PERSONAL AUDIO ENHANCERS ARE AVAILABLE FROM THE COUNCIL SECRETARY

AGENDA FOR REGULAR ELKHART CITY COUNCIL MEETING

LOCATION: CITY HALL, 2^{ND} FLOOR, COUNCIL CHAMBERS

November 18, 2024 6:00 P.M.

1. Call to Order, Pledge, Moment of Silent Meditation, Roll Call

2. Minutes for Approval

Minutes of November 4, 2024 - Council Meeting

Presentations and Introductions

Unfinished Business

Reports of Council Committees

a) Ordinances on Second-Third Reading

Proposed Ordinance 24-O-44, an ordinance authorizing the Mayor or his Designee to secure an Indiana Department of Homeland Security Grant in the amount of Sixty Thousand Dollars (\$60,000.00) for the purchase of a Birthing Simulation Mannequin for training purposes by the Elkhart Fire Department **Proposed Ordinance 24-O-45,** an ordinance appropriating Three Hundred Twenty-Five Thousand and 00/100 Dollars (\$325,000.00) from the ARP Coronavirus Local Fiscal Recovery Fund to the Provision of Government Services Account to upgrade the Audio-Video (AV) System of the Common Council Chambers and other improvements

Proposed Ordinance 24-O-46, an ordinance appropriating Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) from the ARP Coronavirus Local Fiscal Recovery Fund to the Provision of Government Services Account to collaborate with the Elkhart Chamber of Commerce in the implementation of the Benham Neighborhood Plan

Proposed Ordinance 24-O-47, an ordinance appropriating One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) from the ARP Coronavirus Local Fiscal Recovery Fund to the Negative Economic Impact Account to fund a collaboration with the Institute for Entrepreneurial Communities **Proposed Ordinance 24-O-48,** an ordinance appropriating One Million Five Hundred Thousand and 00/100 Dollars (\$1,500,000.00) from the ARP Coronavirus Local Fiscal Recovery Fund to the Provision of Government Services Account to upgrade the heating, ventilation and air conditioning (HVAC) system of City Hall

b) Ordinances and Resolutions Referred to Committees

There are no Ordinances or Resolutions referred to committees

Tabled Ordinances and Resolutions

Proposed Ordinance 24-O-10, an ordinance of the Common Council of the City of Elkhart, Indiana, authorizing the issuance of the City of Elkhart, Indiana, taxable Economic Development Revenue Bonds and approving and authorizing other actions in respect thereto

3. New Business

a. Ordinances on First Reading

Proposed Ordinance 24-O-49, an ordinance accepting the United States Department of Agriculture Community Forestry Initiative Reimbursement Grant in the amount of One Million Dollars (\$1,000,000.00) for the City of Elkhart "Trees for the Hart" Initiative

Proposed Ordinance 24-O-50, an ordinance amending Ordinance No. 5983, an Ordinance annexing certain real property, described as Elkhart East Annexation, Phase 1, into the City of Elkhart, Indiana

Proposed Ordinance 24-O-51, an ordinance appropriating Sixty Thousand and 00\100 Dollars (\$60,000.00) from the Elkhart Capital Outlay Fund for the replacement of the north roof of the Lerner Theatre

Proposed Ordinance 24-O-52, an ordinance annexing certain real estate generally described as 37.13 vacant acres on County Road 14 East of County Road 17 in Elkhart County, Indiana, and declaring the same to be a part of the City of Elkhart, Indiana

Proposed Ordinance 24-O-53, an ordinance annexing certain real estate commonly known as 2400 South Sixth Street, Elkhart, Indiana, and declaring the same to be a part of the City of Elkhart, Indiana

Proposed Ordinance 24-O-54, an ordinance appropriating Two Hundred Fifty Thousand Dollars (\$250,000.00) and approving the acquisition of land adjacent to Ideal Beach by the Elkhart City Parks and Recreation Board

Resolutions

Proposed Resolution 24-R-54, a resolution of the Common Council of the City of Elkhart, Indiana, adopting a written fiscal plan to define a policy for the Provision of Services to the area generally described as 37.13 vacant acres on County Road 14 East of County Road 17 in Elkhart County, Indiana, a proposed annexation area

Proposed Resolution 24-R-55, a resolution of the Common Council of the City of Elkhart, Indiana, adopting a written fiscal plan to define a policy for the Provision of Services to the area commonly known as 2400 South Sixth Street, Elkhart, IN 46517, a proposed annexation area

Proposed Resolution 24-R-56, a resolution of the Common Council of the City of Elkhart, Indiana, confirming Resolution No. R-53-24, which declared a certain area in the City of Elkhart to be an Economic Revitalization Area for the purpose of granting tax phase-in benefits to PECF Enterprises Inc. DBA Triangle Rubber Co. LLC\N7 Guild LLC

Proposed Resolution 24-R-57, a resolution of the Common Council of the City of Elkhart, Indiana, to approve two memoranda of agreements between the City of Elkhart, and PECF Enterprises Inc. DBA Triangle Rubber Co, LLC\N7 Guild LLC

Proposed Resolution 24-R-58, a resolution of the Common Council of the City of Elkhart, Indiana, amending Resolution No. R-11-24, adopting a written fiscal plan to define a policy for the Provision of Services to the Annexation Area referred to as Elkhart East Annexation Phase 1

b. Vacation Hearings

There are no vacation hearings

c. Other New Business

Appointments to the Police Merit Board – Mandy Leazenby and Brad Billings Appointment to the Lerner Theatre Board – Fran Bouie

d. Reports of Mayor, Board of Works, Board of Safety or City Departments

e. Neighborhood Association Report

f. Privilege of the Floor

Please limit your comments to 3 minutes to allow others time to comment

g. Scheduling of Committee Meetings

4. Acceptance of Communications

Minutes of September 25, 2024 – Board of Aviation Minutes of October 15, 2024 – Board of Public Works Report – Month End October – Elkhart Communication Center

Adjournment

DRAFT

MINUTES OF THE REGULAR COMMON COUNCIL MEETING OF NOVEMBER 4, 2024

Present: Council President Arvis Dawson

Council Members Alex Holtz, Brent Curry, LaTonya King, Aaron Mishler, Chad

Crabtree, David Henke (Arrived Late)

Absent: Dwight Fish, Tonda Hines

This meeting was made available to the public electronically through WebEx.

