

AGENDA
LOGANSPORT COMMON COUNCIL
Monday July 1, 2024
6:30 PM City Council Chambers

CALL MEETING TO ORDER: Mayor, Chris Martin
PLEDGE OF ALLEGIANCE: Unison
ROLL CALL: Tyler Pearson Clerk- Treasurer
PUBLIC HEARING: 230 transmission line
APPROVAL OF MINUTES: Regular Session June 3, 2024
Special Session June 17, 2024

COMMENTS OF MAYOR:

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

OLD BUSINESS:

ORDINANCE 2024-13

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA REZONING PROPERTY LOCATED AT 1317 MELBOURNE AVE., LOGANSPORT, INDIANA-1ST READING

ORDINANCE 2024-17

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA, AMENDMENT FOR THE LOGANSPORT COMPREHENSIVE PLAN FUTURE LAND USE MAP (FLUM) LOCATED 1 GENERAL STREET IN LOGANSPORT, INDIANA-1ST READING

RESOLUTION 2024-126

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA, APPROVING FORM OF REQUEST FOR PROPOSALS RATIFYING PUBLICATION OF NOTICE AND ACTIONS IN RESPECT THERETO

NEW BUSINESS:

ORDINANCE 2024-18

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA APPROVING THE EXPENDITURE OF FUNDS FOR THE REPAVING OF MONTICELLO RD -1ST READING

RESOLUTION 2024-129

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA APPROVING THE EXPENDITURE OF CREDIT INCENTIVE FUNDING FOR 4BROS LLC

RESOLUTION 2024-130

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA TRANSFERRING APPROPRIATIONS FOR THE INFORMATION TECHNOLOGY DEPARTMENT

ORDINANCE 2024-19

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA, ESTABLISHING INDIANA DEPT. OF WORKFORCE EMPLOYER TRAINING GRANT FUND -1ST READING

MINUTES

LOGANSPOUT COMMON COUNCIL

Monday, June 3, 2024

6:30 PM City Council Chambers

CALL MEETING TO ORDER: Mayor Chris Martin called the meeting to order at 6:30 pm

PLEDGE OF ALLEGIANCE: The pledge was recited in unison.

ROLL CALL: Tyler Pearson, Clerk-Treasurer.

PRESENT: BJ Cox, Chris Howard, Cameron Austin, Hayley Zinsmaster, Scott Peattie, Suzy Wamsley, Dave Morris.

ATTORNEY PRESENT: Kelly Leeman.

MEDIA PRESENT: Hallie Gallinat- Pharos Tribune.

OTHERS PRESENT: Keaton James, Dawn McAllister, Brian McAllister, Gerald Norman, James McKeever, Paul Willhelm, Greg Drake, Bob Bernhardt, Cristhian Montero, Rob Rennewanz, Bill Cuppy, Duane Ullom, Travis Yike, John “Tony” Shanks, Rick Bair, Penny Felty, Crystal Miller, Carry Miller, Mercedes Brugh, Arin Shaver, Mark Wamsley, Jonathan Nelms, Shawn Heishman, Joy Cripe, Susan Jarrell, Malcom Jarrell, Janet Fawley, Sunny Miller, Jason Crittendon, Dave Small, Mendy Asselin, Ken Totten, Penny Felty.

APPROVAL OF MINUTES: Regular Session May 6, 2024
Special Session May 20, 2024

Motion: to approve the Minutes from May 6, 2024, as presented, **Action:** Approve, **Moved by:** Scott Peattie, **Seconded by:** Chris Howard, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0, Abstain= 0) **Yes:** Dave Morris, Suzy Wamsley, Scott Peattie, Hayley Zinsmaster, Cameron Austin, Chris Howard, BJ Cox.

Motion: to approve the Minutes from May 20, 2024, as presented, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 6, No = 0, Abstain= 1) **Yes:** Chris Howard, BJ Cox, Hayley Zinsmaster, Cameron Austin, Suzy Wamsley, Dave Morris. **Abstain:** Scott Peattie.

COMMENTS OF MAYOR:

Mayor Martin wanted to inform the community that he missed the Memorial Day Parade the previous Monday because of an illness that led to him going to the emergency room on Tuesday.

He said that to anyone making assumptions about his absence his health was more important than the parade. He then thanked them.

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

Dave Morris reported on a Finance Committee meeting that was held on May 20th. Topics of discussion included the new position at Dykeman Golf Course, funds for the flag pole to be fixed at the Memorial Home, roof bids for the Memorial Home, creating a grant fund for the Fire Department, and the grant for ATLLP grant in relations to connecting Little Turtle Waterway to France Park. Dave said he believed everything was moved forward to this council meeting except for the flag poles. He also stated that the Finance Committee also met prior to the council meeting to discuss investments for the meeting.

Suzy Wamsley reported on a Parks Committee meeting that was held on May 20th. Topics of discussion included the new position at Dykeman Golf Course, the RFP discussion on a new clubhouse at Dykeman Golf Course which was moved forward to this agenda. Finally, they discussed the grant that would focus on connecting France Park to Little Turtle Waterway which was moved to the Finance Committee as Dave stated before.

Cameron Austin reported on a Planning and Economic Development Committee meeting that was held on May 20th. Topics of discussion included a memorandum of understanding for a creation of an area plan commission adding Galveston, the Melbourne Park rezoning, rezoning the Trelleborg Exide property, and the Capital Improvement Plan, he said all were moved forward to this meetings agenda.

OLD BUSINESS:

**RESOLUTION 2024-116 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
ADOPTING THE CASS COUNTY MULTI-HAZARD
MITIGATION PLAN 2024.**

Dave reminded everyone that they had tabled this the previous meeting. He said he did not read all 160+ pages, but he did skim through it. He highlighted the extensiveness of the Resolution and his appreciation in being able to look it over before it was passed.

Motion: to approve Resolution 2024-116, as presented, **Action:** Approve, **Moved by:** BJ Cox, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** BJ cox, Chris Howard, Cameron Austin, Hayley Zinsmaster, Scott Peattie, Suzy Wamsley, Dave Morris.

NEW BUSINESS:

**ORDINANCE 2024-12 AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
ESTABLISHING THE FEMA ASSISTANCE TO FIRE**

FIGHTERS GRANT (AFG) FUND- 1ST READING

Dave asked Chief Bair to come forward and explain the Ordinance to the council. Chief Bair explained that they had thought a fund already existed for a grant they received around 2012. He explained that the grant was for their exhaust system in the central fire station that keeps exhaust from filling into the station when they start up, and they need to set up a fund to move the money. He also asked for the council to suspend the rules if possible so they could get the process moving.

Motion: to suspend the rules for Ordinance 2024-12, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Hayley Zinsmaster, BJ Cox, Cameron Austin, Suzy Wamsley, Chris Howard, Scott Peattie, Dave Morris.

Motion: to approve Ordinance 2024-12, as presented, **Action:** Approve, **Moved by:** Cameron Austin, **Seconded by:** Suzy Wamsley, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Dave Morris, Scott Peattie, Chris Howard, Suzy Wamsley, Cameron Austin, BJ Cox, Hayley Zinsmaster.

ORDINANCE 2024-17 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPOBT, INDIANA REZONING PROPERTY LOCATED AT 1 GENERAL ST, LOGANSPOBT, INDIANA- 1ST READING

Dave said he wanted to talk about this Ordinance and mentioned that in committee he was not in favor of passing it. He mentioned all the work that Jacob had done for the property and that he had received an email with the letter that was sent from IDEM to Jenny Peterson who is basically the lawyer for the Trelleborg company. Dave discussed what she helped with and the amount of time they have to get the work done on the property. He then explained his reasons for not wanting to rezone the property at this time. Jacob said that he understands where he is coming from, but he doesn't believe that rezoning the property will negatively impact the city. Jacob believes rezoning the property will help in the long run with organizations such as IDEM. Jacob went over why the zoning is a key part of potential projects occurring on the site. Jacob said they were working toward receiving funds which would help with development and by not moving the process forward the city may miss out on the funds and have to wait another year or two. Dave asked what the due day was on the application Jacob was referring to. Jacob said it was toward the end of July. Dave said he didn't see how they were going to go about getting funding for it this year in light of the letter he referenced. Jacob said they work with people that don't see the letter as a hindrance, they see it as a sign of IDEM working to get it done alongside them. Jacob then discussed remediation. Dave asked who would pay on the front end. Jacob said that was to be determined and he thinks that it's possible the City Council could do it comfortably knowing they'd receive money on the back end. He said he believed some of the developers they had been talking to may be willing to take on some of the front end stuff. Jacob explained that

the city owns the property and would not allow something to be built there that shouldn't. He then also mentioned again that IDEM is heavily involved and would make sure it is done right. Jacob also said that their environment consultants are willing to meet and talk with any of the council members. Jacob said he would have the interested developers and consultants at the next reading if the first reading is approved. Dave asked what the problem would be if the council said they wanted it to be cleaned up before it is rezoned. Dave also said that once the property was cleaned up, he would be open to rezoning. Dave asked if it would suffice for the council to write and pass a resolution stating that they would rezone the property after it has been cleaned and cleared. Jacob said he didn't know if that would suffice, but he could discuss it with them. Jacob recommended they pass this on the first reading and give Jacob time to get them the information and they can make a final decision when talking during the second reading. Jacob said they can't move the application further without the rezoning, and he talked about the competitiveness of receiving funding and the great position the city is currently in. Jacob said he has multiple examples that he has seen of delays occurring and interested parties then leave the table. Dave then discussed the grant that was supposed to make the location a green space and how it is far off from that. Jacob said the grant is not finished yet. Jacob then talked about the grant and the state of the site. He explained that IDEM is going to force them to get the work done, and his belief that they can work to get some plans going. Jacob talked about the material being regulated as well. Jacob continued to explain why the rezoning being completed by the end of July is crucial, and why development is important in that area. Arin said that if it isn't done correctly when the application has been submitted, they would need a waiver. Dave said that they would give them the proper authority. They continued to discuss the order in which things had to be done to apply for the funding. Dave continued to make his case that cleaning up the property needs to occur first. Jacob said government takes long enough as is. Arin mentioned the appropriateness of the area being zoned R4 instead of industrial and that she believes that's Dave's opinion just not rezoning it at this time. Arin explained that the council can rezone the property and decline to put out an RFP or build anything on the property. Scott asked if the other party doesn't clean up the site would the city be responsible for it. Jacob explained that the city could wait it out and let IDEM put pressure on them, or the city could push forward to get it done. Scott mentioned there were a lot of "ifs" being said. Jacob said there are always a lot of "ifs". Jacob reiterated his point of view on why developing there is important. Scott said he has no issues with development there, he is concerned with having to pay for it. Arin explained that this discussion is about what the appropriate zoning would be, not development at this time and any decision there would still be made by the council. Dave said his biggest concern is that nobody has had any contact with the people living in that area, and this would potentially be a big project. He believes they should discuss any development in that area with the people that live there instead of forcing it upon them. Jacob said that is not what they are doing. Dave asked Jacob if they had ever had a meeting with the residents in the area about the proposed plans in that area. Jacob mentioned he had talked with businesses in the area, people within a couple blocks of the site, but he hasn't gone door to door to talk with everyone. Dave explained that he wants the area to be clean and the people in the area to have a say. Dave said he thought it was

