

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
DECEMBER 19, 2023

The City of Decatur Common Council met on Tuesday, December 19, 2023, at 6:57 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, Wylie Sirk were in attendance. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Anne Razo.

Mayor Dan Rickord called the meeting to order and invited everyone to stand and recite the Pledge of Allegiance.

The Clerk-Treasurer had emailed the minutes from the December 5, 2023 meeting and Dyer made a motion to accept the minutes as emailed. Seconded by Fullenkamp, the motion was adopted.

A Public Hearing had been advertised to be held at 7:00 p.m. for additional appropriations. Thus, Coshow made a motion to suspend the Council meeting. Seconded by Sirk, the motion was adopted.

Coshow made a motion to open the Public Hearing. Seconded by Sirk, the motion was adopted.

City Attorney Anne Razo noted the purpose of the Public Hearing was to address additional appropriations. She asked if anyone who was present to speak in favor or against the issue. There being none, Coshow made a motion to close the Public Hearing. Seconded by Sirk, the motion passed.

Coshow then made a motion to reconvene the Council meeting. Seconded by Sirk, the motion passed.

Sirk made a motion to make the publication of the Public Hearing for additional appropriations a matter of record. Seconded by Murray, the motion passed.

Resolution 2023-23, a resolution for additional appropriations from the General Fund for the Sanitation Department in the amount of \$20,000.00, and also the Public Arts Fund in the amount of \$2,655.00 was brought forward. Sirk made a motion to introduce Resolution 2023-23 by short title only. Seconded by Coshow, the motion passed and City Attorney Anne Razo read Resolution 2023-23 by short title only. Sirk made a motion to adopt Resolution 2023-23. Seconded by Coshow, the motion passed.

Next on the agenda were various appointments made by the Mayor and the Council.

Fullenkamp made a motion for the Council to re-appoint Barb Engle as a member to the Decatur Plan Commission for another four (4) year term. Seconded by Sirk, the motion passed.

Sirk made a motion for the Council to also re-appoint Josh Zimmerman as a member to the Decatur Plan Commission from January 1, 2024 to December 31, 2025. Seconded by Dyer, the motion passed.

Sirk made a motion to make Mayor Rickord's appointments of Kim McCord to the Decatur Parks Board for a four (4) year term, Josh Zimmerman to the Adams County Regional Sewer Board for a one (1) year term, Patrick "Pete" Braun to the Alcoholic Beverage Commission for a one (1) year term, Richard J. Macklin to the Decatur Plan Commission for a four(4) year term, and Phil Summers to the Board of Zoning Appeals a matter of record. Seconded by Murray, the motion was adopted.

Mayor Rickord noted that two (2) members of the Mayor's Youth Council were in attendance, Victoria Hamrick and Jayleena Hill from Bellmont High School.

The annual certification of elected official on compliance with nepotism policy involving direct line of supervision, and the compliance involving contracting policy were signed by each elected official. Coshow made a motion to make the signed nepotism forms a matter of record. Seconded by Sirk, the motion was adopted.

Conflict of Interest Disclosure Statements were presented for the City Attorney, Anne Razo and Tim Baker representing DeVoss, Baker, Ainsworth and Razo; the Adams County Solid Waste Management District; Professional Land Title Company, and Maumee River Basin Commission. Councilman Tyler Fullenkamp of Kampman's Renovations; Firefighter, Taylor Gage of TG Concrete, Paid On-Call Firefighters, Andrew and Anthony Stimpson of AGAW Trauma Systems, LLC; Fire Chief Jeff Sheets; Paid On-Call Firefighter, Jay Cook of Adams Co. Truck Repair; Amanda Turney of Armada Designs, Ryan Parr of Dusty Road Printing; Paid On-Call Firefighter, Justin Weil of WM Wood Works; and Firefighter, Bryan Braun of White Barn Woodworking. Coshow made a motion to make the Conflict of Interest forms a matter of record. Seconded by Murray, the motion passed. Clerk-Treasurer Phyllis Whitright shared that the forms will be properly filed with the Clerk's office and upload to the State Board of Accounts through Gateway.

City Attorney Anne Razo presented a consent to attorney representation due to her father, Timothy Baker is general counsel for the Maumee River Basin Commission, and that she is general counsel for the City of Decatur, and also both are principals in the law firm of DeVoss, Baker, Ainsworth & Razo, and Professional Land Title. Coshow made a motion to approve the representation and both Mayor Rickord and Council members signed the consent form. Seconded by Sirk, the motion was adopted.

City Attorney Anne Razo reported that the Adams County Solid Waste District had met this morning to sign the transfer station contract for 2024, and that it had been decided to have a cap of 5% increase. The City's rate for 2024 includes a 5% increase, with a rate of \$54.53 per ton of solid waste disposed at the District Transfer Station. Sirk made a motion to approve the new contract at 5% increase of \$54.53 per ton for the year 2024. Seconded by Murray, the motion passed.

