectural look of the building – can be removed and replaced with a new storefront." The proposed storefront windows have been replaced previously and are not the original windows.

Page 72 'Storefronts' of the Guidelines also states, "storefronts should fit within their original structure opening." The proposed windows will fit into the existing structure following this guideline.

Staff Evaluation

This upgrade to ROCO Hair Shop's storefront will enhance the appeal of our historic downtown. The current windows are not cost effective and allow the elements inside the building. By replacing these windows, it will lower the utility cost of the business. Installing new windows will better protect the inside of this building by preventing moisture from coming into the building. Staff believes these improvements are within the Angola Historic Preservation Guidelines and that the new storefront windows will improve the appearance of our historic downtown.

Final Action
Certificate of Appropriateness
109 E Maumee St

Motion to:

☒ Approve

☐ Deny

☐ Table to _____ (date)

Vote of Members:

	Yes	No	Abstain	Absent
Brian Boyer				x
Heather Burkett				x
Claudia Camargo	x			
JoDeane Church	x			
June Julien	x			
Christine Sutton				x
Elizabeth Wilson	x			

Conclusion

The four voting members of HPC moved to approve the window replacement to ROCO Hair Shop on June 6, 2023. The Façade Grant Application will be heard in front of City Common Council on June 19, 2023, to determine if Tammy Olds will receive the one-to-one match grant up to \$5,000 for the installation of new windows.