President Dawson called the meeting to order at 6:00 p.m. in the Council Chambers at City Hall, 229 S. Second Street, in Elkhart. All Council Members were present in Council Chambers.

Council President, Arvis Dawson led the assembly in the Pledge of Allegiance. President Dawson asked for a moment of silent reflection.

The clerk called the roll.

APPROVAL OF MINUTES

President Dawson asked for a motion and second to approve the minutes from the October 17, 2024, Special Call Council Meeting.

Motion made by Councilman Crabtree, second by Councilman Mishler.

By a unanimous voice vote, the minutes were approved.

President Dawson asked for a motion and second to approve the minutes from the October 21, 2024, Council meeting.

Motion made by Councilman Crabtree, second by Councilman Mishler.

By a unanimous voice vote, the minutes were approved.

PRESENTATIONS AND INTRODUCTIONS

Presentation begins at 30 minutes and 12 seconds of the audio recording.

Diana Lawson, Chairperson, Lerner Theatre Board 100 Year Celebration, said the Lerner Theatre is a landmark in the downtown and has been for 100 years. The theatre opened in 1924 and has withstood wars, economic shifts, cultural revolutions and technological advancements. It is a testament to the resilience and continuity in our community. People have gathered there to experience Vaudeville Acts, Silent Films, Musical performances and more. Through the Great Depression, it served as an escape for audiences, an inspiration in difficult times and it remains a

comfortable place in our community. The Lerner has evolved through the decades and continues to be a centerpiece in our downtown. She invited everyone to the Centennial Kickoff Event, which is being held the same day as the premier opening in 1924. On Sunday, November 24, 2024 at 3:00 pm, the yearlong celebration will begin by featuring the first movie shown in the theatre, Buster Keaton in The Navigator. This silent film will be accompanied by Clark Wilson on the original pipe organ, playing the original score from the movie. Tickets to this event are free and include free popcorn, through the generous support of the Elkhart County Convention and Visitors Bureau, Friends of the Lerner and the Community Foundation of Elkhart County. She hopes everyone will join them and said to watch for more exciting plans for this 100 year celebration throughout the year.

Presentation ends at 35 minutes and 16 seconds of the audio recording.

UNFINISHED BUSINESS

REPORTS OF COUNCIL COMMITTEES

There were no reports of Council Committees.

ORDINANCES ON SECOND-THIRD READING

Proposed Ordinance 24-0-41

AN ORDINANCE AMENDING THE ZONING MAP CREATED PURSUANT TO ORDINANCE NO. 4370, THE "ZONING ORDINNCE OF THE CITY OF ELKHART, INDIANA," AS AMENDED, TO REZONE 203 N. NAPPANEE STREET, ELKHART, IN 46514, FROM R-2, ONE FAMILY DWELLING DISTRICT TO O, OFFICE DISTRICT

President Dawson asked the clerk to read the proposed ordinance by title only. He asked for a motion and second to adopt on second reading. Motion made by Councilman Curry, second by Councilman Henke.

COUNCIL DISCUSSION ON PROPOSED ORDINANCE 24-0-41

President Dawson opened Council discussion starting at 36 minutes and 23 seconds of the audio recording.

Eric Trotter, Assistant Director of Planning, said the Planning Commission received and approved earlier this month, unanimously to rezone the property on North Nappanee Street from R-2, One Family Dwelling District to District O, Office District. This rezoning reflects the way the property is actually being used. It is no longer used as a single family residence. It is being used by the doctor's office directly adjacent to the south for overflow file storage and conference space.

Councilman Henke asked who owns the property and who is in it now? Eric Trotter replied, Dr. Moore. His office is to the south and he bought and acquired the property to the north. This rezoning actually reflects the way the property is actually being used.

PUBLIC DISCUSSION ON PROPOSED ORDINANCE 24-0-41

President Dawson opened the public discussion starting at 37 minutes and 46 seconds of the audio recording.

There was no public discussion.

COUNCIL DISCUSSION ON PROPOSED ORDINANCE 24-0-41

President Dawson returned the discussion to the Council starting at 37 minutes and 59 seconds of the audio recording.

There was no further Council discussion.

President Dawson asked the clerk to do a roll call vote on second reading.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed ordinance passed on second reading.

Motion for third and final reading made by Councilman Henke, second by Councilman Crabtree.

President Dawson asked the clerk to read the proposed ordinance by title only and do a roll call vote.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed ordinance passed on third and final reading.

Discussion on the proposed ordinance ends at 39 minutes and 00 seconds of the audio recording.

Proposed Ordinance 24-0-42

AN ORDINANCE AMENDING THE ZONING MAP CREATED PURUSANT TO ORDINANCE NO. 4370, THE "ZONING ORDINANCE OF THE CITY OF ELKHART, INDIANA" AS AMENDED TO REZONE 2520 AND 2526 BYPASS ROAD, ELKHART, IN 46514, FROM M-1, LIMITED MANUFACTURING DISTRICT TO R-4, MULTIPLE FAMILY DWELLING

President Dawson said he has been asked by the petitioners to remove this ordinance from the agenda. He asked for a motion to remove this from the agenda. Motion made by Councilman Henke, second by Councilman Crabtree.

President Dawson asked the clerk to read the proposed ordinance by title only and do a roll call vote.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed ordinance was removed from the agenda.

