

**TENTATIVE AGENDA
KNOX CITY COUNCIL
TUESDAY, MARCH 13, 2018 AT KNOX CITY HALL
6:45 P.M. CLAIMS AVAILABLE FOR COUNCIL
7:00 P.M. MEETING BEGINS**

- 1. CALL TO ORDER**
- 2. AMENDMENT TO AGENDA**
- 3. APPROVAL OF THE MINUTES**
- 4. ORDINANCE 1164: AMENDING THE CURFEW ORDINANCE**
- 5. SCEDF – RON GIFFORD**
- 6. CLERK-TREASURER’S REPORT**
- 7. MAYOR’S REPORT**
- 8. COUNCIL ITEMS**
- 9. CITIZEN’S COMMENTS**
- 10. SIGNING OF VOUCHERS**
- 11. ADJOURNMENT**

The Common Council of the City of Knox met in regular session Tuesday February 27, 2018 in the Knox City Hall at 7:00 PM CST with the following members present: Mayor, Dennis Estok; Clerk-Treasurer, Jeff Houston; Councilmembers, Ron Parker, Don Kring, Bertha Blue, Jeff Berg, and City Attorney, Leslie Baker. Councilmember Tim Manns was absent.

There were no amendments to the agenda.

RE: APPROVAL OF MINUTES

Minutes of the previous meeting were mailed to the Councilmembers prior to the meeting for their review. Jeff Berg made a motion, seconded by Bertha Blue to approve the minutes as presented. Motion passed with Four (4) ayes and No (0) nays.

RE: ORDINANCE #1163: ADA COORINATOR AND PROCEDURES

Clerk-Treasurer Jeff Houston informed the Council of the seven suggested steps that public entities must take to be compliant with the Americans with Disabilities Act. Houston explained that the first step was taken several years ago when the City began renovating City sidewalks to be ADA compliant.

The next steps are to appoint a coordinator, issue a public notice and adopt a grievance procedure. A public notice has already been posted at the park and various City buildings.

The last three steps are to conduct a self-evaluation, develop a transition plan and then create an action plan. Houston said he is currently working on the transition plan development stage. He asked that the Council pass Ordinance #1163 that appoints an ADA Coordinator and outlines a grievance procedure.

Ron Parker made a motion to approve Ordinance #1163 on first reading. Don Kring seconded the motion. Motion passed with Four (4) ayes and No (0) nays.

Bertha Blue made a motion to suspend the regular order of business and have a second reading on Ordinance #1163. Don Kring seconded the motion. Motion passed with Four (4) ayes and No (0) nays.

Ron Parker made a motion to approve Ordinance #1163 on second and final reading. Jeff Berg seconded the motion. Motion passed with Four (4) ayes and No (0) nays.

ORDINANCE #1163

AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF KNOX, INDIANA, ADOPTING
THE AMERICANS WITH DISABILITY ACT (ADA),
DESIGNATING THE ADA COORDINATOR,
AND ADOPTING PROCEDURES

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, in compliance with Title II of the ADA the City of Knox shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA the City of Knox shall adopt a grievance procedure for resolving complaints alleging violation of the Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA the City of Knox shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website; and

WHEREAS, in compliance with Title II of the ADA the City of Knox shall adopt the 2005 Guidelines for Accessible Public Rights of Way, and the 2010 Americans with Disabilities Act Standards for Accessible Design, including but not limited to any enforceable standards or updates required by future changes to Title II of the ADA.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KNOX as follows:

SECTION I. Clerk-Treasurer, Jeff Houston is designated as the ADA Coordinator for the City of Knox, Indiana.

SECTION II. The Notice under the Americans with Disabilities Act, a copy of which is attached hereto as Exhibit "A", is adopted as the City of Knox Notice under the Americans with Disabilities Act (ADA).

SECTION III. The City of Knox Grievance Procedure under the ADA, a copy of which is attached hereto as Exhibit "B", is adopted as the grievance procedure for addressing activities, programs or benefits by the City of Knox.

SECTION IV. In compliance with Federal and State Laws as set forth above, the Common Council of the City of Knox resolves to post the required information regarding the ADA coordinator. Notice under the ADA, and the City of Knox Grievance Procedure under the ADA on its website and at such other locations as may be determined from time to time.

