

CITY OF DECATUR
COMMON COUNCIL MINUTES
NOVEMBER 15, 2022

The City of Decatur Common Council met on Tuesday, November 15, 2022, at 6:40 P.M. at City Hall in Council Chambers, 172 N. Second Street, Decatur. The meeting was called to order by Mayor Pro Tem Matt Dyer. Roll call was taken to show Craig Coshow, Matt Dyer, Tyler Fullenkamp and Wylie Sirk were in attendance. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Anne Razo. Mayor Rickord was absent due to being out of town for a meeting, with Councilman Dyer serving as Mayor Pro Tem. Councilman Scott Murray was also absent.

Mayor Pro Tem Dyer invited everyone to stand and recite the Pledge of Allegiance.

The Clerk-Treasurer had emailed the minutes from the November 1, 2022 meeting and Fullenkamp made a motion to approve the minutes. Seconded by Coshow, the motion was adopted.

First on the agenda was Ron Storey, President of the Decatur Redevelopment Commission. Mr. Storey noted that the law mandated a yearly update be made to the Council. It was shared that Commission member Tim Ehlerding had planned to be present for a portion of the presentation but he had been called out of town by his employment. Storey went over the financials for the Commission noting the 2021 TIF revenues were \$226,107.91 which included \$1,299 from lease payments from the 2nd St. Lofts parking lot. The 2021 expenditures were \$110,328.68 for various projects. It was shared that the fund balance as of December 31, 2021 was \$569,283.16. The report included the figures regarding the estimated impact of the distribution to the various taxing entities included in the TIF District. Storey noted 2022 TIF revenues through October 5, 2022 totaled \$113,770.13, including the lease payments for the 2nd St. Lofts parking lot, and with expenditures through the same period of \$75,564.32. Thus, the fund balance as of October 5, 2022 is \$632,488.97. The report ended with a listing of the 2023 budget of \$360,000. Storey also presented a month by month review of the Commission's activities from January, 2021 through September, 2022. Storey noted the big projects have been the work along 13th Street, especially at the Bollman intersection to make the area much safer by including needed sidewalks, and also the desire to partner with North Adams Community School regarding the CTE programs to train and keep graduates in the area. Storey thanked Operations Manager Jeremy Gilbert for all of his work involved in the 13th Street Improvements Project. It was noted the firm of Butler, Fairman & Seufert had greatly underestimated the cost of the 13th and Bollman Street Improvements Project and Fullenkamp asked if they were still being used and it was learned the Commission is no longer using them for future projects.

Following the report from the Redevelopment Commission, it was noted it was 7 p.m. and it had been advertised to have a Public Hearing for the vacation of an alley on Elm Street at that time. Thus, Coshow made a motion to suspend the Council meeting. Seconded by Fullenkamp, the motion was adopted.

Coshow made a motion to open the Public Hearing regarding a petition to vacate an alley on Elm Street. Seconded by Sirk, the motion passed.

City Attorney Anne Razo shared that the petition had been filed earlier but both sides had agreed to extend the timeline. The alley included lots 509 and 510 in Cook's 2nd Addition on Elm Street, and is now grass covered. Representing Alexis Ochoa, who was present with Attorney Joe Johnson, III. The other property owner is Arnolf Garcia who was not present, but was notified by certified mail of the meeting and the petition. Attorney Johnson stated that Mr. Garcia did not want his portion of the alley and would deed it over to Ms. Ochoa following the alley being vacated. It was shared that the alley has been surveyed with a legal description as part of the petition. There was no one present to speak either for or against the request.

Coshow made a motion to close the Public Hearing. Seconded by Fullenkamp, the motion was adopted.

Coshow made a motion to reconvene the Council meeting. Seconded by Sirk, the motion was adopted.

Fullenkamp made a motion to make the legal advertisement of the Public Hearing a matter of record. Seconded by Coshow, the motion was adopted.

Sirk made a motion to make the certified letter and receipt to the adjourning property owner, Arnolf Garcia a matter of record. Seconded by Fullenkamp, the motion was adopted.