Proposed Ordinance 24-O-43

AN ORDINANCE ENACTING AND ADOPTING THE TWENTY-THIRD AND TWENTY-FOURTH SUPPLEMENTS TO THE CODE OF ORDINANCES FOR THE CITY OF ELKHART, INDIANA

President Dawson asked the clerk to read the proposed ordinance by title only. He asked for a motion and second to adopt on second reading. Motion made by Councilman Crabtree, second by Councilman Henke.

COUNCIL DISCUSSION ON PROPOSED ORDINANCE 24-0-43

President Dawson opened Council discussion starting at 40 minutes and 33 seconds of the audio recording.

There was no council discussion.

PUBLIC DISCUSSION ON PROPOSED ORDINANCE 24-O-43

President Dawson opened the public discussion starting at 40 minutes and 36 seconds of the audio recording.

There was no public discussion.

COUNCIL DISCUSSION ON PROPOSED ORDINANCE 24-0-43

President Dawson returned the discussion to the Council starting at 40 minutes and 41 seconds of the audio recording.

There was no further Council discussion.

President Dawson asked the clerk to do a roll call vote on second reading.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed ordinance passed on second reading.

Motion for third and final reading made by Councilman Mishler, second by Councilman Henke.

President Dawson asked the clerk to read the proposed ordinance by title only and do a roll call vote.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed ordinance passed on third and final reading.

Discussion on the proposed ordinance ends 41 at minutes and 29 seconds of the audio recording.

ORDINANCES AND RESOLUTIONS REFERRED TO COMMITTEES

There are no ordinances or resolutions referred to committees.

TABLED ORDINANCES AND RESOLUTIONS

Proposed Ordinance 24-0-10

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, AUTHORIZING THE ISSUANCE OF THE CITY OF ELKHART, INDIANA TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

President Dawson stated this ordinance will remain tabled.

ORDINANCES ON FIRST READING

Proposed Ordinance 24-O-44

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SECURE AN INDIANA DEPARTMENT OF HOMELAND SECURITY GRANT IN THE AMOUNT OF SIXTY THOUSAND DOLLARS (\$60,000.00) FOR THE PURCHASE OF A BIRTHING SIMULATION MANNEQUIN FOR TRAINING PURPOSES BY THE ELKHART FIRE DEPARTMENT

President Dawson asked the clerk to read the proposed ordinance by title only. If there are no objections this will move to second reading.

There was no objection; proposed ordinance moved on to second reading.

Proposed Ordinance 24-0-45

AN ORDINANCE APPROPRIATING THREE HUNDRED TWENTY-FIVE THOUSAND AND 00\100 DOLLARS (\$325,000.00) FROM THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND TO THE PROVISION OF GOVERNMENT SERVICES ACCOUNT TO UPGRADE THE AUDIO-VIDEO (AV) SYSTEM OF THE COMMON COUNCIL CHAMBERS AND OTHER IMPROVEMENTS

President Dawson asked the clerk to read the proposed ordinance by title only. President Dawson said this will be assigned to the Finance Committee.

Proposed Ordinance 24-0-46

AN ORDINANCE APPROPRIATING SEVENTY-FIVE THOUSAND AND 00\100 DOLLARS (\$75,000.00) FROM THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND TO THE PROVISION OF GOVERNMENT SERVICES ACCOUNT TO COLLABORATE WITH THE ELKHART CHAMBER OF COMMERCE IN THE IMPLEMENTATION OF THE BENHAM NEIGHBORHOOD PLAN

President Dawson asked the clerk to read the proposed ordinance by title only. President Dawson said this will be assigned to the Finance Committee.

Proposed Ordinance 24-0-47

AN ORDINANCE APPROPRIATING ONE HUNDRED FIFTY THOUSAND AND 00\100 DOLLARS (\$150,000.00) FROM THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND TO THE NEGATIVE ECONOMIC IMPACT ACCOUNT TO FUND A COLLABORATION WITH THE INSTITUTE FOR ENTREPRENEURIAL COMMUNITIES

President Dawson asked the clerk to read the proposed ordinance by title only. President Dawson said this will be assigned to the Finance Committee.

Proposed Ordinance 24-O-48

AN ORDINANCE APPROPRIATING ONE MILLION FIVE HUNDRED THOUSAND AND 00\100 DOLLARS (\$1,500,000.00) FROM THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND TO THE PROVISION OF GOVERNMENT SERVICES ACCOUNT TO UPGRADE THE HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SYSTEM OF CITY HALL

President Dawson asked the clerk to read the proposed ordinance by title only. President Dawson said this will be assigned to the Finance Committee.

RESOLUTIONS

Proposed Resolution 24-R-51

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, CONFIRMING RESOLUTION NO. R-50-24, WHICH DECLARED A CERTAIN AREA IN THE CITY OF ELKHART TO BE AN ECONOMIC REVITILIZATION AREA FOR THE PURPOSE OF GRANTING TAX PHASE-IN BENEFITS TO CONSOLIDATED METALS, INC.\WESTWOOD MANOR INC.

President Dawson asked the clerk to read the proposed resolution by title only. He asked for a motion and a second to adopt this resolution. Motion by Councilman Mishler, second by Councilman Henke.

COUNCIL DISCUSSION ON PROPOSED RESOLUTION 24-R-51

President Dawson opened Council discussion starting at 44 minutes and 35 seconds of the audio recording.

There was no Council discussion.

PUBLIC DISCUSSION ON PROPOSED RESOLUTION 24-R-51

President Dawson opened the public discussion starting at 44 minutes and 44 seconds of the audio recording.

There was no public discussion.

COUNCIL DISCUSSION ON PROPOSED RESOLUTION 24-R-51

President Dawson returned the discussion to the Council starting at 44 minutes and 47 seconds of the audio recording.

There was no further Council discussion.

President Dawson asked the clerk to do a roll call vote.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed resolution passed.

Discussion on the proposed ordinance ends at 45 minutes and 05 seconds of the audio recording.

Proposed Resolution 24-R-52

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, TO APPROVE TWO MEMORANDA OF AGREEMENTS BETWEEN THE CITY OF ELKHART AND CONSOLIDATED METALS, INC.\WESTWOOD MANOR, INC.

