

CITY OF DECATUR
COMMON COUNCIL MINUTES
SEPTEMBER 5, 2023

The City of Decatur Common Council met on Tuesday, September 5, 2023, at 6:52 P.M. at City Hall in Council Chambers, 172 N. Second Street, Decatur. The meeting was called to order by Mayor Dan Rickord. Roll call was taken to show Councilmen Craig Coshow, Matt Dyer, Tyler Fullenkamp, Scott Murray, and Wylie Sirk were in attendance. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Anne Razo.

Mayor Rickord invited everyone to stand and recite the Pledge of Allegiance.

The Clerk-Treasurer had emailed the minutes from the August 15, 2023 meeting and Dyer made a motion to accept the minutes as emailed. Seconded by Murray, the motion was adopted.

First on the agenda was Jamie Gephart, Community Coordinator with a couple of event forms. The first event was to reschedule a concert that had been rained out to September 7, 2023 on the Madison Street Plaza. Dyer made a motion to approve the rescheduled event to September 7, 2023. Seconded by Murray, the motion was adopted.

The second event is a Fall event sponsored by Decatur Main Street. The family event will be held from 4-10 p.m. on Madison Street Plaza on October 6, 2023. Murray made a motion to approve the event. Seconded by Fullenkamp, the motion was adopted.

Next on the agenda was Michelle Lengerich, Director for Adams County Council on Aging. Lengerich was requesting permission to add a fire grade door for an office at the MERIT Center. Costs would be covered by the Council on Aging. Coshow made a motion to permit the addition of the door with the cost of \$5,226.08 be paid by the Council on Aging. Seconded by Dyer, the motion was adopted.

A discussion was then held regarding the banners being hung over North Second Street. It was shared that there are 10 or 11 banners being hung each year. There is, however, a problem of whom or what should be advertising in this manner. It was also noted the majority of the events are held in the summer with some overlapping. City Attorney Anne Razo commented that any policy adopted has to be formed to not discriminate against any group. After a lengthy discussion, City Attorney Anne Razo will review specifics and prepare a draft regarding the policy to be adopted for discussion at the September 19, 2023 meeting.

The Board of Public Works & Safety members approved the READI Grant agreements with RDA and it was recommended that Council also approve. Sirk made a motion to approve and authorize Mayor Rickord to sign both the READI Grant agreements received for the MERIT Center and also the renovation of 138 N. Second Street building. Seconded by Murray, the motion was adopted.

Fire Chief Jeff Sheets appeared before the Council regarding using CCD funds for remediation of the mold problem in the basement at the Fire Station. The remediation can be done at a cost of \$14,524.26. Dyer made a motion to approve using CCD funds to pay for the remediation at the fire station. Seconded by Sirk, the motion was adopted.

Following a recommendation of the Board of Public Works and Safety, Fullenkamp made a motion to have Innovative Concepts refurbish the panic buttons and alarm system at City Hall at an estimated cost of \$3,466.74 with a yearly monitoring fee of \$442.80 to be paid from City Hall's budget. Seconded by Coshow, the motion was adopted.

Also, as a result of the discussion at the Board of Works, and a recommendation to Council, Coshow made a motion to use 3M bullet proof film on various doors and windows at City Hall and be paid from City Hall's budget. Seconded by Sirk, the motion was adopted.

Ordinance 2023-13, an ordinance which amends Chapter 78, Schedule III of the Decatur Code of Ordinances of 2015, as supplemented regarding adding a handicap parking space at 350 S 3rd Street, was brought forward for third reading. Sirk made a motion to place Ordinance 2023-13 on its third reading by short title only. Seconded by Coshow, the motion passed and City Attorney Anne Razo read Ordinance 2023-13 by short title only. Sirk made a motion to pass Ordinance 2023-13 on its third and final reading. Seconded by Coshow, a roll call vote noted adoption with a 5-0 vote.

Ordinance 2023-14, an ordinance to amend salary Ordinance 2022-16 Section 4.B for overtime for traffic safety and enforcement, was brought forth. It was explained that the wording needed to be amended per the Indiana Criminal Justice Institute (ICJI) for officers who volunteer to work an approved Traffic Safety Education and Enforcement assignment in excess of their normally schedule hours of work, and will be paid two times the officer's regular duty hourly rate when volunteering for additional Traffic Safety Education and Enforcement assignments. This will be paid from grant funds awarded from ICJI. Sirk made a motion to place Ordinance 2023-14 on its first reading by short title only. Seconded by Fullenkamp, the motion passed and City Attorney Anne Razo read Ordinance 2023-14 by short title only. Sirk made a motion to pass Ordinance 2023-14 on its first reading. Seconded by Fullenkamp, the roll call vote was 5-0. Sirk made a motion to place Ordinance 2023-14 on its second reading by short title only. Seconded by Fullenkamp, the motion passed and Attorney Razo read Ordinance 2023-14 by short title only. Sirk made a motion to pass Ordinance 2023-14 on its second reading. Seconded by Fullenkamp, a roll call vote was held and passed 5-0. Sirk made a motion to table Ordinance 2023-14 until September 19, 2023 for third reading. Seconded by Fullenkamp, the motion was adopted.

