

Village of Decatur Regular Council Meeting September 6th, 2016

Village Council President Pro-Tem Elwaer called the meeting to order at 7:00 p.m. at the Village Hall followed by the Pledge of Allegiance. Roll call taken: Trustee Richardson, Trustee Mead, Trustee Gunther, Trustee Stull, Trustee Heflin, and President Pro-Tem Elwaer present. President Wicket absent. Chief of Police Dahlquist, DPW Foreman Ebeling, and Attorney Matthew Cooper, along with 20 visitors were also present.

Consent Agenda:

Trustee Richardson makes a motion to accept the agenda as amended to include Don Hanson under Communication, seconded by Trustee Richardson. All in favor, motion carries.

Trustee Mead makes a motion to accept the minutes as presented, seconded by Trustee Richardson. All in favor, motion carries.

Trustee Gunther makes a motion to accept the bills as presented totaling \$95,311.14, seconded by Trustee Heflin. All in favor, motion carries.

Public Participation:

Charlene Jackson expresses concern over pavers adjacent to sidewalk along Phelps St. are heaved in some areas or broken and should be addressed.

Harvey Beute speaks regarding lawn needing to be mowed at 313 School St.

Larry Ralston inquires about the status of tree trimming. DPW Foreman Ebeling reports that he talked with J.C. and Sons this morning and they should be coming the next day to assess what needs to be done. DPW Foreman Ebeling indicates he will meet with J.C. at the site and contact Mr. Ralston next week when he returns home to finalize any work to be completed.

Cindy Pachner raises question for DPW Foreman Ebeling regarding possibility of placing drain in front of her home. She expressed concern that during any rain events, her yard is flooding. Cindy indicates that she has been asking for something to be done for 24 years. Cindy alleges that when flooding occurs it is very close to her home, and that her yard is sinking and ground is very soft. She inquired as to whether there are grants available for this work. Village Manager Mitchell will investigate whether grant options would be available. Plan of action to be reported at next Council meeting.

Dan Van't Zelfde expresses concern that neighboring property near school needs lawn to be mowed.

James Abshagen expresses concern over plants along Phelps St. He indicates that the appearance of plants are poor. Asks council to consider appropriating money to have plants installed professionally in future.

Patrick Creagan presents information regarding a planned event for Girls on the Run organization. Program is through the County and usually has approximately 900 participants. Patrick submits packet that contains desired route. He is requesting a similar setup to Steve's Raider Stomp. The event will take place on May 20th, 2017 and he is requesting a vote be completed by the October council meeting.

Communication:

William Tucker gives presentation regarding audit for fiscal year ended February 29th, 2016. He states that, in opinion of Abraham and Gaffney, the financial statements present fairly in all material respects-the best opinion possible. He states that fund balance is at 92% of annual operating expenditures. Minimum recommendation would be 15 to 20%. Bill also mentions that there are 2 areas identified that require improvement. The first item would be material journal entries proposed by auditors for year-end adjustments. Recommendation for Village to take steps to ensure material journal entries are not necessary at time of future audit analysis. The

second item regards supporting documentation for manual journal entries. Recommendation was made to ensure that Village retains supporting documentation for all manual journal entries and filed in such a way that they can be easily accessible for audit purposes.

Brian Antisdell, scheduled under communication, was not present.

County Commissioner Don Hanson gives the Village an update on 2 items: 1) Covert Township lost case against power plant and cut back on assessment. Reached agreement that new plant was purchased for \$650 million. Approval given to return to court on appeal. 2) Renovation of the county jail required to update to required specifications. There was some hope that old jail in Paw Paw could be preserved and moved 3 blocks. Due to budget constraints, would require roughly \$300,000 in additional funding. Don indicates it is likely it will be demolished.

Reports:

Village Attorney Report-Matthew Cooper presents report from Village Attorney. The Decatur Lions property will revert back to Village on September 21st. Warren Rhoads Pre-Trial Hearing was held on August 24th.

Determination was made that property was sold on land contract. As such complaint is being prepared against individual buying the property on L/C. Pre-Trial Hearing was adjourned to October 26th.