President Dawson asked the clerk to read the proposed resolution by title only. He asked for a motion and a second to adopt the resolution. Motion by Councilman Henke, second by Councilman Crabtree.

COUNCIL DISCUSSION ON PROPOSED RESOLUTION 24-R-52

President Dawson opened Council discussion starting at 45 minutes and 31 seconds of the audio recording.

Councilman Henke said he had questions in regards to score grid and the length of the abatement. Are they being considered separately and scored collectively? Drew Wynes, **Economic Development**, said they are scored separately. He said what brought them up to a 5 year for real property was being in a target industry for advanced manufacturing, their investments in automation, they are developing a parcel that is 25 years old and they are also making Elkhart their headquarters. The bulk of their 30 points is what contributed to them qualifying of a 5 year real property phase in. Councilman Henke said, it was actually just under a one million total investment and they had 10 jobs. **Drew Wynes** replied, they had 30 jobs. Councilman Henke asked the total investment for real property was how much. Drew Wynes replied it was \$625,000, and those 30 additional points were for headquarters, being a target industry, advanced manufacturing and their investment in a 25 year old facility is what brought them to 5 years real property. **Councilman Henke** asked if this is aligned with everything they have done so far or is this a change. **Drew Wynes** responded this is aligned with previous abatements. Councilman Henke said this is different from 6 or 7 years ago. When did the implementation of target industry begin? **President Dawson** said Drew was not here 6 or 7 years ago so he cannot answer that question. Drew Wynes said they can discuss this with Economic Development Corporation hereafter, EDC as they produce the scorecard and see when it was implemented. They highlight both target industries for the State and for Elkhart and advanced manufacturing is one of the targets. Councilman Henke requested a copy of the scorecard. **Drew Wynes** replied, certainly, happy to do that.

PUBLIC DISCUSSION ON PROPOSED RESOLUTION 24-R-52

President Dawson opened the public discussion starting at 48 minutes and 10 seconds of the audio recording.

There was no public discussion.

COUNCIL DISCUSSION ON PROPOSED RESOLUTION 24-R-52

President Dawson returned the discussion to the Council starting at 48 minutes and 23 seconds of the audio recording.

There was no further Council discussion.

President Dawson asked the clerk to do a roll call vote.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed resolution passed.

Discussion on the proposed ordinance ends at 48 minutes and 40 seconds of the audio recording.

Proposed Resolution 24-R-53

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, DECLARING A CERTAIN AREA TO BE AN ECONOMIC REVITILIZATION AREA FOR THE PURPOSE OF GRANTING TAX PHASE-IN BENEFITS TO PECF ENTERPRISES INC. DBA TRIANGLE RUBBER LLC\N7 GUILD LLC

President Dawson asked the clerk to read the proposed resolution by title only. He asked for a motion and a second to adopt the resolution. Motion by Councilman Mishler, second by Councilman Crabtree.

COUNCIL DISCUSSION ON PROPOSED RESOLUTION 24-R-53

President Dawson opened Council discussion starting at 49 minutes and 16 seconds of the audio recording.

Councilman Mishler asked if this was the first abatement this company has requested. Drew Wynes replied that is my understanding. Councilman Mishler said to be clear, this is a 3 year abatement, One Million in real estate improvements, Two Million in personal property and creating 10 jobs with an average salary of about \$58,000 a year. Drew Wynes replied, yes. Councilman Mishler asked if this is one of the target industries and that is why there is a 3 year abatement. Drew Wynes said yes, Triangle Rubber is a local manufacturer. They have 3 locations, one in Elkhart, one in Goshen and one in Elkhart County. They service the automotive and appliance industries, supplying companies all across North America. There are One Million Dollars in existing building improvements, they are building a new edition to house Two Million Dollars of automated equipment and they are also an advanced manufacturing project. They are in target industries, automotive, tier one and tier two. We are recommending a 3 year personal property and a 3 year property tax phase in and they are creating 10 new jobs with an average salary of \$58,240. Councilman Mishler asked what the difference is between tier one and tier two. Drew Wynes said tier one is directly to Original Equipment Manufacturers hereafter, OEM.

Councilman Henke questioned this one is a Three Million Dollar investment and the previous one was One Million. What is the difference? **Drew Wynes** replied Consolidated Metals is investing 9.1 Million in personal property equipment, in automated steel mills. While these are respective projects, Consolidated Metals has a very sizable investment in equipment.

PUBLIC DISCUSSION ON PROPOSED RESOLUTION 24-R-53

President Dawson opened the public discussion starting at 51 minutes and 55 seconds of the audio recording.

There was no public discussion.

COUNCIL DISCUSSION ON PROPOSED RESOLUTION 24-R-53

President Dawson returned the discussion to the Council starting at 52 minutes and 02 seconds of the audio recording.

There was no further Council discussion.

President Dawson asked the clerk to do a roll call vote.

AYES: Holtz, Curry, King, Mishler, Crabtree, Henke, Dawson NAYS:

By a vote of 7-0, the proposed resolution passed.

Discussion on the proposed ordinance ends at 52 minutes and 20 seconds of the audio recording.

VACATION HEARINGS

There are no vacation hearings.

OTHER NEW BUSINESS

President Dawson opened the discussion starting at 52 minutes and 24 seconds of the audio recording.

Councilman Henke said he has received a lot of positive feedback on the road improvements across the city. He thinks it is a big deal to let the public know what is coming next. He would also like to commend the police for their presence on Halloween in his neighborhood. He would like to see the council review the internal control policy which has not been done under the current administration. He would like to formally request information with regards to internal investigation of Community Development Block Grant hereafter, CDBG funds he had not heard anything on this. President Dawson said an email was sent out asking for more information and to make sure all of those questions need to be in writing so that the council has a copy for the record.

Councilman Mishler wanted to thank the Parks Department for their recent presentation, it was very informative and a great opportunity the public to learn more about the parks and potential opportunities for future development and community engagement.

