

CITY OF DECATUR
COMMON COUNCIL MINUTES
MAY 17, 2016

The City of Decatur Common Council met on Tuesday, May 17, 2016 at 7:30 p.m. at City Hall in Council Chambers, 172 N. 2nd 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 May 3rd meeting. There were no corrections. Sirk made a motion to approve the minutes. Coshow seconded the motion. Motion carried.

Dyer made a motion to suspend the council meeting for a Public Hearing. Sirk seconded the motion. Motion carried.

Sirk made a motion to open the Public Hearing. Coshow seconded the motion. Motion carried.

Dyer made a motion to make the proof of publication for a public hearing a matter of record. Collier seconded the motion. Motion carried.

Andy Krafcheck and Pat Scheiderer of Faegre, Baker, Daniels Law Firm introduced themselves, who are representing Pizza Hut of Fort Wayne who is petitioning to vacate 21.8 foot alley that runs east and west through the property located at the 600 block of North 13th Street, Decatur. Mr. Krafcheck informed council the proposed plans for redevelopment of the current Decatur Pizza Hut. They will address the Decatur Plan Commission with plans this summer. City Attorney, Tim Baker has been communicating with Attorney Krafcheck and recommended council to postpone the Ordinance to vacate the alley until the next council meeting on June 7th, due to utility easements that will need to be obtained between the City and Realty Income, who owns the property. An email between Attorney Scheiderer and Edward Ross of Realty Income was submitted. The email references the city's requirement for Realty Income to grant general utility easement over the vacated alley area for the city to maintain underground utilities. Councilman Sirk made a motion to make the email a matter of record and to postpone acting upon the ordinance until June 7th. Dyer seconded the motion. Motion carried.

Mayor Meyer asked for any comments from the public, no comments were received, so Councilman Coshow made a motion to close the public hearing. Collier seconded the motion. Motion carried.

Dyer made a motion to re-open the Council meeting. Coshow seconded the motion. Motion carried.

Attorney, Jeremy Brown representing Hoosier Pattern, Inc. is petitioning to designate economic realization area and for a ten (10) year tax abatement. Attorney Brown informed council when Hoosier Pattern was granted an abatement in 2013, they had 28 employees, now they employ 45. With this new manufacturing equipment, Hoosier Pattern will retain 45 employees, and add one employee. Keith Gerber and Tim Hartigan gave a PowerPoint presentation explaining what Hoosier Pattern offers to the foundry industry, and how the new universal 3D printer works. Gerber showed samples of the molds that are produced by Hoosier Pattern. The designated area is located at 906 N. 10th Street, Decatur. The new manufacturing equipment is estimated at \$867,580.00. Attorney Brown noted that the request for abatement on the real estate improvements will be delayed until September when more accurate numbers can be attained, which at that time will present to council again for approval. Mayor asked for any questions or comments. Councilman Sirk asked if there were any plans for the north part of their building along Washington Street. Gerber informed council that the building needs to be taken down, which he plans to do in the future. There were no other comments, so Councilman Coshow made a motion to introduce Declaratory Resolution No. 2016-5, for the Designation of an Economic Revitalization Area upon the application of Hoosier Pattern, Inc. Fullenkamp seconded the motion. Motion carried. Dyer made a motion to pass Declaratory Resolution No. 2016-5, Coshow seconded the motion. Motion carried. Collier made a motion for the Clerk-Treasurer to publish a public hearing for the Confirming Resolution for the June 7th council meeting. Coshow seconded the motion. Motion carried.

Coni Mayer from the Decatur Sculpture Tour Committee presented a brochure and information for Decatur's 5th Sculpture Tour. Friday, June 10th will be the unveiling, and several events planned for the day. Mayer requested on behalf of the DST committee sponsorship support of \$1,000. Dyer made a motion to approve \$1,000 from the common council's budget. Coshow seconded the motion. Motion carried.

The City hired American Legal Publishing Corporation to revise the Decatur Code of Ordinances of 2015, which American Legal Publishing has now completed 2016 S-1 Supplement to be added to the Code of Ordinances and the legislative body of the City needs to accept these updates attached to Ordinance No. 2016-3. Collier made a motion to Place Ordinance 2016-3, an ordinance which enacts and adopts the S-1 Supplement to the Code of Ordinances of the City of Decatur on First Reading by short title only. Fullenkamp seconded the motion. Motion carried.

The City Attorney read Ordinance No. 2016-3 by short title. Collier made a motion to Pass the Ordinance on First Reading. Fullenkamp seconded the motion. Roll call vote was Collier, Coshow, Dyer, Fullenkamp and Sirk voted in favor, none opposed.

Collier made a motion to Place the Ordinance on Second Reading by short title. Coshow seconded the motion. Motion carried. The City Attorney read Ordinance No. 2016-3 by short title. Collier made a motion to Pass the Ordinance on Second Reading. Fullenkamp seconded the motion. Roll call vote was Collier, Coshow, Dyer, Fullenkamp and Sirk voted in favor, none opposed.

