

CITY OF DECATUR
COMMON COUNCIL MINUTES
DECEMBER 16, 2008

The City of Decatur Common Council met on Tuesday, December 16, 2008 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, were in attendance. Councilman Ken Meyer was absent. City Attorney, Tim Baker was also present.

The Clerk-Treasurer had emailed the minutes from the December 2nd council meeting. There were no additions or corrections offered so Engle made a motion to approve the minutes as received. Dyer seconded the motion. All council members were in favor. Motion carried.

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

The City Attorney presented Consent to Representation. Timothy E. Baker has been appointed as City Attorney for the City of Decatur and he also desires to retain a private law practice in addition to serving the City of Decatur as City Attorney and he also represents the Adams County Solid Waste Management District and Baker & Schultz, Inc., two (2) clients who have contractual relationships with the City of Decatur. Under the Indiana Rules of Professional Conduct governing attorney-client relationships, Baker may continue to represent the Adams County Solid Waste Management District and Baker & Schultz, Inc. in addition to the City of Decatur, provided that the Common Council of the City of Decatur and said clients consent in writing to such mutual representation and provided no conflict of interest arises from such mutual representation. Timothy E. Baker has made disclosure to the City of Decatur of his representation of the Adams County Solid Waste Management District and Baker & Schultz, Inc. and has requested that the Common Council of the City of Decatur consent to such mutual representation in writing. Cook made a motion to approve and sign the Consent to Representation, Engle seconded the motion. All four (4) council members were in favor. Motion carried.

The Clerk-Treasurer, Phyllis Whitright read Resolution No. 2008-8, a Resolution authorizing the transfer of funds. These transfers are monies already budgeted, but are transferred to different accounts within the department's budgets. Cook made a motion to approve Resolution No. 2008-8, Engle seconded the motion. Motion was unanimous.

The Clerk-Treasurer read encumbrances to the 2009 Budget Year. The Encumbrances are to Wal-Mart for motor oil for the Police Department for \$346.00, Tractor Supply Co. for tools and equipment storage box for the Fire Department for \$239.99, also for the Fire Department a concrete approach replacement at the fire station to be completed by Hitchcock Concrete, Inc. for \$5,500.00. Encumbrances for the General Fund totals \$5,846.00. MVH-Street Fund encumber \$15,890.00 for LICA Construction Corporation to Asphalt for the CSO Project. CCI Fund encumber \$6,400.00 for Baker & Sons Plumbing & Heating Supply, Inc. to run lines from boiler to 2 unit heaters and electrical for the fire station. Dyer made a motion to approve the encumbrances to 2009 budget year. Crone seconded the motion. Motion carried.

According to the city ordinance, the first council meeting of a new year was held on the first Monday. This was a state law, which has since been repealed, but never amended in the city ordinance. Engle made a motion to have the first council meeting of 2009 on Tuesday, January 6th. Cook seconded the motion. All council members were in favor. Motion carried.

The Mayor received a letter from the Chamber of Commerce to help support their annual dinner meeting to be held on January 15, 2009 at the Grey Goose Reception Hall. Last year the city donated \$350.00. Engle made a motion to approve donating \$350.00 to the event to be paid from common council fund. Dyer seconded the motion. Motion carried.

The Clerk-Treasurer handed out a business continuity plan regarding disasters affecting the computer in the Clerk-Treasurer's office. This is a requirement by the State Board of Accounts, which must be approved by common council. The council members will review and approve the plan at the next council meeting on January 6, 2009.

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. Crone seconded the motion. Motion carried. The meeting was adjourned at 7:45 p.m.