President Dawson said they have been at the minimum wage for tax abatements for a period of time. He would like to revisit that and what that minimum wage should be or could be because it has been a number of years.

New Business discussion ended at 55 minutes and 27 seconds of the audio recording.

REPORTS OF MAYOR, BOARD OF WORKS, BOARD OF SAFETY OR CITY DEPARTMENTS

There were no reports.

NEIGHBORHOOD ASSOCIATION REPORTS

President Dawson opened the Neighborhood Association Reports starting at 55 minutes and 37 seconds of the audio recording.

Councilman Curry said, the Pierre Moran Neighborhood Association postponed their meeting and will be meeting Sunday, November 10 at 4:00 pm at the councilman's home. They postponed the meeting because Veronica Suggs from a well-known Elkhart family, passed away. A number of people went and offered their condolences on behalf of the Mayor and the city. He also said when there was a misunderstanding recently among some neighbors, it made a difference that the neighbors knew each other and when Officer Huff showed up, it was able to be resolved quickly because of having the neighborhood association in place.

Neighborhood Association reports ends at 57 minutes and 55 seconds of the audio recording.

PRIVILEGE OF THE FLOOR

No one spoke from the public.

SCHEDULING OF COMMITTEE MEETINGS

There will be a Finance Committee meeting on November 12, 2024 at 6:00 pm to go over the Ordinances that were referred to the committee.

ACCEPTANCE OF COMMUNICATIONS

Minutes of October 8, 2024 – Board of Public Safety

President Dawson asked for a motion to approve the communications. Motion made by Councilman Crabtree, second by Councilman Mishler.

By a unanimous voice vote, the Acceptance of Communications passed.

ADJOURNMENT

President Dawson asked for a motion to adjoby Councilwoman King.	ourn. Motion made by Councilman Crabtree, second
By a unanimous voice vote, the meeting w	as adjourned.
Debra D. Barrett, Elkhart City Clerk	Arvis L. Dawson President of the Elkhart City Council

City of Elkhart Board of Aviation Commissioners Meeting September 25, 2024

The Board of Aviation Commissioners meeting was called to order by Commissioner Doug Thorne at 4:00 pm on Wednesday, September 25, 2024 at the Elkhart Municipal Airport Administration Building, 1211 CR 6 W, Elkhart, Indiana 46514. Commissioners Bruce Shreiner & Shari Mellin were present. Also present were: Andy Jones, Karen Shaw, Kevin Davis, Paul Shaffer, David Sandsmark and Ryan Sherwood. Commissioner Tom Shoff was absent. Councilman Dwight Fish attended via Webex.

Motion of Amendment:

Mr. Thorne made a MOTION to amend today's agenda to add the question of sending the Airfield Maintenance Manager and three Airfield Maintenance Technicians to The American Association of Airport Executive (AAAE) Winter Operations Seminar. Ms. Mellin made a MOTION to add this to today's agenda. Mr. Shreiner SECONDED. There being no further discussion, the motion PASSED unanimously.

Approval of Minutes:

Ms. Mellin made a MOTION to approve the minutes of the August 28, 2024 meeting. Mr. Shreiner SECONDED the motion. There being no further discussion, the motion PASSED unanimously.

Approval of Claims:

Mr. Shreiner made a MOTION to approve claims as submitted for \$452,235.80. Ms. Mellin SECONDED the motion. There was a board question regarding bird deterrent guns. Andy Jones explained that these are special guns available only to the aviation industry. Our airport has been using these wildlife deterrents for many decades. They are only capable of ejecting a projectile into the air that makes a loud report or a high pitch scream, resulting in flocks of birds taking flight. Over the years, only one remains in working condition. Each of the new pickup trucks will be equipped with one. There being no further discussion, the motion to approve September 2024 claims PASSED unanimously.

Airport Manager's Report:

Andy advised that the Lippert anti-lock braking demonstration took place at the airport for the last two days. Lippert seemed to be pleased with the event. Andy advised he has been in contact with representatives from DLZ Corporation regarding safe & proper ways to dispose of fuel farm tanks at the airport, and encouraged them to engage with Butler, Fairman & Seufert (BF&S) and Indiana Flight Center (IFC) for further discussion. We are currently waiting on costs. The maintenance crew have been busy working on sealing taxiway cracks. Our hot tar machine has been working intermittently, so we may revert to using a loaner from our tar vendor as we did last year. We have re-hired Eduardo Pizana for the open Airfield Maintenance Technician position. Mr. Pizana was with us previously for four years, then left to attend Air Traffic Control School, but has ultimately decided to withdraw. We are happy to have him back with us. We are prepping for the exterior painting of the Administration Building. The three awnings have been removed and the exterior has had new caulking and silicone sealant applied where needed. Andy further advised we are in the process of interviewing candidates for the open full-time air traffic controller position and have received some great prospects. We hope to have someone hired by mid-October.

New Business:

Mr. Thorne advised the first item under New Business is the 2025 BOAC meeting dates. Andy requested the board choose meeting dates for 2025, and asked if the last Wednesday of every month at 4pm still works for everyone. The board advised this does work for them. Mr. Shreiner made a MOTION to approve the 2025 meeting dates to be the last Wednesday of every month at 4pm. Ms. Mellin SECONDED. There being no further discussion, the motion PASSED unanimously.

City of Elkhart Board of Aviation Commissioners Meeting September 25, 2024

Mr. Thorne advised the next item under New Business is to ratify the T-Hangar 53 lease. Andy advised that John Ferguson has signed a lease for T-Hangar 53 and asks the board to ratify it and approve Mr. Thorne to sign it. Ms. Mellin made a MOTION to approve the T-Hangar 53 lease and to have Mr. Thorne sign it. Mr. Shreiner SECONDED. There being no further discussion, the motion PASSED unanimously.