Resolution 2023-24, a resolution authorizing the transfer of funds within various departments, was brought forth. It was noted the transfers are within each budget, and no new money was involved. Sirk made a motion to introduce Resolution 2023-24 by short title only. Seconded by Dyer, the motion passed and Attorney Razo read Resolution 2023-24 by short title only. Sirk made a motion to adopt Resolution 2023-24. Seconded by Dyer, the motion passed.

Clerk-Treasurer Phyllis Whitright provided a list of encumbrances from the 2023 budget to the 2024 budget totaling \$257,831.27. Dyer made a motion to approve the encumbrances of \$257,831.27 to the year 2024. Seconded by Sirk, the motion was adopted.

Mayor Rickord then recognized that tonight's meeting was the last for Councilman Wylie Sirk and Councilman Craig Coshow. Mayor Rickord shared that both Coshow and Sirk had worked hard, spending hours on research for various issues in order to make the right decision for the citizens of Decatur. It was also noted both served in various positions and assisted in various projects such as the development of the Madison Street Plaza, the MERIT Center, and The HIVE Art Gallery, and many other projects.

Sirk thanked the citizens for the opportunity to serve eight (8) years and how it was a privilege and an honor to serve. Sirk also thanked his wife Jeanie who was in attendance for allowing him to serve.

Coshow thanked the citizens for the opportunity to serve and thanked all the volunteers who helped on various projects. He also thanked the City employees for all their help and shared that he had gotten to know many people over the eight years.

Clerk-Treasurer Phyllis Whitright reported that all budgets have been approved, but the assessed valuation didn't increase as much, so the new tax rate per \$100 assessed valuation went up \$.04, with the new tax rate for 2024 to be \$1.21.

Mayor Rickord turned the attention to Clerk-Treasurer Phyllis Whitright who did not seek re-election and is retiring with 26 ½ years of service as Clerk-Treasurer. Mayor Rickord shared that he could not explain the dedication Phyllis has provided. It was noted the City did not need to worry when the State Board of Accounts audited the books as they could not find any errors in Phyllis's work. It was also shared that Ms. Whitright was awarded state recognition this year for her work.

Dyer made comments noting it had been an honor to serve on the Council and work with Clerk-Treasurer Phyllis Whitright who is his aunt. He shared that he was proud of her and her dedication to the City.

City Attorney Anne Razo shared that she could not thank Whitright enough. Razo appreciated Whitright's patience with her as she began her work as City Attorney. Razo recognized the amount of knowledge Phyllis has and noted Phyllis is a wonderful example of what it means to be a public servant.

#### Department Heads:

Department Heads and other employees, Jeremy Gilbert, Kevin Hackman, Fire Chief Jeff Sheets, Curt Witte, Erin Heyerly, Josh Zimmerman, Bill Carpenter and Past Chief Jim Hitchcock all had the opportunity to recognize Clerk-Treasurer Phyllis Whitright. All expressed their appreciation for her work and knowledge. Most noted they had learned a great deal from Phyllis. They also thanked Wylie Sirk and Craig Coshow for their work on the Council for the citizens of Decatur.

#### Council Input:

Dyer thanked both Coshow and Sirk for their eight (8) years, which he has become to know both of them much better.

Fullenkamp shared that whenever he leaned over to ask Phyllis a question during a meeting, he always knew she would have the answer.

Coshow complimented Phyllis noting she has trained very good people to continue working in the Clerk-Treasurer's office. He thanked her for her leadership.

Resolution 2023-25, a resolution recognizing Clerk-Treasurer Phyllis Whitright, was brought forward. Sirk made a motion to introduce Resolution 2023-25 in its entirety. Seconded by Coshow, the motion passed and Attorney Tim Baker who had previously served as City Attorney, read Resolution 2023-25 in its entirety. Sirk then made a motion to adopt Resolution 2023-25. Seconded by Dyer, the motion was adopted.

Clerk-Treasurer Phyllis Whitright then spoke as she first thanked Wendi Gephart, Cherie Bienz and Barb Engle for working for her. She thanked all the Department Heads over the years, and it had been great to work with Mayor Rickord. She also mentioned that the City has been blessed to have such good City Attorney's, DuWayne Herman, Tim Baker and Anne Razo. Whitright also thanked all the Council members and City employees she had work with over the years. She noted that being Clerk-Treasurer had been an awarding job.

Wendi Gephart and Cherie Bienz came forth and made comments. Cherie noted she had only worked with Phyllis 1 ½ years and it had been the best decision for her to take the position.

Wendi Gephart shared she has worked with Phyllis for 13 ½ years, and that she is a great person, a great mentor, and taught her a lot. On behalf of Mayor Rickord, Wendi and Cherie presented Phyllis Whitright with a key to the City.

Murray made a motion to pay the claims before 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 7:53 P.M.