

CITY OF DECATUR
COMMON COUNCIL MINUTES
NOVEMBER 21, 2017

The City of Decatur Common Council met on Tuesday, November 21, 2017 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 were 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 November 7, 2017 meeting. There being no corrections, Sirk made a motion to approve the minutes. Dyer seconded the motion. Motion carried.

The first topic for the evening was Ordinance 2017-15, an Ordinance to amend Chapters 50 through 54 of the Decatur Code of Ordinances of 2015 regarding liability for invoiced City services. Before proposing the third reading of Ordinance 2017-15, Mayor Meyer asked for input from the numerous landlords present. Many expressed concern about making the landowners (landlords) responsible for the water utility costs. It was shared that the previous Mayor, John Schultz had met with landlords when he was in office, and the consensus had been that they agreed to do a better job of making their renters pay the utility bills. However, that did not happen and council still finds it necessary to write off at least \$25,000 each year. Suggestions from landlords included deposit fees, sending duplicate bills to owners, which Council noted would need to include a service fee, and landlord notification before water is shut off. Kevin Hackman, Utilities Auditor shared it would take extra staff to accomplish this work. Following the input from the landlords, Fullenkamp made a motion to table Ordinance 2017-15 until the December 5, 2017 meeting to give the Mayor and Staff time to see if software is available for mailing duplicate delinquent statements. Seconded by Dyer, the motion was adopted.

Ordinance 2017-16, an ordinance to close the east/west alley to vehicle traffic between Woodwings and The Home Place for ½ block to the alley running north/south to make the alley for pedestrians only, was considered. A motion to place Ordinance 2017-16 on its third reading by short title only was made by Sirk, seconded by Coshow. Motion carried. City Attorney, Tim Baker read Ordinance 2017-16 by short title only. Sirk made a motion to adopt Ordinance 2017-16 on its third and final reading. Seconded by Dyer, roll call vote showed a 5-0 vote for passage. Mayor Meyer announced that Ordinance 2017-16 has been adopted.

The Termination of the Stormwater Agreement with the Adams County Soil and Water Conservation District (ACSWCD) was then taken up. Tim Graf, who had been doing Stormwater services for the City, is no longer employed by the County and Don Bergdall, Civil Infrastructure Manager has taken over the job previously done by Mr. Graf. A motion to adopt the Termination Agreement with ACSWCD was made by Dyer, seconded by Coshow, and passed. The City Attorney will also have the County sign and approve the Termination Agreement.

Next item on the agenda was Ordinance 2017-18, an ordinance to amend Ordinance No. 2016-15, the 2017 salary ordinance for Operation Pullover to read the off-duty officer will be paid a rate of time and one-half based on the officer's individual hourly rate rather than a flat hourly amount. This change is per the grant agreement from Indiana Criminal Justice Institute

(ICJI). Sirk made a motion to place Ordinance 2017-18 on its first reading by short title only. Seconded by Coshow, the motion carried. City Attorney Baker read Ordinance 2017-18 by short title only. Sirk made a motion to pass Ordinance 2017-18 on its first reading. Seconded by Dyer, the roll call showed passage by a 5-0 vote. Sirk made a motion to place Ordinance 2017-18 on its second reading by short title only. Seconded by Coshow, the motion passed. City Attorney Baker read Ordinance 2017-18 by short title only. Sirk made a motion to pass Ordinance 2017-18 on its second reading. Seconded by Dyer, the roll call vote showed passage by a 5-0 vote. Sirk made a motion to suspend the rules and place Ordinance 2017-18 on its third reading by short title only. Seconded by Coshow, the motion passed. City Attorney Baker read Ordinance 2017-18 by short title only. Sirk made a motion to adopt Ordinance 2017-18 on its third and final reading. Second by Coshow, roll call showed passage by a 5-0 vote. Mayor Meyer announced that Ordinance 2017-18 has been adopted.

Ordinance 2017-19, an ordinance to amend Chapter 78, Schedule III of the Decatur Code of Ordinances of 2015 to add two (2) handicapped parking spaces near 103 S. Madison Street, and the second parking space nearest to the intersection of Madison St. and 7th Street was next to be considered. Sirk made a motion to place Ordinance 2017-19 on its first reading by short title only. Seconded by Dyer, the motion passed. City Attorney Baker read Ordinance 2017-19 by short title only. Sirk made a motion to pass Ordinance 2017-19 on its first reading. Seconded by Dyer. Roll call showed passage by a 5-0 vote. Sirk made a motion to place ordinance 2017-19 on its second reading by short title only. Seconded by Dyer, the motion passed. City Attorney Baker read Ordinance 2017-19 by short title only. Sirk made a motion to pass Ordinance 2017-19 on its second reading. Seconded by Dyer, roll call vote showed 5-0 passage. Sirk made a motion to table Ordinance 2017-19 until December 5, 2017 for its third reading. Seconded by Dyer, the motion was carried.