Mr. Thorne advised the next item under New Business is notice to award the quote for the exterior painting of the Administration Building. Andy advised that several quotes came in and the most responsive was submitted by Certa Pro; with a total cost of \$14,219.28. The other quotes were: Jay's Painting & Refinishing at \$17,000.00; and a conditional quote from Advanced Coatings at \$13,155.00. Ms. Mellin made a MOTION to award the painting quote to Certa Pro. Mr. Shreiner SECONDED. There being no further discussion, the motion PASSED unanimously.

Mr. Thorne advised the next item under New Business is the donation fund expenditure for the Model T event. Andy advised he allowed the Model T Club to have their event at the airport, and wanted to provide water & soda, and requests this come out of the Aviation donation fund in the amount of \$86.60. Ms. Mellin made a MOTION to approve the expenditure from the donation fund. Mr. Shreiner SECONDED. There being no further discussion, the motion PASSED unanimously.

Mr. Thorne advised the next item under New Business is the Kone elevator agreement. Andy advised that we'd like to move forward with a maintenance service plan with Kone Elevator in place of Oracle Elevator. Andy further advised that we gave Oracle a 90-day notice per their agreement to stop service as of October 31, 2024. Kone Elevator will start service as of November 1, 2024, and Andy further advised this agreement has been approved by City legal. Andy also advised this agreement covers both the maintenance service and the wireless emergency phone service at the control tower elevator. Mr. Shreiner made a MOTION to approve the Kone elevator agreement. Ms. Mellin SECONDED. There being no further discussion, the motion PASSED unanimously.

Mr. Thorne advised the next item under New Business is to declare the old pilot lounge furniture as surplus. Andy advised that with the Administration Building renovations, we have updated the pilot's lounge to more modern furniture. The old vinyl couch and chairs are 15 years old and show obvious signs of wear. Andy requests permission to then take this question, as required, to the Board of Works and Utilities meeting for approval to dispose of the old furniture. Ms. Mellin made a MOTION to approve this request. Mr. Shreiner SECONDED. There being no further discussion, the motion PASSED unanimously.

Mr. Thorne advised the next item under New Business is the 2024 Disadvantaged Business Enterprise (DBE) policy. Paul Shaffer with BF&S advised this is a standard policy from the FAA that any agency that receives federal grants needs to implement. Mr. Shaffer advised this is something that is renewed every 3 years, and there is some new standardized language in the current policy. Kevin Davis advised that he would like to have more time to review this policy. Ms. Mellin made a MOTION to table and postpone this until the October meeting so Mr. Davis has more time to review it. Mr. Shreiner SECONDED. There being no further discussion, the motion was unanimously TABLED until the October 2024 meeting.

City of Elkhart Board of Aviation Commissioners Meeting September 25, 2024

Mr. Thorne advised the last item under New Business is the approval of sending maintenance staff to the AAAE Winter Operations Seminar. Andy advised based on the fact that none of our current Airfield Maintenance Technicians have had any formal airport snow and ice control training he anticipated and budgeted for the opportunity to send our crew to just such training. David Sandsmark, Eduardo Pizana, Rick Johnson and Steve Balk, will travel to Mosinee, Wisconsin for the seminar scheduled for October 9, 2024. Mr. Shreiner made a MOTION to approve sending maintenance to this seminar. Ms. Mellin SECONDED. There being no further discussion, the motion PASSED unanimously.

Privilege of the Floor:

Councilman Dwight Fish advised he is looking into energy savings to make airport buildings more efficient and wanted to thank everyone for embracing these new changes and for Andy's hospitality in working with Veregy on this partnership. Paul Shaffer advised now that the City has agreed to the 10-unit T-Hangar project he wanted to let everyone know the site work should begin this fall and construction should start around mid-summer 2025. Ryan Sherwood with IFC wanted to give kudos to the new maintenance manager, David Sandsmark. Mr. Sherwood advised David is doing a fantastic job!

Adjournment:

Next regular BOAC meeting is scheduled for Wednesday, October 30, 2024 at 4pm. Location will be the Elkhart Municipal Airport Administration Building, 1211 County Road 6 W., Elkhart, IN 46514 & via WebEx.

Respectfully Submitted,

Shari Mellin – Aviation Board Secretary

10.30.0

Date

BOARD OF PUBLIC WORKS Tuesday, October 15, 2024

President Mike Machlan called a regular meeting of the Board of Public Works to order at 9:00 a.m., Tuesday, October 15, 2024. Clerk of the Board Nancy Wilson called the roll. Andy Jones, Rose Rivera, Jamie Arce, and Mike Machlan attended in person. Ron Davis was absent.

Approve Agenda

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the agenda was approved as presented.

2. Claims & Allowance Docket

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board approved the claims and allowance docket in the amount of \$6,333,470.13, consisting of 31 pages as prepared on October 9, 2024 at 9:10 a.m.

Minutes Regular Meeting October 1, 2024

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board approved the Minutes of the Regular Meeting October 1, 2024.

4. Utilities

(A.) Administration

Wastewater MRO for August 2024

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board accepted and placed on file the Wastewater MRO for August 2024.

Water Utility MRO for September 2024

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board accepted and placed on file the Water Utility MRO for September 2024.

Revised 2024 Transfer Schedule

A motion was made by Jamie Arce and seconded by Rose Rivera to approve the revised transfer schedule. Tim Reecer asked the Board to remove this item from the agenda for further review. On motion by Andy Jones, seconded by Jamie Arce and carried 4-0, the revised 2024 Transfer Schedule was removed from the agenda.

Sewage Works Bond Engagement Letter- Barnes & Thornburg

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board approved the Agreement Letter to retain Barnes & Thornburg as Counsel for the 2024 Sewage Works Bonds, and authorized Corporation Counsel to sign on the Board's behalf.

Water Utility Bond Engagement Letter- Barnes & Thornburg

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board approved the Agreement Letter to retain Barnes & Thornburg as Counsel for the 2024 Water Utility Bonds, and authorized Corporation Counsel to sign on the Board's behalf.

