

CITY OF DECATUR
COMMON COUNCIL MINUTES
MARCH 3, 2009

The City of Decatur Common Council met on Tuesday, March 3, 2009 at 7:30 P.M. at City Hall in Council Chambers. The meeting was called to order by Mayor John Schultz. Roll call was taken to show Councilwoman Barb Engle and Councilmen Charlie Cook, Bill Crone, Matt Dyer and Ken Meyer were in attendance. Also present was City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright.

The Clerk-Treasurer had emailed the minutes from the February 17th council meeting. There were no additions or corrections offered so Dyer made a motion to approve the minutes as emailed. Cook seconded the motion. All council members were in favor. Motion carried.

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

The Mayor announced re-appointing James Baumgartner as a member of the Decatur Economic Development Commission to serve a four (4) year term beginning February 1, 2009 and terminating January 31, 2013. Meyer made a motion to make the Certificate of Appointment a matter of record, Engle seconded the motion. Motion carried.

The Mayor announced re-appointing Kenneth L. Meyer, a nominee of the Common Council to serve as a member of the Decatur Economic Development Commission to serve for four (4) years from February 1, 2009 and terminating January 31, 2013. Crone made a motion to make the Certificate of Appointment a matter of record, Cook seconded the motion. Motion carried.

The Mayor announced re-appointing Diane Dillman to the Decatur Parks Board for a term beginning on January 1, 2009 and terminating on December 31, 2012. Engle made a motion to make the Certificate of Appointment a matter of record, Dyer seconded the motion. Motion carried.

The Annual Financial Report for the City of Decatur for the Fiscal Year ending 2008 was published on February 20, 2008 in the Decatur Daily Democrat. Crone made a motion to make the legal notice a matter of record. Cook seconded the motion. Motion carried.

The Clerk-Treasurer explained the city received a check from Adams County for excess of CEDIT funds for the year 2008 in the amount of \$6,190.04. The County was notified by the Department of Local Government Finance (DLGF) this amount needs to be distributed back to the city and deposited into the Rainy Day fund. The City of Decatur currently does not have a rainy day fund established, so the Clerk-Treasurer prepared Ordinance No. 2009-3, an ordinance establishing a Rainy Day fund. Councilman Dyer questioned how the monies be used. The Clerk-Treasurer informed the council members the monies can be used for whatever council determines reasonable and necessary, except for salaries or wages. There were no other comments, so Meyer motioned to Place the Ordinance on First Reading by short title only. Motion was seconded by Engle and passed by consent.

Meyer motioned to Pass Ordinance 2009-3 on First Reading. Cook seconded the motion. The roll call was five (5) members voting in favor and none against.

Meyer motioned to Place the Ordinance on Second Reading by short title only. Motion was seconded by Dyer and passed by consent.

Meyer motioned to Pass Ordinance 2009-3 on Second Reading. Dyer seconded the motion. The roll call was five (5) members voting in favor and none against.

Meyer then motioned to suspend the rules and Place the Ordinance on Third Reading. Motion was seconded by Engle and passed unanimously.

Meyer motioned to Adopt Ordinance 2009-3. Engle seconded the motion. Roll call for Adoption of Ordinance 2009-3 was Cook, Crone, Dyer, Engle, and Meyer in favor and none opposed.

The Clerk-Treasurer reported the City of Decatur received an excess of CEDIT funds for the year 2007 on March 7, 2008 in the amount of \$41,970.67. This amount was deposited into the CEDIT fund, but DLGF requires these funds to be put into the Rainy Day fund, so the Clerk-Treasurer requested from the council members to authorize her to make this adjustment on the books to move these funds from the CEDIT fund to the Rainy Day fund. Cook made a motion to authorize the adjustment, Meyer seconded the motion. Motion carried.

Adam Eguia was present requesting financial support from the city for the 4th of July fireworks, and to request closing a portion of Jackson Street. Police Chief, Ken Ketzler had no problem with the street closing. Eguia mentioned the 4th of July falls on a Saturday this year. Parks & Recreation Supt., Steve Krull commented there may be a conflict with the flea market being on Sunday. By consensus, council tabled the request for financial support until council can look at where they want to make cuts. Council members will make a decision on at the April 7th council meeting.

The Mayor announced a correction in the Decatur Daily Democrat publishing the vote for the \$3,000.00 donation to Spotlight on Decatur at the last council meeting was Councilmen Crone and Meyer against, and Cook, Dyer, and Engle in favor.

The Mayor received a letter of notice stating Porter, Inc. will indefinitely layoff employees. The action is expected to be temporary but longer than 6 months. The layoff is due to extraordinary external economic factors resulting in a significant downturn of projected boat sales throughout 2009. Although unclear at this time, it is anticipated that sales of boats may return to normal levels beginning in 2010. Meyer made a motion to make the letter a matter of record. Cook seconded the motion. Motion carried.

Police Chief, Ken Ketzler reported the School Resource Officer program is going well. The Mayor invited the Police Chief, and also the Deputy Police Chief, Greg Cook to attend the next Board of Works meeting to discuss the job description for the School Resource Officer.

Fire Chief, Les Marckel reported Severe Weather Alert Week will begin March 15th thru March 21st, a free storm spotter training course will be held on Thursday, March 19th at 6:30 p.m. at Adams Central School.

Storm Water Manager, Joan Eichhorn talked with downtown business owners about the four inch rain. Many businesses had storm water going into the sanitary sewers. A smoke test will be done starting

on Monroe Street. Eichhorn commented to stop sanitary sewer from backing up into basements, the floor drains must be eliminated.

Jason Brune, speaking for a group of citizens against the decision by the North Adams Community School board members decision for school reconfiguration. Since City Council members appoint two of the school board members, the group wants council members to recommend their appointees to rescind their vote. Charlie Brune, the father of Jason Brune also spoke out against the reconfiguration. The Brune's are deeply concerned of the decision the school has made. A petition drive with 450 people's names opposing the school board decision has been done, and will make this known to the school board at their next meeting. There were approximately six other citizens present who were against the reconfiguration. This group felt they were not given a chance to speak at the school board meeting. The public was not represented beforehand. Derek Vrablic mentioned there were three school board meetings held, which the first meeting started out very heated, but after the second and third meeting it was as if the board members had already made their decision. Councilman Dyer commented the appointees that city council appointed, one voted for and the other voted against the reconfiguration. Jean Brune commented there were no questions asked by the school board before they voted. Charlie Brune remarked their legal counsel advised them to come and talk with council members and ask for help. Jamie Tharp mentioned the appointees city council appointed have not been responsive, people opposing the reconfiguration were not able to discuss the plan with the school board. Councilwoman Engle commented that city council members appoint these individuals, but council members cannot micromanage these appointees. The Mayor informed the group he understands their frustration, but the city administration doesn't have any authority over the school board. Council members could contact their board appointees on an individual basis if they so desire. The group commented their next step is to have an elected school board. The group personally mailed a handout to each board members home about their concerns. No action was taken by city council members.

Engle made a motion to allow the claims as presented. Cook seconded the motion. Motion passed unanimously.

There being no further business, Dyer made a motion for adjournment. Meyer seconded the motion. Motion carried. The meeting was adjourned at 8:30 p.m.