

CITY OF DECATUR
COMMON COUNCIL MINUTES
MARCH 15, 2022

The City of Decatur Common Council met on Tuesday, March 15, 2022 at 6:45 p.m. at City Hall in Council Chambers, 172 N. Second Street. The meeting was called to order by Mayor Dan Rickord. Roll call was taken to show Councilmen Craig Coshow (meeting virtually), Matt Dyer, Tyler Fullenkamp, Scott Murray, and Wylie Sirk were in attendance. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Anne Razo.

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

Due to Council member, Craig Coshow attending virtually, the Clerk-Treasurer will have roll call votes on all motions.

The Clerk-Treasurer had emailed the minutes from the March 1, 2022 meeting. Dyer made a motion to approve the minutes. Seconded by Sirk, a roll call vote was held and passed 5-0.

The first item on the agenda was the announcement of the Façade Program for 2022 from Community Coordinator Jamie Gephart and Max Miller, representative of the Design Committee for Decatur Main Street. Miller shared that this is the 7th year for the program and that there have been seven (7) applicants who will be awarded funding for the 50-50 program. Total amount of \$50,000 is available in the City's budget for the Façade Program. Each application had been reviewed and scored. Funding was based on the result of the scoring process. The following will be receive funding for 2022: Famous Monster Pizza, which Miller informed the Council members that he left the room when scoring was being done for Famous Monster Pizza. The other businesses receiving funding were, Yvonne Marie's Antique Mall, 2 Brothers Bar & Restaurant, Mr. Planners, Vinnie's Bar, The Adams County Historical Society, and Bush Investment Co. Fullenkamp made a motion to approve the Design Committee's recommendations. Seconded by Murray, a roll call vote passed 5-0. Ms. Gephart will be sending letters to each business being granted funds. Dyer thanked Miller for his work.

Next on the agenda, Police Chief Lennie Corral noted good progress is being made in the UTV ordinance. Chief Corral had emailed a rough draft to Council members for their review and input. The emphasis is to have a good ordinance for the City that won't need changes right away. City Attorney Anne Razo complimented Chief Corral for his work on the ordinance. Mayor Rickord also thanked Chief Corral for taking time on the ordinance. It was noted that safety is the key concern. Meetings have been held with DNR representatives for their input, especially including the state law. It is hoped that the ordinance can be addressed at the next meeting which will be held on April 5, 2022.

Next on the agenda for the evening was the consideration for Code 130.02 of the City Ordinance regarding the slaughtering of animals within City limits.

City Attorney Anne Razo outlined the format for public comments and for the I-0 Properties presentation. It was shared that I-O Properties would have 20 minutes to make a presentation then members of the audience who had signed up to speak would each be allowed two (2) minutes to speak. City Attorney Anne Razo noted she would serve as time keeper.

I-O Properties' Attorney Tom Trent opened the twenty (20) minute presentation on behalf of I-O Properties and its leader Riggs Terrance and the rest of the team. Attorney Trent thanked the City administration for going the extra mile educating and doing research and talking with residents and watching videos on how the meat processing works, and for taking the time to travel to Logansport to check out the plant there. Attorney Trent shared that he felt some of the things said by the residents were false and noted I-O Properties wants to keep their commitments. A fact sheet was provided with these commitments to the Council members.

With time remaining for I-O Properties presentation, Rhea Gratz, an individual was part of the I-O Properties team, spoke as a farmer and was in support of the I-O Properties' proposal.

Colton Bickel, Director of Adams County Economic Development Corporation, also spoke in support and emphasized on job creation and what the economic impact could be for the City. Colton reported on the study done by the Northeast Indiana Regional Partnership, (which were provided to the Council members prior to the meeting) noted the estimates for economic impact over ten (10) years to be \$979 Million. Colton commented on how I-O Properties has gone above and beyond to be up front about their project.

Ending the twenty (20) minutes of opening for I-O Properties was Brent Doctor who spoke in support noting the location (Commerce Drive in Industrial Park formerly used by Dean Dairy) was a perfect site for this project, and there will be less truck traffic than what was with the previous owner. No cattle outside, all unloaded inside the facility.

Prior to comments from the public, Mayor Rickord asked for the people who signed the sheet that will be speaking to please be respectful. He was disappointed that emails and phone calls received were so disrespectful. The Mayor added that Council members want to hear the opinions, so they can make the right decision, but need to be respectful.

City Attorney Anne Razo outlined the process noting the Decatur BZA had received a request on February 10, 2022 and their first meeting would have been February 15, 2022 which was too late to be placed on the agenda and properly advertised. Thus, the BZA heard from I-O Properties on March 1, 2022. It was shared that the property owners in the area had been notified of the March 1, 2022 Public Hearing before the BZA. The BZA was directed to look at the evidence and formulate an opinion and that's what they did. They then sent their result with specific stipulations to the City Council regarding a needed change in Code 130.02 of the City Ordinance if I-O Properties was to proceed. On March 1, 2022 the City Council received the notification from the BZA. After hearing from Attorney Tom Trent and Riggs Terrance of I-O Properties, the Council discussed the proposal and tabled any action for two (2) weeks so they could further study the plan.