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interesting that everyone on the City Council got Jacob's email except for him. Jacob explained that the information he had sent out to the other council members was what he had already provided and talked about with Dave in person. Scott asked Jacob to include everyone on council in the emails he sends. Arin restated the rezoning process and what would happen if they wanted to pursue development and what restrictions they could place on development. Dave asked if the grant application was due by the end of July when was the RFP being put out. Jacob said the zoning was more important than the direct site control on this project. Jacob discussed what had to happen before a development agreement. Dave asked when the council would be expected to approve the grant application. Arin reiterated the differences between the rezoning and the grant application process that would present opportunities for public meetings and input. Dave asked if they would be able to table this Ordinance and bring it up for discussion at a Finance Committee or Planning Committee to be able to understand this better. Arin explained that they have ninety days to vote on the Ordinance. She said if they tabled it then the second reading wouldn't be until August so they would miss the application deadline. She also mentioned they could pass this on first reading and hold discussions before the second vote. Hayley said that they could also suspend the rules at the next meeting. Arin agreed. Suzy said they were talking about the City of Logansport owning the property for ten years that will be cleaned up. She mentioned that the cleanup has not been completed and they are hearing pushing for a project knowing the land is not clean. Suzy asked if the people interested in building on the land understand that it is not cleaned up. Jacob said the developers are aware of the state of the land. Suzy asked why they don't have the developers clean up the land. Jacob said the discussion on funding the remainder of the cleanup has been discussed with them and IDEM up front as part of a developmental agreement. Suzy also mentioned WSP and that IDEM doesn't always have standards that meet what the citizens of Logansport expect. Jacob said they are very different situations. They then discussed making sure the land is cleaned properly. Jacob mentioned that this was just a rezoning conversation. Arin then explained that this rezone was just for the back portion of the property that says no residential is permitted. Jacob explained the work that has gone on to move this lot in the right direction and the hard work he has been putting in to get grants. Arin said she could explain the rezone again the next time they discuss the topic if they decide to table this tonight. Dave acknowledged the hard work that Jacob has been doing on the property, he just believes the owners of the property will have their lawyers fight as long as possible before cleaning anything up. Jacob then mentioned that he didn't deliberately keep Dave out of any email chains. Dave said sometimes people pick and choose who they speak to, and it isn't hard to send an email to everyone. Jacob said he was just trying to get the other council members information they hadn't received yet, and that he was trying to be efficient with his time.

Motion: to table Ordinance 2024-17, **Action:** Approve, **Moved by:** Scott Peattie, **Seconded by:** Dave Morris, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Suzy Wamsley, Hayley Zinsmaster, Cameron Austin, BJ Cox, Chris Howard, Scott Peattie, Dave Morris.

**RESOLUTION 2024-123 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
AMENDMENT FOR THE LOGANSPOBT
COMPREHENSIVE PLAN FUTURE LAND USE
MAP (FLUM) LOCATED 1 GENERAL STREET IN
LOGANSPOBT, INDIANA**

Dave asked if it made sense to vote on this since the previous Ordinance had been tabled. Arin explained that this was just a map to change their goals for that area, and it doesn't actually change the zoning district. She further explained this just changes the map from saying future industrial to future residential for planning purposes.

Motion: to approve Resolution 2024-123, as presented, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Scott Peattie, Suzy Wamsley, BJ Cox, Chris Howard, Dave Morris, Hayley Zinsmaster, Cameron Austin.

**ORDINANCE 2024-13 AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
REZONING PROPERTY LOCATED AT 1317
MELBOURNE AVE, LOGANSPOBT, INDIANA- 1ST
READING**

Hayley asked Jan about memorial rocks that are present at the park, and she had families ask if they were able to take them. Jan said they had tried to reach out and nothing ever happened. Jan said they could get it taken care of. Hayley asked if she wanted them to come and get it. Jan said they could also give the Park's Department a call if they need help. Suzy asked if this was the park, they had recently made an agreement with TJ Palmer on. Jan stated that they had not yet made that agreement and that will likely happen at the next Park's Board meeting. Suzy said Mr. Palmer had asked her about it. Suzy said she would let him know. Suzy sought clarification that they didn't have anyone knocking at the door, and this was just to rezone the park. Arin explained that they were looking to rezone this to R3, and this allows for the park to remain there for the next fifty years is if that was what was wanted. Arin explained that since this was on the surplus list to be potentially repurposed it needed to be rezoned and this was the last one on the list. Arin also went over the portions the city owned and what the Park's Department was responsible for. Arin also mentioned that the rest of the neighborhood is already zoned as R3. Dave said if someone wanted to build something on the lot the city owned if they would have to ask the city. Arin explained that the city could give the property or by using the Redevelopment

Commission. Arin also discussed some of the other parks that have already been rezoned from the surplus parks list. Sunny Miller 1251 Smith Street came forward to speak. Sunny said she wondered if there was a zoning category that clearly states that both parks and residential are permitted. Sunny explained the open green spaces are why she wants to live in Logansport. Arin said that R3 allows for parks and residential. Sunny said rezoning sounded like a change and not an inclusion in that area. Arin explained that it was a change that would allow for parks and residential to be built in that area. Sunny said she thinks it's the R on the designation that confuses people not involved in planning as it sounds like residential. Sunny asked where the zoning information could be found. Arin said it is on the city website under planning. Sunny asked where she could find the list of surplus parks. She said there are not a lot of agendas or minutes on the city website either. Arin said she wasn't sure where that list could be located. Jan came forward and said she believed the surplus parks list was done sometime in 2020. Jan explained the sheer amount of land the Park's Department is responsible for, and the effort that goes into having to maintain it all. Jan acknowledged that Sunny recommended having volunteers more involved but said that they can't depend on volunteers. Jan then explained that a decision had to be made and so they chose five parks that don't get the same level of use as some other parks in the city. Jan said she would get the information to her once she could find it, and named the five parks that were on the surplus list.

Motion: to approve Ordinance 2024-13 on 1st reading, as presented, **Action:** Approve, **Moved by:** Chris Howard, **Seconded by:** Suzy Wamsley, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Dave Morris, Cameron Austin, Suzy Wamsley, Scott Peattie, BJ Cox, Chris Howard, Hayley Zinsmaster.

**RESOLUTION 2024-124 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPORT, INDIANA
AUTHORIZING FUNDS FOR MAINTAINING THE
DOWNTOWN TREES AND POCKET PARKS**

Motion: to approve Resolution 2024-124, as presented, **Action:** Approve, **Moved by:** Hayley Zinsmaster, **Seconded by:** Scott Peattie, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Hayley Zinsmaster, BJ Cox, Dave Morris, Scott Peattie, Chris Howard, Suzy Wamsley, Cameron Austin.

**RESOLUTION 2024-125 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPORT, INDIANA
APPROVING THE CITY OF LOGANSPORT
CAPITAL IMPROVEMENT PROGRAM 2025-2028**

Motion: to approve Resolution 2024-125, as presented, **Action:** Approve, **Moved by:** Chris Howard, **Seconded by:** Suzy Wamsley, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Hayley Zinsmaster, Dave Morris, Cameron Austin, Suzy Wamsley, Scott Peattie, BJ Cox, Chris Howard.

**ORDINANCE 2024-14 AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
AMENDING SALARY ORDINANCE 2023-23 FOR
FULL TIME STAFFING AT DYKEMAN PARK
MUNICIPAL GOLF COURSE- 1ST READING**

Motion: to suspend the rules for Ordinance 2024-14, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Chris Howard, Hayley Zinsmaster, BJ Cox, Scott Peattie, Dave Morris, Cameron Austin, Suzy Wamsley.

Motion: to approve Ordinance 2024-14, as presented, **Action:** Approve, **Moved by:** Suzy Wamsley, **Seconded by:** BJ Cox, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Hayley Zinsmaster, Chris Howard, Scott Peattie, BJ Cox, Dave Morris, Suzy Wamsley, Cameron Austin.

**RESOLUTION 2024-126 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
APPROVING FORM OF REQUEST FOR
PROPOSALS RATIFYING PUBLICATION OF
NOTICE AND ACTIONS IN RESPECT THERETO**

Dave said he wanted to call attention to this Resolution. He had talked with Jan earlier as well as Kelly and they tried to rush to have this amended. Dave said he isn't sure if Kelly has had the time to review the changes. Dave said if he hasn't then they can table the Resolution and give him time to review it. Dave said by tabling this it wouldn't slow down the process for the clubhouse, and the RFP has already been put out.

Motion: to table Resolution 2024-126, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Chris Howard, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Cameron Austin, Suzy Wamsley, Hayley Zinsmaster, Dave Morris, BJ Cox, Scott Peattie, Chris Howard.

**ORDINANCE 2024-15 AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPOBT, INDIANA
AUTHORIZING MATCHING FUNDS FOR THE**

**ACTIVE TRANSPORTATION INFRASTRUCTURE
INVESTMENT (ATIIP) GRANT- 1ST READING**

BJ asked Jan if this is the Ordinance that went to the county. Jan said that this was a partnership with the county involving the matching funds. Dave said since the deadline for the grant is June 17th, he wanted to suspend the rules and get it passed.

Motion: to suspend the rules for Ordinance 2024-15, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Chris Howard, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Dave Morris, Suzy Wamsley, Cameron Austin, Scott Peattie, Hayley Zinsmaster, BJ Cox, Chris Howard.

Motion: to approve Ordinance 2024-15, as presented, **Action:** Approve, **Moved by:** Hayley Zinsmaster, **Seconded by:** Chris Howard, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Cameron Austin, Suzy Wamsley, Dave Morris, Scott Peattie, Hayley Zinsmaster, Chris Howard, BJ Cox.

**RESOLUTION 2024-127 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPO, INDIANA
ALLOCATING FUNDS FROM THE NR
LOGANSPO MEMORIAL HOME FUND
(#284/2501) FOR THE REROOFING OF THE
MEMORIAL HOME**

Dave said that he had spoken with Kelly earlier in the day and recommended they approve the funds. He did say there were some concerns about the contract that had been brought to his attention including the insurance liability issues. They are hoping to get an amended contract for the next Board of Works meeting.

Motion: to approve Resolution 2024-127, as presented, **Action:** Approve, **Moved by:** Scott Peattie, **Seconded by:** Cameron Austin, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Dave Morris, Hayley Zinsmaster, BJ Cox, Suzy Wamsley, Scott Peattie, Chris Howard, Cameron Austin.

**RESOLUTION 2024-128 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPO, INDIANA
SPECIFYING RESERVE PUBLIC FUNDS TO
INVEST PURSUANT TO IC 5-13-9-5 IN
ACCORDANCE WITH PREVIOUSLY PASSED
RESOLUTION 2023-145 AND ORDINANCE 2023-32**

Motion: to approve Resolution 2024-128, as presented, **Action:** Approve, **Moved by:** BJ Cox, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Suzy Wamsley, BJ Cox, Chris Howard, Cameron Austin, Hayley Zinsmaster, Dave Morris, Scott Peattie.

ORDINANCE 2024-16 **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA UPDATING AND AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF 1974 AS AMENDED AND PUBLISHED BY THE CITY SUBSEQUENT THERETO- 1ST READING**

Motion: to approve Ordinance 2024-16 on 1st reading, as presented, **Action:** Approve, **Moved by:** Dave Morris, **Seconded by:** Suzy Wamsley, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Scott Peattie, Chris Howard, BJ Cox, Suzy Wamsley, Hayley Zinsmaster, Cameron Austin, Dave Morris.

