

CITY OF DECATUR
COMMON COUNCIL MINUTES
MARCH 1, 2022

The City of Decatur Common Council met on Tuesday, March 1, 2022 at 7:00 p.m. at City Hall in Council Chambers, 172 N. Second Street. 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.

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

The Clerk-Treasurer emailed the minutes from the February 15, 2022 meeting. Dyer made a motion to approve the minutes, Sirk seconded the motion. Motion was adopted.

The Clerk-Treasurer also emailed the minutes from the Special Meeting held on February 23, 2022. Sirk made a motion to approve the minutes. Seconded by Murray, the motion was adopted.

The first item on the agenda was an update from Community Coordinator Jamie Gephart and Armanda Turney of Armanda Designs regarding updating the City of Decatur's website. It was shared that the update would create a more visually appealing design, larger photos, community events, and applications for rentals of the various venues. The site had about 2100 visitors per month last year and that the number of mobile visitors has increased greatly. The event listings will include Parks and Recreation as well as Chamber events. It was noted the fee for the update will be \$4,500 which is about \$250 more than what has been budgeted. Dyer made a motion to proceed with the update and to use CCI funds, and pay from Council's budget to cover the additional costs not currently budgeted. Seconded by Murray, the motion was adopted.

Dyer made a motion to make the publication of the City's Cash & Investments Statement for 2021 a matter of record, which was published in The Decatur Daily Democrat. Seconded by Fullenkamp, the motion was adopted.

Clerk-Treasurer Phyllis Whitright shared that American Legal had updated the Decatur Code of Ordinances of 2015 via Supplement #6 which included Ordinances 2021-1 through 2021-17 as adopted in 2021. Ordinance 2022-7 was brought forward to include the Supplement #6 into the Decatur Code of Ordinances of 2015. Sirk made a motion to place Ordinance 2022-7 on its first reading by short title only. Seconded by Murray, the motion passed and City Attorney Anne Razo read Ordinance 2022-7 by short title only. Sirk made a motion to pass Ordinance 2022-7 on its first reading. Seconded by Murray, a roll call vote showed 5-0 passage. Sirk made a motion to place Ordinance 2022-7 on its second reading by short title only. Seconded by Murray, the motion passed and City Attorney Anne Razo read Ordinance 2022-7 by short title only. Sirk made a motion to pass Ordinance 2022-7 on its second reading. Seconded by Murray, a roll call vote was held and passed 5-0. Sirk made a motion to suspend the rules and place Ordinance 2022-7 on its third reading by short title only. Seconded by Murray, the motion passed and City Attorney Anne Razo read Ordinance 2022-7 by short title only. Sirk made a motion to adopt Ordinance 2022-7 on its third and final reading. Seconded by Murray, a roll call vote was held and Ordinance 2022-7 was adopted by a 5-0 vote.

Next on the agenda was a discussion of City Code 130.02, slaughtering animals. City Attorney Anne Razo shared that the Board of Zoning Appeals (BZA) had conditionally approved the use of the site previously used by Deans Foods with the building located in Industrial Park to be used as a meat packing plant. Riggs Florence was present to represent the group which he is heading up. Tom Trent, Fort Wayne Attorney for the cattle harvesting company, I-O Properties of Coldwater, Ohio shared that there will be no noise or smell violations, and they will be investing \$20 million to locate here in Decatur at the former Dean Foods property on Chamber Drive. They will be hiring 100 to 105 people for the day shift with approximately 75 hired for second shift, and the average wage for the plant employees would range from \$23 to \$24 per hour, and between \$17 to \$21 per hour on average, based on skill. Mr. Florence is part of several partners desiring to open and operate the plant. The advantage of the former Dean's Food facility is the refrigeration area. They will be processing cows; future phase is to sell here locally. There will be 6-7 trucks a day, and is hoping within 2-5 years to have a local retail store. Mr. Florence also mentioned two-thirds of the \$20 million investment is for equipment and rehabilitation of the building. The point of contention is a code which has been on the book since the 1970's which prohibits the slaughtering of animals within the City limits where the building is located. City Attorney Anne Razo handed out the BZA's potential conditions of approval and summarized the options that Council members could take as follows: repeal the entire section of the code, make an amendment to the code, opt not to take any action, or opt to table any action. Attorney Robert W. Eherenman of Haller & Colvin, P.C. was also present to answer any questions regarding the proposal. Each side was then given ten (10) minutes to make a case. Attorney Tom Trent and Riggs Florence made a presentation which was followed by numerous questions from Council members. It was shared that the BZA had set specific conditions in that all operations be enclosed and operational hours. It was noted that the business would be relatively small with approximately 100 head of cattle a day. Throughout the discussion, it was mentioned that the abatement forms had already been prepared and given to Colton Bickel, Director of the Adams County Economic Development Corporation (ACEDC), who was also present. There are various companies throughout the United States with the closest being a small plant in Portland, Indiana. Distribution will cover an area with a radius of 200 miles from Decatur. Each representative from I-O Properties introduced themselves and gave a background of their experience in the business. Curt Witte, Building and Zoning Superintendent, was questioned and had some concerns in that it would add more code enforcement work and Wastewater Superintendent Karey Fuelling had concerns regarding wastewater. Mayor Rickord announced that the discussion was longer than ten (10) minutes because of questions asked by the Council members noting Attorney Trent and Mr. Florence had stayed within their ten (10) minutes time frame. The Mayor asked for any public comments, and local artist, Greg Mendez shared that he had studied environment science in college and gave his concerns. He called a meat processing plant one of the cruelest and worst industries for the environment, and this type of business should not be in the city limits. Mendez remarked that the laws passed in the 1970's had been passed to reflect the environmental concerns such as the Clean Water Act at that time. He felt undoing the code would be going backwards. Darlene Vassil also spoke in the negative regarding the I-O Properties proposal, and had concerns with the wages that were being offered and what type of workforce they would have, and also the amount of water that will be used. Mendez and his wife have moved to Decatur in the last three (3) years as they felt Decatur has a positive quality of life to offer its residents. Both Mendez and his wife stressed the hope that Council members would study the environment effects. Attorney Tom Trent will get some other comparable facilities to the Building Supt. Curt Witte to share with the council members, and I-O Properties will also provide a video so Council can review how the processing is

done. By consensus, the Council members felt they needed more time to talk to constituents and perhaps contact officials in other areas which had such meat processing facilities. Thus, Fullenkamp made a motion to table any action until the next Council meeting on March 15th. Seconded by Murray, the motion was adopted.

Department Heads Input:

Tony Lothridge, Fire Marshal reported that the fire ordinance passed recently by the Council had been approved by the State today. Lothridge was thanked for all his efforts in updating the ordinance.

Jamie Gephart, Community Coordinator announced that the City plans to hire a part-time Director for The HIVE and she noted the application is available on the City's website.

Jeremy Gilbert, Operations Manager reported INDOT will be closing US 224 and 28th Street during the 2022 construction season to repair the bridge on 28th Street, and raising a portion of Highway 224 West. Gilbert is working on various detour routes, and that the City will be reimbursed for any damages created by the detour and that he and Brad Yoder, representing the County, will drive the route after the project is completed to report any damages. Gilbert also thanked the Council for having the Special Meeting on February 23, 2022 to discuss the future of the Sanitation Department.

In Police Chief Lennie Corral's absent, City Attorney Anne Razo shared that she had promised Chief Corral she would note work is continuing on the UTV Ordinance.

Council Input:

Dyer had attended the BZA meeting before the Council meeting and complimented the public on making their comments at both meetings and how well everyone conducted themselves.

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

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

Adjournment was at 8:24 P.M.