

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
DECEMBER 5, 2017

The City of Decatur Common Council met on Tuesday, December 5, 2017 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 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 21, 2017 meeting. There being no corrections, Sirk made a motion to approve the minutes. Dyer seconded the motion. Motion carried.

The first item of business was a Public Hearing regarding the annexation of a parcel of land purchased by the Bank of Geneva along U.S. Highway 27. Sirk made a motion to suspend the Council Meeting and open a Public Hearing. Seconded by Coshow, the motion was adopted.

The Public Hearing was opened and a motion was made by Dyer to make the notice of publication for the Public Hearing a matter of record. Seconded by Sirk, the motion passed.

It was shared that the area to be annexed was three (3) lots along 13<sup>th</sup> Street/U.S. 27 just south of CR 500 north totaling 1.18 acres. The land had been purchased by the Bank of Geneva to relocate their bank there, with the possibility of having enough area for another business. City Attorney, Tim Baker noted the land is currently under the jurisdiction of the County. However, with the timelines involved the County noted they would like to relinquish their jurisdiction over to the City's Plan Commission and employees. Curt Witte, Building and Zoning Superintendent, will take over the process. City Attorney, Tim Baker shared this was a Supervoluntary annexation requested by the property owner and noted the criteria needed and shared all had been met and it lends itself to economic growth. Fiscal impact is neutral. It was recommended that the fiscal plan for the annexation be approved.

The Mayor asked for any public comment. There were no comments from the public. The Councilmen appreciated the Bank of Geneva wanting to annex into the City.

A motion was made by Sirk, seconded by Coshow to close the Public Hearing and reconvene the Council meeting.

Following reconvening, Sirk made a motion to introduce Resolution 2017-16, fiscal plan for annexation of land purchased by the Bank of Geneva, by short title only. Seconded by Coshow, the motion passed. City Attorney Baker read Resolution 2017-16 by short title only. Sirk made a motion to adopt Resolution 2017-16. Seconded by Dyer, the motion was adopted.

The City Attorney then prepared and presented Ordinance No. 2017-17, an Ordinance which annexes the Bank of Geneva property of 1.18 acres to the City of Decatur. Sirk made a motion to place Ordinance 2017-17 on its first reading by short title only. Seconded by Fullenkamp, the motion passed. City Attorney Baker read Ordinance 2017-17 by short title only.

Sirk made a motion to pass Ordinance 2017-17 on its first reading. Seconded by Dyer, roll call vote showed passage by a 5-0 vote. Sirk made a motion to place Ordinance 2017-17 on its second reading by short title only. Seconded by Dyer, motion carried. The City Attorney read the ordinance by short title only. Sirk made a motion to pass Ordinance No. 2017-17, Dyer seconded the motion. Roll call vote showed passage by a 5-0 vote. Sirk made a motion to table Ordinance 2017-17 until the next meeting on December 19, 2017. Seconded by Dyer, the motion was carried.

The topic of Ordinance 2017-15, regarding liability for invoicing city services by the Utilities office was next considered. Mayor Meyer apologized for having some wrong information at the November 21, 2017 meeting which he corrected. He then read a statement outlining where the process had been and where it was going regarding the Ordinance. He recommended tabling Ordinance 2017-15 and modifying and introducing a new ordinance, and to have the new ordinance take effect in March of 2018 to help with transition. Discussion followed with questions and comments from home owners/landlords present. After a lengthy discussion Dyer made a motion to table Ordinance 2017-15 until the next meeting on December 19, 2017. Seconded by Sirk, the motion was carried.

The Two-Year Capital Improvement Plan for years 2018-2019 was next considered. The 2016-2017 plan included \$1 Million and the 2018-2019 plan is at \$1.2 Million. These Local Income Tax (LIT)-Economic Development funds will be allotted as follows: \$85,000 for FEMA Pre-Disaster Mitigation (PDM) Program; \$90,000 (or 13% per year of the City's LIT-Economic Development distribution goes to Adams County Economic Development Corporation for planning and implementation of economic development projects; \$100,000 for City sidewalks program; \$700,000 for Capital Improvements; and \$225,000 for promotion of economic development projects, economic incentives, acquisition of real estate and/or infrastructure improvements. A motion to place Ordinance No. 2017-22 on its first reading by short title only was made by Coshow, seconded by Fullenkamp and carried. City Attorney Baker read Ordinance 2017-22 by short title only. Coshow made a motion to pass Ordinance 2017-22 on its first reading. Seconded by Murray. Roll call vote showed 4-0 passage. Sirk was not available for the vote. Coshow made a motion to place Ordinance 2017-22 on its second reading by short title only. Seconded by Fullenkamp, the motion was carried. City Attorney Baker read Ordinance 2017-22 by short title only. Coshow made a motion to pass Ordinance 2017-22 on its second reading. Seconded by Dyer, roll call vote showed 4-0 passage. Coshow made a motion to suspend the rules and place Ordinance 2017-22 on its third reading by short title only. Seconded by Murray the motion was carried. City Attorney Baker read Ordinance 2017-22 by short title only. Coshow made a motion to adopt Ordinance 2017-22 on its third and final reading. Seconded by Fullenkamp. Roll call showed passage with a 4-0 vote. Sirk was not available for the vote. Mayor Meyer announced that Ordinance 2017-22 has been adopted.