MEMORANDUM **MEMORANDUM OF UNDERSTANDING REGARDING PRELIMINARY EFFORTS TO ESTABLISH AN AREA PLAN COMMISSION**

Motion: to approve the Memorandum, as presented, **Action:** Approve, **Moved by:** Suzy Wamsley, **Seconded by:** Cameron Austin, **Vote:** Motion passed by roll call vote (**summary:** Yes = 7, No = 0) **Yes:** Scott Peattie, Chris Howard, Hayley Zinsmaster, Dave Morris, Suzy Wamsley, BJ Cox, Cameron Austin.

PUBLIC COMMENTS:

Paul Willhelm 630 S 15th St came forward and read from a prepared statement that reads as follows. Good evening ladies and gentlemen members of the city council. I am reading from a prepared statement tonight as I want to insure that I am correctly quoted.

“Last week I was sent a copy of a petition. This was sent via FB messenger to me from an unnamed account. I do not know the author of it, however I agree with what it says and I have obtained some signatures which I am presenting tonight to you. I would request that the Text of the petition be entered into the council minutes for the purposes of identification of the reasons why people have signed it.”

Dave interrupted the statement to ask if Paul knew who the individual was that sent out the petition. Paul stated he did not know who it was. Dave asked if the unnamed person started the petition. Paul said he doesn't know who started the petition. Paul
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said he was willing to go before a grand jury and testify to as much. Paul then continued reading from his prepared statement which reads as follows.

“We find ourselves at a difficult crossroads. We have a mayor who should not be leading this city. I fully recognize that this council has zero authority to remove this mayor, nor do the citizens have the avenue of recall in the State of Indiana which works very hard to see that politicians remain in office.

This mayor has committed a fraud against the citizens of this community; he has misrepresented who he is and what he stands for. He has shown a dereliction of duty and responsibility in the execution of his duties as mayor. A city does not run on its own it must have a leader. That leader is the public face of a community

The mayor creates a situation where I believe many considering Logansport for investment will look elsewhere. This would appear to be evidenced already by the fact that according to Arin Shaver's report at the Board of Works this week 1st quarter building permits only had a value of 9 million vs 20 million last year. I believe the business community is passing us by for major projects and investments because of who leads it.

When we decided to move our business here in 2015 we did our research. We checked out how the city was run we looked at more than just demographics. At that time Ted Franklin was mayor and as you all recall the city was getting beat up in the press and on late night TV. We made the calculation that Mr. Franklin would be a one term mayor so we proceeded with our investment in Logansport and we appreciate the client base we have built based on that decision.

But major corporations will look at this mayor's outburst towards city officials, his rolling of eyes at meetings where public comment is given and texting on his phone as evidence of disinterest in the community he heads. When corporations do a social media search, they will find a community at odds with this mayor who proceeds with wasteful projects. They will find the mayor lied about who he is. They will find photos of the mayor intoxicated at gay clubs in Indianapolis and Columbus Ohio and they will see the unfortunate photos we all saw after St Patrick's Day, They will reach the conclusion that with leadership like this they need to locate elsewhere: This mayor has 3 1/2 years to go.

The mayor appears to have drinking problem and he appears to have judgment problems. I hope he gets the counseling and treatment he so desperately needs. This Mayor cannot lead this city; he must resign if he actually cares about this community and not just the 74,000 a year paycheck in a job where he is clearly over his head.

To the city council, a resolution of disapproval and a motion to request resignation would go a long way towards sending a message to the business community that you are serious

people and want to bring business to this community. The council also needs to take a serious look at the mayor's budget and you need to cut discretionary spending and open sources of funding from his budget for next year.

The council needs to hire independent legal counsel to represent you, and the community's interest. You need to conduct an independent audit of the mayors spending, hiring practices, bid processes and you also need to investigate why certain people who are campaign donors to the mayor are not being held accountable for the condition of their properties. There is a serious lack of transparency and the appearance of selective enforcement in the Martin Administration.

I believe someone in city government has contacted authorities and is acting as a whistle blower. I believe investigations are forthcoming or already underway and I believe the city council must be proactive or our city will suffer. I believe we will be shocked by what is eventually determined.

We hope and pray that you the members of the city council, show true leadership for our city. Thank you.” Paul then provided copies of the petition to Dave Morris to show to other council members. Dave also asked for a copy of the speech Paul read. He provided Dave with a copy of the speech.

Mayor Martin stated that the city credit card has been checked out four times by him this year. He then listed that it had been used for a conference in Indianapolis, lunch with Councilman Scott Peattie, and the last use was for lunch with a member of the Logansport Utility Service Board. Mayor Martin said the last time he checked out the credit card was in April. He said in that regard the issue has been resolved, and he thanked Paul for his comments.

Gerald Norman came forward and stated that Mayor Martin had deceived him. He said that Mayor Martin had told him of his personal beliefs. Dave Morris asked him to restate his name. Gerald didn't hear him, so Mayor Martin told him it was Gerald Norman. Gerald brought up some of the issues he had seen on social media regarding the skating rink. He asked if Mayor Martin had a fundraiser there that week. Mayor Martin said he did not. Mayor Martin also told Gerald that he did not own the skating rink and had nothing to do with the skating rink and asked for him to move on. Gerald began asking him personal questions outside of the realm of his personal duties which Councilwoman Zinsmaster felt said was part of the Mayor's personal life and not council's area of concern. Gerald continued to discuss his issues with the skating rink. Mayor Martin commented that it is a privately owned business. Councilwoman Wamsley said that if Gerald had an issue with the skating rink, he needs to take it up with them as nobody present in the meeting has any professional connection to the business. Gerald ended by saying that what was going on at the skating rink was wrong and the Mayor knows it. Mayor Martin said he appreciated Gerald speaking.

Penny Felty 210 22nd St came forward to speak. Penny explained that she had moved here in 2020 and is a very busy person. She talked about a lot of the good things going on around the city and commended the council for their work. Penny said she wanted to briefly follow up on what Mr. Norman had been discussing. She said that in the past places she had lived government got involved to protect the vulnerable. They kept track of what events were also occurring in the town or city and talked about what is appropriate. She discussed how immigrants are pouring both into the country and specifically our city. Penny said they both watch what we do and imitate what we do. She said because of the background a lot of immigrants come from we must have the absolute highest quality of living. Penny talked about her personal faith and what is right and wrong, and that what occurred at the skating rink is indoctrinating young minds. She stated that drag queens' mock women, and that she is a woman which is a very hard role. Penny asked what is to happen when she goes into the shower room at the YMCA and there is a man present. She said that this is already occurring around the country. She then talked about jails and Ted Cruz discussing that topic in the media. Penny said this was an important issue to her and she wants the community to really sit and talk about these issues. She then thanked the council for their time. Mayor Martin thanked her for speaking.

Dawn McCallister 2715 E Broadway came forward to speak. She asked who ran the City of Logansport Facebook page. Mayor Martin said that would be Mendy Asselin the Administrative Assistant for the Mayor's office. Dawn said she noticed a Squeal on the Eel sign behind Councilman Scott Peattie and mentioned her own event that she had held this past Saturday prior to the meeting. Dawn mentioned that it was a small event at the Logansport Armory, but it was still an event. She said this event brought in artisans from out of town, and that she attempted to invite the Mayor and his staff through Facebook Messenger. She also sent a flier of the event. She also mentioned that junior artisans were present to encourage entrepreneurship in the city. She said she received no response. She then discussed the different members that participated in the event, the Logansport street outreach. She mentioned that Jacob Pomasl and his wife were present for the event, and then she mentioned the foot traffic being very low. Dawn said she was very disappointed in the city. She said the Pharos-Tribune said they would put it in the area briefs. Dawn said she was surprised they didn't want to do a story on the event. She asked them to be aware of the next event on November 9th. She hopes that some of them at least will be present to show their leadership. Mayor Martin apologized that nobody got back with her in regard to her event and said they will not make that mistake again.

Crystal Miller 2211 N St came forward to speak. Crystal wanted to discuss the level of the decorum that is expected from an administration. She said that she has sat through multiple meetings and feels at times as though Mayor Martin has spoken to both her and others in a condescending tone. She also mentioned how Deputy Mayor Pomasl had interacted with the council earlier in the meeting. Crystal said she felt like the city may need to learn how to communicate and be more professional.

COUNCIL MEMBER COMMENTS:

Dave said that he had a couple of comments. Dave wanted to inform the council that the next Finance Committee meeting will be held on June 17th and that all of the abatements have been compiled for the year. Dave informed the department heads that if they had any information for the committee that it would need to be turned in by no later than the 10th. He said he wanted to have the information early enough to make sure council members have time to review. Dave also said there will be a special council meeting that night as well, just for the abatements so they get approved before the deadline. Dave then said he wanted to mention the discussions and the petition that had been presented. He said that the council will take it under advisement and look it all over. Dave is beyond disappointed that someone would start a petition and not even sign their name to it. He explained that each and every day they put themselves on the line for the community, and anyone who believes they aren't being served properly should be willing to stand up for it. Dave said that the lack of a name on the petition takes away some of the credence, and that council review is as far as they are going to take it at this time. Dave also said that if he has read and interpreted the law correctly and the community doesn't believe the Mayor is fulfilling his responsibilities, they don't need the council to petition to remove him. Scott asked what time the finance meeting was starting. Dave said 6:30 pm.

MISCELLANEOUS BUSINESS AND ANY MATTERS NOT ALREADY CONSIDERED INCLUDING ADA SECTION 504 COMPLIANCE OR CONCERNS

ADJOURNMENT

Motion: Adjournment, **Action:** Approve, **Moved by:** Scott Peattie **Seconded by:** Chris Howard **Vote:** Motion approved by roll call vote (**summary:** Yes = 7, No = 0). **Yes:** Dave Morris, Suzy Wamsley, Scott Peattie, Hayley Zinsmaster, Cameron Austin, Chris Howard, BJ Cox.

Chris Martin, Mayor

Tyler Pearson, Clerk-Treasurer

Video and Audio recorded on 6/3/2024.

MINUTES
LOGANSPORT COMMON COUNCIL
SPECIAL CALLED SESSION

Monday, June 17, 2024

6:30 PM City Council Chambers

CALL MEETING TO ORDER: Council President Dave Morris called the meeting to order at 7:07 pm

PLEDGE OF ALLEGIANCE: The pledge was recited in unison.

ROLL CALL: Jonathan Nelms, Deputy Clerk

PRESENT: Chris Howard, Cameron Austin, BJ Cox, Hayley Zinsmaster, Scott Peattie, Dave Morris.

ATTORNEY PRESENT: Kelly Leeman.

MEDIA PRESENT: Hallie Gallinat- Pharos Tribune.

OTHERS PRESENT: Dave Kitchell, Oscar Gutierrez, Travis Vencer, David Scovel, James Conn, Patricia Collins, Joyce Cunningham, Bill Cuppy, Janet Fawley, Amanda Spencer, Kenneth Spencer, Ross Anderson, Mark Baker, Susan Baker, Arin Shaver.

COMMENTS OF MAYOR:

OLD BUSINESS:

NEW BUSINESS:

**RESOLUTION 2024-129 A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF LOGANSPORT, INDIANA
REGARDING CONTINUED TAX ABATEMENTS
FOR COMPANIES IN COMPLIANCE WITH THEIR
STATEMENT OF BENEFITS**

Bill Cuppy came forward and explained that the Resolution they are voting on was drafted representing nine companies for nineteen abatements. This draft to be voted on excludes Matthew Warren for not being in compliance. He explained that because of this being the last year of their abatement it is not a significant loss for Matthew Warren. He said this was their

20% year of the abatement.

