

CITY OF DECATUR
COMMON COUNCIL MINUTES
JUNE 6, 2023

The City of Decatur Common Council met on Tuesday, June 6, 2023, at 6:45 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 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.

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

The Clerk-Treasurer had emailed the minutes from the May 16, 2023 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 were event forms. Nate Stimpson of 50 Cal Fireworks was present to request permission for the Homestead Fireworks Display in the Homestead addition to be held on June 30, 2023 from 9:57 p.m. to 10:30 p.m. Coshow made a motion to approve the Fireworks Display to be held in the Homestead addition. Seconded by Dyer, the motion was adopted.

Jamie Gephart, Community Coordinator appeared before the Council and presented a copy of the crosswalk mural to be painted during the Downtown Decatur Day event to be held on Saturday, June 17, 2023. The crosswalk to be painted will be on north 2nd Street from the alley between Sherwin Williams and Famous Monster Pizza. Local artist, Shelby Nower will be painting the mural. The mural is estimated to last 5 to 10 years.

The Community Coordinator, Jamie Gephart had received an event form from 2 Brothers restaurant for an outside event for a 75th Birthday Bash. The event will be held in the parking lot and a request is made to close 3rd Street from their parking lot to Monroe Street. They will have a live band outside from 6 p.m. to 8 p.m., and other entertainment. The event will be held on August 1, 2023 from 12 noon to 10 p.m. Coshow made a motion to approve the 2 Brothers event. Seconded by Murray, the motion was adopted.

The next event form was for an event on Monday, July 3, 2023 from 6-9 p.m., Adams Memorial Hospital is celebrating its 100th Anniversary by having a concert provided by the Fort Wayne Philharmonic on Madison Street Plaza. The concert is free to the public. Various food vendors will be there and the hospital is also providing hot dogs. Coshow made a motion to approve the event on the Madison Street Plaza. Seconded by Murray, the motion was adopted.

Next on the agenda was Ordinance 2023-8, an ordinance to establish a non-reverting fund for the Mayor's Youth Council. Donations could be accepted to help set up an office area for the Youth Council to use for projects and to have a place to meet. Sirk made a motion to place Ordinance 2023-8 on its first reading by short title only. Seconded by Dyer, the motion was passed and City Attorney Anne Razo read Ordinance 2023-8 by short title only. Sirk made a motion to pass Ordinance 2023-8 on its first reading. Seconded by Dyer, a roll call vote was held and passed 4-0. Sirk then made a motion to place Ordinance 2023-8 on its second reading by short title only. Seconded by Dyer, the motion passed and Attorney Razo read Ordinance 2023-8 by short title only. Sirk made a motion to pass Ordinance 2023-8 on its second reading. Seconded by Dyer, a roll call vote passed 4-0. Sirk made a motion to suspend the rules and place Ordinance 2023-8 on its third

reading by short title only. Seconded by Dyer, the motion was passed and Attorney Razo read Ordinance 2023-8 by short title only. Sirk made a motion to adopt Ordinance 2023-8 on its third and final reading. Seconded by Dyer, a roll call showed passage with a 4-0 vote.

Since a Public Hearing for the 1-O Properties and 1-O Enterprises, LLC was advertised for 7 p.m., at that time Dyer made a motion to suspend the Council meeting. Seconded by Sirk, the motion was adopted.

Coshow then made a motion to open the Public Hearing. Seconded by Sirk, the motion was adopted.

City Attorney Anne Razo summarized the reason for the Public Hearing being the need for public input regarding the tax abatement for 1-O Properties and I-O Enterprises, LLC. She noted action that had been taken at the May 16, 2023 meeting regarding the Declaratory Resolution. The City Attorney asked for any input from the public in favor of the abatement. Dan Buchan spoke in favor, Melissa Hamrick spoke in favor, Barb Affolder, owner of ABCinema spoke in favor and noted how abatements are helpful in setting up a new business. The City Attorney then asked for comments from the public that are against the tax abatement. Mary Montgomery Byer noted she was not in favor or against, but wanted to stress the need for I-O to keep their promises of no smell and to have barriers. There being no further comments from the public, Coshow made a motion to close the Public Hearing. Seconded by Murray, the motion was adopted.

