

CITY OF DECATUR
COMMON COUNCIL MINUTES
SEPTEMBER 21, 2021

The City of Decatur Common Council met on Tuesday, September 21, 2021 at 6:40 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, Tyler Fullenkamp, Scott Murray, and Wylie Sirk were in attendance. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Tim Baker.

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

The Clerk-Treasurer had emailed the minutes from the September 7, 2021 meeting. Dyer made a motion to approve the minutes. Seconded by Sirk, the motion was adopted.

The first item on the agenda was Ordinance 2021-11, an ordinance to close out the existing Decatur Parks & Recreation Ball Parks Fund and transfer the funds to a non-reverting REV Sports Complex Fund to be used for maintenance and improvements to the REV Sports Complex. Donations and other revenues received will be deposited, 75% to the REV Sports Complex fund, and 25% will be deposited to the Decatur Parks and Recreation operating fund. There were no comments from the public, so Sirk made a motion to place Ordinance 2021-11 on its first reading by short title only. Seconded by Murray, the motion passed and City Attorney Tim Baker read Ordinance 2021-11 by short title only. Sirk made a motion to pass Ordinance 2021-11 on its first reading. Seconded by Murray, a roll call vote was held and passed 5-0. Sirk then made a motion to place Ordinance 2021-11 on its second reading by short title only. Seconded by Murray, the motion was carried and City Attorney Tim Baker read Ordinance 2021-11 by short title only. Sirk made a motion to pass Ordinance 2021-11 on its second reading. Seconded by Murray, a roll call showed a vote of 5-0. Sirk made a motion to suspend the rules and place Ordinance 2021-11 on its third reading by short title only. Seconded by Murray, the motion passed and City Attorney Tim Baker read Ordinance 2021-11 by short title only. Sirk made a motion to adopt Ordinance 2021-11 on its third and final reading. Seconded by Murray, a roll call vote was held and Ordinance 2021-11 was adopted with a 5-0 vote.

The City Attorney prepared an ordinance that was requested by the Police Chief, Lennie Corral to charge a fee for copies of records, audio and video request and archive records from the Decatur Police Department. The fees charged will be deposited into the Local Law Enforcement Continuing Education (LLECE) fund for training. Ordinance 2021-12, an ordinance which amends Section 33.085 of Chapter 33 of the Decatur Code of Ordinances of 2015 regarding fees to be charged by the Decatur Police Department for inspections and production of records was brought forth. Sirk made a motion to place Ordinance 2021-12 on its first reading by short title only. Seconded by Murray, the motion passed and City Attorney Tim Baker read Ordinance 2021-12 by short title only. Sirk made a motion to pass Ordinance 2021-12 on its first reading. Seconded by Murray, a roll call vote showed 5-0 passage. Sirk made a motion to place Ordinance 2021-12 on its second reading by short title only. Seconded by Murray, the motion was passed and Attorney Baker read Ordinance 2021-12 by short title only. Sirk made a motion to pass Ordinance 2021-12 on its second reading. Seconded by Murray, a roll call vote was held and passed 5-0. Sirk made a motion to table Ordinance 2021-12 until the next meeting on October 5, 2021. Seconded by Dyer, the motion was carried.

Ordinance 2021-13, an ordinance to establish salaries for the elected officials for 2022 with a 3% increase was brought forward. There were no comments, so Sirk made a motion to place Ordinance 2021-13 on its first reading by short title only. Seconded by Dyer, the motion passed and

City Attorney Tim Baker read Ordinance 2021-13 by short title only. Sirk made a motion to pass Ordinance 2021-13 on its first reading. Seconded by Dyer, a roll call vote was held and passed 5-0. Sirk made a motion to place Ordinance 2021-13 on its second reading by short title only. Seconded by Dyer, the motion was carried and City Attorney Baker read Ordinance 2021-13 by short title only. Sirk made a motion to pass Ordinance 2021-13 on its second reading. Seconded by Dyer, a roll call vote was held and passed 5-0. Sirk made a motion to table Ordinance 2021-13 until the next meeting on October 5, 2021. Seconded by Dyer, the motion was carried.

Ordinance 2021-14, an ordinance fixing the salaries and wages for City Employees for 2022 with a 3% increase for full-time, was brought forward. The Clerk-Treasurer also noted that some of the hourly positions in the Wastewater Department were adjusted to match the hourly rate of the same positions in the Water Department. There were no comments, so Sirk made a motion to place Ordinance 2021-14 on its first reading by short title only. Seconded by Murray, the motion passed and City Attorney Tim Baker read Ordinance 2021-14 by short title only. Sirk made a motion to pass Ordinance 2021-14 on its first reading. Seconded by Murray, a roll call vote was held and passed 5-0. Sirk made a motion to place Ordinance 2021-14 on its second reading by short title only. Seconded by Dyer, the motion was carried and City Attorney Baker read Ordinance 2021-14 by short title only. Sirk made a motion to pass Ordinance 2021-14 on its second reading. Seconded by Dyer, a roll call vote passed with a 5-0 vote. Sirk made a motion to table Ordinance 2021-14 until the next meeting on October 5, 2021. Seconded by Dyer, the motion was carried.

Police Chief Lennie Corral gave an update on the status of an ordinance for UTV's. He noted he is still receiving ordinances and input from various police chiefs. Chief Corral is taking it slow and wants to make sure the ordinance is done correctly and with safety as a priority. Chief Corral has sent a rough draft to the Council members for their input. Chief Corral stated he wants to up the age from 16 to 18 and wants users to know that the police are going to enforce the ordinance. Pastor Becker, who was in attendance, shared his support of going to age 18.