Motion: to approve Resolution 2024-129, as presented, **Action:** Approve, **Moved by:** BJ Cox, **Seconded by:** Hayley Zinsmaster, **Vote:** Motion passed by roll call vote (**summary:** Yes = 6, No = 0) **Yes:** BJ Cox, Cameron Austin, Scott Peattie, Dave Morris, Chris Howard, Hayley Zinsmaster.

PUBLIC COMMENTS:

Dave Kitchell 1423 N St came forward to speak. Mr. Kitchell said he didn't come to talk tonight because he wants to be the Mayor or run the city. Mr. Kitchell said the people want the city to be run well, and commented on the good work the council is doing while also being underpaid. He said he was present today to voice concerns he had heard specifically about the Mayor's attendance and participation in meetings, or lack thereof. Mr. Kitchell gave examples of events the Mayor has missed which include this meeting. Mr. Kitchell explained that there was a similar situation the city dealt with in 1991. He explained that they had been discussing implementing the position of a City Manager. Mr. Kitchell said the law changed thanks to Tom Weatherwax to allow third class cities to have City Managers. Mr. Kitchell mentioned different communities that have City Managers that have been successful. He explained that by creating this position it does not remove Mayor Martin from office. However, the City Manager will answer directly to the City Council. Mr. Kitchell talked about how Indiana University has more people that become City Managers in other states than they do in Indiana. He explained the reasons that is occurring. Mr. Kitchell talked about the National Civics League. He discussed the county manager position that existed at one point. At different points in his talk, he mentioned running the city like a business, and provided examples such as the utilities in Logansport and the planning and zoning. Mr. Kitchell explained what a city manager in Logansport would look like and reiterated that he was not applying for and did not want the job. Dave explained that council members are putting in a lot of hours and doing beyond what is in the job description. Mr. Kitchell said that the situation the city is in right now is an untenable situation and it is not fair to the council or Jacob Pomasl. He also said it isn't fair to the majority of citizens that did not want the Mayor re-elected. Mr. Kitchell explained a model he had provided for Dave Morris to send to other council members that they can use as a reference to how to implement the changes. He explained that the only avenue to remove a sitting elected official is through resignation or if they commit a felony. He said that state law hasn't caught up with mental or emotional needs in that regard, and that there are 3 ½ years left to the next elections and things aren't going well. Mr. Kitchell talked about how we dropped from one of the most populated cities to ranking much lower toward one hundred. He also highlighted some of the community issues around Indiana in places such as Muncie, and Kokomo. Mr. Kitchell said we need to be progressive with our planning and asked for Dave to forward that model city Ordinance to the other council members. He also said he was more than willing to talk with any of the council members about the matter if they wanted to. Mr. Kitchell said things such as the lack of coordination between paving the streets between the utilities and the city is a sign that things need to be done better. He highlighted that there are other states and cities that have done this successfully, and that there is a City Manager

Association that is non-partisan. Mr. Kitchell thanked them for their time and told them they were doing a great job for the city. Council members then thanked Dave for speaking.

James Conn 913 Plum St came forward and asked if there was going to be a decision made on industrial or agricultural on Washington St (Trelleborg Site). Dave Morris told him that was coming up at the meeting following the council meeting. James then commented that according to his father Logansport Utilities paid all the taxes for the city, and there used to be a license plate that said a city without taxes. James said he wasn't sure if that was true, but it would be nice if someone looked into it and found out.

COUNCIL MEMBER COMMENTS:

Dave said that he noticed on the agenda that there was no place for committee reports. He wanted to amend it into the agenda. Dave then reported that there was a Finance Committee Meeting that was held prior to the Special Council Meeting where they discussed numerous issues with the tax abatements, which was the one item moved to this meeting. On June 7th at 4 pm at the city library the City Council met in an executive session to discuss. Dave said that the sole topic of discussion was the legal limitation of conduct for elected officials. He wanted to put that in the records to show that the meeting was held. Dave also wanted to mention that they had anticipated making a statement with which the council had asked Dave to present as a statement of concern to address the Mayor. However, as the Mayor is not present, they will not read the statement. Dave said he was informed shortly before the meeting that the Mayor is on vacation until July 1st. Dave said that would be the earliest date they would release their findings.

MISCELLANEOUS BUSINESS AND ANY MATTERS NOT ALREADY CONSIDERED INCLUDING ADA SECTION 504 COMPLIANCE OR CONCERNS

ADJOURNMENT

Motion: Adjournment, **Action:** Approve, **Moved by:** Scott Peattie **Seconded by:** Chris Howard **Vote:** Motion approved by roll call vote (**summary:** Yes = 6, No = 0). **Yes:** Dave Morris, Scott Peattie, Hayley Zinsmaster, Cameron Austin, Chris Howard, BJ Cox.

Dave Morris, Council President

Jonathan Nelms, Deputy Clerk

Video and Audio recorded on 6/17/2024.

ORDINANCE 2024 –13

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF
LOGANSPORT, INDIANA REZONING PROPERTY LOCATED AT
1317 MELBOURNE AVE., LOGANSPORT, INDIANA**

WHEREAS, The General Assembly of the State of Indiana granted powers to the cities and towns to adopt ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The City of Logansport has adopted the Logansport Zoning Ordinance, Ordinance 86-21, effective March 5, 2018 (Ordinance #2018-03) and the Fringe Area of the City of Logansport, Indiana, as established on April 9, 2001; and

WHEREAS, The General Assembly of the State of Indiana granted powers to cities and towns to amend the zone maps according to IC 36-7-4-608, and Article 7 of the Logansport and Fringe Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The Logansport Plan Commission, in accordance with law, held a public hearing on Monday, May 13, 2024 to consider the zone map amendment for property located at 1317 Melbourne Ave., Logansport, IN; and

—

WHEREAS, The Logansport Plan Commission did send a X favorable _____ unfavorable, _____ no recommendation the attached textual amendments to the Common Council for the proposed rezone; and

WHEREAS, The proposed zoning would be changed from OS, Open Space to R3, Medium Density Residential; and

WHEREAS, Said certification has been duly considered by the Common Council and the zone map amendment is deemed to be in the public interest.

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Logansport, Indiana that the District Zone Map adopted as a part of the Logansport and Fringe Zoning Ordinance, Ordinance 2018-03, as amended, being the Zoning Map of the City of Logansport and Fringe, is hereby amended to include:

SECTION 1: To change the zoning classifications of OS, Open Space to R3, Medium Density Residential for property located at 1317 Melbourne Ave., Logansport, IN

SECTION 2: That this amendment shall be in full force and effect upon its passage by the Common Council and approval by the Mayor of the City of Logansport, IN.

INTRODUCED, FILED AND APPROVED on first reading by a vote of _____ in favor and _____ opposed on the _____ day of _____, 2024.

DULY PASSED, ORDAINED AND ADOPTED on second reading this _____ day of _____ 2024 by the Common Council of the City of Logansport, Cass County, Indiana by a vote of _____ in favor and _____ opposed.

Common Council of the City of Logansport, Indiana

David Morris, President

ATTEST:

Tyler Pearson, Clerk-Treasurer

Submitted to, approved by, and signed by me, the Mayor of the City of Logansport, Indiana, this _____ day of _____, 2024

Chris Martin, Mayor, City of Logansport

RESOLUTION 24-06
A LOGANSPOUR PLAN COMMISSION
CERTIFICATION OF A PROPOSED REZONE LOCATED
AT 1317 MELBOURNE AVE., LOGANSPOUR, IN

WHEREAS, The General Assembly of the State of Indiana granted powers to the cities and towns to adopt zoning ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The City of Logansport adopted the Logansport and Fringe Zoning Ordinance which became effective on March 5, 2018 and the Fringe Area of the City of Logansport, as established on April 9, 2001; and

WHEREAS, The General Assembly of the State of Indiana granted powers to cities and towns to amend the zone ordinance maps according to IC 36-7-4-608, and Article 7 of the Logansport and Fringe Zoning Ordinance allows for the amendment of said Ordinance; and


WHEREAS, The Logansport Plan Commission, in accordance with law, held a public hearing on Monday May 13, 2024 and did consider the rezone petition for the property at 1317 Melbourne Ave., Logansport IN; and

WHEREAS, the proposed zoning will be changed from OS, Open Space to R3, Medium Density Residential; now, therefore be it

RESOLVED, that ~~in~~ accordance with IC 36-7-4-605, the Logansport Plan Commission certifies with a favorable, unfavorable, no recommendation the attached zoning map amendment to the Common Council of the City of Logansport, Indiana.

Adopted this 13th day of May 2024

LOGANSPOUR PLAN COMMISSION (LPC)

By:  Tom NELSON PRESIDENT
Officer, LPC

PLAN COMMISSION

LOGANSPORT
CASS COUNTY

TO: Logansport Common Council
FROM: Arin Shaver, AICP, Planning Director
DATE: June 3, 2024
SUBJECT: Proposed Zoning Map Amendment

The information provided in this staff report has been included for the purpose of reviewing the proposed rezoning. Since the rezoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee/Site Plan Review process to address development regulations.

A. BACKGROUND:

Case No.	Resolution 24-06
Applicant/Owner	City of Logansport/Logansport Parks Department
Property Location	1317 Melbourne Ave.
Property Identification Number	09-17-56-465-030.000-010 09-17-56-465-033.000-010 09-17-56-466-001.000-010 09-17-56-465-027.000-010 09-17-56-465-031.000-010 09-17-56-466-002.000-010 09-17-56-466-003.000-010 09-17-56-465-026.000-010 09-17-56-465-032.000-010 09-17-56-465-028.000-010 09-17-56-465-029.000-010 09-17-56-466-021.000-010
Property Size	≈1.83 +/-acre
Current Future Land Use Map (FLUM) Designation	Traditional Neighborhoods

Current Zoning District	OS, Open Space
Proposed Zoning District	R3, Medium Density Residential
Existing Land Use	This property is currently used as Melbourne Park. The Park's Board per Res. 2021-18 has marked this park as surplus.

B. SUMMARY OF REQUEST:

The request is to rezone approximately 1.83+/-acres from Open Space (OS) to Medium Density Residential (R3). The area to be rezoned is located in a traditional neighborhood where medium density residential is already surrounding the area. If rezoned this could be redeveloped for other medium-density residential uses.