(B.) Pretreatment

Notice of Violation Elkhart County Regional Sewer District (Heaton Lake)

A motion was made by Jamie Arce and seconded by Andy Jones to find the Elkhart County Regional Sewer District (Heaton Lake) in violation of its requirement to self-monitor both of their north and south lift stations for the first half of 2024 and assign a penalty of \$3,000.00 per the City of Elkhart Enforcement Response Plan. Steve Brown, Pretreatment Manager, explained the violations to the Board. Heaton Lake failed to self-monitor for the first half of 2024. The parameters they are required

BOARD OF PUBLIC WORKS Tuesday, October 15, 2024

to monitor are TSS, cBOD5, COD, pH, Ammonia, Total Phosphorus, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, Molybdenum, and Mercury on a biannual frequency at both of their north and south lift stations, and they failed to do so for the first half of 2024. The penalty is \$100/ per parameter. Jamie asked what the due date is for the sampling requirement. Steve said they monitor in one month and have until the 25th of the following month to submit the report.

Mae Kratzer, member of Elkhart County Regional Sewer District represented Heaton Lake. She said they appreciate working with City staff to correct this issue. The main cause was the Contractor hired some new staff. The new staff person is now aware of the timeline and has it on their calendar to make sure they do not miss it again. The Elkhart County Regional District just completed a very large project on the southern portion of the County for the community of Nappanee hooking them on to the Regional Sewer District. The way they are going to mitigate, is having bi-annual reminders with the maintenance contractors to perform these self-monitoring testing for both service areas north and south, and Elkhart's Pretreatment Manager has agreed to send bi-annual reminders to the Elkhart County Regional Sewer District. Jamie asked if the past due report was filed and if it was in compliance. Mae said yes, and it was in compliance. Jamie Arce made a motion to amend the penalty to half, \$1,500.00, given that it appears they have a plan going forward, and the Board's desire for compliance rather than being penalty driven. Andy Jones seconded the amendment. The amendment carried 4-0. Mike called for the vote on the amended motion and it carried 4-0.

Engineering

(A.) Administration

Award Bid #24-20 Oakland Avenue Project B: CSO Storage Project

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board conditionally awarded, subject to financing, the contract for the Oakland Avenue-Project B: CSO Storage Project, for the total Base Bid (Division I and Division II), to Selge Construction in the amount of \$36,891,918.14 as they were the lowest, responsive, and responsible bidder.

Change Order #2 for Bid #24-08 Hively Ave. Overpass Demolition Contract #4 On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board approved Change Order #2 for Bid #24-08, Hively Avenue Overpass- Demolition Contract #4, increasing the contract value by \$3,675.00, resulting in a contract price of \$239,220.00.

Award Quote #24-29 Bypass Road Drainage Improvements (tabled) No action was taken.

(B.) Utility

Change Order #7 for Bid #21-13 Elkhart WWTP Capacity Upgrades Phase II-QA7634 (tabled)

No action was taken.

Ratify Disbursement #39 for Kleinpeter Consulting Group, LLC Oakland Avenue Forcemain Phase A SA7878

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board ratified SRF Disbursement #39 in the amount of \$4,500.00 to Kleinpeter

BOARD OF PUBLIC WORKS Tuesday, October 15, 2024

Consulting, LLC from the allocated SRF Loan #WW22162005 for labor services on the Oakland Avenue Forcemain- Phase A project.

Ratify Partial Payment #37 to DLZ- Oakland Avenue: Project D- CSO 6&7

Connection

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board ratified partial payment request SRF #37 of SRF Loan WW22162005 in the amount of \$66,560.00 to DLZ from the allocated SRF Loan for professional services on the Oakland Avenue: Project D-CSO 6&7 Connection Design.

Ratify Partial Payment #38 to DLZ Oakland Avenue: Project B Storage Tank

Design

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board ratified partial payment request #38 of SRF Loan WW22162005 in the amount of \$95,950.00 to DLZ from the allocated SRF Loan for professional services on the Oakland Avenue: Project B Storage Tank Design.

(C.) Summary

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board ratified the following permit approvals:

Water Assessment: Renee Mansfield

2307 Aurora Ave Elkhart, IN. 46517

Property: 2307 Aurora Ave Paid in full, \$1220.10

Guadelupe Garcia. 1334 Concord Ave Elkhart, IN. 46516 Property: 1334 Concord Ave Paid in Full, \$1413.30

Albert Reasonover 56974 Ash Rd Osceola, IN. 46561 Property: 56974 Ash Rd Paid in full, \$2289.60

Glenn Henderson 16338 CR 20 Goshen, IN. 46528 Property: 463 James St. Paid in full, \$1302.90

Sewer Assessment:

Saul Soto Martinez 810 Fairway St. South Bend, IN. 46619 Property: 2329 Aurora Ave Paid in Full, \$6880.00

BOARD OF PUBLIC WORKS Tuesday, October 15, 2024

Rafael Cardenas Ramos 1328 County Rd 6 West

Elkhart, IN. 46514

Property: 1328 County Rd. 6 West

Paid in Full, \$7000.00

Glenn Henderson 16338 CR 20 Goshen, IN. 46528 Property: 463 James St. Paid in Full, \$6760.00

Revocable Permit:

#6585, Placed by: First Presbyterian Church

Property: 200 E. Beardsley

Permit Holder: First Presbyterian Church

Description: Yard signs in Parkway @ Beardsley Ave.

