

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
MAY 3, 2016

The City of Decatur Common Council met on Tuesday, May 3, 2016 at 7:30 p.m. at City Hall in Council Chambers, 172 N. 2<sup>nd</sup> Street. The meeting was called to order by Mayor Ken Meyer. Roll call was taken to show, Councilmen Cam Collier, Craig Coshow, Matt Dyer, Tyler Fullenkamp and Wylie Sirk were in attendance. Also present was City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright.

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

The Clerk-Treasurer had emailed the minutes from the April 19th meeting. There were no corrections. Dyer made a motion to approve the minutes. Coshow seconded the motion. Motion carried.

Tony Beery completed an event form for the American Legion and the Adams Wells Crisis Shelter to hold a poker run on June 11<sup>th</sup> from 8:00 a.m. to 9:00 p.m. and to close Madison Street between 1<sup>st</sup> and 2<sup>nd</sup> Street from 7:00 a.m. to setup to 9:00 p.m. Department heads have signed and approved the event form. Berry also requested to use the City's 1<sup>st</sup> Street parking lot for the motorcycles. Sirk made a motion to approve the event and the street closing, and authorize using the 1<sup>st</sup> Street parking lot. Fullenkamp seconded the motion. Motion carried.

Chris Johnson and Jon Mathews from the Wet Spot completed an event form to have their 5<sup>th</sup> Annual Armed Forces Day Benefit on May 21<sup>st</sup> from 2:00 p.m. to 10:00 p.m. and requested to close 2<sup>nd</sup> Street between Jackson St. and Monroe Street at 10:00 a.m. to setup to 10:00 p.m. Johnson has informed the other merchants of the event in that area. The Department Heads approved and signed the event form. Dyer made a motion to approve the event and street closing. Coshow seconded the motion. Motion carried.

Adam Eguia, organizer of the 4<sup>th</sup> of July fireworks requested permission to hold the event for the 24<sup>th</sup> year, and requested financial support. Dyer made a motion to approve the event and to contribute the same amount as last year from council's budget. Fullenkamp seconded the motion. Motion carried.

Mayor Meyer announced the bid results for the LTCP Compliance Plan Phase 3 – Interceptor Replacement and Relief Sewer Project. Bids were opened on April 26<sup>th</sup>, two bids were received. At the Board of Works meeting, Fleming Excavating was awarded the bid at \$2,713,459.90. The bid was approximately \$900,000 less than Clark Dietz engineers estimate. Construction will begin the middle of June and be completed by fall of this year. Operations Manager, Jeremy Gilbert reported he will be renting an excavator to complete the demolition of the buildings for this project, and then grading will need to be done. Gilbert thanked and praised the skilled equipment operators in his department.

The Mayor reported INDOT has a call for projects, he has met with INDOT representatives and discussed several city projects and the project INDOT recommended was modifications to the 5 Points intersection. The city had formed a committee approximately three

years ago to look at this intersection for improvements, and was included as one of the Stellar projects. Three of the committee members were present, Andy Gay, Max Miller, and Mark Jesse, who recommended council to submit this project to INDOT. Gay remarked that bus drivers are trained to avoid this intersection for safety reasons, and also suggested that by making improvements to this intersection will improve the gateway into the city. Jesse commented that the cost for this project have already been estimated, since this project was previously listed as a Stellar Communities project. The City Attorney mentioned that this intersection has been studied for many years and needs revamped. INDOT is aware that this intersection needs improvements. Councilman Collier added that drivers are using the funeral homes parking lot to avoid this intersection. Operations Manager, Jeremy Gilbert reported the next step is to apply for an INDOT grant to determine the best option for this intersection. The City will need to complete an application before May 16<sup>th</sup>, and then INDOT will review the application. The City will be notified by October of this year if project is selected. If selected, then City representatives will be invited to INDOT to explain why this project is needed. If federal funds are available, construction for this project will begin in year 2020 or 2021. The engineering cost will be phased in over the years 2017 through 2020. The City's portion of this project is 20% match or \$600,000 over four (4) years. Councilman Coshow made a motion to authorize submitting an application to INDOT for modifications to the 5 Points intersection. Councilman Sirk seconded the motion. Motion carried.

