

Special Council Meeting**May 16, 2023**

THE COMMON COUNCIL OF THE CITY OF CROWN POINT
Met in a SPECIAL MEETING in the Council Chambers,
Located at 101 N. East Street
On Tuesday, May 16, 2023 at 6:30 p.m.
Pursuant to and in accordance with the Rules of the Common Council
<https://us02web.zoom.us/j/89566850445>

Mayor Peter D. Land called the meeting to order at 6:34 p.m.

PLEDGE OF ALLEGIANCE**ROLL CALL OF MEMBERS**

Mayor Land asked for a roll call of the Members. The call of the roll was as follows:

Members Present: Chad Jeffries, Council President Dawn Stokes, Andrew Kyres, Carol Drasga, and Zack Bryan

Members Absent: Laura Sauerman and Scott Evorik

Also present were City Attorney David Nicholls, Council Attorney Patrick Schuster, Clerk-Treasurer David Benson, (via zoom) and Chief Deputy Bette Babjak

New Business

Ordinance No. 2023-05-15 – An Ordinance Amending Ordinance No. 2022-11-21 and Ordinance No. 2022-11-22, Establishing A Water and Wastewater Utility Service Area. **(First Reading)**

First Assistant City Attorney Alex Kutanovski stated this Ordinance was mainly an amendment to the map. He stated in working with Commonwealth Engineers and the Legal Department, the map was reviewed to be sure no other jurisdictions or territories were overlapped. The only change to the Ordinance would be an amendment to the map, a copy of which was given to the Council.

Member Andrew Kyres made a motion to Read in Title Only and Hold Over for a Second Reading Ordinance No. 2023-05-15, seconded by Member Dawn Stokes.

Motion passed by unanimous voice vote.

Attorney Kutanovski then inquired through City Attorney David Nicholls and Council Attorney Patrick Schuster if the Ordinance could be passed instantly. Neither attorney saw any issues with the immediate passing of the Ordinance.

Member Chad Jeffries then made a motion to Suspend the Rules, seconded by Council President Dawn Stokes.

Motion passed by unanimous voice vote.

Rules are Suspended.

Member Andrew Kyres made a motion to adopt Ordinance No. 2023-05-15, seconded by Council President Dawn Stokes.

Roll Call vote was as follows:

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Ayes: Members Chad Jeffries, Council President Dawn Stokes, Andrew Kyres, Carol Drasga, and Zack Bryan.

Nays: None

Motion passed 5-0.

Member Andrew Kyres made a motion to Reinstate the Rules, seconded by Member Chad Jeffries.

Motion passed by unanimous voice vote.

Rules are Reinstated.

Real Estate Donation Agreement - Real Estate Located on 121st Ave.

Attorney Kutanovski stated the Real Estate Donation Agreement was for a 44-acre parcel located on 121st Ave., designated for the City's future Wastewater Treatment Plant.

He stated the property is being donated and no dollar amount is to be paid by the City to the property owner. In consideration of the donation, the City has agreed to provide two access points for incoming sewer on the south side of the property and on the north side of the property to allow sanitary and water services to be provided. The area is within Ordinance 2023-05-15, which was just passed.

The Legal Department has reviewed the agreement and recommends approval of the agreement. There is no waiver of any kind pertaining to connection fees, and no other conditions or terms provided to the property owner/donor. They would still be required to go through the normal processes regarding zoning, site plans, subdivision control, etc. All fees would be the same as any other developer or anyone looking to connect to the City's infrastructure system.

Member Drasga stated she had reviewed the agreement, which looked to be current and include all future, no obligation to the donor, which Attorney Kutanovski reaffirmed.

Member Zack Bryan made a motion to approve the Mayor's signature on the agreement, as well as to give the Legal Department permission to finalize the document, seconded by Council President Dawn Stokes.

Motion passed by unanimous voice vote.

Resolution No. 2023-05-13R - Resolution Regarding Acquisition of Real Estate for Expansion of the Veterans Memorial Trail.

Attorney Kutanovski stated the City had previously extended uniform property acquisition offers to several parcel owners, fifteen in total. Some had accepted, which were currently undergoing the finalization process of payments and deeds. He stated seven parcels were included in this Resolution, which had either not responded to or had simply rejected the City's offer.

Attorney Kutanovski stated the next step to acquire those real estate properties would be through condemnation proceedings. Some of the issues would be resolved prior to much litigation.

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Member Drasga inquired if the cost of the property acquisition could be estimated. Attorney Kutanovski stated appraisals were already in place and the cost of each parcel varied. He also confirmed any and all cost of real estate, outside of any possible litigation, had already been budgeted.

Attorney Kutanovski stated the various values of the parcels and possible acquisition costs would be communicated to the Council.

Member Andrew Kyres made a motion to approve Resolution 2023-05-13R, seconded by Member Carol Drasga.

Motion passed by unanimous voice vote.

MISCELLANEOUS MATTERS

None

Next Regular Meeting is June 5, 2023 at 7:00 p.m.

ADJOURNMENT

Member Carol Drasga motioned for adjournment, seconded by Member Chad Jeffries.

Motion carried by unanimous voice vote.

Meeting adjourned at 6:44 p.m.

SUBMITTED:



David B. Benson, IAMC/CMC
Clerk-Treasurer

APPROVED:



Peter D. Land, Mayor

Audio available upon request