Public input was as follows: Mary Byer, a local artist who spoke in opposition; Norman Berning, an area livestock farmer who spoke on behalf of 25-30 other farmers who are in support; Greg Gage, a Deer Run resident who spoke against; Wayne Porter, a local businessman who spoke against; Brian Jordan, an Adams County resident who spoke in support; Scott Porter, a local businessman who spoke against; Calvin Shaw, a City resident who spoke against; Collin Selking, a resident living close to the site who spoke against; Drew Walker had signed in to speak, but was not present when called upon; Darlene Vassil, a local artist and City resident who spoke against and showed a photo of Cooper's Farm in St. Henry Ohio to compare the proximity of the Deer Run subdivision to the proposed I-O Properties facility; Linda Geyer, an individual who walks near the area who spoke against; Norma Landis-Geyer, a local resident who spoke against; Tom

Cowans, a City resident interested in EPA input who spoke against; Tiffany Mendez, a City resident who spoke against; Jean and Charlie Brune, local business owners who spoke against, and presented a petition signed by people who want City Council to keep City Code 130.02 as is, to prohibit the slaughter of animals within the city limits; Rebecca Webb, a City resident who spoke against; Kim Reilly, a City resident who spoke against; Jason Brune, a City resident who spoke against; Ron Gephart, a City resident who spoke against; Tim Ehlerding, a City resident who suggested delaying a decision of Code 130.02 and handed out to the Council members a proposed amendment to the City Code for animal processing within the City limits; Alex Mendez, a local artist who spoke against; Brittany Hall, a Deer Run resident who spoke against; and Carrie Schoettmer, a City resident with FFA interests, who spoke in support. Eric Gage, City resident had signed to speak, but was not present when called upon.

During the citizens' input, the Non-disclosure issue was brought up. Mayor Rickord shared that the Non-disclosure is commonly used as businesses do not want competitors to know of their plans, legally can't disclose information.

Following the citizens' input, the Council members began discussion. Murray shared that he wanted to echo Attorney Tom Trent and Mayor Rickord in regards that he felt many of the comments via email, phone, and so forth had been inappropriate and disrespectful. He commented that Council members had been given two (2) weeks to make a change of Code 130.02, which was not enough time. As a result, Murray made a motion to not change Code 130.02 at this time. Fullenkamp commented that Council members are also residents of the City who have grown up here and raised their families, and shouldn't be beat down with such disrespect. Following his comments, Fullenkamp seconded the motion made by Murray. It was noted that this does not prevent the Council from any action regarding Code 130.02 in the future.

Coshow apologized for not being present in person as he had planned a vacation several months ago. Coshow thanked I-O Properties for wanting to have their business in Decatur and for giving tours to explain the process and inviting stakeholders in the Community. Coshow represents voting District 3, and from the emails he received, 80% were negative, and 20% positive.

Dyer than spoke, noting he was not necessarily against changing the Code. He noted he was not for or against anything at the present time. Dyer did not want anything done too quickly. He noted things change and he had also heard from people in support of the code change. Dyer mentioned that he spoke with many people in the community and other butchers, who explained that meat processing is very different now, it is a cleaner process. Dyer appreciated the residents' comments, and noted that farmers are in support to help the area regionally. Dyer wants to allow businesses to come to this community.

Following the discussion of the Council members, a roll call vote was then held for the motion made by Murray and seconded by Fullenkamp to not change Code 130.02 at this time. The roll call vote was passed by a 5-0 vote with Dyer and Sirk both noting that it was possible for further action at a later time. Following the 5-0 vote, Mayor Rickord announced that Code 130.02 will stay as it is. There was an applause from the residents who were against changing the Code.

Fullenkamp thanked I-O Properties for answering questions and commented that the citizen's opposition was for being located in the City rather than the County.

Other City business was that Mayor Rickord had appointed Alex Ainsworth to the Decatur Parks Board as of March 9, 2022 to December 31, 2022 to fill the vacancy of Drew Derengowski. Fullenkamp made a motion to make Alex Ainsworth's Certificate of Appointment/Oath of Office to the Decatur Parks Board a matter of record. Seconded by Sirk, a roll call vote was held and passed 5-0.

Clerk-Treasurer Phyllis Whitright informed the Council members that the State Board of Accounts suggested during the City's audit that City Council needs to establish a dollar amount threshold for capital assets. The Clerk-Treasurer had emailed a sample policy from another community for Council members to review to discuss and adopt for a future meeting.

In regards to the use of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) established by the American Rescue Plan Act (ARPA) monies, Clerk-Treasurer Whitright mentioned to Council if they want to include the new garbage trucks and recycling trailer/dumpsters this year, a plan will need to be developed before funds can be expended. The Clerk-Treasurer is still waiting for a response from the Indiana Bond bank on rates if Council decides to lease the equipment. The plan will be discussed in more detail at the next meeting.

Murray made a motion to pay the claims against the City. Seconded by Dyer the motion was adopted with a 5-0 roll call vote.

There being no other business to be brought before the Council, Fullenkamp made a motion to adjourn. Seconded by Dyer, a roll call vote was held and the motion was adopted by a 5-0 vote.

Adjournment was at 8:48 P.M.