

CITY OF DECATUR  
BOARD OF PUBLIC WORKS & SAFETY MINUTES  
MAY 5, 2009

The City of Decatur Board of Public Works and Safety met on Tuesday, May 5, 2009 at 6:00 p.m. at City Hall in Council Chambers. Members present were Mayor John Schultz and Board members Ken Meyer and Bill Karbach. Also present was City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright.

The meeting was called to order by Mayor John Schultz. The Clerk-Treasurer emailed the minutes from April 21st. There were no corrections or amendments offered, so Meyer made a motion to approve the minutes as received, Karbach seconded the motion. Motion carried.

The Mayor presented an agreement between the City and Butler, Fairman and Seufert, Inc. for engineering services to apply for grant stimulus funds for street improvement projects on Adams Street from Highway 27 to 1<sup>st</sup> Street, Winchester Street from Line Street to Adams Street, Mercer Avenue from Adams Street to the city limits, and Patterson Street from 28<sup>th</sup> Street to Highway 27, and Piqua Road from Highway 224 to the Middle School entrance. The total fee not to exceed \$31,750.00 for engineering services will be paid from Local Road and Street fund. The Mayor also received a quote from Bonar Group for engineering services, which was approximately \$70,000.00. Karbach made a motion to approve and sign the agreement with Butler, Fairman and Seufert, Inc. Meyer seconded the motion. Motion carried.

The Clerk-Treasurer received payment estimate #10 for Thieneman Construction for \$217,785.29 for the Wastewater Treatment Plant Improvements Project. The project is 85% complete. Also received were four (4) invoices from Commonwealth Engineers, Inc. for engineering services for the month of April totaling \$30,227.70. Karbach made a motion to approve the payment to Thieneman Construction and to Commonwealth Engineers. Motion carried. The Clerk-Treasurer will submit these payment requests to the State Revolving Fund Loan Program.

The City Attorney prepared a document, which relieves the city from any responsibility for injury or property damage arising from or related to performing volunteer work for the city. Meyer made a motion to approve the document and gave authorization for the Mayor to distribute to Department Heads to complete the form when using volunteers. Karbach seconded the motion. Motion carried.

With the Council members attending the Board of Works meeting, the Mayor explained that he was contacted by Gale Nidlinger who is requesting the contract for the 450 North property be paid in full, due to the changes in the law for capital gains. The Mayor explained the balance owed to Nidlinger is approximately \$189,000.00, which is being paid from the CEDIT fund. The City Attorney was contacted by Nidlinger's bank about different options of paying the contract off. By consensus, the Board of Works members gave permission for the City Attorney to contact Nidlinger's bank to get this resolved. The City Attorney will report back at the next meeting.

The Mayor commented the grass seed did not take on 450 North property (Industrial Park III-A). The Mayor will get a price to have it redone and report back at the next meeting.

The Mayor reported the Wastewater Treatment Plant did pass the toxicity test, required by IDEM. Another test will be performed in May.

The Mayor announced on May 6<sup>th</sup> he and the City Attorney and Clerk-Treasurer will be meeting with Umbaugh to discuss a rate study and also budgeting fire hydrant rental through user fees instead of through property tax. The Mayor will report back the information at the next meeting.

The City Attorney talked with Ann from IACT about how the State will fund the Pre-1977 Police and Fire Pension funds. Tim explained the maximum levy will be decreased by the amount of money the city will receive to fund the pensions. The cash balance remains in the pension funds.

The City Attorney informed council when looking at salaries for 2010, elected official salaries cannot be reduced more than the prior year salary.

The Mayor reported the Parks & Recreation Dept. revised their budget for 2010. The Clerk-Treasurer handed out a report showing a comparison of 2009 to 2010 proposed budget amounts, excluding wages and benefits. The proposed 2010 budget was reduced by approximately \$150,000.00 from 2009. The Mayor would like council to review the proposed 2010 budgets and then make any other changes at the next meeting.

The Clerk-Treasurer reported the County Auditor supplied the property tax cap losses for Decatur, which will be \$53,833.40 for 2009. It was estimated to be \$24,219 by the Legislative Services Agency, but due to the City of Decatur having more rental properties, and properties without homestead exemptions than the other taxing units Decatur received the majority of the loss.

Parks & Recreation Supt., Steve Krull explained a new law, Virginia Graeme Baker Pool & Spa Safety Act of 2008 requires public pools to have drain covers installed. Krull hired Spear Corporation, a consulting firm for pools to conduct a pool audit. The audit showed suction wells need to have 8 inch pipe, the Decatur pool has 6 inch pipe. We could comply with the law by installing VGB approved PVC 18 x18 covers. The cost for installing covers and replacing the pipe is estimated at \$23,000.00. The City Attorney suggested seeing what was required in 1978 when the pool was installed. Krull will discuss this with the Park Board and get more information.

Steve Krull reported DNR held a public meeting on installing a boat launch on Meadow Lane at Kekionga Lake. The home owners are not in favor of this, but Krull reported he didn't feel the idea was presented properly, so the Park Board will have another public meeting at Riverside Center to get the publics opinion. Krull passed out photos of what the boat launch would look like.

Steve Krull remarked the 4<sup>th</sup> of July fireworks that are held annually at Riverside Center will create a problem with the flea market this year. Steve commented Adam Eguia who organized the fireworks, still has not contacted Krull to use Riverside Center. The Mayor informed Krull to work with Adam Eguia to get the situation resolved.

The City Attorney received an email from Attorney Adam Miller who had a complaint about being ticketed for over parking downtown. The City Attorney responded to the email and informed Miller the City is looking into ways to provide convenient parking, but also mentioned the free all day parking provided by the city on First Street, which very few are willing to use. Board member, Bill Karbach is still working on parking issues downtown, but should have some parking issues resolved in the near future.

The Mayor reported there has been some exhibition driving at Hanna Nuttman Park and the driver received 4 points on his driving record. Parks & Recreation Supt., Steve Krull and Police Chief, Ken Ketzler will meet with the City Attorney to decide how to handle the situation.

There being no further business, Karbach made a motion for adjournment. Meyer seconded the motion. Motion carried. The meeting was adjourned at 7:28 p.m.