As a result of the Public Hearing, Ordinance 2022-20, an ordinance which vacates portions of an east-west alley located between 1115 & 1121 Elm Street, Decatur in Cook's 2nd Addition containing lots 509 and 510 was brought forward. Sirk made a motion to place Ordinance 2022-20 on its first reading by short title only. Seconded by Coshow, the motion passed and City Attorney Anne Razo read Ordinance 2022-20 by short title only. Sirk made a motion to pass Ordinance 2022-20 on its first reading. Seconded by Coshow, a roll call vote was held and passed 4-0. Sirk made a motion to place Ordinance 2022-20 on its second reading by short title only. Seconded by Coshow, the motion was carried and City Attorney Razo read Ordinance 2022-20 by short title only. Sirk made a motion to pass Ordinance 2022-20 on its second reading. Seconded by Coshow, a roll call vote was held and passed 4-0. Sirk made a motion to table Ordinance 2022-20 until the next meeting on December 6, 2022. Seconded by Fullenkamp, the motion was adopted. City Attorney Anne Razo noted to those presenting the petition that the final action would be taken on December 6, 2022 when the Ordinance will be read on its final reading and the City would vacate the alley which would give ownership to Ms. Ochoa and Mr. Garcia.

Jamie Gephart, Community Coordinator had been working with the Mayor regarding the Mayor's Youth Council and noted member Mason Martinez was present for this evening's meeting. Mason Martinez introduced himself and noted his interest in serving on the Youth Council. It was shared that the group of students will be starting their active participation in December, 2022.

Next on the agenda was appointments to various Boards and Commissions. It was noted the Council had two (2) appointments to the Redevelopment Commission and one (1) to the Board of Zoning Appeals (BZA).

Regarding the Board of Zoning Appeals (BZA), Fullenkamp nominated Chris Shoaf. Sirk made a motion to close the nominations which was seconded by Coshow and passed. Sirk made a

motion to appoint Chris Shoaf to the BZA. Seconded by Coshow, the motion was adopted. Chris Shoaf will replace Dave Haggard on the BZA for a four (4) year term from January 1, 2023 to December 31, 2026.

Coshow nominated Jason Bird to serve on the Decatur Redevelopment Commission and Fullenkamp nominated Craig Russett to the Redevelopment Commission. Sirk made a motion to close the nominations. Seconded by Coshow, the motion was adopted. Sirk made a motion to appoint Jason Bird and Craig Russett. Seconded by Coshow, the motion was adopted. Jason Bird will replace Larry Isch and Craig Russett is a re-appointment on the Decatur Redevelopment Commission, which each will serve a one (1) year term for the year 2023.

Due to the Mayor being absent from the meeting, the Clerk-Treasurer reported that the Mayor wishes to re-appoint Ron Storey, Max Miller, and Jeremy Friedt to the Decatur Redevelopment Commission for 1-year terms for the year 2023. Fullenkamp made a motion to make a matter of record the affirmation of Mayor Rickord's appointments to the Decatur Redevelopment Commission. Seconded by Coshow, the motion was adopted.

The Board of Public Works and Safety had earlier this evening received two (2) appraisals for each of the two (2) City owned properties, 138 N. Second Street and 710 Schirmeyer Street. It was noted that Building and Zoning Superintendent Curt Witte had been asked to get the appraisals after the Council had decided to refurbish the 138 N. Second Street building and demolish the home at 710 Schirmeyer St. It was suggested Council members review the appraisals and Coshow made a motion to table any action until the December 6, 2022 meeting. Seconded by Sirk, the motion was adopted.

Department Heads Input:

Matt Schultz, Assistant Operations Manager noted it has been a very busy month with the completion of getting the carts delivered to residents, and with leaf collection which is still going on and is ahead of last year.

Curt Witte, Building and Zoning Superintendent noted TG Concrete has started the sidewalk work between Krick Street and Piqua Repair and along the west side of 11th Street and from Village Green to Richard's Restaurant. Witte noted ADA ramps will be placed on both sides of Bollman Street. Work is coinciding with what is being done with the 13th and Bollman Street Improvements Project.

Fire Chief Jeff Sheets shared that the application for the hiring of a new firefighter had closed last Friday with eight (8) career applications received.

Jamie Gephart, Community Coordinator announced that the Decatur Main Street Christmas Open House is this Friday and Saturday, with 30 businesses participating.

Police Chief Lennie Corral reported that the physical agility testing for the two (2) open position on the force will take place this Saturday.

Council Input:

Coshow thanked the Fire Department for the Survive Alive Program presented to the 4th graders in the area. He shared that he had participated with the students and found the program educational and fun.

Coshow noted the changing of the flower pots downtown to Christmas has begun and that the Santa House will be on the Madison Street Plaza for the Christmas Open House.

Sirk added that the Tree Lighting event will take place on Sunday evening, November 27, 2022.

Clerk-Treasurer Phyllis Whitright reported she received the 1782 Notice from the Department of Local Government Finance (DLGF), which shows the 2023 budgets have been approved. The assessed valuation has gone up about \$31 million which lowered the tax rate from \$1.19 to \$1.16 per \$100 of assessed valuation.

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

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

Adjournment was at 7:34 P.M.