CITY OF ANGOLA
Prescribed by State Board of Accounts

CLERK-TREASURER'S DEPOSITORY STATEMENT AND CASH RECONCILEMENT
MONTH ENDING MAY 2023

FUNDS	Total Jan. 1 Balance And Receipts to Date 1	Receipts For Month 2	Total Balance And Receipts 3	Disbursed To Date 4	Disbursed For Month 5	Total Disbursements 6	Treasurer's Ending Balance 7
General	\$ 6,373,458.12	\$ 269,358.02	\$ 6,642,816.14	\$ 1,912,469.76	\$ 375,434.06	\$ 2,287,903.82	\$ 4,354,912.32
COVID Indiana CRF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
COVID CDBG OCRA Response	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
COVID FEMA 2020 FF Supplemental	\$ 1,755.91	\$ -	\$ 1,755.91	\$ -	\$ -	\$ -	\$ 1,755.91
COVID CDBG OCRA Response Phase 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARP Coronavirus Local Fiscal Recovery	\$ 1,800,036.34	\$ -	\$ 1,800,036.34	\$ 112,428.23	\$ 27,337.09	\$ 139,765.32	\$ 1,660,271.02
Motor Vehicle Highway	\$ 1,758,933.19	\$ 41,845.10	\$ 1,800,778.29	\$ 405,724.31	\$ 92,215.95	\$ 497,940.26	\$ 1,302,838.03
Local Road & Street	\$ 229,124.84	\$ 7,781.14	\$ 236,905.98	\$ -	\$ -	\$ -	\$ 236,905.98
Motor Vehicle Highway Restricted	\$ 229,295.71	\$ 18,970.01	\$ 248,265.72	\$ 149,475.00	\$ -	\$ 149,475.00	\$ 98,790.72
Parks & Recreation Operating	\$ 679,856.57	\$ 9,414.98	\$ 689,271.55	\$ 376,991.31	\$ 66,641.64	\$ 443,632.95	\$ 245,638.60
LIT Economic Development	\$ 2,294,316.06	\$ 59,459.25	\$ 2,353,775.31	\$ 69,658.75	\$ 559.24	\$ 70,217.99	\$ 2,283,557.32
Donation	\$ 174,504.08	\$ 4,195.00	\$ 178,699.08	\$ 6,669.63	\$ 7,256.26	\$ 13,925.89	\$ 164,773.19
Federal Grants Operating	\$ 2,746.39	\$ 3,226.95	\$ 5,973.34	\$ 2,746.39	\$ 3,226.95	\$ 5,973.34	\$ 0.00
Local Law Enforcement Continuing Ed	\$ 39,552.00	\$ 130.00	\$ 39,682.00	\$ 300.00	\$ -	\$ 300.00	\$ 39,382.00
Riverboat	\$ 111,753.78	\$ -	\$ 111,753.78	\$ 5,300.00	\$ -	\$ 5,300.00	\$ 106,453.78
Local Road & Bridge Matching Grant	\$ 659,172.68	\$ -	\$ 659,172.68	\$ 29,592.39	\$ -	\$ 29,592.39	\$ 629,580.29
Rainy Day	\$ 1,500,000.00	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ 1,500,000.00
Hazardous Materials Response	\$ 10,957.04	\$ 918.22	\$ 11,875.26	\$ -	\$ 439.97	\$ 439.97	\$ 11,435.29
LIT Public Safety	\$ 1,913,266.15	\$ 66,415.42	\$ 1,979,681.57	\$ 366,115.22	\$ 93,657.52	\$ 459,772.74	\$ 1,519,908.83
Opioid Settlement Unrestricted	\$ 15,262.17	\$ -	\$ 15,262.17	\$ -	\$ -	\$ -	\$ 15,262.17
Opioid Settlement Restricted	\$ 35,611.70	\$ -	\$ 35,611.70	\$ -	\$ -	\$ -	\$ 35,611.70
Fire Operating	\$ 1,660,617.60	\$ 409,293.70	\$ 2,069,911.30	\$ 661,622.38	\$ 147,937.17	\$ 809,559.55	\$ 1,260,351.75
Redevelopment General	\$ 581,030.79	\$ -	\$ 581,030.79	\$ -	\$ -	\$ -	\$ 581,030.79
Law Enforcement Trust	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cumulative Capital Improvement	\$ 125,468.30	\$ -	\$ 125,468.30	\$ -	\$ -	\$ -	\$ 125,468.30
Cumulative Capital Development	\$ 477,442.10	\$ 343.28	\$ 477,785.38	\$ -	\$ -	\$ -	\$ 477,785.38
Park Nonreverting Capital	\$ 135,009.00	\$ 1,147.54	\$ 136,156.54	\$ 1,063.88	\$ 20,095.94	\$ 21,159.82	\$ 114,996.72
Park Cumulative Building	\$ 146,906.21	\$ 114.65	\$ 147,020.86	\$ -	\$ -	\$ -	\$ 147,020.86
Local Major Moves Construction	\$ 197,198.03	\$ 2,705.91	\$ 199,903.94	\$ -	\$ -	\$ -	\$ 199,903.94
Capital Projects	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Water Operating & Maintenance	\$ 1,008,780.37	\$ 186,198.93	\$ 1,194,979.30	\$ 659,715.24	\$ 208,069.97	\$ 867,785.21	\$ 327,194.09
Water Sinking	\$ 520,374.85	\$ 22,942.19	\$ 543,317.04	\$ 138,803.13	\$ -	\$ 138,803.13	\$ 404,513.91
Water Improvement	\$ 2,533,377.36	\$ 62,959.00	\$ 2,596,336.36	\$ 14,468.70	\$ 202,912.50	\$ 217,381.20	\$ 2,378,955.16
Water Customer Deposit	\$ 77,490.00	\$ 2,600.00	\$ 80,090.00	\$ 7,350.00	\$ 3,310.00	\$ 10,660.00	\$ 69,430.00
Water Construction	\$ 3,731.66	\$ -	\$ 3,731.66	\$ -	\$ -	\$ -	\$ 3,731.66
Wastewater Operating & Maintenance	\$ 1,486,182.56	\$ 273,420.50	\$ 1,759,603.06	\$ 1,055,670.14	\$ 222,365.57	\$ 1,278,035.71	\$ 481,567.35
Wastewater Sinking	\$ 1,042,273.02	\$ 29,993.13	\$ 1,072,266.15	\$ 151,893.75	\$ -	\$ 151,893.75	\$ 920,372.40
Wastewater Improvement	\$ 2,380,816.38	\$ 89,878.00	\$ 2,470,694.38	\$ 251,066.95	\$ 385,017.16	\$ 636,084.11	\$ 1,834,610.27
Wastewater Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Police Pension	\$ 270,044.34	\$ -	\$ 270,044.34	\$ 50,919.36	\$ 12,729.84	\$ 63,649.20	\$ 206,395.14
Payroll Withholding	\$ 1,399,839.64	\$ 343,139.82	\$ 1,742,979.46	\$ 1,368,931.01	\$ 342,476.23	\$ 1,711,407.24	\$ 31,572.22
Escrow	\$ 46,975.00	\$ 5,500.00	\$ 52,475.00	\$ 10,400.00	\$ 1,200.00	\$ 11,600.00	\$ 40,875.00
TOTAL - CASH FUNDS	\$ 31,923,159.94	\$ 1,911,950.74	\$ 33,835,110.68	\$ 7,809,375.53	\$ 2,212,883.06	\$ 10,022,258.59	\$ 23,812,852.09
Investments By Funds	Total Jan. 1 Balance And Purchases to Date	Investments Purchased For Month	Total Balance And Investments Purchased	Investments Cash To Date	Investments Cash For Month	Total Investments Cash	Treasurer's Balance of Investments
Moneys on Deposit (interest only) (2)	\$ 30,523.48	\$ 4,426.73	\$ 34,950.21	\$ -	\$ -	\$ -	\$ 34,950.21
Moneys on Deposit (interest only) (8)	\$ 456,388.24	\$ 67,707.54	\$ 524,095.78	\$ -	\$ -	\$ -	\$ 524,095.78
Local Major Moves Construction (2)	\$ 2,580,139.19	\$ 11,083.30	\$ 2,591,222.49	\$ -	\$ -	\$ -	\$ 2,591,222.49
Total of Investments by Funds	\$ 3,067,050.91	\$ 83,217.57	\$ 3,150,268.48	\$ -	\$ -	\$ -	\$ 3,150,268.48
TOTAL - ALL FUNDS	\$ 34,990,210.85	\$ 1,995,168.31	\$ 36,985,379.16	\$ 7,809,375.53	\$ 2,212,883.06	\$ 10,022,258.59	\$ 26,963,120.57