SECTION V. This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

COMMON COUNCIL OF THE CITY OF KNOX:

Ron Parker, Council President

Don Kring, Councilor

Bertha Blue, Councilor

Tim Manns, Councilor

Jeff Berg, Councilor

Approved by the Mayor this ____ day of _____, 2018.

Dennis Estok, Mayor

Attest: _____
Jeffery J. Houston, Clerk-Treasurer

RE: CLERK-TREASURER'S REPORT

Clerk-Treasurer Houston submitted a list of checks that have been outstanding for a period of Two (2) years that his office is voiding in accordance with Indiana Code 5-11-10.5. The list included the name of the payee, amount of each check, the account that each check was drawn on date issued and total amount.

OLD OUTSTANDING CHECKS FROM 2015
RECEIPTED INTO BOOKS 2018

Check #	Amount	Fund Rec Into	Vendor	Description
13005	49.42	WO	Brian Dixon	WD Refund
13005	100.00	SO	Brian Dixon	SD Refund
13141	167.25	MVH	Mike's Mower Mart	Repair Equipment
13622	100.00	KCCOM	Shalea Watkins	Com Cent Refund
13637	39.31	WO	Dimmie Vaughn	WD Refund
13709	14.12	WO	Lola Kish	WD Refund
13714	<u>11.47</u>	WO	Rebecca Hale	WD Refund
Total	481.57			

Clerk-Treasurer Houston noted that a new 5 million dollar bond issue has been obtained by the school system that may impact the tax caps. He noted also that he was checking with different consultants to see exactly what effect it would have.

RE: MAYOR'S REPORT

Mayor Estok extended his gratitude to those individuals and organizations who pitched in to help keep the flood waters at bay during the recent flood emergency. He specifically mentioned the Hamlet Cub Scout Pack #235 and their families. Mayor Estok added that Starke County Sheriff, Bill Dulin also helped out by bringing more than 15 inmates down to assist with preparing and loading sandbags. He also thanked Fire Chief, Kenny Pfost and individual volunteers.

RE: COUNCIL ITEMS

Councilman, Jeff Berg gave a brief history of the Starke County Court House and downtown Knox.

Councilman Kring noted that over 100 people volunteered during the flood and he wanted to thank them for their work.

RE: COUNCIL ABSENTEEISM

A general discussion took place concerning absenteeism by Councilmembers. Councilman Kring stated that the Council needs to define what the official duties of a Councilman are and, if necessary, declare that a vacancy exists on the Council.

Jeff Berg made a motion to write an Ordinance defining the official duties of a Councilperson and to further declare a vacancy exists, if necessary. Ron Parker seconded the motion. Motion carried with Four (4) ayes and No (0) nays.

RE: VOUCHERS AND ALLOWANCES

The following properly filed vouchers (see Voucher Docket, Voucher #25196 - #25252 inclusive) were presented and approved. Voucher

There being no further business to come before the Council at this time the meeting upon motion was duly adjourned.

Dennis Estok, Mayor

Attest: _____
Jeffery J. Houston, Clerk-Treasurer

ORDINANCE #1164

AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF KNOX, INDIANA
AMENDING THE KNOX MUNICIPLE CODE
TO AMEND ORDINANCES
#63, #831, AND #857
ESTABLISHING CURFEW AND FINES FOR VIOLATIONS

Whereas, there have been requests by the citizens of Knox for clarification of existing curfew hours; and

Whereas, the State of Indiana allows Cities to determine curfew times to for public safety of its citizens pursuant to IC 31-37-3-4.

Therefore, let it be resolved and ordained, by the Knox Common Council;

Section 1. That a curfew is hereby established for children Seventeen (17) years of age and under.

Section 2. That it shall be a curfew violation for a child Fifteen (15), Sixteen (16) or Seventeen (17) years of age to be in a public place:

- (a) Friday night midnight to 6:00 AM Saturday; and Saturday night midnight to 6:00 AM Sunday
- (b) After 10:00 PM on Sunday, Monday, Tuesday, Wednesday or Thursday; or
- (c) Before 6:00 AM on Monday, Tuesday, Wednesday, Thursday or Friday

Section 3. It shall be a curfew violation for a child under Fifteen (15) years of age to be in a public place after 10:00 PM or before 6:00 AM on any day.