C. ANALYSIS:

Location, Surrounding Land Use and Zoning

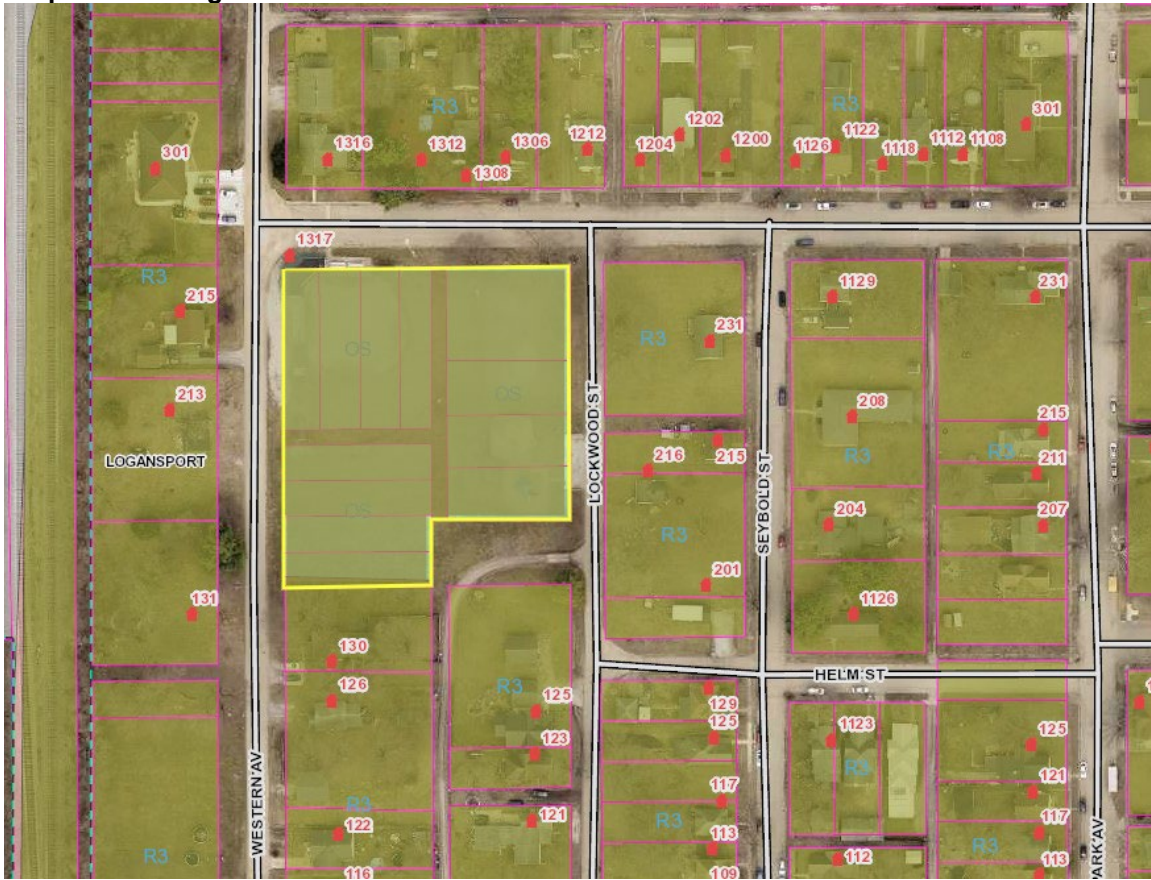
	Surrounding Land Use	Zoning
North	Residential	Medium Density Residential (R3)
South	Residential	Medium Density Residential (R3)
East	Residential	Medium Density Residential (R3)
West	Residential	Medium Density Residential (R3)

Current Zoning & Site Location



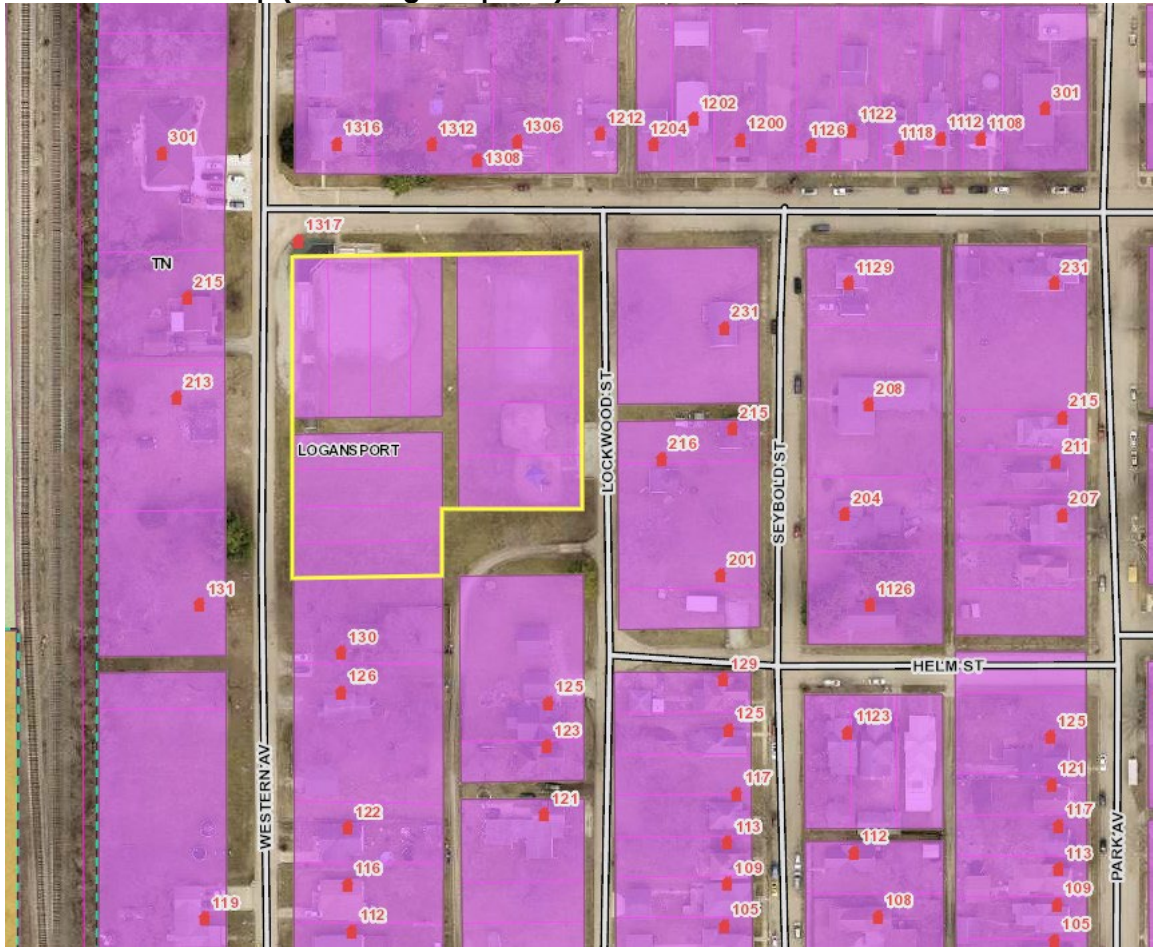
Note: Proposed property outlined in yellow (OS, Open Space)

Proposed Zoning & Site Location



Shown zoning as R3, Medium Density Residential

Future Land Use Map (No change required)



Traditional Neighborhood in pink

Differences between OS(Existing) and R3 (Proposed) Zoning Districts

Open Space District (OS).

The purpose of the Open Space District is to provide for permanent open space, to be preserved as open land or developed for park and recreational use. All residential and non-residential subdivisions for development require subdivision approval

Medium Density Residential District (R-3).

The purpose of the Medium Density Residential District is to provide for the development of single-family and two-family dwellings in areas of the City historically developed at a higher density. All residential and non-residential subdivisions for development require subdivision approval.

- | | |
|-----------------------|--------------------------|
| ■ Accessory Dwellings | ■ Single Family Detached |
| ■ Child Care in Home | ■ Two-Family Dwelling |
| ■ Churches | ■ Residential Facility |
| ■ Schools | ■ Home Occupation Simple |

THE COMPREHENSIVE PLAN

The subject site has a Future Land Use Map (FLUM) designation of Traditional Neighborhood and would stay Traditional Neighborhood.

Traditional Neighborhood: Traditional neighborhood districts are neighborhoods that are primarily residential in character, but with existing commercial uses interspersed that are focused on serving the neighborhood. Single family character housing dominates, but housing may also contain a mix of second units, cottage clusters, duplexes, triplexes, and small apartment buildings. Neighborhoods are typical of 19th and early 20th century patterns of small lots, compact development, mix of housing types, and neighborhood-oriented commercial services. Net densities can range up to 20 units per acre. Multi-family residential is also included within the traditional neighborhood and contains duplex, multi-family dwelling units, standalone apartment buildings, townhouses/condominiums, and mobile homes. The permitted number of housing units will vary by area, depending on existing land use, proximity to major streets and public transit, distance to shopping, and environmental issues. The number of units in a structure will range from 8 to 40. The number of units should be on the lower end of the scale next to single family residential areas.

From Comp Plan:

- Encourage growth areas where the necessary infrastructure is available and can be economically provided by requiring new developments within 300' of existing municipal utilities to connect into the municipal system.
- Encourage build-out of existing residential parcels and redevelopment of existing neighborhoods as a priority over new land development.

(2) CURRENT CONDITIONS AND THE CHARACTER OF CURRENT STRUCTURES AND USES IN EACH DISTRICTS

The existing pattern of development has always been residential in this area. Most of the area is single family homes on smaller lots; thus the area would be considered medium density residential due to the lot sizes in the area.

As stated earlier the Park's department has designated this park as one that is in surplus; Thus, making this property available for sale, lease, and/or sponsorship opportunities. With the zoning of open space nothing but a park could be located in this district as it is today.

(3) THE MOST DESIRABLE USE FOR WHICH THE LAND IN EACH DISTRICT IS ADAPTED

The most desired use for the area would be single family residential. Even if this was to stay a park, there would be more traffic and noise created than if it developed as residential. This area being residential makes the most sense. In fitting in with the current nature of the area medium density development makes sense to allow.

(4) THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION

As stated before because of the nature of the current neighborhood, newer development that is similar to what is currently there should increase the areas property values not decrease them.

(5) RESPONSIBLE DEVELOPMENT AND GROWTH.

The current Future Land Use map shows this area as traditional neighborhood as well as the rest of the neighborhood. The request would be to rezone the same district that almost completely surrounds the area. This rezone can provide the redevelopment of this area to meet goals and objectives of the comprehensive plan.

From Comp Plan:

- Encourage growth areas where the necessary infrastructure is available and can be economically provided by requiring new developments within 300' of existing municipal utilities to connect into the municipal system.
- Encourage build-out of existing residential parcels and redevelopment of existing neighborhoods as a priority over new land development.

RECOMMENDED COMMITMENTS:

Based on the information contained in this report, the Planning Department recommends approval, and no commitments are recommended.

ORDINANCE 2024 /'39''

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPOORT, INDIANA
REZONING PROPERTY LOCATED AT 1 GENERAL ST., LOGANSPOORT, INDIANA**

WHEREAS, The General Assembly of the State of Indiana granted powers to the cities and towns to adopt ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The City of Logansport has adopted the Logansport Zoning Ordinance, Ordinance 86-21, effective March 5, 2018 (Ordinance #2018-03) and the Fringe Area of the City of Logansport, Indiana, as established on April 9, 2001; and

WHEREAS, The General Assembly of the State of Indiana granted powers to cities and towns to amend the zone maps according to IC 36-7-4-608, and Article 7 of the Logansport and Fringe Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The Logansport Plan Commission, in accordance with law, held a public hearing on Monday, May 13, 2024 to consider the zone map amendment for property located at 1 General St., Logansport, IN; and

WHEREAS; The Logansport Plan Commission did send a X favorable _____ unfavorable, _____ no recommendation the attached textual amendments to the Common Council for the proposed rezone; and

WHEREAS, The proposed zoning would be changed from I1, Light Industrial to R4, High Density Residential; and

WHEREAS, Said certification has been duly considered by the Common Council and the zone map amendment is deemed to be in the public interest.