The event form for the Thursday evening Summer Concert Series for 2018 was presented. It was shared that five (5) concerts had been held in 2016, six (6) in 2017, and plans are for eight (8) to be held in 2018. The concerts will be held on the first and third Thursdays of June, July, August, and September with street closings from 5 to 9/9:30 P.M. Dyer made a motion to approve the event form for the Concert Series events. Seconded by Fullenkamp the motion was adopted with Coshow abstaining.

At the previous meeting, Council approved Ordinance 2017-19 on its first and second reading, to amend Chapter 78, Schedule III of the Decatur Code of Ordinances of 2015 to add

two (2) handicapped parking spaces near 103 Madison Street and the second parking space nearest to the intersection of Madison Street and 7<sup>th</sup> Street was next considered. There were no comments received, so Coshow made a motion to place Ordinance 2017-19 on its third reading by short title only. Seconded by Dyer, the motion passed. City Attorney Baker read Ordinance 2017-19 by short title only. Coshow made a motion to adopt Ordinance 2017-19 on its third and final reading. Seconded by Dyer, a roll call vote showed passage by a 4-0 vote. Sirk was not available for the vote. Mayor Meyer announced that Ordinance 2017-19 had been adopted.

Ordinance 2017-21, an ordinance to amend Section 151.03 E, of the City Code of Ordinances of 2015 to substitute with language “reviewed” rather than “approved”, regarding the review of plans and specifications filed with the City to obtain a building permit. This change is needed as Curt Witte, Building and Zoning Superintendent, learned at a recent conference that the state had changed its method and no longer used “approved.” Coshow made a motion to place Ordinance 2017-21 on its first reading by short title only. Seconded by Dyer, the motion passed. City Attorney Tim Baker read Ordinance 2017-21 by short title only. Sirk made a motion to pass Ordinance 2017-21 on its first reading. Seconded by Dyer, roll call vote showed passage by a 5-0 vote. Sirk made a motion to place Ordinance 2017-21 on its second reading by short title only. Seconded by Dyer, the motion passed. City Attorney Baker read Ordinance 2017-21 by short title only. Sirk made a motion to pass Ordinance 2017-21 on its second reading. Seconded by Dyer, the roll call vote showed a 5-0 passage. Sirk made a motion to suspend the rules and place Ordinance 2017-21 on its third reading by short title only. Seconded by Dyer, the motion passed. City Attorney Baker read Ordinance 2017-21 by short title only. Sirk made a motion to adopt Ordinance 2017-21 on its third and final reading. Seconded by Murray, roll call vote showed passage by a 5-0 vote. Mayor Meyer announced that Ordinance 2017-21 has been adopted.

#### Department Heads:

Curt Witte, Building and Zoning Superintendent, noted Felger Hart, Inc. would be in on Wednesday morning to check out the heating and cooling needs and costs for the upstairs level.

#### Council Input:

Coshow thanked Sirk for putting together the Decatur Downtown Investment Celebration and flyer regarding the upgrades, additions, and events in the City from 2012 to the present. He also brought up the concept of using a drone to get a view of the City from that angle. Sirk noted about twenty (20) downtown business people had met and wanted to continue the work started.

Clerk-Treasurer, Phyllis Whitright noted she had Certificates of Appointments for the Decatur Redevelopment Commission appointees Ron Storey, Rex Hinsky, Craig Russert, Larry Isch and Max Miller. Sirk made a motion to make the Certificates of Appointments a matter of record. Seconded by Coshow, the motion was adopted.

Clerk-Treasurer Whitright shared she had received invoices from Primco totaling \$114,050.19 for work on the Madison Street Plaza. A portion of these invoices will be paid from the City’s Rainy Day fund, and the remaining will be paid from the Greater Decatur funds that are held at the Adams County Community Foundation that have been collected from the community for this project. Coshow made a motion to approve the payments. Seconded by Sirk, the motion was adopted.

City Attorney thanked Coshow for his work in putting the Summer Concerts Series together.

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 8:58 P.M.