

CITY OF DECATUR
COMMON COUNCIL MINUTES
AUGUST 7, 2018

The City of Decatur Common Council met on Tuesday, August 7, 2018 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 Craig Coshow, Matt Dyer, Tyler Fullenkamp, Scott Murray and Wylie Sirk were in attendance. Also present was Clerk-Treasurer, Phyllis Whitright and City Attorney, Tim Baker.

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

The Clerk-Treasurer had emailed the minutes from the July 17, 2018 meeting. There was a correction to the minutes to clarify the wording for the last paragraph of page 3 pertaining to the public hearing and appraisals for the former Decatur Casting property. Dyer made a motion to approve the minutes as amended. Sirk seconded the motion. Motion carried.

Sirk made a motion to suspend the Council meeting for a Public Hearing for the possible sale of the former Decatur Casting site at 822 Dayton Street, and the need to get two appraisals. Seconded by Fullenkamp, the motion was adopted.

Sirk made a motion to open the Public Hearing regarding the possible sale of the Decatur Casting site and the need to get two appraisals. Seconded by Dyer, the motion passed.

Sirk made a motion to make a matter of record the publication regarding the Public Hearing. Seconded by Dyer, the motion was adopted.

There being no input from the public, Sirk made a motion to close the Public Hearing. Seconded by Fullenkamp, the motion was adopted.

Sirk made a motion to reconvene the Council meeting. Seconded by Dyer, the motion was adopted.

City Attorney, Tim Baker noted he had prepared Resolution 2018-15 regarding the determination that the property is surplus and not needed by the City and it would benefit the City to sell the property. It was noted a bid for purchase would need to be at least 90% of the average of the two (2) appraisals and bids could be accepted between September 10, 2018 and November 12, 2018. If the first bid is 90% of the average of the two (2) appraisals, it can be accepted and bidding would be closed. It was shared an auction date can be set up within the bidding timeline. Sirk made a motion to introduce Resolution 2018-15 by short title only. Seconded by Dyer, the motion was carried. City Attorney Baker read Resolution 2018-15 by short title only. Sirk made a motion to pass Resolution 2018-15. Murray seconded the motion. The motion was adopted. Mayor Meyer announced that Resolution 2018-15 has been adopted.

Dyer made a motion to suspend the City Council meeting for the purpose of holding a Public Hearing regarding the vacating of an easement on the property owned by Mike and Kristy Long. Seconded by Fullenkamp, the motion was adopted.

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

Dyer made a motion to make the statement of filing notification to adjoining neighbors and the proof of publication for a Public Hearing a matter of record regarding the request to vacate an easement. Seconded by Sirk, the motion was adopted.

Mike and Kristy Long, owners of Lot 18, 673 N. Waters Edge, appeared before the Council to request the vacating of the easement on that property. Don Bergdall, Civil Infrastructure Manager, Curt Witte, Building and Zoning Superintendent, and Jeremy Gilbert, Operations Manager had all looked at the area and had no concerns. The Long's presented a letter from seller Steve Kreigh, the letter states that there is no drain tile in the easement (the drain, pedestrian, mound, landscape easement) at the rear of lot 18. Kristy Long also presented a survey of the property where the easement is located.

There being no further input, Sirk made a motion to close the Public Hearing. Seconded by Dyer, the motion was adopted.

Sirk made a motion to reconvene the Council meeting. Seconded by Coshow, the motion was adopted.

Sirk made a motion to introduce Ordinance 2018-16, an ordinance to allow the vacating of the easement on Lot 18 at 673 N. Waters Edge by short title only. Seconded by Dyer, the motion was carried. City Attorney Baker read Ordinance 2018-16 by short title only. Sirk made a motion to pass Ordinance 2018-16 on its first reading. Seconded by Dyer, roll call was held with a 5-0 vote. Sirk made a motion to place Ordinance 2018-16 on its second reading by short title only. Second by Murray, the motion passed and Attorney Baker read Ordinance 2018-16 by short title only. Sirk made a motion to pass Ordinance 2018-16 on its second reading. Seconded by Coshow, a roll call vote showed passage with a 5-0 vote. Sirk made a motion to suspend the rules and place Ordinance 2018-16 on its third reading by short title only. Seconded by Dyer, the motion was passed and City Attorney Baker read Ordinance 2018-16 by short title only. Sirk made a motion to adopt Ordinance 2018-16 on its third and final reading. Seconded by Dyer, a roll call vote showed passage by a 5-0 vote. Mayor Meyer announced that Ordinance 2018-16 has been adopted.