Sirk made a motion to make the Conflict of Interest Disclosure Statement for Bryan P. Braun a matter of record. Motion seconded by Coshow. Motion was carried. The new firefighter Bryan Braun who owns his own business called White Barn Woodworking will be making shelving for the HIVE Art Gallery.

The Mayor announced that the new part-time director of The HIVE, Emily Lairson, is working on plans during the Decatur Christmas Walk Open House.

The City received a request from the Decatur Chamber of Commerce for sponsorship towards the Decatur Highland Games event. Dyer made a motion to authorize the Clerk-Treasurer to transfer funds to the Promotional account to help support the Decatur Highland Games at the Gold Level of \$1,000. Seconded by Fullenkamp, the motion was adopted with Sirk and Coshow abstaining.

Clerk-Treasurer Phyllis Whitright inquired if Council members wanted to provide Decatur Dollars for employees at Christmas. It was decided to revisit the issue at the October 5, 2021 meeting after learning when and how much the amount had been increased.

Coshow made a motion to suspend the Council meeting and open a Public Hearing regarding input for the 2022 City Budget. Seconded by Sirk, the motion was adopted.

There were no comments from the public on the budget so Coshow made a motion to close the Public Hearing and reconvene the City Council Meeting. Seconded by Sirk, the motion was adopted.

Clerk-Treasurer Phyllis Whitright informed everyone that the Public Hearing had been advertised via Gateway at www.budgetnotices.in.gov. Whitright reported that the proposed 2022 budget totals \$10,976,533 with the maximum tax levy at \$4,863,625. Whitright noted that the amount is based on using 85% of the current assessed valuation, with a proposed tax rate at \$1.43 of \$100 of assessed valuation. Current rate is \$1.17. Whitright also mentioned after calculating the budget, she will wait to transfer funds to the Rainy Day fund as recommended by Council due to the proposed revenues and budget doesn't allow enough operating balance in the general fund to make the transfer. Once revenues are known and budgets are approved she will look to see if funds are available to transfer. There being no further comments, Ordinance 2021-15, an ordinance regarding appropriations and the tax rate for the year 2022, was brought forward. Sirk made a motion to place Ordinance 2021-15 on its first reading by short title only. Seconded by Murray, the motion passed and City Attorney Tim Baker read Ordinance 2021-15 by short title only. Sirk made a motion to pass Ordinance 2021-15 on its first reading. Seconded by Murray, a roll call vote was held and passed 5-0. Sirk made a motion to place Ordinance 2021-15 on its second reading by short title only. Seconded by Murray, the motion passed and City Attorney Baker read Ordinance 2021-15 by short title only. Sirk made a motion to pass Ordinance 2021-15 on its second reading. Seconded by Murray, a roll call vote showed passage by a 5-0 vote. Sirk made a motion to table Ordinance 2021-15 until the next meeting on October 5, 2021. Seconded by Murray, the motion was carried.

Mayor Rickord read a Proclamation that had been presented to the local Daughter of the American Revolution group declaring the week of September 17-23, 2021 as Constitution Week in the City of Decatur. Coshow made a motion to make the Proclamation a matter of record. Seconded by Sirk, the motion was adopted.

Department Heads:

Police Chief Lennie Corral shared that he and Sergeant Rumschlag had attended the Academy graduation for Officers Gabe Schwaller and Alex Smith. Also, he reported that the night shoot event had gone well and Mayor Rickord commented his pleasure with the event and noted he did not realize how the blue, red, and strobe lights effected the surroundings at night. Coshow praised the job performance of Officer Brooks who assisted with the training.

Kevin Hackman, Utilities Auditor reported that the work is progressing on 500 N which should be finished shortly and then work on the raw main will be next to the Berne area.

Don Bergdall, Infrastructure Civil Manager is continuing work for the Second Street Streetscape project.

Curt Witte, Building and Zoning Superintendent had received a call from the Right to Life of NE Indiana group regarding a group of churches wanting to put up Pro-life banners in October. He is waiting on a list of churches.

Karey Fuelling, Wastewater Superintendent informed Council that the 24" pipe outside the Wastewater Treatment Plant is in bad shape and action may be sought in the future.

Public Input:

Attorney Anne Razo who was in attendance noted she appreciated, as did the Council members, being able to attend and experience the night shoot training session.

Larry Shaffer, a resident in attendance had concerns with the boring of the fiber optic lines and poles being placed so close to his front door. Mayor informed him unfortunately the City has no control as State law allows the construction. Mr. Shaffer was encouraged to contact local State Legislators and share his concern. Mayor Rickord noted he has a meeting in Indianapolis and feels that legislation may be coming forth next year, but also stressed the legislators, Rep. Matt Lehman and Senator Travis Holdman need to hear from constituents.

Council Input:

Dyer sought information regarding the road condition on East Lake Court and noted that a core sampling had been done at the location. The Operations Manager, Jeremy Gilbert will be contacting Fleming Excavating on this issue. Dyer then asked the status of the condemned building at 136 N. Second Street and learned that it is in the hands of Chris Faurote and he is waiting on State approval for the design release. It was also noted that Faurote may have a buyer for the building.

Coshow announced that there will be a concert featuring the Bulldogs band sponsored by Woodcrest on the Madison Street Plaza on Wednesday, September 29, 2021 at 5:30 P.M. The event is open to the public.

Coshow also announced the Decatur Highland Games will be held on Saturday, October 2, 2021 with 14 men and 15 women competing. The event will begin at 11:30 A.M.

Mayor Rickord shared that the Adams-Wells Artist Tour will be held on Saturday, October 2, 2021 with Dale White and other artist showcasing art at the HIVE Art Gallery from 4-7 P.M.

Sirk made a motion to pay the claims. 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 Murray, the motion passed.

Adjournment was at 7:28 P.M.