CITY OF ANGOLA

Prescribed by State Board of Accounts

City or Town Form No. 206 (Rev. 1975)

General Form No. 206 (Rev 1975)

**CLERK-TREASURER'S DEPOSITORY STATEMENT AND CASH RECONCILEMENT
MONTH ENDING MAY 2023**

Names of Depositories and Accounts	Depository Balance End of Month	Outstanding Warrants	Net Depository Balance
<u>Bank of New York</u>			
Wastewater Sinking - Bond & Interest (20)	\$ 143,950.37	\$ -	\$ 143,950.37
Wastewater Sinking - Debt Service Reserve (20)	\$ 776,422.03	\$ -	\$ 776,422.03
<u>Farmers State Bank</u>			
General Checking (3)	\$ 6,018,141.45	\$ (44,460.46)	\$ 5,973,680.99
General Savings (8)	\$ 16,024,095.78	\$ -	\$ 16,024,095.78
<u>First Federal Savings Bank of Angola</u>			
Police Operations (9)	\$ 1,372.15	\$ -	\$ 1,372.15
<u>Trust Indiana</u>			
Moneys on Deposit (2)	\$ 1,034,950.21	\$ -	\$ 1,034,950.21
TRECS (2)	\$ 1,029.26	\$ -	\$ 1,029.26
TOTALS	\$ 23,999,961.25	\$ (44,460.46)	\$ 23,955,500.79
INVESTMENTS MADE FROM DEPOSITORY BALANCES			\$ -
ADD: Cash in Office			\$ 1,250.00
ADJUSTMENTS (explain fully)			
Deposit in transit (3) 12108			\$ 147.84
Deposit in transit (3) 12109			\$ 1,595.84
Deposit in transit (3) 12112			\$ 505.77
Deposit in transit (3) 12113			\$ 214.32
Deposit in transit (3) 12114			\$ 3,747.62
Deposit in transit (3) 12115			\$ 408,073.50
Deposit in transit (3) 12116			\$ 227.23
Deposit in transit (3) 12117			\$ 635.17
Moneys on Deposit (interest only EOM)			\$ (559,045.99)
TOTAL CASH BALANCE, Plus Depository Balances Invested			\$ 23,812,852.09
Total of Investments - All funds (As shown in Col 7 opposite page)			\$ 3,150,268.48
TOTAL CASH BALANCE AND INVESTMENTS			\$ 26,963,120.57