

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
SEPTEMBER 6, 2011

The City of Decatur Common Council met on Tuesday, September 6, 2011 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, 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 Mayor invited everyone to stand and recite the Pledge of Allegiance.

The meeting was called to order by Mayor John Schultz. The Clerk-Treasurer had emailed the minutes from August 16th meeting. There were no corrections, so Engle made a motion to approve the minutes as emailed, Dyer seconded the motion. Motion carried.

Meyer made a motion to make the legal notice for the second of two required public hearings for the federally funded CDBG project a matter of record. Engle seconded the motion. Motion carried.

Dyer made a motion to suspend the Council meeting to hold a public hearing. Meyer seconded the motion. Motion carried.

**Minutes**

The City of Decatur 2nd Public Hearing  
for a  
Community Focus Fund Grant Application  
Former Street Department Garage Demolition Project  
September 6, 2011

**Administration**

The City of Decatur held the second of two required public hearings for the Community Focus Fund (CFF) grant application at its City Hall during the City Council meeting beginning at 7:30 p.m. on September 6, 2011. Matt Vondran, Grant Administrator with the Northeastern Indiana Regional Coordinating Council (NIRCC) was designated to act as the City's agent to conduct the public hearing.

**Attendance**

Twenty-two (22) people were in attendance. (Sign-in sheet is attached)

**Introductory Comments**

Mayor Schultz adjourned the Council meeting and opened the public hearing. Mr. Vondran introduced himself and explained the structure of the hearing. He then stated that it was the second of two required public hearings for the City of Decatur's Community Focus Fund grant application. He stated that NIRCC is assisting the City in obtaining a CFF grant from the Indiana Office of Community and Rural Affairs, known as OCRA, to help fund the former street department garage demolition project.

Mr. Vondran stated that the total project is estimated to cost approximately \$553,598. \$456,850 will come from grant funds and \$96,748 will come from local funds. He then stated that the state funding is federal Community Development Block Grant or CDBG money allocated from the Department of Housing and

Urban Development or HUD and administered by OCRA. The maximum amount that can be requested is \$500,000 and the City must provide a local match of at least 10% of the total project cost, however a larger match increases the competitiveness of the application. He stated that to qualify for this grant, the City must show that the project meets 1 of 3 national objectives, it must either benefit low to moderate income individuals, provide the elimination of slum and blight, or be of urgent need (usually associated with disasters). Due to the condition of the building, this project will eliminate slum and blight on a spot basis. The City qualifies for this grant because it has designated the former street department garage as a blighted structure and has passed a corresponding resolution stating the same. Mr. Vondran stated that the City will provide a 17% local match of \$96,748. He stated the match will come from the Cumulative Capital Development funds to cover the grant administration, labor standards, and engineering costs of the project. He stated that the City will not increase user fees to pay for any parts of this project.

Mr. Vondran stated that the building must be removed because it is a threat to public health and safety and poses a significant liability risk to the City. He stated that the building has been vacant since 2008, is in a state of disrepair and currently is not suitable for use. The support structure in the basement is collapsing and the basement is subject to frequent flooding. Mr. Vondran stated that earlier in the year water in the basement was more than 12 feet high. He stated that this was a major concern to the City, especially since the building is located within a residential neighborhood and adjacent to the police department, park, and public pool. He then stated that luckily, nothing tragic has happened, but it easily could.

Mr. Vondran then described the improvements. He stated that the proposed project includes demolition, asbestos abatement, and site restoration of the former street department garage. He stated that concerning demolition it would include: Razing of the aboveground structures with removal and disposal of rubble; Extraction of the below-grade structure and debris with removal and disposal of rubble and; The acquisition, transportation, placement, and compaction of 4,985 Cubic Yards of fill dirt. He then stated that concerning asbestos abatement, all activities would utilize only certified asbestos removal professionals and inspectors and would include: Identification of all asbestos materials on site; Determination if materials are either able to be removed as part of the general demolition or if they are deemed as friable (hazardous) and must be removed outside the general demolition; Proper removal and disposal of the friable asbestos materials; Utilization of landfill licensed to receive asbestos materials, and; The release of the site through a final cleaning and clearance sample that shows no remaining asbestos. He then stated that concerning site restoration it would include the construction of 7,700 sq ft 4.5 inch thick asphalt parking lot that will serve as auxiliary parking for the police station, park, and pool. He stated that it would be built consistent with asphalt currently adjacent to and surrounding the building. Mr. Vondran stated that all of the work would be completed on City owned property previously disturbed by construction.

