

CITY OF DECATUR
COMMON COUNCIL MINUTES
JUNE 21, 2022

The City of Decatur Common Council met on Tuesday, June 21, 2022 at 6:35 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, Matt Dyer, Scott Murray, and Wylie Sirk were in attendance. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Anne Razo. Councilman Tyler Fullenkamp was absent.

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

The Clerk-Treasurer had emailed the minutes from the June 7, 2022 meeting and Dyer made a motion to accept the minutes as emailed. Seconded by Murray, the motion was adopted.

The first item on the agenda was Police Chief Lennie Corral and Sgt. Luke Rumschlag. Sgt. Rumschlag noted that for the first time the Department has a UTV, thus a UTV SOP (Standard Operating Procedures) needed to be adopted by the department. Sgt. Rumschlag shared that the laws for the UTV would be the same as the officers have for the police cars. The UTV is considered to be an emergency vehicle which makes it different from the UTV's owned by City residents. The UTV was not to be used in pursuits but can be used to assist. Murray made a motion to approve the UTV SOP as proposed by Sgt. Rumschlag and Chief Corral. Seconded by Sirk, the motion was adopted.

Mayor Rickord asked all in attendance to silence their phones and reminded all to be respectful and courteous. Mayor Rickord noted that public comments would be taken at the end of the meeting.

Police Chief Lennie Corral appeared along with School Resource Officer Trent Busse, Sgt. Derek Loshe, Sgt. Mark Cook, and Sgt. Luke Rumschlag. Chief Corral noted that the four (4) officers are all qualified trainers for the Department, and all four (4) wish to attend the Force Science Certification Course in Chicago, a week-long training course in regards to the use of force and help in such areas as preparing to testify in court and analyze what an officer did as he/she did to mention a few areas of instruction. Officer Trent Busse shared that since Chief Corral had taken over, the local training had been improved with various officers trained to be trainers. Sgt. Loshe mentioned that the training could be used to help other officers, especially since the Decatur Police Force was made up of young officers. Sgt. Cook remarked that the need for multiple officers to be trained as all reports need to be reviewed and an officer can not review his own report. Sgt. Rumschlag noted as trainers they owe it to the remaining officers to train them as well as possible. Chief Corral appeared to request permission to use \$3,000 from the Betty Walters Estate Fund to send officers to attend the Force Science Certification Course. It was noted by all that it is becoming more and more important for training regarding the use of force. Coshow made a motion to allow Police Chief Lennie Corral to use \$3,000 from the Betty Waters Estate Fund for officers to attend the Force Science Certification Course. Seconded by Sirk, the motion was adopted.

Next on the agenda were various event forms.

Nate Stimpson appeared before the Council regarding the Fourth of July fireworks to be held in the Homestead Addition on Friday, July 1, 2022 beginning approximately at 10 p.m. to 10:20 p.m. Stimpson has provided proof of insurance for the event. Murray made a motion to approve the event at Homestead Addition for fireworks on July 1, 2022. Seconded by Dyer, the motion was adopted.

The second event form was from Decatur Main Street regarding the Downtown Decatur Day to be held on July 9, 2022 from 9:00 a.m. to 3:00 p.m. The request was to use Madison St. Plaza for a wrestling event, setup to begin at 8 a.m., and to use the plaza restrooms, electricity and the sound system, and to close 2nd Street from Jackson to Jefferson, but leave Monroe St. open, and close Court St. and Madison St. by the courthouse between 2nd and 3rd St. Dyer made a motion to approve the street closings for Downtown Decatur Day event on July 9, 2022. Seconded by Murray, the motion was adopted.

The third event form was from Decatur Main Street for the DeKegger event to be held on Saturday, June 25, 2022 from 4:00 p.m. to 8:00 p.m. on Madison Street, and requested setting up to begin on Friday evening, and again on Saturday beginning at 5:00 a.m. They are requesting to use the Madison Street Plaza restrooms, electricity and sound system. Dyer made a motion to approve the use of Madison Street Plaza for the DeKegger event for June 25, 2022. Seconded by Murray, the motion was adopted.

The fourth and final event form was for a 20-year class reunion to be held on Madison Street Plaza on July 15, 2022 from 6:00 p.m. to 10:00 p.m. It was noted they would be using the restrooms, electricity, and the sound system and will be providing proof of insurance. Murray made a motion to approve the event on Madison Street Plaza for the Class of 2002 class reunion on July 15, 2022. Seconded by Dyer, the motion was adopted.

It was noted a Public Hearing was published to begin at 7:00 p.m. regarding the proposed water rate changes.

Coshow made a motion to suspend the Council Meeting. Seconded by Sirk, the motion was adopted.

