

CITY OF DECATUR  
COMMON COUNCIL MINUTES  
SEPTEMBER 20, 2022

The City of Decatur Common Council met on Tuesday, September 20, 2022 at 6:28 P.M. at City Hall in Council Chambers, 172 N. Second Street, Decatur. The meeting was called to order by Mayor Dan Rickord. Roll call was taken to show Craig Coshow, 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.

The Clerk-Treasurer had emailed the minutes from the September 6, 2022 meeting and Dyer made a motion to accept the minutes as emailed. Seconded by Murray, the motion was adopted.

First on the agenda was North Adams Director of Learning, Tiffany Heine and Police Chief Lenny Corral. Chief Corral noted he had asked Ms. Heine to attend this evening's meeting following SRO Officer Trent Busse's presentation on September 6, 2022 regarding a K-9 dog for Belmont High School. Chief Corral asked Ms. Heine to explain the role that North Adams Community Schools would play as far as funds and answer any other questions. It was shared that Title IV Funds would be used to fund costs for the dog and training. Title IV Funds are for Student Support and Academic Enrichment. The grant is an annual federal grant that North Adams receives which will be used to continue to support the SRO K-9 program each year, which Heine will handle the grant funds and expenses.

Mayor Rickord thanked Ms. Heine for bringing the K-9 program opportunity to the City. Sirk encouraged Ms. Heine to bring other programs that the City and North Adams could partner with.

Ms. Heine outlined the timeline regarding receiving the puppy, and the Master Trainer from the Allen County Sheriff's Department. The puppy will be with SRO Officer Busse and training for drugs and firearms will begin next summer. It was also noted that the dog will be valuable as a therapy dog.

Police Chief Lennie Corral noted that numerous people are interested in financially supporting this third K-9 dog. Thus, Chief Corral sought Council's permission to setup a K-9 #3 fund to deposit future donations and grant money. Sirk made a motion to direct the City Attorney to prepare an ordinance to establish a new K-9 #3 fund, and a Memorandum of Understanding between the City and North Adams Community Schools. Seconded by Dyer, the motion was adopted.

An application to use Madison Street Plaza for a wedding from 2-11 p.m. on October 8, 2022 was brought forth. The restrooms and electricity will be needed. Murray made a motion to approve the application for the October 8, 2022 wedding on Madison Street Plaza. Seconded by Fullenkamp, the motion was adopted.

A street closing application from the Decatur Fire Department for October 5, 2022 was brought forth. The request was to close 7th Street from Jefferson to Adams Street from 5:00 p.m. to 7:30 p.m. for various demonstrations and events for the youth. Sirk made a motion to allow the street closings on October 5, 2022 for the Decatur Fire Department. Seconded by Coshow, the motion was adopted.

Mayor Rickord announced that the Board of Public Works and Safety had made a matter of record a letter of retirement for Assistant Fire Chief Jim Hitchcock effective on February 2, 2023.

Curt Witte, Building and Zoning Superintendent, shared that 710 and 928 Schirmeyer Street properties were still an issue. It had been determined on September 6, 2022 to proceed with selling the 710 Schirmeyer lot. However, no motion had been made to direct Mr. Witte to proceed with selecting two (2) appraisers. Thus, Sirk made a motion to direct Witte to proceed with getting two (2) appraisers for the 710 Schirmeyer and also the 928 Schirmeyer property. Seconded by Dyer, the motion was adopted.

A discussion then took place regarding the 928 Schirmeyer Street property which has gone through two (2) tax sales with no action and a certificate sale which fell through. The location is scheduled for another tax sale on October 31, 2022. It was shared by City Attorney, Anne Razo that there were \$2,880 of City liens against the property. Attorney Razo informed Council that if someone purchases the property at tax sale, there is a year's wait before the purchaser can do anything. If the City would remove the lien, there could be a certificate of sale which can be completed in a shorter time. City Attorney Razo noted that Council could either do nothing, or Council could waive part of the lien, or waive the entire lien. Witte mentioned that there is a house which needs to be demolished on the lot, and someone may be interested in developing the lot. Fullenkamp made a motion to waive the City's liens on the property of \$2,880. Seconded by Sirk, the motion passed. City Attorney Razo will contact County Attorney Mark Burry of Council's decision and the County Treasurer, Ed Dyer to forgive the liens.

Mayor Rickord had received a request for sponsorship funding for the Highland Games to be held on October 1, 2022. Dyer made a motion to support the Highland Games at the same amount of last year at \$1,000 to be paid from Council's promotional account. Seconded by Murray, the motion was adopted with Coshow abstaining.