Mr. Vondran then stated that the CFF process is a 2-step process, a proposal followed by an application with public hearings prior to each. He stated that the proposal was submitted on July 22<sup>nd</sup> and was followed by a site visit from OCRA on August 25<sup>th</sup> where OCRA provided helpful insight to improve the application. Mr. Vondran stated that the applications are extremely competitive and are compared to other clearance projects. He stated that it appears that there will be at least 2 other clearance applications submitted this round and there is only a total of \$500,000 available. So it will be extremely competitive especially since Decatur is requesting \$460,000.

Mr. Vondran stated that public participation is extremely important in this process and is documented by attendance at public hearings. He requested that everyone in attendance would sign the sign in sheet. He then stated that the grant application would be submitted on or before September 30<sup>th</sup>. He anticipated an

award announcement in December 2011. Mr. Vondran stated that if awarded the grant, it is anticipated that the project will begin in the Summer of 2012 and be completed by November of 2012.

The public hearing was then opened to questions and comments. Mr. Vondran requested that those wishing to speak begin by stating their name.

**Questions (question/comment in bold, answer in regular)**

**Jeremy Gilbert:** I am Jeremy Gilbert, the Street Commissioner. Matt touched on a lot of the very important things with that building. As most of you know, not all of you have been in the building, but it has some major structural issues. A lot of the support beams in the basement are failing. For years, we used to pull the trucks in inside loaded and you could actually feel the floor flex. It's very nerve racking in the middle of winter when you have your mind other places and your putting all this equipment, all these dollars equipment wise into this building have this sense of it failing structurally and then losing a lot of equipment. It's a very important aspect of the grant that the safety concerns are there. With the flooding, the flooding has always been a concern in there. Like you said this year or past year, well this year actually, this year we had roughly 12 foot of water in there because a sump pump failed one time. I feel it is a very important project safety wise to get this taken care of before we have an issue of someone getting into the building and getting very seriously injured.

**Ron Andrews:** I am Ron Andrews and I am a resident down there and I have been in the building, so I really like what Jeremy said. But there's a lot of times at night I'll sit on the porch and I see kids, 10 to 12 kids at a time going up and down Third Street. Sooner or later one of them is going to decide to get in there because there is no police around there at that time, they are out patrolling. But it is an eyesore and they need to do something with it, I don't want to see some kid get hurt due to stupidity and it will happen because they are going to get curious and get in there.

**Ken Meyer:** Ken Meyer and I live two doors from Ron. I also agree with everything people are saying here about the building. I have also been in it. I went down to the basement and wanted to get out of there as quick as I could. I agree with Ron as far as the kids in the neighborhood, it's only going to take one time and it's definitely a liability to the City and an eyesore to the neighborhood. So I think everyone within several blocks of that area would be very grateful to see it torn down.

**Tim Baker:** I am Tim Baker, City Attorney. And as the Attorney for the City I am very much concerned with the liability issue, aside from just the personal tragedy of somebody getting hurt. From the standpoint of the City, we have an opportunity to remove a risk and that should be done.

**Larry Isch:** I am Larry Isch and I am President of the park board. And I agree with everything that's been said. I agree with taking it down because of the risk and injury that could happen to kids because of have the City pool there, and the City park and we already have trouble with people congregating at one of the parks and it won't be long before winter comes in and they are going to need some place to get in and out of the weather. I think it should be taken down. Mr. Vondran: Larry, do you know how many kids are actually on a typical day, how many kids are at the pool, which is right next door to the building, so. Larry Isch: I could say they average probably 150.