Dyer made a motion to re-convene the Council meeting. Seconded by Murray, the motion was adopted.

Sirk made a motion to make the legal notice for the Public Hearing for the tax abatement for I-O Properties and I-O Enterprises, and also the proof of filing notice of the tax abatement to the overlapping taxing units a matter of record. Seconded by Murray, the motion was adopted.

Councilman Coshow informed the public that the timing of the filing an abatement is important and needs to be done when the improvements and the equipment is being installed. The abatement structure is that I-O will pay taxes, and that the tax abatement is 100% abated for the first year, and the abatement is decreased each year by 10% until the 10th year, after the 10th year there is no abatement. Also, I-O will be submitting a report to Council each year to make sure that I-O Properties and I-O Enterprises stays in compliance, if not, the abatement can end.

Resolution 2023-10, a Confirming Resolution allowing for a 10-year tax abatement for I-O Properties, LLC (real estate) located at 400 Chamber Drive, with an estimated value of improvements to the real estate totals \$6,064,690. Sirk made a motion to introduce Resolution 2023-10 by short title only. Seconded by Dyer, the motion was passed and City Attorney Anne Razo read Resolution 2023-10 by short title only. Sirk made a motion to adopt Resolution 2023-10. Seconded by Dyer, the motion was adopted.

Resolution 2023-11, a Confirming Resolution allowing for a 10-year tax abatement for I-O Enterprises, LLC for equipment to be installed at 400 Chamber Drive has an estimated value of \$9,360,000. Sirk made a motion to introduce Resolution 2023-11 by short title only. Seconded by Dyer, the motion passed and City Attorney Razo read Resolution 2023-11 by short title only. Sirk made a motion to adopt Resolution 2023-11. Seconded by Dyer, the motion was adopted.

Jeremy Gilbert, Operations Manager appeared before the Council regarding a request from residents to lower the speed limit in the Cross Creek subdivision from 30 to 25 mph. Gilbert noted he would recommend the change for safety concerns. Gilbert commented that by state statute the city can lower the speed from 30 to 25 mph without having to go through a traffic study. Coshow made a motion to direct City Attorney Anne Razo to draft the needed ordinance to change the speed limit in Cross Creek subdivision from 30 to 25 mph. Seconded by Murray, the motion was adopted.

Mayor Rickord shared that he had recently held a meeting with skate boarders. He is meeting again with them tomorrow and they are trying to find a solution to get the skate boarders a good area and keep them off the places the City does not want them to be on, such as the benches downtown. The Mayor mentioned that the Building and Zoning Supt., Curt Witte has drawn up a new design for the current skate board park.

Mayor Rickord mentioned that he would like to use the American Rescue Plan (ARP) funds to help finish some of the many Park projects this summer, such as the pickleball court at REV Sports Complex, at Kekionga Park, the dog park, pond restocking, and softball field, and also make improvements at the skateboard park on 5th Street. The Mayor announced that the fund raising through Patronicity started this morning for the Kekionga Park improvements. Operations Manager, Jeremy Gilbert estimated that an additional \$30-40,000, not including the softball field will be needed. The Mayor will provide better estimates for the projects to bring back to Council for the next Council meeting.

Sirk made a motion to make the publication of the Public Hearing for the Lake Shores Addition Phase 9 Annexation a matter of record. Seconded by Murray, the motion was adopted.

A second Public Hearing was announced for 7:30 p.m. regarding the annexation of Lake Shores Addition Phase 9. Thus, Coshow made a motion to suspend the Council meeting. Seconded by Murray, the motion was adopted.

Coshow made a motion to open the Public Hearing. Seconded by Murray, the motion was adopted.

Attorney, Clayton Lengerich representing the Petitioner, Dorothy J. Dyer Revocable Living Trust for the Lake Shores Addition Phase 9 Annexation was present. It was mentioned that this addition will be an extension of the Lake Shores Subdivision and will remain zoned residential with approximately 65 lots to be developed and are contiguous to the City's property. The annexation is approximately 24.219 acres and is located south of Monroe Street Extended and northeast of north Piqua Road. City Attorney Anne Razo explained the purpose of the Public Hearing was to allow for comments from the public to speak in favor or opposition of the annexation.

