

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
DECEMBER 19, 2017

The City of Decatur Common Council met on Tuesday, December 19, 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 December 5, 2017 meeting. There being no corrections, Coshow made a motion to approve the minutes. Sirk seconded the motion. Motion carried.

The first item of business was Resolution 2017-18, a resolution to authorize the Clerk-Treasurer to transfer between appropriations within department budgets. The Clerk-Treasurer read the transfers. A motion to introduce Resolution 2017-18 by short title only was made by Sirk, seconded by Fullenkamp, and passed. The Resolution was read by short title only by City Attorney Baker. A motion was made by Sirk and seconded by Dyer to adopt Resolution 2017-18. The motion was adopted.

The next matter of business was the encumbrance of funds to the 2018 Budget Year. Encumbrances were as follows:

General Fund: Police Department Budget- Payroll for Greg Cook (final retirement payout) \$20,067.40, First Response (police reserve uniforms) \$2,161.64, First Response (police uniforms for 3 new officers) \$7,693.42, First Response (police badges) \$1,475.48 Totaling \$31,397.94. Common Council Budget- Felger Hart, Inc. (City Hall HVAC Repairs) \$ 4,570.00, Primco, Inc. (Madison Street Plaza Project) \$75,750.00 Totaling \$80,320.00; Total General Fund \$111,717.94. MVH Street Fund: Arnold Lumber Co., Inc. (Materials-improvements on storage bldg.) \$ 7,058.40, W.A. Jones Truck Bodies & Equip. (Snow plow for dump truck) \$7,410.00 Total MVH Fund: \$14,468.40; Cumulative Capital Development (CCD) Funds: MLS Engineering (Balance for design plans-Hanna Nuttman Park) \$8,632.50, LOIT-Public Safety Fund: Brigade Electronics, Inc (360 degree camera system for fire truck) \$ 2,775.84, Tom Kelley Ford, LLC (3 police vehicles less trade in) \$65,863.46, Motorola, Inc, (Hand-held radio, programming and Equipment) \$12,524.13 Total LOIT-Public Safety Fund \$81,163.43. Grand Total of all Encumbrances \$215,982.27. Sirk made a motion to approve the encumbrances totaling \$215,982.27. Seconded by Coshow, the motion was adopted.

Melissa Norby, Community Development Director shared that some of the funds granted in 2017 for the Facade Program will not be used until 2018. Dyer made a motion to carry forward any unused funds for the 2017 Facade Program with work to be completed in 2018. Seconded by Sirk, the motion was adopted.

It was announced by Clerk-Treasurer Whitright that Conflict of Interest Disclosures Statements had been signed by employees that also do work for the City; James Hitchcock, Tim Bauman, Taylor Gage, Greg Kitson, Tim Ulman, Jeffrey Sheets, Don Bergdall, Tim Baker, Anthony Stimpson, Andrew Stimpson, Leo Feasel, and Tyler Fullenkamp. These disclosure statements will be filed with the State Board of Accounts and the Adams County Clerk's office. A motion to make the Conflict of Interest Disclosure Statements a matter of record was made by Dyer, seconded by Sirk, and passed.

Mayor Meyer shared he will be re-appointing Patrick “Pete” Braun to serve on the Alcohol Beverage Commission beginning the first of the year for a one year term. Dyer made a motion to make the appointment of Pete Braun to the Alcohol Beverage Commission a matter of record. Seconded by Sirk, the motion was adopted.

The elected officials each signed a Certification in reference to the City’s Nepotism Policy for hiring and contracting. Dyer made a motion to make the signed Certifications for Elected Officials on compliance with the Nepotism Policy for hiring and contracting a matter of record. Seconded by Sirk, the motion was adopted.

Discussion was then held regarding Ordinance 2017-15, regarding liability for the Utilities Department invoicing city services. Kevin Hackman, Utility Auditor has been working with the software vendor and shared there are many good options available. It is estimated an update to the software would cost approximately \$28,000. It was shared the City is currently waiting for the current rate study, then work would turn to the need of a bond. A portion of the bond could be used for the software update. It was shared there will not be any action on the Utility Ordinance until the January 16, 2018 meeting. Sirk made a motion to table ordinance 2017-15 on its third reading. Seconded by Coshow, the motion passed.