Discussion at the July 17, 2018 Board of Public Works & Safety meeting resulted in the decision to have an Ordinance drafted to have no parking on the east side of Ninth Street from Monroe Street to Nuttman Avenue. However, Sarah Anderson, who was present at this meeting had some concerns with the parking and shared them with the Mayor before the meeting. Mayor Meyer had traveled the street numerous times and noticed that there were eight (8) homes on the east side and seven (7) homes on the west side, and noticed that one of the seven homes on the west side of the street had no off-street parking available, while three (3) of the eight (8) homes on the east side had no off-street parking available. Also, the fire hydrant is located on the west side of the street. By consensus, there will be no parking on the west side of Ninth Street from Monroe Street to Nuttman Avenue. Fire Chief, Les Marckel also agreed with having no parking on the west side of Ninth Street. Other residents from Ninth Street, Pam Hall and Amy Howell were present who live on the east side of the street. They commented that they were not happy not being able to park in front of their homes, but were ok with it, but requested when posting no parking signs, if the signs would not be placed in their yards. There being no other comments, Sirk made a motion to place Ordinance 2018-17 on its first reading by short title only. Seconded by Dyer, the motion was carried and City Attorney Tim Baker read Ordinance 2018-17 by short title only. Sirk made a motion to pass Ordinance 2018-17 on its first reading. Seconded by Dyer, a roll call vote showed a 5-0 vote for passage. Sirk made a motion to place Ordinance 2018-17 on its second reading by short title only. Seconded by Dyer, the motion was carried and City Attorney Baker read Ordinance 2018-17 by short title only. Sirk made a motion to pass Ordinance 2018-17 on its second reading. Seconded by Dyer, a roll call vote was held and passed with a 5-0 vote. Sirk made a motion to table Ordinance

2018-17 until the next meeting to be held on August 21, 2018. Seconded by Dyer, the motion was carried.

The final reading of Ordinance 2018-15, an ordinance which amends Chapters 50 through 54 of the Decatur Code of Ordinances of 2015 regarding the liability for invoiced city services, was next to be considered. Sirk made a motion to place Ordinance 2018-15 on its third reading by short title only. Seconded by Dyer, the motion passed. City Attorney Tim Baker read Ordinance 2018-15 by short title only. Sirk made a motion to adopt Ordinance 2018-15 on its third and final reading. Seconded by Murray, the roll call vote showed passage by a 5-0 vote. Mayor Meyer announced that Ordinance 2018-15 has been adopted.

Kevin Hackman, Utilities Auditor shared that all property owners need to make certain they report all of their rental properties. He also noted forms are available online. Mayor Meyer thanked Hackman for all his work on this issue.

Melissa Norby, Community Development Director appeared before the Council to discuss the rules and regulations for use of the Madison Street Plaza for various events including such things as concerts, weddings and wedding receptions, family reunions, and other private events. Areas discussed to be part of the rules and regulations were the fees, reservations, equipment, music, parking, accessibility, food vendors, pets, smoking, and use of tobacco, vaping, tents, restrooms, stages and sound equipment, liability, alcohol usage, police and the application form. It was noted that most of the suggested rules and regulations had been patterned from those used for Riverside Center and the Pennsy Depot. No action was taken and the issue will be revisited at the August 21, 2018 meeting.