Ordinance 2017-20, an ordinance regarding the creation of no-passing zones and speed limits of 45 MPH on Mercer Avenue and 30 MPH on Industrial Park Road (roads that had been transferred from the County to the City), was then considered. Sirk made a motion to place Ordinance 2017-20 on its first reading by short title only. Seconded by Fullenkamp, the motion was adopted. City Attorney Baker read Ordinance 2017-20 by short title only. Sirk made a motion to pass Ordinance 2017-20 on its first reading. Seconded by Coshow, roll call showed passage by a vote of 5-0. Sirk made a motion a motion to place Ordinance 2017-20 on its second reading by short title only. Seconded by Coshow, the motion passed. City Attorney Baker read Ordinance 2017-20 by short title only. Sirk made a motion to pass Ordinance 2017-20 on its second reading. Seconded by Dyer, roll call vote showed 5-0 passage. Sirk made a motion to suspend the rules and place Ordinance 2017-20 on its third reading by short title only. Seconded by Dyer, the motion was carried. City Attorney read Ordinance 2017-20 by short title only. Sirk made a motion to adopt Ordinance 2017-20 on its third and final reading. Seconded by Dyer, roll call vote showed 5-0 passage. Mayor Meyer announced that Ordinance 2017-20 has been adopted.

Resolution 2017-15, a resolution to adopt the new Employee Handbook which will be effective January 1, 2018, was considered. Sirk made a motion to introduce Resolution 2017-15 by short title only. Seconded by Dyer, the motion carried. City Attorney Baker read Resolution 2017-15 by short title only. Sirk made a motion to adopt Resolution 2017-15. Seconded by Coshow, the motion was adopted.

Coshow made a motion to make the legal notice regarding the publication for Quiet Title Action filed by the City to clear up the title to the Decatur Casting site a matter of record. Seconded by Fullenkamp, the motion was adopted. City Attorney Tim Baker shared a hearing would be held in Circuit Court on December 13, 2017.

Clerk-Treasurer, Phyllis Whitright announced she has appointed Bobbie Feaster as Deputy Clerk-Treasurer to serve in the Clerk-Treasurer's office effective November 27, 2017. She has been sworn in and now her Certificate of Appointment needs to be made a matter of record. A motion was made by Sirk and seconded by Coshow to make the Certificate of Appointment a matter of record. Motion passed.

Mayor's Report:

Regarding the all-day rain this past Saturday, Mayor Meyer noted many storm sewers were blocked with leaves and he thanked Jeremy Gilbert, Don Bergdall and others for working on Saturday to clear the drains.

Mayor Meyer welcomed Brandon Witte, son of Curt Witte, who was recently discharged from the services. Meyer thanked Brandon and his wife, who had also served in the military, for their services.

Department Heads:

Les Marckel, Fire Chief shared that the EMA Advisory Board had re-appointed John August to serve as its director for another year. This is Mr. August's tenth year as Director.

Jeremy Gilbert, Operations Manager noted that leaf collection is on going and they will try to run for another two weeks. He shared work will start up on Madison Street. And, the final coat of asphalt shall be done on Master Drive within the next week.

Clerk-Treasurer, Phyllis Whitright brought forth the list of members up for reappointment, Craig Russett and Larry Isch appointed by Council and, Max Miller, Ron Storey and Rex Hinsky appointed by the Mayor for the Decatur Redevelopment Commission. All current members have been asked and agreed to serve another term. Coshow made a motion to re-appoint the individuals appointed by Council. Motion seconded by Dyer, the motion passed. Mayor Meyer also agreed to appoint the individuals that are appointed by the Mayor. Whitright will prepare the appropriate Certificates of Appointment for the December 5th meeting to be signed and made a matter of record.

Council Input:

Councilman Murray noted he felt there needs to be more than a phone call for anyone to request water bills to be in their name. Possibly have an agreement that someone would sign to be responsible for the utility bill. No decisions were made at this time.

Fullenkamp made a motion to pay the claims against the city. Seconded by Coshow, the motion was adopted.

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

Adjournment was at 9:10 P.M.