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Logansport, Indiana that the District Zone Map adopted as a part of the Logansport and Fringe Zoning Ordinance, Ordinance 201803, as amended, being the Zoning Map of the City of Logansport and Fringe, is hereby amended to include:

SECTION 1: To change the zoning classifications of I1, Light Industrial to
R4, High Density Residential for property located at 1 General St., Logansport, IN

SECTION 2: That this amendment shall be in full force and effect upon its passage by the Common Council and approval by the Mayor of the City of Logansport, IN.

INTRODUCED, FILED AND APPROVED on first reading by a vote of ___ in favor and _____ opposed on the _____ day of _____, 2024.

DULY PASSED, ORDAINED AND ADOPTED on second reading this _____ day of _____ 2024 by the Common Council of the City of Logansport, Cass County, Indiana by a vote of _____ in favor and _____ opposed.

Common Council of the City of Logansport, Indiana

David Morris, President

ATTEST:

Tyler Pearson, Clerk-Treasurer

Submitted to, approved by, and signed by me, the Mayor of the City of Logansport, Indiana, this _____ day of _____, 2024

Chris Martin, Mayor, City of Logansport

RESOLUTION 2024-126

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
LOGANSPOBT, INDIANA, APPROVING FORM OF REQUEST FOR
PROPOSALS RATIFYING PUBLICATION OF NOTICE AND
ACTIONS IN RESPECT THERETO**

WHEREAS, the Board of Works and Safety ("Board of Works") of the City of Logansport, Indiana ("City") has adopted a BOW #2024-202 a resolution approving a substantially final form of Request for Proposal ("RFP") for securing the development, design, construction, financing, initial operation and transfer of a new clubhouse facility also known as the "Dykeman Clubhouse" ("Project"), through a public-private agreement ("BOT Agreement") pursuant to IC 5-23; and

WHEREAS, the Board of Works authorized the publication of the RFP for purposes of securing the development, design, construction, financing, initial operation and transfer of the Project; and

WHEREAS, the Board of Works has requested that the Common Council ("Council") ratify the form and publication of the RFP and authorize the City and the Board of Works to move forward with the publication of notices and approvals required to enter into a BOT Agreement for the Project; and

WHEREAS, the substantially final form of the RFP was presented to the Council for approval;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LOGANSPOBT, INDIANA, THAT:

SECTION 1. The Council hereby ratifies and approves the substantially final form of RFP attached hereto and incorporated herein as Exhibit A and the publication thereof, and hereby authorizes the City to cooperate with the Board of Works to assist it in fulfilling all actions and requirements and to publish and/or execute any notices, documents or certificates necessary in connection with the RFP process and development of the BOT Agreement.

SECTION 2. This resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed and adopted by the Common Council of the City of Logansport, Indiana, this 3rd day of June, 2024.

COMMON COUNCIL OF THE CITY OF
LOGANSPORT, INDIANA

Dave Morris, President

ATTEST:

Tyler Pearson, Clerk-Treasurer

Presented by me to the Mayor of the City of Logansport, Indiana, on the _____ day of June, 2024

Presented to and approved by me, the Mayor of the City of Logansport, Indiana, and signed
this _____ day of June, 2024,

Chris Martin, Mayor

**CITY OF LOGANSPORT'S
REQUEST FOR PROPOSALS**

**DEVELOPMENT, DESIGN, CONSTRUCTION, INITIAL OPERATION AND
TRANSFER OF A NEW CLUBHOUSE AT DYKEMAN PARK GOLF COURSE
THROUGH A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT**

Responses Due: [] p.m. (local time) on _____, 2024

Contact: Janet E. Fawley, Parks Administrator
Logansport Parks & Recreation Department
1701 Dividend Dr.
Logansport IN 46947
O: 574-753-6969
parksadministrator@cityoflogansport.org

RESOLUTION 2024-126

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA, APPROVING FORM OF REQUEST FOR PROPOSALS RATIFYING PUBLICATION OF NOTICE AND ACTIONS IN RESPECT THERETO

WHEREAS, the Board of Works and Safety ("Board of Works") of the City of Logansport, Indiana ("City") has adopted a resolution approving a substantially final form of Request for Proposal ("RFP") for securing the development, design, construction, financing, initial operation and transfer of a new clubhouse facility also known as the "Dykeman Clubhouse" ("Project"), through a public-private agreement ("BOT Agreement") pursuant to IC 5-23; and

WHEREAS, the Board of Works authorized the publication of the RFP for purposes of securing the development, design, construction, financing, initial operation and transfer of the Project; and

WHEREAS, the Board of Works has requested that the Common Council ("Council") ratify the form and publication of the RFP and authorize the City and the Board of Works to move forward with the publication of notices and approvals required to enter into a BOT Agreement for the Project; and

WHEREAS, the substantially final form of the RFP was presented to the Council for approval;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA, THAT:

SECTION 1. The Council hereby ratifies the adoption of the provisions of IC 5-23.

SECTION 2. The Council hereby ratifies and approves the substantially final form of RFP attached hereto and incorporated herein as Exhibit A and the publication thereof, and hereby authorizes the City to cooperate with the Board of Works to assist it in fulfilling all actions and

requirements and to publish and/or execute any notices, documents or certificates necessary in connection with the RFP process and development of the BOT Agreement.

SECTION 3. The Council hereby authorizes and directs the Mayor, through the Board of Works, to issue RFP's under IC 5-23 to study the development, construction, financing, operation, and/or transfer of the Project at any date hereafter and to make recommendations for Council consideration at future public meetings under the terms of IC 5-23.

SECTION 4. The Mayor and President of the Council are hereby authorized to take any and all actions and execute any documents or certificates that such officers deem necessary or desirable to effect the foregoing resolutions. Any such actions taken or documents or certificates executed and delivered are hereby ratified, confirmed and approved.

SECTION 5. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION 6. Prior to entering into any BOT Agreement, said agreement and funding will be subject to the approval of the Council.

SECTION 7. This resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed and adopted by the Common Council of the City of Logansport, Indiana, this 1st day of July, 2024.

COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA

Presiding Officer

ATTEST:

Clerk-Treasurer

Presented by me to the Mayor of the City of Logansport, Indiana, on the ____ day of July, 2024, at __:__ .m.

Clerk-Treasurer

Presented to and approved by me, the Mayor of the City of Logansport, Indiana, and signed this _____ day of July, 2024, at __:__ .m.

Mayor

EXHIBIT A

Form of RFP

(Attached)

I. INTRODUCTION

The City of Logansport ("Owner") issues this Request for Proposal ("RFP") to prospective entities interested in submitting a proposal ("Responders") to (a) develop, design, construct, initially operate and transfer of a new clubhouse building and other related site improvements for Dykeman Park Golf Course as more particularly described herein ("Project"), all pursuant to a public-private agreement to be entered into between Owner and the recommended and the selected Responder ("Developer") in accordance with Ind. Code §5-23 (the "BOT Statute") and this RFP.

II. PROJECT DESCRIPTION

A. Project Overview

The Project consists of the design and construction of a new clubhouse building, new adjacent and attached outdoor patios and other related site improvements for Dykeman Park Golf Course. The Project will also include demolition of the existing clubhouse. The maximum total budget amount for development, design, construction, demolition and initial operation of the Project is \$2,500,000 ("Owner's Total Project Budget"). Owner desires for the Project to satisfy all of the following project criteria ("Owner's Project Criteria"):

- Removal of current clubhouse (before or after depending on new building location)
- Pave and organize additional parking around new structure for maximum spaces (60-75 spaces)
- Outdoor staging area for golf cars
- Outdoor golf car cleaning area w/ water & drain
- Appropriate landscaping
- Building to include the following:
 - Energy efficient mechanical systems (HVAC, plumbing, electric, insulation, solar or geothermal)
 - New site utilities as needed (water, sewage, electric, communication, wireless)
 - Computer systems for finance, record keeping, player check-in, website & social media,
 - Energy efficient windows & doors
 - Window view to 1st tee & 18th hole from inside
 - ADA Accessible
 - Male/Female Restrooms for 120 people w/ changing area(s), lockers
 - Women's bathroom: 3 stalls; Men's Bathroom: 2 Stalls and 2 urinals
 - Or ½ dozen family style restrooms
 - Safety Systems including surveillance cameras, alarms, locking doors, emergency shelter
 - Player check-in station (indoor & possibly outdoor) adjacent to snack bar.
 - Catering kitchen &/or Snack Bar to include microwave, refrigerator(s), freezer, icemaker, soda &/or draft beer spigots, 3 sinks, snack food display cases, beverage storage refrigerator(s), small pizza oven
 - Indoor Seating adjacent to snack bar for 30-40 persons with television(s)
 - Outdoor seating area with shade for 120 persons w/ lighting & heating options
 - Outdoor patio to include food serving area, refrigerator
 - Storage for food & supplies, tables & chairs, may include additional freezer(s)

- Locked storage for alcoholic beverages
- Office space
- “Pro Shop” space; space for small sales items behind counter
- Donor recognition signage or other opportunity
- Golf Simulator space for 2 units

If and to the maximum extent determined by each Responder as being available to stay within Owner’s Total Project Budget, Owner desires to also include the following potential alternate items as part of the Project:

Potential Alternates (“Owner’s Alternates”) include the following:

- Golf car storage for up to 65 cars
- Flag pole
- Digital message board for outings
- Outdoor Fireplace
- Outdoor storage (tables, chairs, etc.)
- Barns 2 & 3 Fitted with matching exterior materials
- Depending on location - Removal of cart barn 1
- Irrigation moved depending on clubhouse location.

In addition, Owner anticipates that there will be multiple subcontractors and suppliers that will be willing to provide “in kind” donations of materials and services for the Project. As a result, Owner would require Developer to cooperate with and work with Owner to take advantage of the use of such “in kind” donations. For any such “in kind” donations, the GMP (as defined below) would be reduced by the amount of savings, but there would be no adjustment in Developer’s fixed fee for the Project.

Developer’s obligations related to the Project shall include: (i) appropriate Project site engineering and excavation in order to construct the new clubhouse building, patios and site work, (ii) appropriate design, development and construction of the Project, all in accordance with the conditions described in this RFP, (iii) initial operation of the Project consisting of securing and maintaining the Project until Developer transfers the Project to Owner approximately thirty (30) days after final completion of the Project; and (iv) demolition of the existing clubhouse and removal of all debris and trash. Developer shall be responsible for all aspects of the development, design, construction and operation of the Project. Developer shall also be required to provide a payment bond for 100% of the cost to design and construct the Project, a performance bond for 50% of the cost to design and construct the Project and maintain insurance coverage in connection with the design, construction and demolition work as described in Exhibit A to this RFP.

This Project will not use "public funds" as defined in Ind. Code §5-22-2-23. As a result, Developer will not be required to comply with the applicable public works statutes including Ind. Code §36-1-12 (Public Work Projects).

B. Project Site

The Project shall be constructed on property owned by Owner and located at the Dykeman Park Municipal Golf Course. The location of the new clubhouse has not been finally determined, but the clubhouse will be located in one of two potential locations at the Dykeman Park Municipal

Golf Course. These two potential site locations for the Project are shown in the attached Exhibit B.

The Dykeman Park Municipal Golf Course shall remain in operation during the construction and demolition work performed by Developer. Developer shall perform the construction and demolition work in such a manner so as to not unreasonably interfere with such ongoing operations by Owner at the Dykeman Park Municipal Golf Course.

