

CITY OF DECATUR
COMMON COUNCIL MINUTES
NOVEMBER 15, 2011

The City of Decatur Common Council met on Tuesday, November 15, 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 November 1st meeting. There were no corrections or amendments, so Dyer made a motion to approve the minutes as emailed. Crone seconded the motion. Motion carried.

To comply with the Indiana State Legislature enacting I.C. 35-47-11.1, the City Attorney, Tim Baker prepared Ordinance 2011-9, an ordinance amending Sections 95.20 and 130.01 of the 2007 Decatur City Code of Ordinances regarding the regulation of firearms, ammunition and firearm accessories. Baker also modified the wording pertaining to fireworks, which is part of Section 130.01. Baker will check with the Indiana Association of Cities and Towns to see if this amendment is acceptable. There were no other comments, so Meyer motioned to Place the Ordinance on First Reading by short title only. Motion was seconded by Cook and passed by consent.

Meyer motioned to Pass Ordinance 2011-9 on First Reading. Dyer 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 Engle and passed by consent.

Meyer motioned to Pass Ordinance 2011-9 on Second Reading. Engle seconded the motion. The roll call was five (5) members voting in favor and none against.

Meyer made a motion to Table Ordinance 2011-9 until the next Common Council meeting on December 6th, seconded by Dyer. All Council Members were in favor. Motion carried.

Council members will need to pass an ordinance to establish a two (2) year Capital Improvement Plan with the revenues received from the County Economic Development Income Tax (CEDIT) for 2012 and 2013. This will be tabled for the December 6th Council meeting.

Mayor Schultz announced that a Resolution to adopt the Multi Hazard Mitigation Plan prepared by Emergency Management Agency (EMA) will be done at the next Council meeting on December 6th.

The next step in creating a TIF District for the Decatur Redevelopment Commission is to have an Impact Study prepared by a Financial Advisor. The mayor contacted two (2) firms for quotes. The cost of an Impact Study will cost approximately \$5,000. The Mayor asked for permission to negotiate with a firm and to pay for the Impact Study from the CEDIT fund, since it is for economic development. Meyer made a motion to approve the Mayor's request. Crone seconded the motion. Motion carried. The City Attorney

added that this Impact Study will need to be done before the public hearing, which will be held on December 7th to notify taxpayers.

Many compliments were given for the repairs to the railroad crossing on US Highway 27/13th Street. Mayor Schultz thanked INDOT for work well done.

City Attorney, Tim Baker reported that he has been working with Adams County Attorney, Mark Burry on receiving a clear title for the Decatur Casting property. The legal process will cost \$1,500 to \$2,000. The County is requesting the City to share in this cost. Crone made a motion to use CEDIT funds to pay the City's portion of \$1,000, and also for the City Attorney to proceed in working with the County Attorney to obtain clear title of this property. Engle seconded the motion. Motion carried.

Mayor Schultz reported that Coni Mayer of the Adams County Community Foundation, and local artist, Greg Mendez along with their committee for a Decatur Sculpture Walk attended the Board of Public Works meeting to explain this new event for Decatur for 2012. They are requesting for Decatur to promote this event. Mayor commented that he is in favor of displaying 7-10 sculptures for the first year, and then add a new sculpture each year. Councilwoman Engle made a motion to approve the event. Dyer seconded the motion. Motion carried.

Steve Krull, Parks & Recreation Supt. announced that the Belmont Middle School will be open for anyone from 9th grade or older interested in walking indoors. The hours are Monday through Friday from 11:00 a.m. to 12:00 p.m., and Monday, Tuesday, and Thursday from 5:30 p.m. to 8:00 p.m.

Krull also thanked Councilwoman Barb Engle for her many years of service to the City, and congratulated Cameron Collier who was elected to fill the Council-At-Large seat beginning January 1, 2012.

Jim Hitchcock, Deputy Fire Chief announced that the City of Bluffton Fire Department thanked the City of Decatur Fire Department on helping with their recent fire they had downtown Bluffton.

Street Commissioner, Jeremy Gilbert reported on October 19th the scoring for the Group III project on East Monroe Street selected Flies & Vandenbrink Engineering and was approved by INDOT. Negotiations with Flies & Vandenbrink will now start for preliminary engineering.

The Street Commissioner also reported that leaf collection will end on December 2nd.

Councilman Meyer gave his deepest sympathy to former City Attorney, DuWayne Herman whose wife Bonnie passed away recently.

City Attorney, Tim Baker had received the amended contract with Mediacom who will continue to pay the City franchise fees through 2013. Mediacom will be relieved of any obligations to pay the City franchise fees till the end of the contract to 2015. Engle made a motion to approve the amendment, and have the Mayor sign on behalf of the City. Cook seconded the motion. Motion carried.

The City Attorney presented an amendment in compliance with Indiana Code I.C. 22-5-1.7, which states that the Adams County Solid Waste Management District does comply with the E-Verify Program, and does not knowingly hire persons ineligible to work in the United States of America. Dyer made a motion to approve the amendment. Meyer seconded the motion. Motion carried.

The City Attorney presented the Transfer Station Contract between the Adams County Solid Waste Management District and the City of Decatur for 2012. There were no rate changes. The City will be charged \$36.00 per ton for solid waste disposed at the Transfer Station. Crone made a motion to approve and to sign the 2012 contract. Dyer seconded the motion. Motion carried.

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. Meeting was adjourned at 8:10 p.m.