Coshow made a motion to open the Public Hearing regarding the water rate changes. Seconded by Sirk, the motion was adopted. City Attorney Anne Razo shared that the rate change was necessary as the State Legislature repealed the Utility Receipt Tax which yielded \$34,365 to be sent to the State.

There were no public comments.

Sirk made a motion to close the Public Hearing. Seconded by Murray, the motion was adopted.

Coshow made a motion to reopen the Council Meeting. Seconded by Sirk, the motion passed.

Sirk made a motion to make the legal notice of the Public Hearing for the water rate changes a matter of record. Seconded by Dyer, the motion was adopted.

Ordinance 2022-9, an ordinance to adjust the water rates as per the repeal of the Utility Receipt Tax collected for the State, was brought forward. Sirk made a motion to place Ordinance 2022-9 on its third reading by short title only. Seconded by Dyer, the motion passed and City Attorney Anne Razo read Ordinance 2022-9 by short title only. Sirk made a motion to adopt Ordinance 2022-9 on its third and final reading. Seconded by Dyer, a roll call vote showed 4-0 passage with Fullenkamp being absent.

Ordinance 2022-10, an ordinance which amends Chapter 155 of the Decatur Code of Ordinances of 2015 regarding Flood Hazard Areas, was brought forward. Sirk made a motion to place Ordinance 2022-10 on its third reading by short title only. Seconded by Murray, the motion passed and City Attorney Razo read Ordinance 2022-10 by short title only. Sirk made a motion to adopt Ordinance 2022-10 on its third and final reading. Seconded by Murray, a roll call vote was passed 4-0 with Fullenkamp being absent.

Colton Bickel, Executive Director of the Adams County Economic Development Corporation (ACEDC) appeared before the Council to give an update regarding the ACEDC. Bickel shared that the year has been a good one so far. The ACEDC has a new rebrand with new logo is being used, and the website has been updated. Bickel shared that three (3) projects have brought 260 new jobs to the County and \$4.6 million in investments. The biggest factor faced in Adams County is the workforce with such a low unemployment rate. Bickel reported that the Adams County Revolving Loan Fund has had two (2) loan applications with one (1) currently approved and word has been received that a third business is looking to apply. The labor force in Adams County has dropped by 400 since COVID. Bickel mentioned housing needs and reported that today there were only 18 listings in Decatur, and a total of 26 throughout the County. Thus, this leads to the second part of Bickel's presentation. A committee has been formed to put together a strategy to look at housing needs and possibilities. The MERIT Center Board has pledged \$40,000 as part of a fund-raising event to hire a consultant. Thus, Bickel is appearing before each municipality in the County to seek funding based on the percentage of residents in each area. The request is for \$13,939.56 over two (2) years from the City of Decatur. It can be made in payments with half in 2022 and half in 2023. It was noted that funds have already been budgeted for the ACEDC in the City's LIT-Economic Development (formerly the CREDIT fund), but would need the request in writing to the Clerk-Treasurer to prepare the payment to ACEDC. Coshow made a motion to allow the additional percentage that was budgeted in the CREDIT fund to go towards ACEDC to pay for a consultant to do a housing strategy project. Seconded by Murray, the motion was adopted. Bickel will submit a request to the Clerk-Treasurer when funds are needed.

Curt Witte, Building and Zoning Superintendent appeared before the Council regarding the property at 138 N. 2nd Street. Since the proposal is to place beams over the alley from 138 N. 2nd Street to the Famous Monster Pizza building, the owner, Max Miller was in attendance to show his support. Miller noted the beams could be used for lighting and decorating the alleyway. Witte commented that the adding of the beams would not add any cost to the City. Coshow inquired if the beams would be covered with aluminum to make them more permanent and avoid weathering. Witte will check with Mike. Schwartz from Limberlost Construction. Miller is to draw up plans of what he will be placing in the alley and present to the Decatur Main Street Design Committee, and then present to Council at the July 5, 2022 Council meeting. Witte also remarked that the lath had been removed from the second-floor ceiling and it was found that the rafters were in good shape

and will not need to be replaced. The City Attorney will prepare a Memorandum of Understanding between the City and Max Miller for who is responsible for what is placed in the alley.

Next on the agenda was the abatement proposed from Hoosier Pattern, Inc. and RH Warehouse, LLC. The issue was tabled from the June 7, 2022 meeting. Owner Keith Gerber, Attorney Audra Snyder, and Melissa Affolder from Hoosier Pattern, and Colton Bickel, Executive Director of ACEDC were present to answer any questions. Mayor Rickord commented that the problem at the June 7, 2022 meeting was the fact that the City really does not have a process in place regarding abatements. Bickel stated that Berne and Geneva both have applications and a scoring process that is reviewed before accepting abatements. Mayor Rickord recommended that for future abatements that the City needs to put something together to provide for a scoring process. City Attorney Anne Razo informed Council members that a petition has been filed with the City and the Council needs to decide to accept the petition or not and adopt a Declaratory Resolution in order to move forward, which is requesting a tax abatement for 10 years for real estate improvements and 10 years for personal property (new manufacturing equipment). Murray made a motion to accept the petition for the abatements as requested from Hoosier Pattern and RH Warehouse. Seconded by Dyer, the motion was adopted.