Collier made a motion to suspend the rules, and Place the Ordinance on Third & Final Reading by short title. Dyer seconded the motion. Motion carried. The City Attorney read Ordinance No. 2016-3 by short title.

Collier made a motion to Adopt Ordinance No. 2016-3. Dyer seconded the motion. Roll call vote was Collier, Coshow, Dyer, Fullenkamp and Sirk voted in favor, none opposed.

At the previous meeting, the Clerk-Treasurer, Phyllis Whitright reported Per Senate Bill 67, the City will be receiving a one-time special distribution from local income taxes. The State Board of Accounts has designated that 75% restricted funds from this special distribution be receipted into a new fund 257, titled LOIT Special Distribution Fund, and the remaining unrestricted 25% of the distribution may be deposited into the City's Rainy Day fund. To do this, common council needs to establish the new fund by ordinance. The City Attorney prepared Ordinance No. 2016-4, which creates a LOIT Special Distribution fund, and which allocates the 2016 LOIT Special Distribution between said fund and the City of Decatur's Rainy Day fund. Collier made a motion to Place Ordinance 2016-4 on First Reading by short title only. Coshow seconded the motion. Motion carried.

The City Attorney read Ordinance No. 2016-4 by short title. Collier made a motion to Pass the Ordinance on First Reading. Dyer seconded the motion. Roll call vote was Collier, Coshow, Dyer, Fullenkamp and Sirk voted in favor, none opposed.

Collier made a motion to Place the Ordinance on Second Reading by short title. Coshow seconded the motion. Motion carried. The City Attorney read Ordinance No. 2016-4 by short title. Collier made a motion to Pass the Ordinance on Second Reading. Coshow seconded the motion. Roll call vote was Collier, Coshow, Dyer, Fullenkamp and Sirk voted in favor, none opposed.

Collier made a motion to suspend the rules, and Place the Ordinance on Third & Final Reading by short title. Coshow seconded the motion. Motion carried. The City Attorney read Ordinance No. 2016-4 by short title.

Collier made a motion to Adopt Ordinance No. 2016-4. Coshow seconded the motion. Roll call vote was Collier, Coshow, Dyer, Fullenkamp and Sirk voted in favor, none opposed.

Mayor Meyer reported at the Adams County Solid Waste Management District meeting they discussed the survey results for the City to provide curbside recycling, which the District had no problem with the City pursuing curbside recycling. The Mayor explained why the City should offer curbside recycling, and gave the results of the survey. The City has not had an increase in sanitation fees since 2009, which the City's cost for disposal fees has increased last year and again this year. With having an added service to residents to collect recycled items, this should reduce the cost of disposal to the transfer station. A resident, Dennis Huffman remarked that he was not in favor of the City making recycling mandatory. He had concerns with people stealing recycled items that are left at curbside, similar to the people going around taking items on heavy trash week. He also mentioned he didn't want to see any increase in his utility bill, due to being on a fixed income. The Mayor informed him that the Police Department should be contacted if anyone is stealing items, and according to the survey, city residents are wanting this service. Councilman Dyer made a motion to move forward with providing curbside recycling city wide, and handle details later. Sirk seconded the motion. Board of Works member, Bill Karbach suggested the City have a special meeting to discuss the details for curbside recycling. Operations Manager, Jeremy Gilbert agreed with Karbach. Councilman Fullenkamp remarked before making a decision, the City needs to set a price, decide on what type of tote is acceptable, and when the recycled items will be collected. Mayor Meyer estimates the cost to be \$2 or less per month for this service. Councilman Dyer and Councilman

Sirk withdrew their motions. By consensus, members scheduled a Special meeting for Thursday, June 2nd at 6:30 p.m. at City Hall to discuss details for curbside recycling.

Mayor Meyer read a letter that he had prepared to the media stating that the Indianapolis Star discovered a survey taken by IDEM, which the newspaper had written an article on drinking water quality. The article stated that the City of Decatur has the highest percentage of lead service lines of the 91 municipalities surveyed. When City officials completed the survey, it was only an estimate. TV and radio stations picked this up as Decatur having lead in the water, instead of lead service lines. Mayor Meyer assured the City's water is safe, and is tested. Yearly reports show that the City's water is rated at 4.8 parts per billion gallons, which is well below 15 that is allowed. Anyone that has concerns with their water can have their water tested at their expense, by contacting Decatur Utilities at City Hall. Utilities Auditor, Dan Rickord commented that the City doesn't do their own testing, the water samples are sent to a firm in Madison, Indiana. The City Attorney remarked that IDEM was very apologetic about this survey and if anyone had any questions can contact them. Council suggested for the Mayor to post the letter he had written on the Decatur website and on Facebook.

Community Coordinator, Melissa Norby thanked the volunteers who helped with the plantings in Founder's Park.

The Mayor read an Official Proclamation designated that May 15 as Peace Officer's Memorial Day, and the week in which it falls as Police Week. The Police Department was given an applause and the Mayor thanked the department for all they do.

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

There being no further business, Dyer made a motion for adjournment. Collier seconded the motion. Motion carried. Meeting was adjourned at 9:09 p.m.