

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
DECEMBER 1, 2009

The City of Decatur Common Council met on Tuesday, December 1, 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, 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 Clerk-Treasurer had emailed the minutes from November 17th meeting. There were no corrections or amendments offered. Dyer made a motion to approve the minutes as emailed, Meyer seconded the motion. Motion carried.

First on the agenda was the Final Reading of Ordinance No. 2009-12, a Capital Improvement Plan for the City of Decatur for 2010 and 2011. There were no questions or comments, so Meyer motioned to Place the Ordinance on Third Reading by short title only. Motion was seconded by Cook and passed by consent.

Meyer motioned to Adopt Ordinance 2009-12, seconded by Cook. Roll call for Adoption of Ordinance 2009-12 was Cook, Crone, Dyer, Engle, and Meyer in favor and none opposed.

The City Attorney prepared the Water Rate Ordinance No. 2009-13, with amendments by the Utilities Auditor, Bob Ladd. This ordinance will amend the monthly user fee for water by 41% to provide sufficient revenue to operate and maintain the Waterworks, and to allow collecting hydrant rental fees on the utility bill, and also provide payment in lieu of taxes. These amendments were recommendation from the Strategic Plan prepared by H.J. Umbaugh & Associates. There were no questions or 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 2009-13 on First Reading. Engle 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 2009-13 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 2009-13 until the next Common Council meeting on December 15<sup>th</sup>, seconded by Cook. All Council Members were in favor. Motion carried.

The Mayor was notified by INDOT that South 11<sup>th</sup> Street extended, and a portion of Bollman Street, and Village Green Drive that goes to Winchester Street are not included in Decatur's inventory. INDOT will need approval from council to add these streets and have signed documentation. Cook made a motion for

the Mayor to send a letter to INDOT for approval to add these streets, Engle seconded the motion. Motion carried.

The Mayor encouraged everyone to visit Decatur's website ([www.decaturn.org](http://www.decaturn.org)), since changes have been made. Any questions or comments should be directed to the Mayor.

Dyer made a motion to sign and approve the contract for services with Wightman Petrie for the Comprehensive Plan Project. Engle seconded the motion. Motion carried.

The Mayor announced he has appointed Dan Rickord as the Utilities Auditor to replace Bob Ladd who will be retiring soon.

Gary Myers, a city resident was present to dispute a utility bill he received on a rental property he owns. Myers remarked the utility bill was put into his name without his consent. Myers contacted the Utility office and was told that is how it is and if it is not paid will be turned in to a collection agency. The Mayor informed Myers he contacted other landlords, and the utility bill is the landlord's responsibility once the renter moves out. Myers requested for the city to change their practices on changing names on a utility bill. The Mayor suggested putting all utility bills in the landlords name and not the renters. The City Attorney commented regardless of whose name is on the bill, the property owner is responsible. The City Attorney will review the city ordinance to see how this should be handled. Myers was informed that no penalty will be added and he will not be turned in to a collection agency. The City Attorney commented the Board of Works oversees the utilities; this is not a council decision and should be discussed at the next Board of Works meeting on December 15<sup>th</sup>.

Street Commissioner, Jeremy Gilbert announced the last heavy trash collection this year will be next week.

Councilwoman Engle received an email from IACT needing 100 members to testify on Dec. 7-8 at the Indiana Statehouse against placing property tax caps into the Constitution.

The Mayor, City Attorney, and Clerk-Treasurer met with State Rep., Matt Lehman on November 25<sup>th</sup> about tax caps and how the City has been affected by the property tax reform.

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 8:25 p.m.