Don Bergdall, Civil Infrastructure Manager noted publication has been properly made that the City intends to discharge storm water into the St. Mary's River-Decatur, Holthouse Ditch-Kohne Ditch, and St. Mary's River-Borum Run watersheds, and that the City is submitting a Notice of Intent letter with IDEM for the purpose of renewing its MS4 permit. Sirk made a motion to make publication a matter of record. Seconded by Dyer, the motion was adopted.

The event form for the St. Mary's Fall Fest was brought forth. They requested street closing on 5th Street from Monroe Street to Madison Street from 6:00 a.m. to 6:00 p.m. on Sunday, September 9, 2018. Sirk made a motion to accept the street closing for the St. Mary's Fall Fest. Seconded by Coshow, the motion was adopted.

Coshow shared an additional concert "Fierce Invalid's" has been scheduled for this Thursday, August 9, 2018 from 7-9 p.m. Dyer made a motion to approve the additional concert. Seconded by Fullenkamp, the motion was adopted.

Coshow inquired if the City would be willing to assist in some of the additional costs for concerts that were not included in the Chamber's budget. Fullenkamp shared he felt the Chamber and Main Street should not be charged some of the normal fees since the events are bringing so many people into downtown Decatur, adding to the quality of life in the area. Fullenkamp noted some costs could be paid from the Council's promotional funds. Fullenkamp made a motion to use Council's promotional funds to assist in payment for events sponsored by the Chamber and Main Street. Seconded by Dyer, the motion was adopted with Sirk and Coshow abstaining.

Fullenkamp shared some concern about the safety of the people crossing Second Street following the concerts. Members discussed possible options, but no action was taken at this time.

The proposed 2019 budget (form 1's) were brought forth by the Clerk-Treasurer, Phyllis Whitright. The total of all budgets is \$10,819,950. an increase of \$572,179 from 2018's budget. Council discussed and reviewed the proposed budgets. The Clerk-Treasurer was directed to add the cost for supplies, repairs and maintenance for Madison Street Plaza to be paid from Common Council's budget, and to budget an additional \$100,000 for various locations in the City for sidewalk replacement. The Clerk-Treasurer informed Council that the amounts budgeted are only proposed for now. Council may reduce any appropriation after all budget forms are completed, which she will present to Council in September before budgets are adopted.

City Attorney Baker shared he would be meeting with Mike Blee on Thursday regarding the 2nd Street Loft Lease and that a Public Hearing would be needed at the August 21, 2018 meeting. Hearings will be necessary at both the meeting of the Board of Public Works and Safety and the Council meeting. Dyer made a motion to hold a Public Hearing regarding the 2nd Street Loft Lease on August 21, 2018. Seconded by Coshow the motion was adopted.

Department Head Input:

Lennie Corral, Chief of Police shared the new officers would graduate from the Academy on September 28, 2018 and they have received 19 applications for the replacement officer. Next Council meeting, he will have some of his officers attend with their new tactical uniforms.

Assistant Fire Chief Jim Hitchcock noted that flags have been placed on the light poles on the Madison Street Plaza.

Curt Witte, Building and Zoning Superintendent shared the department is now taking debit and credit cards for payment of various permits. He also shared a new state law requiring the logging of various items for identification purpose in case of a fire. An ordinance will be needed and he is seeking a copy of the Greencastle ordinance which is the State's model language. There will be reflective stickers used for identification purposes.

Melissa Norby, Community Development Director provided an event form for Adams County First Responders Roadshow on Tuesday, August 14, 2018 from 4:00 p.m. to 6:00 p.m. at the Adams County Jail/Detention Center. The request is to close 911 W. Peacekeepers Way cul-de-sac during the event. Dyer made a motion to approve the request. Seconded by Coshow, the motion was adopted.

Clerk-Treasurer Whitright shared that the City has received \$113,700 in 2017, and in 2018 another \$113,700 totaling \$227,400 of CREDIT funds gifted back from the Adams Memorial Hospital as a result of the hospital refinancing of their bonds.

Coshow shared flyers and the dates for the Kekionga Festival.

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

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

Adjournment was at 10:08 P.M.