

CITY OF DECATUR
COMMON COUNCIL MINUTES
DECEMBER 20, 2022

The City of Decatur Common Council met on Tuesday, December 20, 2022, at 7:15 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.

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

The Clerk-Treasurer had emailed the minutes from the December 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 the contract with the Adams County Solid Waste Management District for the year of 2023. It was noted that there was a straight renewal cap of 5% annual increase. City Attorney Anne Razo shared that at the Solid Waste meeting held this morning using the adjustment for November the 5% figure resulted with the 2023 rate of \$51.93 per ton of solid waste disposal or an increase of 5%. Sirk made a motion to approve the contract with the Adams County Solid Waste Management District at 5% with the new fee being \$51.93 per ton. Seconded by Murray, the motion was adopted.

Next on the agenda was the need to re-evaluate the Council Districts following the 2020 Census. The 10% average mandated by law resulted in two districts (District 1 and District 3) needing some adjustment in their boundary lines. City Attorney Anne Razo noted it had been quite a process to finally get the appropriate figures. It was shared that Attorney Razo had spent a great amount of time working in studying the new maps and did not get the certified figures until December 7, 2022. Since District 1 and District 3 are contiguous, it was easy to move the 157 people affected from District 3 to District 1. The City Attorney mentioned that the Council Districts and the County Districts are inline and following Council approval the ordinance and the maps need to be filed with the Adams County Clerk's office before the end of the year and the last day the Clerk's office is open is December 28, 2022. Thus, a special meeting of the City Council is necessary and by consensus it was decided to hold a Special Council meeting on Tuesday, December 27, 2022 at 10:00 a.m. in Council Chambers at City Hall.

Ordinance 2022-24, an ordinance amending Chapter 31 of the 2015 City of Decatur Code of Ordinances regarding Council Districts for the City of Decatur was brought forward. Sirk made a motion to place Ordinance 2022-24 on its first reading by short title only. Seconded by Dyer, the motion was carried and City Attorney Anne Razo read Ordinance 2022-24 by short title only. Sirk made a motion to pass Ordinance 2022-24 on its first reading. Seconded by Dyer, a roll call passed 5-0. Sirk made a motion to place Ordinance 2022-24 on its second reading by short title only. Seconded by Dyer, the motion passed and Attorney Razo read Ordinance 2022-24 by short title only. Sirk made a motion to pass Ordinance 2022-24 on its second reading. Seconded by Dyer, a roll call vote passed 5-0. Sirk made a motion to table Ordinance 2022-24 until the Special Meeting to be held on Tuesday, December 27, 2022. Seconded by Dyer, the motion was adopted.

Jamie Gephart, Community Coordinator appeared before the Council to recommend changes in the rental rates for 2023 for the Pennsy Depot and The HIVE. Ms. Gephart recommended the rates for the Pennsy Depot to be changed to \$50 for the first hour and \$25 for each additional hour. She also suggested a change of \$50 for each hour as the rental fee for The HIVE. It was noted the hour before and the hour after each use is not charged any fee. Sirk made a motion to approve the recommendation of \$50 for the first hour and \$25 for each additional hour for the use of the Pennsy Depot. Seconded by Dyer, the motion was adopted. Sirk made a motion to accept the recommendation of \$50 per hour for the use of The HIVE. Seconded by Dyer, the motion was adopted.

Sirk made a motion noting the new rates for the renting the Pennsy Depot and The HIVE would affect all new contracts after January 1, 2023 recognizing existing contracts will not be changed. Seconded by Dyer, the motion passed.

Building and Zoning Superintendent Curt Witte and Fire Chief Jeff Sheets appeared before the council to discuss a Business Registration Program. Superintendent Witte noted he is often asked why the City does not have a Certificate of Occupancy Plan. It was shared that too often new businesses move into a current building and the City is not notified of the change of use for a building. This puts the Police and Fire Departments in danger as they sometimes need to enter a building and do not know what is housed there, possibly an unsafe atmosphere. Witte shared that he and Fire Marshal Tony Lothridge are looking at various ordinances of area cities. No action was sought this evening and further research would be done by the Building Supt. and the Fire Marshal to report back to Council.

The Annual Certification of Elected Officials on Compliance with the City's nepotism involving a direct line of supervision and the Annual Certification of Elected Officials on Compliance with the City Nepotism relating to contracting with relatives were brought forth for each elected official to sign.

