

CITY OF DECATUR
COMMON COUNCIL MINUTES
DECEMBER 20, 2011

The City of Decatur Common Council met on Tuesday, December 20, 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 December 6th meeting. There were no corrections or amendments, so Meyer made a motion to approve the minutes as emailed. Dyer seconded the motion. Motion carried.

At the December 6th meeting, Council had passed on First and Second Reading Ordinance No. 2011-9, an ordinance which amends Sections 95.20 and 130.01 of the 2007 Decatur City Code of Ordinances regarding the regulations of firearms accessories. At the Board of Public Works & Safety meeting the City Attorney was directed to make an amendment to the ordinance in Sections 95.20 and 130.01 to read: the legality of carrying, possessing or discharging a firearm in a park shall be governed by Indiana State law. Also, in Section 130.01 retain the wording that no squib, crackers, or other thing containing powder or any other combustible material shall be fired, exploded or detonated within the city limits unless common council has approved such firing, explosion or detonation. Meyer made a motion to Place the Ordinance with the amendment on Third Reading by short title only. Motion was seconded by Dyer and passed by consent.

Meyer motioned to Adopt Ordinance 2011-9, seconded by Dyer. Roll call for Adoption of Ordinance 2011-9 was Cook, Crone, Dyer, Engle, and Meyer in favor and none opposed.

At the previous meeting, Council passed on First and Second Reading Ordinance No. 2011-10, an ordinance for a Capital Improvement Plan for the City of Decatur for the years 2012 and 2013 to be funded with County Economic Development Income Tax revenues. There were no comments or questions, 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 2011-10, seconded by Engle. Roll call for Adoption of Ordinance 2011-10 was Cook, Crone, Dyer, Engle, and Meyer in favor and none opposed.

The Clerk-Treasurer prepared Resolution No. 2011-11, a resolution authorizing the transfer of funds. The Clerk-Treasurer explained these transfers are between accounts within the departmental budgets. Dyer made a motion to introduce Resolution No. 2011-11, Meyer seconded the motion. Motion carried. City Attorney, Tim Baker read the Resolution in its entirety. Crone made a motion to approve Resolution No. 2011-11, Dyer seconded the motion. Motion carried.

The City Attorney announced that the Decatur Plan Commission at their meeting signed an Order of approval of a modifying and Confirming Resolution 2011-2 of the Decatur Redevelopment Commission,

establishing the Decatur TIF District. Crone made a motion to make the signed Order a matter of record. Engle seconded the motion. Motion carried.

Two (2) members, Ron Storey and Max Miller of the Decatur Redevelopment Commission were present to submit the Decatur Redevelopment Commission modifying and Confirming Resolution 2011-2, establishing the TIF District to the Decatur Common Council and to the Mayor of the City of Decatur for their approval. Engle made a motion to introduce Decatur Redevelopment Commission Resolution 2011-2, Crone seconded the motion. Motion carried. The City Attorney read the Resolution by short title only. There were no questions, so Engle made a motion to adopt Decatur Redevelopment Commission Resolution 2011-2, Cook seconded the motion. Motion carried.

The Clerk-Treasurer submitted a request to encumber funds for the 2011 budget to 2012 budget from the General fund: \$687.00 to Nowak Supply Co for 3-fire helmets, \$2,009.00 to Nowak Supply Co. for a fire bunker coat, pants & suspenders, \$750.00 to Donley Safety for 3-sets of fire bunker boots, \$2,088.00 to First Response for vehicle lighting package for the Fire Chief's replacement vehicle. Parks & Recreation Fund: \$6,532.00 to Arnold Construction to install concrete columns and steel entrance sign at the American Legion Park. Crone made a motion to approve the encumbrances, Cook seconded the motion. Motion carried.

Meyer made a motion to make the following appointments a matter of record. Cook seconded the motion. Motion carried. Cameron D. Collier appointed to the Plan Commission by the Decatur Common Council for a four year term beginning January 1, 2012 to December 31, 2015. Matthew J. Dyer and Charles E. Cook re-appointed to the Plan Commission by the Decatur Common Council for a four year term beginning January 1, 2012 to December 31, 2015. William C. Karbach re-appointed to the Plan Commission by the Mayor for a term of four years beginning January 1, 2012 to December 31, 2015. Kara Martin re-appointed to the Decatur Parks Board by the Mayor for a four year term beginning January 1, 2012 and ending December 31, 2015. William C. Karbach was re-appointed by the Decatur Plan Commission to the Board of Zoning Appeals for a four year term beginning January 1, 2012 to December 1, 2015.

Mayor Schultz announced the Swearing-In Ceremony for elected and appointed officials of the City of Decatur will take place at Riverside Center on Monday, December 26, 2011.

The City Attorney and ADA Coordinator, Jeremy Gilbert had prepared an ADA Transition Plan. This plan ensures compliance with Title II of the Federal law to avoid discrimination against citizens who have disabilities. This plan includes a complaint and grievance process, design standards for buildings and sidewalks, public involvement opportunities by identifying barriers and how and when barriers are to be removed, and establishing periodic reviews of the plan to monitor progress and compliance. January of each year, beginning in 2012, the Board of Works & Safety members will meet with the ADA Coordinator to review the city's efforts to comply with the ADA requirement and to implement the foregoing Plan. The City intends to repair, modify or replace 16 curbs annually if funds are available to comply with the ADA requirement. Crone made a motion to adopt the ADA Transition Plan. Dyer seconded the motion. Motion carried.

The Board of Public Works & Safety members approved at their December 20th meeting, and recommend to Council to adopt Section 2:14 Use of City-Owned Vehicles Policy. There were no changes from Council members, so Dyer made a motion to approve Section 2:14 Use of City-Owned Vehicle Policy

to be added to the City Personnel Policy and Procedure Manual. Crone seconded the motion. Motion carried.

Meyer made a motion to make the approval from the Department of Local Government Finance Order #1031166 for an additional appropriation from the General Fund for the Department of Law of \$5,000.00 a matter of record. Cook seconded the motion. Motion carried.

Cook made a motion to introduce Resolution No. 2011-12, a resolution of the Common Council which recognizes Barbara L. Engle for her years of public service. Crone seconded the motion. Motion carried. City Attorney, Tim Baker read Resolution No. 2011-12 in its entirety. Many thanks were given to Barb Engle, and Barb tearfully thanked everyone for their support and appreciation. Dyer made a motion to adopt Resolution No. 2011-12, Cook seconded the motion. Motion carried.

Engle made a motion to sign and approve the Consent to Representation form for Timothy E. Baker, Crone seconded the motion. Motion carried. The Council consents to Baker maintaining his private law practice in addition to representing the City as City Attorney, and representing the Adams Council Solid Waste Management District for the year 2012.

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 8:05 p.m.