Resolution 2022-14, a resolution authorizing and establishing a cash change fund of \$100 for fundraising for the Parks Department, was brought forward. The Decatur Community Coordinator will be the custodian of the fund to make change for ticket sales and selling items for the Haunted Trail event or any other fundraising activities for the Parks Department. Sirk made a motion to introduce Resolution 2022-14 by short title only. Seconded by Dyer, the motion was passed. City Attorney Anne Razo read Resolution 2022-14 by short title only. Sirk made a motion to pass Resolution 2022-14. Seconded by Dyer, the motion was adopted.

Next on the agenda were the salary ordinances for the year 2023, which includes a \$1.50 an hour raises for all full-time staff.

Ordinance 2022-15, an ordinance to establish the salaries to be paid to the City Elected Officials for the year 2023, was brought forward. Sirk made a motion to place Ordinance 2022-15 on its first reading by short title only. Seconded by Murray, the motion passed and City Attorney

Anne Razo read Ordinance 2022-15 by short title only. Sirk made a motion to pass Ordinance 2022-15 on its first reading. Seconded by Murray a roll call vote showed passage by a 5-0 vote. Sirk made a motion to place Ordinance 2022-15 on its second reading by short title only. Seconded by Murray, the motion passed and Attorney Razo read Ordinance 2022-15 by short title only. Sirk made a motion to pass Ordinance 2022-15 on its second reading. Seconded by Murray, a roll call vote passed 5-0. Sirk made a motion to table Ordinance 2022-15 for its third reading at the October 4, 2022 meeting. Seconded by Murray, the motion was adopted.

Ordinance 2022-16, an ordinance fixing the salaries and wages for City employees for the year 2023, was brought forward. Sirk made a motion to place Ordinance 2022-16 on its first reading by short title only. Seconded by Dyer, the motion passed and City Attorney Anne Razo read Ordinance 2022-16 by short title only. Sirk made a motion to pass Ordinance 2022-16 on its first reading. Seconded by Dyer, a roll call vote showed 5-0 passage. Sirk made a motion to place Ordinance 2022-16 on its second reading by short title only. Seconded by Dyer, the motion passed. Attorney Razo read Ordinance 2022-16 by short title only. Sirk made a motion to pass Ordinance 2022-16 on its second reading. Seconded by Dyer, a roll call vote was taken and passed 5-0. Sirk made a motion to table Ordinance 2022-16 for its third reading on October 4, 2022. Seconded by Dyer, the motion was adopted.

It was noted that a Public Hearing had been advertised for 7 p.m. for a Notice to Taxpayers of the City's 2023 Budget and a second hearing being the Notice to Taxpayers of Additional Appropriations. Thus, Coshow made a motion to suspend the Council Meeting in order to hold the Public Hearings. Seconded by Murray, the motion was adopted.

Coshow made a motion to open the Public Hearing for the Notice to Taxpayers regarding the City's 2023 Budget and also the Notice to Taxpayers regarding Additional Appropriations. Seconded by Murray, the motion was adopted.

The first Public Hearing was the Notice to Taxpayers for the City's 2023 Budget. Clerk Treasurer Phyllis Whitright noted the City's total budget for 2023 was \$11,819,660 with an estimated tax rate of \$1.48. The Clerk-Treasurer noted that the budgets are calculated on 85% of the assessed valuation as recommended by the DLGF. When the actual assessed valuation is known, which should be higher will help reduce the tax rate. The current tax rate is \$1.19 per \$100 of assessed valuation. There was no public input regarding the 2023 Budget.

The second Public Hearing was the Notice to Taxpayers of Additional Appropriations. The additional appropriations were in regards to the ARP Coronavirus Local Fiscal Recovery Grant Fund totaling \$432,800.00. Again, there were no public questions or input. Thus, Sirk made a motion to close the Public Hearing. Seconded by Fullenkamp, the motion was adopted.

Coshow made a motion to re-open the Council Meeting. Seconded by Sirk, the motion was adopted.

Fullenkamp made a motion to make the Notice to Taxpayers of the Public Hearing for the 2023 Budget that was uploaded on Gateway a matter of record. Seconded by Sirk, the motion was adopted.

Coshow made a motion to make the publication in the Decatur Daily Democrat for the Public Hearing for the additional appropriations a matter of record. Seconded by Sirk, the motion was adopted.

Resolution 2022-15, a resolution for Additional Appropriations for the ARP Coronavirus Local Fiscal Recovery Grant Funds totaling \$432,800.00, was brought forward. Sirk made a motion to introduce Resolution 2022-15 by short title only. Seconded by Murray, the motion passed and City Attorney Anne Razo read Resolution 2022-15 by short title only. Sirk made a motion to adopt Resolution 2022-15. Seconded by Coshow, the motion was adopted.