One of the residents in Lake Shores addition asked if the new addition would follow the current conveyance that is in place. City Attorney Anne Razo shared that a Fiscal Plan had to be put together and that plan had been available for residents to review. Attorney Razo explained the process for development of the area as the plans will need to be presented before the Plan Commission by the developer, which is a public meeting. Also, if plans go beyond R-1 Residential requirements, the plans would need to be presented before the BZA.

There being no other comments from the public regarding the annexation, Coshow made a motion to close the Public Hearing. Seconded by Dyer, the motion was adopted.

Coshow made a motion to re-convene the Council meeting. Seconded by Dyer, the motion was adopted.

Resolution 2023-12, a resolution regarding the Fiscal Plan, and includes the survey and the map of the Lake Shores Addition Phase 9 annexation, was brought forward. Sirk made a motion to introduce Resolution 2023-12 by short title only. Seconded by Murray, the motion passed and Attorney Razo read Resolution 2023-12 by short title only. Sirk made a motion to adopt Resolution 2023-12. Seconded by Murray, the motion was adopted.

Ordinance 2023-9, an ordinance regarding the annexation of Lake Shores Addition Phase 9, was brought forward. The annexation is 24.219 acres and is at least 39% contiguous to city boundaries located on Piqua Road/County Road 600 N. Sirk made a motion to place Ordinance 2023-9 on its first reading by short title only. Seconded by Dyer, the motion passed and City Attorney Anne Razo read Ordinance 2023-9 by short title only. Sirk made a motion to pass Ordinance 2023-9 on its first reading. Seconded by Dyer, a roll call vote passed 4-0. Sirk made a motion to place Ordinance 2023-9 on its second reading by short title only. Seconded by Dyer, the motion passed and Attorney Razo read Ordinance 2023-9 by short title only. Sirk made a motion to pass Ordinance 2023-9 on its second reading, seconded by Dyer, a roll call vote was held and passed 4-0. Sirk made a motion to table Ordinance 2023-9 until the June 20, 2023 meeting for its third reading. Seconded by Dyer, the motion was adopted.

Department Heads Input:

Police Chief, Kevin Gerber reported that the parking lots will be repaved this Thursday and Friday at the Police and Fire stations and also the depot.

Jamie Gephart, Community Coordinator announced the launching of the Patronicity grant fund raiser for the Kekionga Park improvement projects has begun, any donations will be matched up to \$50,000. She also noted a fund raiser will be held next Saturday, June 17, 2023 as the golf cart parade will begin at Riverside Center and end up Downtown for Decatur Day. There have been 50 vendors who have already signed up for Downtown Decatur Day event. A concert will be held this Thursday on Madison Street Plaza, which will include another youth performing at the concert.

Mayor Rickord complimented the youth on their performance at the last Thursday night concert who performed during the intermission.

Council Input:

Coshow noted this Thursday concert will feature Sweetwater All-Star band. Also, the Conner Brite's Wildflower event will take place on the Madison Street Plaza this Saturday evening.

Public Input:

Victoria Hamrick, member of the Mayor's Youth Council presented a concern regarding the 2nd Street and Jackson Street intersection. It was shared that this is a common intersection for students and people going to work and it needs to be made safer. Victoria's mother who was present was concerned, especially after her daughter had been hit at that intersection recently. Operations Manager, Jeremy Gilbert informed them that he will look at the intersection before making any recommendations.

Victoria Hamrick also announced that there will be life skill classes for students to attend, and each class will be taught by different teachers. Signup is done at Riverside Center. The classes will be held on June 19th, June 26th, July 10th and July 17 & 24th.

A city resident who lives on Winchester Street spoke against the 5-Points Roundabout Project. The resident who refused to give his name for the record was informed that the project was approved by INDOT in 2016. Mayor Rickord stated that bus drivers and younger drivers avoid that intersection, so with the roundabout, there will be better a traffic flow and be safer. The resident also questioned City funds going towards the canopy on the Madison Street Plaza. Mayor Rickord informed him that there are no City funds going towards this project.

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, Dyer made a motion to adjourn. Seconded by Coshow the motion was adopted.

Adjournment was at 8:08 P.M.