The Conflict of Interest Disclosures for numerous employees were brought forward. Following the naming of each individual by Clerk-Treasurer Phyllis Whitright, a motion was made by Sirk to make the forms filed with the State Board of Accounts and with the Adams County Circuit Clerk's office a matter of record. Seconded by Coshow, the motion was adopted.

Clerk-Treasurer next shared a number of encumbrances into the 2023 budget year totaling \$368,508.23. Dyer made a motion to approve the encumbrances totaling \$368,508.23. Seconded by Sirk, the motion was adopted.

The resolution for the annual year end transfers of funds was brought forward. It was shared the list had been emailed to Council members. The transfers were within each department's budget accounts. Sirk made a motion to introduce Resolution 2022-20 by short title only. Seconded by Murray, the motion passed and City Attorney Anne Razo read Resolution 2022-20 by short title only. Sirk made a motion to pass Resolution 2022-20. Seconded by Murray, the motion was adopted.

A motion was made by Sirk to approve and sign the Mylar for the addition of four (4) lots in the Grey Goose addition as approved by the Decatur Plan Commission. Seconded by

Fullenkamp, the motion was adopted and Council members, Mayor Rickord, and Clerk-Treasurer Phyllis Whitright signed the Mylar.

Fullenkamp made a motion to accept the agreement with the Adams County Animal Control and Shelter as recommended by the Board of Public Works and Safety and authorize the Mayor to sign the agreement. Seconded by Dyer, the motion was adopted.

Next on the agenda was a discussion of See Click Fix and Text My Gov. It was shared that Mayor Rickord, Jamie Gephart, Jeremy Gilbert, and Kevin Hackman had been looking at websites where residents can report problems and then monitor the actions regarding their report. Two programs; See Click Fix and Text My Gov had been two options they found of value. Both are offering year end deals. The current program used by the City does not have the reminders provided as in See Click Fix program. After a lengthy discussion Sirk made a motion for City Attorney Razo and Mayor Rickord to study the CivicPlus contract and move forward with the See Click Fix program at a rate of \$5,547.89 for the first year. Seconded by Dyer, the motion was adopted.

Sirk made a motion to allow for the renewal of the CivicPlus contract with See Click Fix program with the Community Coordinator Gephart, Mayor Rickord, and Attorney Razo to study the contract and authorized Mayor Rickord to sign if wanting to renew the contract for the second year. Seconded by Coshow, the motion was adopted. The cost for this program would be split between the Water and Street Department for the first year. It was noted by Operations Manager Gilbert that there will need to be an education program for the residents to educate them on the use of the program.

Department Heads Input:

Jeremy Gilbert, Operations Manager reported that the trash routes are doing rather well. He thanked the Council for their support and encouraged all to stay tuned regarding the weather forecast, especially the high winds. He thanked the Council and other Department Heads for all the cooperation and help through the year. Gilbert noted next week they will pick up additional trash due to Christmas and he emphasized it is NOT HEAVY TRASH WEEK. He also noted wrapping paper and Styrofoam are not recyclable.

Fire Chief, Jeff Sheets also emphasized the need to follow recommendations regarding safety with the weather forecast. He also thanked Council members for their support throughout the year.

Curt Witte, Building and Zoning Superintendent shared that the plan is to check for possible grants for the 138 N. Second Street building. He noted that there had been two appraisals for 710 Schirmeyer and inquired if the notice had been published regarding taking bids. Witte was informed that the publication still needed to be done with the first meeting in February will likely be the date to open any bids.

Lennie Corral, Chief of Police, thanked Council for the bonus pay noting his officers were pleased. He also noted 2022 has probably been his most difficult year with the hope of 2023 being better. Chief Corral mentioned that he will be hiring a new officer in 2023.

Council Input:

Sirk thanked Mayor Rickord, Clerk-Treasurer Whitright, City Attorney Razo as well as all the Department Heads and City Employees for their work throughout 2022.

Mayor Rickord shared he felt it had been another great year and shared he appreciated how everyone through the various departments worked together so well. He noted everyone has the same goal; wanting to make the City better. He thanked all the employees and Clerk-Treasurer Whitright and Attorney Razo.

Sirk shared that he has had numerous comments from people regarding their positive views of Decatur.

Dyer 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 Murray, the motion was adopted.

Adjournment was at 8:45 P.M.