The Clerk-Treasurer, Phyllis Whitright reported Per Senate Bill 67, the City will be receiving a one-time special distribution from local income taxes. Before June 1, 2016, the County Auditor will distribute these funds to each taxing unit. The City of Decatur will be receiving a total of \$530,728.55. 75% of the distribution is restricted and can only be used for local road construction, maintenance, or repairs. The State Board of Accounts has designated that the restricted funds be receipted into a new fund titled LOIT Special Distribution, and the remaining unrestricted 25% of the distribution may be deposited into the City's Rainy Day fund or the General fund. To spend the monies this year, the City will need to go through the additional appropriation process. Operations Manager, Jeremy Gilbert informed the members that he could use these funds this year for local street maintenance. Once these funds are received the Clerk-Treasurer will prepare the necessary paperwork for the additional appropriation.

The Clerk-Treasurer informed the Council members that the City received a Petition from David Bobilya, President of Pizza Hut of Fort Wayne, Inc. to vacate a 21.8 foot alley at 609 N. 13<sup>th</sup> Street. Building Supt., Roger handed out a map showing the area of the alley, and also the proposed plans for a new building. Wastewater Supt., Anne Butcher submitted a letter confirming there are no stormwater lines located in the alley way, but was not able to confirm if any other lines are located in the alley. Butcher recommended a utility easement be maintained and the alley vacated. Collier made a motion to make the letter from the Wastewater Supt., and the Petition from Pizza Hut a matter of record, and to hold a public hearing to vacate the alley for the next council meeting on May 17<sup>th</sup>. Sirk seconded the motion. Motion carried.

Council previously approved 13% of the City's CEDIT distribution to go to the Adams County Economic Development Corporation (ACEDC) for economic development. The Mayor received the annual fee for service agreement between the City of Decatur and ACEDC for two (2) payments of \$19,916.49 for a total of \$39,832.98 for the year 2016. Sirk made a motion to approve and authorize the Mayor to sign the agreement. Fullenkamp seconded the motion. Motion carried.

The Clerk-Treasurer, Phyllis Whitright announced the Decatur City Code of Ordinances are now on the Decatur website under the city code tab on the top right of the homepage, and includes ordinances adopted up through December 2015.

Operations Manager, Jeremy Gilbert reported street sweeping is done the first two weeks of each month between March through October. Curb painting will begin soon.

Code Enforcer, Bill Karbach reported he is posting notices for excessive weeds and vegetation, and rubbish. Property owners have five (5) days to abate, or the City will mow the property at \$160 an hour. If the bill is not paid, the fine becomes a lien against the property. Vehicles that are not operable or license will receive a notice. Owners have 10 days to correct, if not, vehicle will be tagged giving up to 72 hours to respond, if no response; vehicle will be towed at the owners expense. Karbach encouraged citizens to use the website to report any nuisances.

Community Coordinator, Melissa Norby thanked the Adams County Community Foundation for awarding the Decatur Fire Department a \$3,000 grant for smoke detectors.

Operations Manager, Jeremy Gilbert reported he is getting estimates on street paving and he is working with GIS Specialist, Ethan Snyder updating the assessment management plan, and will present to council at a future meeting.

Councilman Collier recommended for the City to look into possibly offering the State's 457 retirement plan, called Hoosier S.T.A.R.T., due to changes in the law.

Alan Bedwell had concerns about the vehicles parked behind the fire department. Mr. Bedwell was informed that the vehicles are not violating city code. Bedwell questioned the length of time the vehicles have not been moved. The City Attorney will check to see if the ordinance needs to be modified.

Coshow made a motion to allow the claims as presented. Fullenkamp seconded the motion. Motion carried.

There being no further business, Dyer made a motion for adjournment. Coshow seconded the motion. Motion carried. Meeting was adjourned at 8:49 p.m.