#6586, Placed by: Brad Shroyer Property: 107 W. Franklin St. Permit Holder: DJ Construction

Description: Shut down alley @ 107 & 121 W. Franklin

St/Dumpster

#6587, Place by: Glenn Peterson-Centier Bank

Property: 100 S. Main St. Permit Holder: Centier Bank Description: 3 Parking spots

#6588, Placed by: Jeff Roberts Property: 1101 East Beardsley Ave

Permit Holder: Roberts Environmental Services, LLC Description: Install of 6 ground water monitoring wells

#6589, Placed by: Glen Kauffmann Property: 2101-2111 S. Main St. Permit Holder: Ancon Construction

Description: Close sidewalks to allow construction of

building

Driveway Permit:

#5131, Owner: Wilmer Medrano Property: 700 W. Hively Ave

Contractor: N/A \$400 Cash bond

BOARD OF PUBLIC WORKS Tuesday, October 15, 2024

#5143, Owner: Valarie Smith Property: 3231 Kelsey Ave

Contractor: Clutter & Ritchie, Concrete LLC

\$600 Cash Bond

Release of Bond:

#5131, Wilmer Medrano Property: 700 W. Hively Ave \$400.00 bond

#5143, Contractor: Clutter & Ritchie Concrete Property: 3231 Kelsey Ave \$600.00 bond

6. New Business

Disposal of Fixed Assets

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board declared the items presented by the Airport Department surplus, and gave permission to move forward with disposal.

Purchase of Toro 4010D from Kenny Machinery- Sourcewell

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board approved the purchase of a new Toro 4010D mower and attachments from Kenny Machinery for the Buildings & Grounds Department using the Sourcewell Cooperative Purchasing Program in an amount after trade-in of \$107,366.68.

2025 Dental and Vision Plan Renewals

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board approved the Dental and Vision Insurance renewals for 2025.

Permission to Send Items to Auction

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board gave Josh Holt permission to send items to the Broylin Auction Company and to Brightstar Auction Services as listed in his memo dated 10-3-24.

Purchase of Ford Transit Passenger Van for Parks Department

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board approved the purchase of a new Ford Transit passenger van for the Parks Department from Fox Ford in Grand Rapids, MI for a purchase price of \$55,990.00.

Professional Services Agreement with Baker Tilly for the Public Safety Center

Project

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board approved a Professional Services Agreement with Baker Tilly to engage their services as Financial Advisors for the Public Safety Center debt issuance.

Homer Avenue Subdivision Phase I and Phase II Right of way Dedication- a

Habitat for Humanity Project

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board accepted the 25 foot right of way adjacent to lots part of Phase I and Phase II on Homer Avenue.

BOARD OF PUBLIC WORKS Tuesday, October 15, 2024

HUD Five Year Consolidated Plan Services Professional Services Contract Award

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board awarded the Contract for Consolidated Planning Services to Community Planning Insights in the amount of \$75,800.00.

7. Use & Event Permits

On motion by Jamie Arce, seconded by Rose Rivera and carried 4-0, the Board approved the following permits:

- Premier Arts 5K Run 11/9- Island Park, Public Assembly, Special Exception from Noise
- Winterfest Parade 12/7- ESS, EMS, Golf Cart, Stage, EPD, Temporary Street Closures, Parade & Public Assembly, Special Exception from Noise, Plaza Sign
- Salvation Army 11/6-12/31- Bridge Banners

Public Participation

Lewis Anne Deputy appeared by video on WebEx. She complimented Tory Irwin and his staff on what they manage. Laura and Steve always come and are very knowledgeable. She had a question about the September 3, 2024 Board of Works meeting \$25,000.00 was given to start doing testing for PFAS in the water. She got the impression it was to get ahead of the new federal mandate that had to be completed by 2027. She asked for some clarification because it looks like we already have PFAS in the water, and based on a sampling report from IDEM, it is above the proposed maximum contamination limit. She said this for her is an education piece or for others who may be paying attention. She said she has complete confidence that Laura Kolo and Tory Irwin are on this, watching all these meetings. She asked for some clarification on what exactly does that mean. Mike Machlan said he will ask staff to send her a letter and respond to her question, and send communication to the Board of Works to review and accept. Ms. Deputy asked another question, she said she knew they were going to do a six-month sampling from October-April, and then they may be coming back. How will the results of that sampling they were sending out be communicated as well. She thanked the Board and Mike thanked her.

Mike Machlan commented that he asked the City Forrester to take care of some low-hanging branches, and he did take care of them and did a good job!

9. Adjournment

On motion by Jamie Arce, seconded by Andy Jones and carried 4-0, the Board of Works adjourned at 9:53 a.m.

_Mike Machlan, President

Attest: Muuy Wilson, Clerk of the Board

Rod Roberson

Mayor

Dustin McLainDepartment Head



Fax: 574.294.5530

574.293.2175

Elkhart City Communications 135 East Franklin Street Elkhart, Indiana 46516

Date: November 13, 2024

To: Mayor Rod Roberson

Elkhart City Board of Public Safety

Common Council

From: Dustin McLain, Department Head

Elkhart Communications Center

Re: October 2024 Month End Report

We processed 8,333 incoming & outgoing emergency and non-emergency phone calls. This was a decrease of 421 calls from October 2023. Below is a summary of the calls we handled in Communications.

CALL SOURCES	911 *This includes Landlines, Wireless, VoIP, TexTTY, and abandoned.* (as reported by ECats State reporting online)	Administrative (non- emergency)	TOTAL
	2,193	6,140	8,333
2023 TOTALS	1,972	6,782	8,754

By shift, we entered 8,747 calls into the CAD, an increase of 1,601 calls from October 2023. Below is a breakdown of the call volume by shift.

	POLICE CALLS	FIRE CALLS	OTHER	TOTALS
Day Shift	2,201	433	311	2,945
Afternoon Shift	2,317	406	351	3,074
Midnight Shift	2,444	196	88	2,728
All Shifts	6,962	1,035	750	8,747
2023 TOTALS	5199	839	793	7,146

^{*}Other Calls refers to calls made to communications that either required a response by other departments, such as Parks Dept., Street Dept., etc. This also includes calls that are dispatched out as attempts to locate, repossessions and/or private impounds.

OTHER BUSINESS

• For the month of October 2024 we handled 51 AUDIO REQUESTS for the Prosecutor's Office and Police Dept. We provided 18 (FOIA) Public Records Requests to individuals.