Ordinance 2022-17, an ordinance for Appropriations and Tax Rates of the City's 2023 Budget, was brought forward. Sirk made a motion to introduce Ordinance 2022-17 on its first reading by short title only. Seconded by Murray, the motion passed and Attorney Razo read Ordinance 2022-17 by short title only. Sirk made a motion to pass Ordinance 2022-17 on its first reading. Seconded by Murray, a roll call vote passed with a 5-0 vote. Sirk made a motion to place Ordinance 2022-17 on its second reading by short title only. Seconded by Murray, the motion passed and City Attorney Anne Razo read Ordinance 2022-17 by short title only. Sirk made a motion to pass Ordinance 2022-17 on its second reading. Seconded by Murray, a roll call vote was held and passed 5-0. Sirk made a motion to table Ordinance 2022-17 until October 4, 2022 for its third reading. Seconded by Murray, the motion was adopted.

Clerk-Treasurer Phyllis Whitright noted Ordinance 2022-14, adopted on Sept. 6, 2022 which amended Chapter 51 regarding sanitation services, required receptacles and user fees to be collected by the City from users was published in the Decatur Daily Democrat. Coshow made a motion to make the proof of publication of the ordinance a matter of record. Seconded by Fullenkamp, the motion was adopted.

Mayor Rickord shared that he had received a call from the Legion Riders seeking permission to place yellow ribbons on the light poles for the month of November in honor of all Veterans.

Coshow mentioned that he had a meeting with Louise Ray and Karen Baker regarding updating the Christmas Decorations for the downtown flower pots, and will come before Council at a future meeting of what they will be doing.

Coshow also announced a concert will be held on Thursday evening featuring the Bull Dogs Band and sponsored by Woodcrest. The concert will be held on Madison Street Plaza from 5:30 to 8:30 p.m. He also noted information for the Callithumpian flyer needs to be in the Chamber office by Friday morning.

#### Department Heads Input:

Kevin Hackman, Utilities Auditor noted the new sanitation rates went into effect on Sept. 15, 2022 to cover the debt for the new garbage trucks and carts. Mayor Rickord commented that it took the City sanitation crews a little longer to make collections as there were some kinks to be worked out.

Fire Chief Jeff Sheets shared that the Indiana Volunteer Firefighters Association had held its meeting at the Decatur Fire Station and several firefighters were recognized for various numbers of years of service.

Karey Fuelling, Wastewater Superintendent announced she has hired Nick Winters as a full-time employee at the Wastewater Treatment Plant who will start work on September 30, 2022.

#### Public Input:

An individual was present and asked if all the new trash carts had been distributed and it was shared that only those for the Monday and Tuesday routes were out. The individual then inquired about having the ability to drive ATV's on City streets and City Attorney Anne Razo informed him that the issue was regarding the possibility of roll-overs with ATV's which was not a problem with UTV's and golf carts. Mayor Rickord suggested Chief Corral could perhaps call around to see what other cities are doing regarding ATV's.

#### Council Input:

Murray noted he had sent out an email for input regarding the vacation policy for City employees, not adding anymore time, but getting another week sooner. A brief discussion was held and Coshow noted that employees also receive 13 paid holidays a year.

Fullenkamp inquired about the status of the work on 138 N. 2nd Street. Curt Witte reported that the work is about 80% done. Some felt the work on the front needed to be done to make the building more attractive for any potential buyer. It was suggested that it could be a point for negotiations. Fullenkamp suggested having two (2) appraisals done if plans are to sell the building. Curt Witte noted that since he was already getting appraisers for the Schirmeyer properties, he could use the same appraisers for the appraisal for 138 N. 2nd Street. During the discussion, a question arose regarding the plans for the back portion of the 138 N. 2<sup>nd</sup> Street property, which the City plans to use it for storage, and not to include the back portion in the appraisal. Sirk made a motion for Witte to proceed with having two (2) appraisals done for 138 N. 2nd Street property. Seconded by Coshow, the motion was adopted.

Mayor Rickord informed Council members that Chris Faurote, owner of Vinnie's Bar had mentioned to the Mayor that he would paint the north side of the back wall of the 138 N. 2<sup>nd</sup> building if the City would purchase the supplies, which the paint is estimated to cost \$300-\$400. Dyer made a motion to purchase the needed paint for Chris Faurote to paint the wall, and to pay for the supplies and appraisals from council's budget. Seconded by Fullenkamp, the motion was adopted.

Sirk made a motion to pay the claims against the City. Seconded by Murray, the motion was adopted.

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

Adjournment was at 7:36 P.M.