A request was received from the Decatur Chamber of Commerce for the 2023 Highland Games to be held on October 7, 2023. Fullenkamp made a motion to sponsor the Highland Games at the same amount as last year at \$1,000. Seconded by Murray, the motion passed with Coshow abstaining.

Next on the agenda was an update from City Attorney Anne Razo as she had been contacted by Steve Kreigh regarding a petition for voluntary annexation into the City of Decatur. The petition is from the Cross Creek Shareholders, LLC., for the Meadows at Cross Creek addition, Section 4 totaling approximately 24.448 acres, with a proposed 35 lots to be developed. As a result of the request for voluntary annexation, Attorney Razo shared that the Petition for Annexation and the Fiscal Plan regarding the annexation needed to be presented. The petition and Fiscal Plan were presented as information at this time. The Council members were emailed the Petition and Fiscal Plan for review. The Fiscal Plan is necessary to verify the City can handle the extra costs and capacity, and is available for the public view in the City Clerk-Treasurer's office. Attorney Razo suggested a Public Hearing be held on October 3, 2023 then the steps of an Annexation Ordinance, and Resolution for the Fiscal Plan would be considered. Sirk made a motion to set October 3, 2023 for a Public Hearing regarding the Cross Creek, Section 4 Annexation. Seconded by Dyer, the motion was adopted.

The survey work at the MERIT Center as a result of the agreement between Adams County and the City was next considered. Brett Miller quoted a cost of \$1,500 to survey the area involved with the County. City Attorney Anne Razo noted she had asked Mr. Miller for a quote to survey the entire area which has numerous lots. The additional work would be done at a cost of \$2,900. Following discussion, Coshow made a motion to do the survey needed for the County

agreement at \$1,500 and also the survey for the lot lines and legal descriptions of the entire area at the MERIT Center at \$2,900. Seconded by Dyer the motion was adopted. This will be paid from professional services within the Council's budget.

Clerk-Treasurer Phyllis Whitright shared that Council had set aside \$1,000 towards the Haunted Trail event at a previous meeting. However, Whitright had received invoices totaling \$1,850 so far. Thus, Dyer made a motion to approve up to \$4,000 for expenses for the Haunted Trail event from Council's promotional account. Seconded by Murray, the motion was adopted.

Clerk-Treasurer Whitright gave an update regarding the 2024 proposed budget, noting she had to make some changes. Thus, she distributed copies of the updated budgets to Council members. Treasurer Whitright shares that she had received the tax cap figure of \$570,900. The proposed budget for 2024 included \$6,439,520 for the General Fund, \$10,453,067 for the total of all funds with tax rates, and \$3,061,792 for all other funds. Thus, the total without tax caps is \$13,514,859 or \$1,695,199 above the 2023 Budget. Fullenkamp made a motion to set September 19, 2023 for a Public Hearing for the proposed 2024 Budget. Seconded by Sirk, the motion was adopted. It was noted that the Budget could then be adopted at the October 3, 2023 meeting.

Mayor Rickord reported on the work being done at Riverside Center, noting the nets for the Pickleball Courts are in place, and shuffleboards arrived, and the lights are on. Mayor Rickord noted some requests have been made to have lights on at various parks for a later time as all lights are to be shut off at 10 p.m., which is something for Council to consider at a future meeting. The projects have been a great cooperative venture with volunteers and the County's assistance. There may be a possible event to recognize the project's completion prior to the opening of the Highland Games on October 7, 2023.

Department Heads:

Jeremy Gilbert, Operations Manager noted next week is Heavy Trash Week, and he asked residents to have things out by 7 a.m. on the pickup day. Gilbert shared Brooks Construction has been in town working on the handicap ramps as part of the Community Crossing Matching Grant. It is hoped one more day will complete the preparation work with the ramps and milling to begin the middle of next week. Gilbert also reported the near-completion of projects such as the Pickleball Courts and the Dog Park as well as other projects in various stages of work and completion.

Public Input:

A resident, Dennis Huffman of 1615 W. Monroe Street spoke regarding a box truck he has on his property and was informed by Code Enforcement that City ordinance does not allow this on residential property. The ordinance reads that it needs to have a roof and siding to match the house. Mr. Huffman requested the ordinance to be changed. The City Attorney informed Mr. Huffman that he would need to go before the Board of Zoning Appeals if he wants an exception of what the Ordinance reads. If he requests a variance, he will need to fill out an application, and then a public hearing will be set, and the neighbors will need to be notified.

Council Input:

Coshow made a motion to pay the claims against the City. Seconded by Dyer, the motion was adopted.

There being no other business to be brought before the Council, Dyer made a motion to adjourn. Seconded by Fullenkamp, the motion was adopted.

Adjournment was at 7:50 P.M.