The third reading of Ordinance 2017-17, an Ordinance which annexes the Bank of Geneva property of 1.18 acres to the City of Decatur, was considered. Sirk made a motion to place Ordinance 2017-17 on its third reading by short title only. Seconded by Coshow, the motion passed. City Attorney, Tim Baker read Ordinance 2017-17 by short title only. Sirk made a motion to adopt Ordinance 2017-17 on its third and final reading. Seconded by Dyer, roll call showed passage with a 5-0 vote. Mayor Meyer announced that Ordinance 2017-17 has been adopted. This ordinance will be published and if no appeal after 31 days of publication, the property is annexed into the City.

City Attorney, Tim Baker reviewed the action regarding the former Decatur Casting property which had been torn down ten (10) years ago. He shared a stipulation was in place for the County to turn the land over to the City and if the City marketed and sold the property, the funds from the sale would be split with the County. It has now gone through the process and the Court has awarded the property to the City. Coshow made a motion to make a matter of record the decree presented from the Court regarding the ownership by the City. Seconded by Dyer, the motion was adopted. Baker shared that he and Councilman Coshow had attended the Court Hearing regarding the former Decatur Casting property.

City Attorney, Tim Baker asked for consent to serve dual representation for both the Adams County Solid Waste District and the City. Coshow made a motion to sign the consent to representation form and grant City Attorney, Tim Baker permission to serve both the City and the Adams County Solid Waste District. Seconded by Dyer, the motion was adopted.

City Attorney Baker noted he had met with the Adams County Solid Waste District earlier today and shared there would be an increase cost of \$.94 per ton for disposal in 2018 with the cost being \$43.86 per ton, a 2.2% increase from last year. Baker presented the new Transfer Station Contract to commence on January 1, 2018 through December 31, 2018. Coshow made a motion to approve the transfer station contract for 2018 at \$43.86 per ton. Seconded by Murray, the motion was adopted.

Jeremy Gilbert, Operations Manager appeared before the Council seeking an Ordinance for no parking on Sunset Lane. The request is due to it being difficult for the garbage and fire trucks to turn around in the cul-de-sac. Sirk made a motion to place Ordinance 2017-23 on its first reading by short title only. Seconded by Murray the motion carried. City Attorney Baker read Ordinance 2017-23 by short title only. Sirk made a motion to pass Ordinance 2017-23 on its first reading. Seconded

by Murray, a roll call vote showed passage by a 5-0 vote. Sirk made a motion to place Ordinance 2017-23 on its second reading by short title only. Seconded by Murray, the motion carried. City Attorney Baker read Ordinance 2017-23 by short title only. Sirk made a motion to pass Ordinance 2017-23 on its second reading. Seconded by Murray, a roll call received a 5-0 vote for passage. Sirk made a motion to suspend the rules and place Ordinance 2017-23 on its third reading by short title only. Seconded by Murray, the motion carried. City Attorney Baker read Ordinance 2017-23 by short title only. Sirk made a motion to adopt Ordinance 2017-23 on its third and final reading. Seconded by Murray, roll call showed passage by a 5-0 vote. Mayor Meyer announced that Ordinance 2017-23 had been adopted.

#### Mayor's Report:

Mayor Meyer pays respect to Troy Fennig who had served on the Decatur City Council and had recently passed.

A motion was made by Sirk and seconded by Dyer to introduce Resolution 2017-17, a resolution to honor Chief of Police, Greg Cook who is retiring on January 2, 2018. The motion was carried and City Attorney, Tim Baker read Resolution 2017-17 in its entirety. Sirk made a motion to adopt Resolution 2017-17. Seconded by Dyer, Resolution 2017-17 was adopted. Chief Cook was given a standing ovation and thanked him for his many years of service.

The Mayor noted there had been eleven (11) items on the agenda for the final meeting of 2017. He then shared that the employees have had a very busy year.

#### Department Heads:

Most Department Heads thanked the City Administration for the Decatur Dollars, wished all a Merry Christmas, and extended well wishes and congratulations to Police Chief Greg Cook on his retirement.

Melissa Norby, Community Development Director reported that the 2018 recycling and heavy trash calendars would be in the mail in the near future.

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

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

Adjournment was at 8:30 P.M.