

CITY OF DECATUR
COMMON COUNCIL MINUTES
JULY 3, 2018

The City of Decatur Common Council met on Tuesday, July 3, 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 Matt Dyer, Tyler Fullenkamp, Scott Murray, and Wylie Sirk were in attendance. Also present was Clerk-Treasurer, Phyllis Whitright and City Attorney, Tim Baker. Councilman Craig Coshow was absent.

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

The Clerk-Treasurer had emailed the minutes from the June 19, 2018 meeting. There being no corrections, Murray made a motion to approve the minutes. Sirk seconded the motion. Motion carried.

Jeremy Brown, Attorney for Hoosier Pattern, appeared before the Council to request to withdraw Declaratory Resolution 2018-10 that was adopted on June 5, 2018, due to the fact that the real estate should include both Hoosier Pattern, Inc. and RH Warehouse LLC. Dyer made a motion to withdraw Resolution 2018-10. Seconded by Sirk, the motion passed.

Attorney Brown then presented a new Declaratory Resolution 2018-13 for the Designation of an Economic Revitalization Area at 906 N. 10th Street and requesting a 10 year tax abatement for both real estate and personal property, which includes both Hoosier Pattern and RH Warehouse, LLC. Sirk made a motion to introduce Resolution 2018-13 by short title only. Seconded by Fullenkamp the motion passed and City Attorney, Tim Baker read Resolution 2018-13 by short title only. Fullenkamp made a motion to keep the abatement for 10 years as previously approved for real estate and personal property. Seconded by Murray, the motion passed. Dyer then made a motion to adopt Resolution 2018-13. Seconded by Fullenkamp, the motion was adopted.

Dyer made a motion to schedule a Public Hearing regarding the tax abatement for Hoosier Pattern and RH Warehouse for July 17, 2018 at 7:30 p.m. Seconded by Murray, the motion was carried.

Event forms were next considered.

The first event form was from Decatur Main Street for Downtown Decatur Days to be held on Saturday, July 14, 2018 from 9 a.m. to 3 p.m. on Madison Street Plaza, First Street, and the First Street Parking Lot. Street closings would be on 1st Street from Monroe to Jefferson Street. The group is trying to reinvent the downtown Side Walk Sale, which will include a pet parade, kid zone and yoga. A motion to accept the event and street closings was made by Dyer, seconded by Murray, and adopted.

The second event form was for the 4th of July Fireworks with Jackson Street being closed from US 224/Monroe Street in front of Bellmont High School to Front Street from 5 P.M. until 30-45 minutes following the conclusion of the fireworks display. Fullenkamp made a motion to accept the Decatur Chamber of Commerce and Decatur Main Street's event and street closing subject to Chamber and Main Street to get required permits and insurance. Seconded by Dyer, the motion was adopted.

A discussion was held regarding the sale of alcohol and it was noted that the Chamber was responsible for all permits and insurance.

The Chamber of Commerce had requested sponsorship for the Decatur Highland Games, which was tabled at the June 19, 2018 meeting. Last year the City contributed \$500 toward the event and was paid from the Mayor's promotional account. Dyer made a motion to table any action until more information could be sought on what events will be held to determine the amount to contribute. Motion seconded by Fullenkamp, the motion was carried.

A motion was made by Dyer to make a matter of record the Certificate of Appointment of Don Bergdall, Civil Infrastructure Manager, who the Mayor appointed to the Adams County Regional Sewer District. Seconded by Murray, the motion was adopted.

Clerk-Treasurer, Phyllis Whitright shared an Interlocal Agreement for credit card payments to be accepted by Adams County and City of Decatur Parks & Recreation Departments. Payments can be made in office and online through GovtPortal, Inc. The County will deposit the payments in a bank account and then the County will pay the City of Decatur the Decatur Parks & Recreation portion of sales by electronic fund transfer for every deposit at the following available county claim cycle, then the City will receipt the funds into the Decatur Parks & Recreation fund. Operations Manager/Supt., Jeremy Gilbert remarked that this is for rentals and for parents to be able to enroll their youth in such programs as soccer and swimming without having to register in person since programs/activities are sponsored by both the City and County Parks. The Clerk-Treasurer also shared that the State Board of Accounts recommended that both the City and County Council's approve the Agreement. Dyer made a motion to sign and approve the Agreement. Seconded by Fullenkamp, the motion was adopted. The Clerk-Treasurer will provide the Agreement to Adams County Council for their approval and signatures.