Sirk then made a motion to introduce Declaratory Resolution 2022-11 by short title only for the Designation of an Economic Revitalization Area upon the application of Hoosier Pattern, Inc. and RH Warehouse, LLC., located at 906 N 10th Street. Seconded by Murray, the motion was adopted. City Attorney Anne Razo read Declaratory Resolution 2022-11 by short title only. Sirk made a motion to pass Declaratory Resolution 2022-11. Seconded by Dyer, the motion was adopted. It was announced that a Public Hearing will need to be published and a Confirming Resolution will be presented at the next Council meeting on July 5, 2022.

Jeremy Gilbert, Operations Manager appeared before the Council regarding the color of the trash containers to be ordered. The color selected was a dark gray and marked with a green City logo. Gilbert is anticipating a month or so for the new garbage trucks to arrive and be ready to use. Gilbert noted he would like to have time at the next Board of Works meeting to discuss the process of changing over to the new system.

The use of volunteers and their handling of money, especially at the HIVE, was brought up. Clerk-Treasurer Phyllis Whitright had contacted the State Board of Accounts and she shared ideas provided from the State Board of Accounts. Clerk-Treasurer Whitright had also contacted the City's insurance agent. It was noted the City employees are bonded but not the volunteers. City Attorney Razo added that the State Board of Accounts is pretty strict on tracing the money, and they emphasize having good internal controls. It was shared that when artists' artwork is sold at the HIVE, the City receives a commission. No action was taken at this time as Clerk-Treasurer Whitright wanted to make the Council members aware of the situation at this time. It was suggested that various other groups be reached to learn of their procedures.

Local citizen Mike Webb then appeared before the Council. He first thanked the Council for allowing him the opportunity to speak and share some input as a result of his research regarding the proposal of a slaughterhouse within the City limits. He mentioned that the group is concerned since the vote is perpetually open because of the earlier vote. Webb had three (3) specific concerns and had four (4) documents he provided to each Council member. The areas he stressed were damage to the environment (pollution), crime in the area of the facility, and damage

of property values. Webb shared that I-O Properties was aware of the City Code prior to their purchase of the property. Webb ended by saying the situation is causing disharmony with the residents since it can come up at any time. City Attorney Razo told Mr. Webb that he had provided a lot of information for study.

Department Heads:

Jeremy Gilbert, Operations Manager reported with the results of the storm last Tuesday evening they have been hard at work cleaning up. If City residents have any tree limbs in their back yards they need to have them at the curb for the City to pick up. Gilbert also noted that hydrant flushing will be finished this week.

Police Chief Lennie Corral announced that the Department has had two (2) recent graduations. Officer Blaze Brooks and K-9 Arko graduated from K-9 Academy and Officer Corey Hamm graduated from training at Jacksonville, Florida and is now certified in DRE with a total cost of only \$20 to the City.

Fire Chief Jeff Sheets shared that the department now has CHAD stickers which can be placed on child safety seats and CHAD stands for Children Have An iDentify. Chief Sheets also reported that they are averaging 50 visitors for their Thursday tours at the Fire Station, and they have two (2) more tours remaining.

Council Input:

Coshow noted the concert this Thursday from 7-9 p.m. on Madison Street Plaza and the DeKegger event to be held on Saturday, June 25, 2022.

Public Input:

Mike Webb praised the Public Works Department as they had done an amazing job cleaning up after the storm.

Mayor Rickord also thanked the City employees for their great work and Jeremy Gilbert mentioned that there was great cooperation between various groups through the County.

Don Gephart from REV Recreation Group informed the City administration that REV Corporation will continue to be REV but wants to honor the long-term legacy of Fleetwood in Decatur, and REV would like to change the name of the REV Sports Complex at Hanna Nuttman Park to Fleetwood Sports Complex, and REV would pay for all the costs to make the change. Mr. Gephart also mentioned that he would appear before Council with a proposal at the next meeting. Mr. Gephart also extended an invitation to Mayor Rickord, Council members, and others to take a tour of the REV facilities.

Dyer made a motion to pay the claims. Seconded by Sirk, the motion was adopted.

There being no other business to be brought before the Council, Dyer made a motion to adjourn. Seconded by Murray, the motion was adopted.

Adjournment was at 8:08 P.M.