**Mayor Schultz: It's just outlived its usefulness and it just needs to go and we can move on.**

**Cameron Collier: Cameron Collier and I have a question and curiosity. You mentioned that it would be replaced with an asphalt parking lot. Is that part of, is that necessary for the grant? Mr.**

**Vondran:** No, the grant calls for green space, essentially the building has to be torn down and the area cannot be used for anything else. Since the surrounding area is pretty much pavement, we can pretty much put pavement there. It's a 7,000 square foot footprint, so it's not going to be anything huge. It could be grass, but if it could be utilized, if it could match the rest of the pavement there, because pretty much the way the footprint is there, if you look at an aerial of the site, there is already existing pavement surrounding the structure and it makes sense to just extend the pavement out. The pavement costs are wrapped into the grant, the City is not paying for any part of it, it is covered by the grant. We did look into seeding it, but it would have been grass essentially in the middle of asphalt. The parking lot will be overflow parking for what is already there and will function the same as it currently does, only with a few extra spots. We are not doing this project to complete a parking lot. It is just one of those things where we already have the asphalt there that abuts to it, so we might as well extend it out if they will allow us to do it. And actually utilize what we end up with, otherwise it would just be grass, that could be park or green space too, but we were just trying to maximize the use of the area and make it consistent with the surroundings.

There were no adverse comments or complaints about the project.

### **Conclusion**

There being no further questions or comments, Mayor Schultz adjourned the public hearing.

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Matthew E. Vondran  
Grant Administrator  
Northeastern Indiana Regional Coordinating Council

Cook made a motion to close the public hearing, Engle seconded the motion. Motion carried.

The Mayor announced the Decatur Redevelopment Commission will meet the first Wednesday of each month. Since the Redevelopment Commission just started, the Mayor requested to transfer \$2,000 from the CEDIT fund to the Decatur Redevelopment Commission. The purpose of the Commission is to spur economic growth in areas that are in need of redevelopment. The Clerk-Treasurer contacted State Board of Accounts and they gave their approval to transfer funds from CEDIT to the Redevelopment Commission. Dyer made a motion to approve the transfer. Engle seconded the motion. Motion carried.

Wes Kuntzman presented an award on behalf of the Kekionga Festival Committee to the Mayor for winning the Mayor's Challenge this year. Mayor thanked Wes Kuntzman, Larry Isch and Max Miller for their time in organizing Decatur's 175<sup>th</sup> Anniversary Celebration and also the Kekionga Festival.

Larry Isch was present and thanked the Kekionga Committee for letting him combine the 175<sup>th</sup> Anniversary with the Kekionga Festival. Isch reported the 175<sup>th</sup> was a success with public sales over

\$40,000. The money remaining after expenses were paid has been put in a fund with the Adams County Community Foundation for Decatur's 200<sup>th</sup> anniversary, and also toward the next Kekionga Festival.

Mayor Schultz reported that Stephanie Mumaw from Wightman Petrie discussed a GIS system with the Department Heads. The cost for Wightman Petrie to meet with each department and find out what each departments needs are will not exceed \$1,000. Dyer made a motion to approve hiring Wightman Petrie, to be paid from the CCI fund. Engle seconded the motion. Motion carried.

Street Commissioner, Jeremy Gilbert announced heavy trash collection will begin the week of September 12<sup>th</sup>. Yard waste collection will end soon, so the public is advised to take yard waste to the compost site.

Fire Chief, Les Marckel announced Sept. 8-11 will be a memorial for 911 victims at Bear Creek Farms. Saturday, Sept. 11<sup>th</sup> will be the Fire Department's annual fund raiser golf outing.

Councilwoman Engle questioned when the railroad tracks on 13<sup>th</sup> Street will be repaired. The Mayor informed her that this Friday the State will be taking elevation shots, and the end of September construction should begin.

The Clerk-Treasurer, Phyllis Whitright reported County Council reviewed the City's 2012 budget with no recommendation received. The Public Hearing on the City's 2012 budget will be at the next council meeting on Sept. 20<sup>th</sup>, and adoption of the budget will be at October 4<sup>th</sup> council meeting.

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

There being no further business, Meyer made a motion for adjournment. Dyer seconded the motion. Motion carried. Meeting was adjourned at 8:05 p.m.