Clerk-Treasurer Whitright shared she had been notified by the County Assessor that REV had failed to file one (1) of the three (3) tax abatement forms. The CF-1 form that was not filed was for personal property located at 1010 Commerce Drive, and was originally filed in 2009. It was shared that pending a response from Assessor Don Kuhn for the CF-1 being filed late, the City would like to still accept this third abatement filing. A motion was made by Sirk to allow Mayor Meyer to sign the abatement as long as it is approved by the County. Seconded by Dyer, the motion was adopted.

A motion was made by Sirk to make a matter of record the Conflict of Interest Disclosure Statement for K9 Officer Corey Hamm. Seconded by Dyer, the motion was adopted. K9 Officer Hamm and his wife will be making items to sell to fund the account for the care of the dog, Ivar. Officer Hamm will have no financial benefit from the items sold, all profits will be donated and deposited into the K9 fund.

Discussion regarding Ordinance 2017-15, an ordinance regarding liability for invoicing city services by the utilities department, was the next item on the agenda. It was shared that legal counsel is prepared to construct and introduce Ordinance 2018-15, an ordinance regarding liability for invoicing city services by the utilities department, at the July 17, 2018 meeting. Via the new software it was noted landlords can have access to information regarding all their rentals. A group of landlords have met with Kevin Hackman, Utilities Auditor, and Mayor Meyer and they all understand the property owner is responsible. There will be two (2) forms: one signed by the property owners with a list of all properties which allow billing to the tenants and a second form for tenants and anyone getting new service in Decatur. Anyone wanting service transferred to their name must sign up within City Hall. City Attorney, Tim Baker summarized the new ordinance to be brought forth for action at the July 17, 2018 meeting. This modified ordinance allows service in the tenant's name as long as the landlord has signed off and makes it clear that the City services are to the property, and the owner is responsible for that service, which can be put into the tenant's name unless the tenant has payment due from another property. If shut off notices are necessary, they will be connected to the property. The billing will be titled Utility Bill and will include all utilities

effective October 1, 2018. It was shared that if landlords want to see a copy of the new forms or a copy of the ordinance draft, those copies will be available at City Hall and soon online. Dyer made a motion to strike Ordinance 2017-15 from the record. Seconded by Sirk the motion was adopted and Mayor Meyer announced that Ordinance 2017-15 has been stricken from the record.

Department Heads:

Fire Chief, Les Marckel thanked the media for their assistance in notifying citizens of the Fireworks Ordinance. Marckel also shared that the Savannah Law which was passed by Senate is a “may” rather than a “shall” law. The law concerns testing for carbon monoxide in vehicles and the Decatur Fire Department has opted not to do the testing, due to lack of staff to provide this testing.

Don Bergdall, Civil Infrastructure Manager, shared that the Madison Street Plaza project is basically finished and is working well.

Jeremy Gilbert, Operations Manager, stated that the Street Sweeper should arrive in about ten (10) days.

Melissa Norby, Community Development Director, shared that the Farmer’s Market would be moving to Madison Street Plaza and First Street this Thursday, July 5, 2018, and the time would be from 4 to 7 P.M.

Mayor Meyer shared that a lot of postings and a video has been on social media for the Hanna Nuttman Project, but the City hasn’t pushed for donations yet. The stage is being set to begin the fund raising process. People are urged to get serious about making donations. Donations can be made online via PayPal. Mayor noted that PayPal does charge a fee for donation received, which will make the donation less. You can make donations directly by stopping by City Hall or mailing a check.

Clerk-Treasurer Whitright shared she had been notified by the Department of Local Government Finance (DLGF) that sufficient funds were available for the additional appropriations of \$100,000 from the MVH-Street fund for the Street Sweeper, and \$103,000 from the CCD fund for the purchase of the home at 134 N. First Street.

Whitright also shared that the City had not been audited by the State Board of Accounts for four (4) years. The SBOA is now doing audits remotely, which the City is being required to complete questionnaires and upload many documents on Gateway, monthly and annually. The audits should cost less for the City, but more time consuming locally.

Dyer inquired about the possibility of getting a cost estimate for the work on the wall on the northwest corner of First and Monroe Streets where the building was razed. Operations Manager, Jeremy Gilbert is working on estimates.

It was announced that with weather permitting, milling and paving would begin on Thursday and Friday on Monroe Street (Highway 224).

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 Fullenkamp, the motion passed.

Adjournment was at 8:43 P.M.