Owner will provide Developer with all necessary rights of entry to enter and access the Project in order to fulfill its obligations under the BOT agreement to be entered by and between Owner and Developer in accordance with the BOT Statute ("BOT Agreement"). The BOT Agreement will require Developer to develop, design, construct and operate a public facility on behalf of Owner and to transfer the public facility back to Owner approximately thirty (30) days after final completion of the Project.

C. Brief Summary of Responsibilities of Developer

At its sole cost and expense, Developer shall perform the services necessary to complete the Project including but not limited to the following:

1. Design

Developer shall be responsible for all aspects of the Project's design, which design shall comply with all applicable laws, statutes, and/or ordinances as existing at the time of performance of such design services. Developer shall submit for Owner's review and approval promptly after their completion: (a) schematic designs/specifications for the Project; (b) design development drawings/specifications for the Project; and (c) construction documents/specifications for the Project. The foregoing design documents shall be prepared by an architect and/or professional engineer licensed in the state of Indiana.

2. Site Development

Owner shall provide to Developer relevant information that it has in its possession that is applicable to the Project. However, Developer shall perform surveys, geotech report, borings, tests, inspections, examinations, studies, and investigations, including without limitation, environmental assessments such as Phase I studies (and Phase II if required due to outcome of Phase I study) that are necessary to complete and deliver the Project in the required condition in accordance with the BOT Agreement. Additionally, Developer shall obtain and pay for all permits and approvals necessary for the completion of the Project and cause any necessary utility work to be performed.

3. Construction

Developer shall be responsible for constructing the Project which includes, without limitation, overseeing day-to-day construction, managing subcontractors and working with vendors, utilities, security personnel, and any other entity necessary for and related to the Project. Developer shall also, as may be requested by Owner, meet and coordinate its activities with the applicable managers of the Dykeman Park Municipal Golf Course

responsible for the ongoing operations at the golf course. Developer shall be responsible to ensure that the Project is constructed in accordance with the approved construction documents/specifications for the Project and shall provide at the time of transfer "as built" record drawings to Owner. Developer shall provide to Owner a typical construction warranty for the Project.

4. Demolition

Developer shall be responsible for demolishing the existing clubhouse building and removing all debris and waste.

5. Operations

Pursuant to the BOT Agreement, Developer shall operate the Project for the benefit of Owner during the term of the BOT Agreement, which operation shall include the maintaining and securing of the Project until the Project is transferred to Owner. Owner desires that Developer transfer the Project to Owner approximately thirty (30) days after final completion of the Project.

6. Project Financing

Owner shall provide the financing for the Project. Developer may submit invoices to Owner for costs incurred and services performed on a periodic basis, but in no event shall invoices be submitted more frequently than on a monthly basis.

III. SUMMARY OF PROCUREMENT PROCESS

The BOT Statute authorizes Owner to solicit responses to a request for proposals, conduct discussions with Responders for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements, to receive best and final offers with responsible offerors who submit proposals that are determined to be reasonably susceptible of being selected for a public-private agreement, and to enter into the BOT Agreement with the recommended and approved Developer to design, construct, operate and finance a public facility on behalf of Owner and to transfer the public facility back to Owner approximately thirty (30) days after final completion of the Project.

Owner will review responses to this RFP to determine Responders' experience, expertise, proposed approach, schedule, consistency with Owner's Project Criteria, inclusion of any of Owner's Alternates, and conceptual design to satisfy the terms of a BOT Agreement for the Project and thereby determine the responsibility and responsiveness of each Responder. If a Responder is determined to be not responsive or responsible, Owner may, in its sole discretion, disqualify that Responder from further consideration. Owner reserves, in its sole discretion, the right, but not the obligation, to discuss this RFP with Responders to clarify Responders' understanding of and responsiveness to the solicitation requirements and to negotiate with the responsive and responsible Responders. Owner will thereafter ask responsive and responsible Responders for their best and final offers. After the best and final offers have been received and scored, Owner shall either make a recommendation of a Responder as its Developer for the Project or, in its sole discretion, Owner may terminate the RFP process.

If a recommendation to award the public-private agreement is made, Owner shall schedule a public hearing on the recommendation and publish notice of the hearing one (1) time in accordance with Ind. Code § 5-3-1 at least seven (7) days before the hearing. The proposals and a written explanation of the basis upon which the recommendation is being made shall be delivered to Owner and made available for inspection and copying in accordance with Ind. Code § 5-14-3 at least seven (7) days before the scheduled hearing. After the procedures required in the BOT Statute have been completed, Owner shall make a determination as to the most appropriate response to this RFP and may award the public-private agreement to the successful Responder. If Owner terminates this request for proposal process, Owner may, at the option of Owner, return all the proposals to Responders, and Owner may refuse to disclose the contents of the offers.

If selected by Owner, Developer shall enter into a BOT agreement with Owner wherein Developer agrees to be fully responsible for developing, designing, constructing, and operating the Project on behalf of Owner. Owner desires that Developer transfer the Project to Owner approximately thirty (30) days after final completion of the Project.

IV. RFP REQUIREMENTS

- A. RFP Responses must be received by Owner at the electronic e-mail address provided below by **no later than [] at [] p.m. (local time) p.m. local time.** RFP Responses delivered after this date and time will be rejected and returned unopened to Responder.
- B. All RFP Responses shall be delivered via electronic mail to the following person: Janet E. Fawley, Parks Administrator at Logansport Parks & Recreation Department at parksadministrator@cityoflogansport.org
- C. RFP Responses are not required to include the submission of a certified check.
- D. All communication and requests for information and clarifications shall be made via e-mail correspondence to the following address: parksadministrator@cityoflogansport.org. No oral requests will be considered. No requests for additional information or clarification to any person other than to the e-mail address provided in this section will be considered. Responders must refrain from communicating with any official, employee, agent, or representative of Owner regarding the Project during this RFP process, except as expressly permitted by this RFP.
- E. All questions and requests for clarification must be submitted by Responders on or before []. Answers to questions deemed appropriate for response by Owner, in its sole discretion, will be provided by a written addendum.

V. RFP SCHEDULE

RFP Issued & First Public Notice	May 31, 2024
Second Public Notice	June 7, 2024
Deadline for Questions by Responders to the RFP	June 14, 2024

RFP Responses Due	June 26, 2024 at 9:00 a.m. (local time) to be opened at BOW @ 3 p.m.
Negotiation time period with Responsible Responders for the “best and final” offer	2 weeks
Owner Makes Recommendation of Responder as its Developer for the Project and Schedules Public Hearing on Recommendation	(tentative) July 24, 2024

The above schedule may be adjusted by Owner in its sole discretion via a written addendum.

VI. RESPONSES TO THE RFP

Responses to this RFP by Responders shall include responses to the following requests:

A. General Information

1. Legal name of Responder
2. When was organization created
3. Office Location(s) of Responder
4. Number of employees
5. Identify key members within the organization
6. Identify the primary contact person for Responder including contact information
7. Identify other key Project team members, including the architect/engineer and primary contractors that Responder intends to use for the Project

B. Responder’s Experience

1. Identify Responder’s experience in managing projects of similar disciplines involving design, construction and operation
2. Identify Responder’s experience involving working with public entities including identifying all projects involving a private public partnership agreement
3. Identify any design or construction work that Responder self-performs with its own employees
4. Identify Responder’s experience in scheduling and budgeting similar projects

5. Identify Responder's experience in managing costs, changes, and compliance with established budgets and schedules
6. Identify Responder's experience in effectively managing risks on similar types of projects
7. Identify the experience of key Project team members with similar types of projects
8. Identify any litigation or arbitration actions filed by or against Responder in the past five (5) years related to disputes involving any construction projects or any public-private agreements

C. Financial Responsibility

1. Provide Owner with sufficient information and supporting documentation necessary to enable Owner to sufficiently be able to evaluate Responder's financial strength
2. Provide Owner with sufficient information and supporting documentation demonstrating that Responder has sufficient net worth, financial stability and capacity to meet the objectives of the Project
3. Provide evidence of sufficient bonding capacity to satisfy the requirement of providing a payment bond for 100% of the cost to design and construct the Project and a performance bond for 50% of the cost to design and construct the Project
4. Provide a certificate of insurance(s) evidencing the insurance policies maintained by Responder and their corresponding policy limits

D. Responder's BOT Approach to the Project

1. Identify Responder's proposed approach to this Project
2. Provide an overview of Responder's general approach to design, construct, finance, operate and maintain the Project including identifying the proposed allocation of responsibilities among team members
3. Provide an overview of Responder's general approach to project financing including a list of anticipated timelines and milestones to obtain financial commitments and close project financing
4. Provide a conceptual design for the Project
5. Identify any of Owner's Project Criteria that is not included as part of the proposal by Responder.
6. Identify any of Owner's Alternates that are included as part of the proposal by Responder.

E. Developer's Compensation for the Project

1. Provide a schedule of values breaking down the estimated costs of the work to develop, design, build, demolish and operate the Project
2. Identify Developer's proposed fixed fee and identify what costs in addition to profit, if any, is included in the fixed fee
3. Identify the proposed amount of Developer's contingency included in the GMP
4. As to any unused portion of Developer's contingency, identify the proposed percentage that Developer will retain of the unused contingency and the proposed percentage that Owner will retain of the unused contingency (the total of the two percentages should equal 100%)
5. Identify any assumptions, clarifications and exclusions for this GMP
6. Identify the proposed GMP
7. Separately break out the costs of any Owner's Alternates that are included as part of Responder's proposal.

F. Schedule

1. Identify the total duration in calendar days from the date of entering into the BOT Agreement until Responder will have achieved final completion of the Project
2. Provide a proposed schedule using project milestones and including the proposed substantial completion date and final completion date for the Project

VII. EVALUATION CRITERIA

Owner will evaluate and rank the responsive final and best responses to this RFP based upon the following criteria:

Relevant Experience	20 Points
Proposed Conceptual Design	40 Points
Developer's Compensation/GMP	20 Points
Financial Responsibility	10 Points
Schedule	10 Points
TOTAL:	100 Points

VIII. MISCELLANEOUS

- A. Owner reserves the right to terminate the RFP process for any reason, to be the sole judge of the responses submitted, to reject any or all of Responders to this RFP, and

to waive any deficiencies, nonconformities, irregularities, and/or apparent clerical mistakes in any of the responses to this RFP.