Section 4. It shall not be a curfew violation for a child to be in a public place during the hours stated above if:

- (a) The child is accompanied by parent, guardian or custodian;
- (b) The child is accompanied by an adult specified by his parent, guardian or custodian, or
- (c) The child is participating in, going or returning from:
 - 1) Lawful employment
 - 2) a school sanctioned activity; or
 - 3) a religious event

Section 5. A parent or guardian whose child or ward is out after hours established for curfew shall be held responsible for such violation by their child or ward.

The penalty for a parent or guardian found to be in violation of this ordinance shall be a fine in the amount of Fifty Dollars (\$50.00) for each child found to be violating curfew and for each time the curfew is violated.

Said fine shall be payable to the Ordinance Violations Bureau, c/o Clerk-Treasurer's Office, 101 W Washington Street Knox, Indiana 46534. If the parent does not believe he or she is in violation of this ordinance, the case shall be heard in Knox City Court.

Dennis Estok, Mayor

Attest: _____
Jeffery J. Houston, Clerk-Treasurer

The ordinance was then read a second time by title by Mayor Dickson. No Amendments were offered at this time. Upon motion by Councilman Davis, second by Councilman Moore, and was unanimously passed by a vote of Five (5) ayes and No (0) nays.

Mayor Dickson then read said ordinance a third time by title and announced that said Ordinance #831 was now up for final passage and adoption. Upon motion by Councilman Walton, second by Councilman Atchison and was unanimously passed and adopted by a vote of Five (5) ayes and No (0) nays.

The Mayor announced that Ordinance #831 as follows, had been duly passed and adopted.

ORDINANCE #831

ORDINANCE AMENDING ORDINANCE #63
ESTABLISHMENT OF A CURFEW

WHEREAS, the City of Knox has concerns about the safety and welfare of the minors of the City; and,

WHEREAS, the State of Indiana has established curfews pursuant to I.C. 31-6-4-2; and,

WHEREAS, the City of Knox believes the times set as curfew by the State of Indiana are later than is reasonable for the public safety of all citizens of Knox; and,

WHEREAS, the City of Knox, by the Knox Common Council, desires to establish an earlier curfew than that allowed by state statute.

THEREFORE, LET IT BE RESOLVED AND ORDAINED, by the Knox Common Council:

Section 1. That a curfew is hereby established for children seventeen (17) years of age and under.

Section 2. That it shall be a curfew violation for a child fifteen (15), sixteen (16) or seventeen (17) years of age to be in public place:

- a) between midnight and 6 a.m. on Saturday and Sunday;
- b) after 10 p.m. on Monday, Tuesday, Wednesday or Thursday;
- c) before 6 a.m. on Monday, Tuesday, Wednesday, Thursday or Friday;

Section 3. That it shall be a curfew violation for a child under fifteen (15) years of age to be in a public place after 10 P.M. or before 6 A.M. on any day.

Section 4. It shall not be a curfew violation for a child to be in a public place during the hours stated above if:

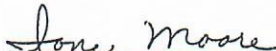
- a) The child is accompanied by a parent, guardian or custodian;
- b) The child is accompanied by an adult specified by his parent, guardian or custodian; or;
- c) The child is participating in, going to or returning from:
 1. lawful employment;
 2. a school sanctioned activity; or;
 3. a religious event.

Section 5. If the violation is a child's first violation, the parents, guardians or custodians shall be notified of said violation and the child shall be released to the parent, custodian or guardian's care. If the violation of this ordinance shall be the child's second or greater violation, said child may be charged in a court of competent jurisdiction in Starke County.

Section 6. This ordinance shall become effective upon its proper passage and publication as required by law.

Dated this 10th day of October, 1989.


Raymond Walton, Councilman

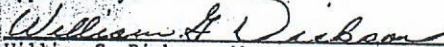

Ione Moore, Councilman


Eugene Cook, Councilman

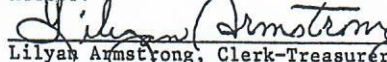

William Davis Jr., Councilman


Mary Atchison, Councilman

Approved by:


William G. Dickson, Mayor

Attest:


Lilyan Armstrong, Clerk-Treasurer