- B. The issuance of this RFP does not commit nor bind Owner to enter into a BOT Agreement, any other contract or to proceed with the procurement process. Owner creates no obligation, expressed or implied, of any kind or description in issuing this RFP or by receiving a response. This RFP shall not be construed as a legal offer.
- C. Owner assumes no responsibility or liability for any expenses incurred by Responders, in connection with the preparation or delivery of a response, preparation of the conceptual design or any action related to the process of completing and submitting a response to this RFP nor as to any negotiation or discussions related to the response or preparation of the BOT Agreement.
- D. Responder shall specifically mark as "CONFIDENTIAL" any submitted documents that Responder claims should be exempt from public disclosure. Responder is solely responsible for reviewing the BOT Statute, Indiana's Public Records Act, and applicable law requiring disclosure. Owner will not, under any circumstances, be responsible or liable to Responder or any other party as a result of disclosing materials that Owner determines, in its sole discretion, is not protected by the BOT Statute and/or Indiana's Public Records Act, including, without limitation, any items marked "CONFIDENTIAL". In the event a Responder marks in its proposal information as "Confidential" then such Responder further agrees that should any administrative or legal action be commenced against Owner including but not limited to complaints filed with the Indiana Public Access Counselor that relate to or arise out of Owner's production of Responder's proposal with the designated "confidential" information redacted in response to any applicable public records requests, such Responder agrees to defend, indemnify and hold Owner harmless from and against such actions including Owner's reasonable attorney fees.
- E. All responses to this RFP including but not limited to conceptual designs and any other materials submitted in response to this RFP (collectively, the "Response Documents") shall be owned by Owner and are the property of Owner and for its exclusive use and re-use at any time without further compensation and without any restrictions. Responder hereby assigns to Owner all right, title and interest in and to the Response Documents, including, but not limited to, all architectural works, copyrights, copyright registrations, copyright applications, renewals, extensions and all other proprietary or ownership rights. In the event Owner uses the Response Documents without the involvement of Responder, Owner agrees that Responder shall not be liable for such use of the Response Documents by Owner nor as to any modifications made to the Response Documents by Owner.

EXHIBIT A

INSURANCE REQUIREMENTS FOR DEVELOPER

The final negotiated agreement will contain various insurance provisions. Responders should anticipate that the minimum requirements for required policies and limits of liability to be maintained by Developer will be as follows:

- **Workers Compensation** Statutory Requirement
- **Employer's Liability**

Bodily Injury by Accident	\$1,000,000/each accident
Bodily Injury by Disease	\$1,000,000/policy limits
Bodily Injury by Disease	\$1,000,000/each employee
- **Commercial General Liability**

General Aggregate	\$2,000,000
Products/Completed Operations Aggregate	\$2,000,000
Personal Injury (with Employment Exclusion Deleted) and Advertising Injury	\$1,000,000
Each Occurrence Limit	\$1,000,000
Medical Expense (Any One Person)	\$5,000

Coverage provided by this policy shall include:

 - Premises/operation;
 - Aggregate limits of insurance per Project;
 - Product/completed operations following acceptance of the Procurement;
 - Waiver of subrogation endorsement as required by written contract; and
 - At least thirty (30) days notice of cancellation, non-renewal or material change and ten (10) days notice for non-payment of premium.
- **Automobile** (for all owned, non-owned and hired vehicles, as well as uninsured and underinsured vehicles)

Combined Single Limit	\$1,000,000
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- **Umbrella/Excess** Separate Umbrella policy (written in excess of the Commercial General Liability, Employer's Liability and Auto policies on a follow form basis).

General Aggregate	\$5,000,000
Each Occurrence	\$5,000,000
- **Professional Liability** Developer shall provide a policy providing coverage for claims arising out of the performance of design and other professional services and caused by any error, omission or negligent act, with a per claim limit of \$2,000,000, an aggregate limit of \$2,000,000 and a self-insured retention or deductible not to exceed \$100,000. This policy may be procured by Developer or by Developer's architect or engineer for the Project who will actually provide the professional services for the Project.
- **Property Insurance** Developer shall procure, maintain and pay for property insurance written on a builder's risk "all-risk" or equivalent policy form in the amount of the GMP.

ORDINANCE 2024-18

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSFORT,
INDIANA APPROVING THE EXPENDITURE OF FUNDS FOR THE REPAVING OF
MONTICELLO RD**

WHEREAS, the Street Department receives state revenue based on mileage and other criteria which is deposited into our Local Roads and Streets Fund #302/2202 for the purpose of future road paving projects; and

WHEREAS, the Street Department also receives additional state revenue from gasoline taxes which a portion is deposited into our MVH #203/2203 Fund for our street paving projects: and

WHEREAS, the Street Department now wishes for the Common Council of the City of Logansport, Indiana to consider a request for the repaving of Monticello Rd and has presented the following estimate of \$309,375; and

WHEREAS, the current 2024 Budget shows \$270,000 budgeted with the following line items:

Motor Vehicle Highway-Restricted #203/2203: line item #4-1020-449.010 amount budgeted \$150,000

Local Roads and Streets #302/2202: line item #4-1020-443.010 amount budget \$120,000

WHEREAS, the Street Department is requesting an additional appropriation of an amount not to exceed \$45,000 from the Local Roads and Streets Fund #302/2202 which currently has a balance of \$459,494.11.

NOW THEREFORE, BE IT ORDAINED that the Common Council of the City of Logansport, Indiana does hereby take this official action:

SECTION 1: To support the desire of the Street Department in their request to improve our city streets with the repaving of Monticello Rd.

SECTION 2: To appropriate an additional amount of up to \$45,000 from the Local Roads and Street Fund #302/2202 in order to have the necessary funds in place along with the budgeted amounts specified above.

SECTION 3: This ordinance shall be in effect after its passage by the Common Council of the City of Logansport, Indiana.

INTRODUCED, FILED AND APPROVED by a vote of _____ in favor, _____ opposed, _____ abstained on this 1st day of July, 2024.

DULY PASSED, ORDAINED AND ADOPTED this _____ day of _____, 2024, by the Common Council of the City of Logansport, Indiana by a vote of _____ in favor, _____ opposed, and _____ abstained.

of Logansport, Indiana

Common Council of the City

By:

Dave Morris, President

ATTEST:

Tyler Pearson, Clerk-Treasurer

Submitted to, approved by, and signed by me, the Mayor of the City of Logansport, Indiana this _____ day of _____, 2024

Chris Martin, Mayor

Ordinance 2024-18

RESOLUTION 2024-129

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA APPROVING THE EXPENDITURE OF CEDIT INCENTIVE FUNDING FOR 4BROS LLC

WHEREAS, IC 36-7-2-7 allows units of local government to promote their communities;
and

WHEREAS, 4Bros LLC is an Indiana based company that seeks to invest in real estate improvements for their business showroom and attract other new businesses; and

WHEREAS, 4Bros LLC is in the process of purchasing a building, remodeling the building to enhance commerce, established an ongoing business, and

WHEREAS, 4Bros LLC is requesting that the Common Council of the City of Logansport, Indiana contribute \$75,000 to help with the capital expenditures of the upgrades of the building, specifically to be used towards installing an HVAC system, rebuild wall systems, build new overhang on low eave sides of building, interior and exterior painting at the property located at 710 Burlington Avenue in Logansport. This project for the entire building will have a total cost of approximately \$694,000 and will promote economic development; and

WHEREAS, 4Bros LLC is asking the Common Council of the City of Logansport, Indiana for financial assistance in the form of CEDIT Incentive Funding; and

WHEREAS, it is the desire of the Common Council of the City of Logansport, Indiana to use CEDIT Incentive Funding for the purpose of promoting this economic development; and

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Logansport, Indiana, does hereby take this official action:

SECTION 1. The Common Council shall commit \$75,000 in CEDIT funds from CEDIT Incentive Funding #492-4-1020-438.305; and

SECTION 2. The monies allocated are to be used from the Incentive Fund and are payable directly to the 4Bros LLC as a reimbursement after the work is completed and paid or paid directly to the contractors; and

SECTION 2. this resolution shall be in effect after its passage by The Common Council of the City of Logansport, Indiana.

DULY PASSED, RESOLVED AND ADOPTED this ____ day of _____, 2024, by the Common Council of the City of Logansport, Cass County, Indiana by a vote of ____ in favor and ____ opposed.

Common Council of the City of Logansport, Indiana

By: _____
Dave Morris, President

ATTEST:

Tyler Pearson, Clerk Treasurer

Submitted to, approved by, and signed by me, the Mayor of the City of Logansport, Indiana this ____ day of _____, 2024.

Chris Martin, Mayor

RESOLUTION 2024-129

Resolution 2024-130

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT,
INDIANA TRANSFERRING APPROPRIATIONS FOR THE INFORMATION
TECHNLOGY DEPARTMENT**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LOGANSPORT, INDIANA:

SECTION 1: Certain conditions have developed since the adoption of the budget for the year of 2024 that certain appropriated balances in the Cumulative Cap Fund will not be needed for the purpose for which appropriated, and that such appropriations are now reduced in the amounts as follows:

<u>FUND 301 LINE ITEM</u>	<u>DESCRIPTION</u>	<u>AMOUNT REDUCED</u>
4-1020-444.050	SOFTWARE	\$40,000

SECTION 2: The following appropriations are now needed for certain expenses for 2024. It is now necessary to appropriate the following amounts to meet those obligations for 2024.

<u>FUND 100 LINE ITEM</u>	<u>DESCRIPTION</u>	<u>AMOUNT INCREASED</u>
4-1150-431.050	MANAGED SERVICES	\$40,000

SECTION 3: This resolution shall be in full force and effect after its passage by the Common Council and approval by the Mayor of the City of Logansport, Indiana.

DULY PASSED, RESOLVED AND ADOPTED this ____ day of _____, 2024, by the Common Council of the City of Logansport, Cass County, Indiana by a vote of ____ in favor and ____ opposed.

Common Council of the City of Logansport, Indiana

By: _____
Dave Morris, President

ATTEST:

Tyler Pearson, Clerk Treasurer

Submitted to, approved by, and signed by me, the Mayor of the City of Logansport, Indiana this ____ day of _____, 2024.

Chris Martin, Mayor

Resolution 2024-130

TRANSFER OF APPROPRIATIONS

Logansport City Council

MEETING DATE: June 17, 2024 DEPARTMENT: Cum Cap
(Submit this form to the Clerk Treasurer's Office 2 weeks prior to the upcoming City Council Meeting.)

AMOUNT	FROM (Acct. No. and Name)	TO (Acct. No. and Name)	REASON
\$ 40,000-	301-4-1020-444-050 Software	100-4-1150-431-050 Manager Services	To cover invoices from Smith
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			
\$			

Signature of Department Head: 

- _____ Clerk Treasurer
- _____ Mayor
- _____ Council

ORDINANCE 2024-19

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT,
INDIANA, ESTABLISHING INDIANA DEPT. OF WORKFORCE EMPLOYER
TRAINING GRANT FUND**

WHEREAS, The City of Logansport building comm. was awarded and has accepted a grant for the amount of \$2,150.00 for the Employer Training Grant program; and

NOW THEREFORE, BE IN ORDAINED by the common council of the City of Logansport, Indiana:

SECTION 1. The Clerk-Treasurer is to establish a fund entitled Employer Training Grant fund (#458/4504) in the amount of \$2,150.00; and

SECTION 2. the solo purpose of the fund is to pay for allowable expenses for the Employer Training Grant program; and

SECTION 3. the only receipts into this fund will consist of the grant award in the amount of \$2,150.00 from the award; and

SECTION 4. that the \$2,150.00 shall be transferred from the General fund GL#100-4-1070-439.091 seminars & training;

SECTION 5. this ordinance shall be in effect after its passage by the Logansport Common Council.

INTRODUCED, FILED AND APPROVED on first reading by a vote of __ in favor and opposed on the __ day of __, 2024.

DULLY PASSED, ORDAINED AND ADOPTED on this __ day of __, 2024, by the Common Council of the City of Logansport, Cass County, Indiana by a vote of __ in favor and opposed.

Common Council of the City of Logansport, Indiana

Dave Morris, President

ATTEST:

Tyler Pearson, Clerk-Treasurer

Submitted to, approved by, and signed by me, the Mayor of the City of Logansport, Indiana,
this ____ day of _____, 2024.

Chris Martin, Mayor

ORDINANCE 2024-19