Financial Report- No further questions.

Clerk Report- No further questions.

Chief of Police Report-Chief Dahlquist was asked by Trustee Stull about status of weed patch on School St. property. Tom indicates that 2 verbal warnings have been issued. He also states that according to Ordinance, property can be cited and this will be done the next morning.

DPW Report-No further questions.

Village Manager-VM Mitchell reports that 2 vehicles that were set for auction were sold. S-10 was sold for \$550.00 and Charger was sold for \$4,268.00. With respect to Village cell phones, Village Manager phone was removed from account and Chief Dahlquist and DPW Foreman Ebeling received new smart phones using free upgrade. Only difference will be \$15.00 data cost per line per month. VM Mitchell also indicates that DPW will be traveling to Bangor on Wednesday to assist them with cleanup efforts from recent storm damage.

Ongoing Business:

A. Three bids were presented for washing of Village water tower. Recommendation by VM Mitchell was to accept bid from H2O Towers, LLC due to references and use of man lift. Motion made to enter into contract with H2O Towers made by Trustee Mead and seconded by Trustee Richardson. All in favor, motion carries.

B. Amendment to Resolution 2016-07 is proposed to add language allowing ability to apply for future extension of Commercial Rehabilitation Exemption Certificate at discretion of Council. Motion was made to accept amendment as proposed by Trustee Richardson, seconded by Trustee Stull. All in favor, motion carries.

C. Amendment to Ordinance No. 196 is proposed to remove incorrect parcel number from existing ordinance. Motion made by Trustee Heflin to accept amendment as proposed, seconded by Trustee Stull. All in favor, motion carries.

D. Discussion on changes to Rental Inspection Program was tabled for further discussion at future Council Meeting.

New Business:

A. Budget amendments are proposed for the Police Department, Code Enforcement, DPW Salary, and Sidewalks. The amendments for the Police Department do not result in an increase in the budget as proposed changes to Overtime Pay, Part Time Salary, Workman's Comp, Uniforms, and Tech Services will be withdrawn from Police Salary Account. For Code Enforcement, DPW Salary, and Sidewalks the net effect would be an increase in

operating budget by \$42,500. The code enforcement amendment of \$20,000 is proposed due to demolition of Nelson property, DPW Salary account adjustments of \$12,500 proposed due to spring weather that allowed DPW to focus on cleaning/organizing DPW Shop rather than plowing. Lastly, amendment to increase budget for sidewalk materials from \$0.00 to \$10,000 is proposed. This category had not been utilized last year so it was removed from this year's budget. However, there are several areas in need of attention. Motion made by Trustee Richardson to accept amendments as proposed, seconded by Trustee Stull. All in favor, motion carries.

B. Crown Castle (AT&T) plans to add 3 additional antennas to existing tower within Village. Under Ordinance #139, waiver must be granted from Village Council to avoid necessity of filing Conditional Use Permit. Proposal states that antennae will be added to existing tower, purpose does not change, and no height modifications will occur. Motion to grant waiver made by Trustee Richardson, seconded by Trustee Mead. All in favor, motion carries.

Public Participation:

James Abshagen clarifies earlier comment on flowers that issue is not with DPW employees, but, specifically, the fertilization and care/weeding. James also expresses concern that current rental inspection program is not sufficient. Focus needs to be on finding solution that results in meaningful inspections that can ensure compliance. Would agree with higher rates in conjunction with better enforcement.

Robin Siegel speaks about ongoing animal control issues with respect to dogs. Robin alleges issue with 102 W. Bronson St. regarding 4 pit bulls. Robin also alleges that woman was rude to her regarding cops being called regarding incident and alleges being threatened. Robin indicates that she believes incidents are going unreported due to intimidation by dog owners. Robin also expressed concern over a licensure issue that had previously occurred and alleges that owners have still not registered their dogs.

Council Comment:

Trustee Heflin expresses concern with vehicles running stop sign at Sherwood and Williams.

Trustee Gunther states that she had spoken with County regarding mowing of 215 E. Delaware St. County will not mow so the responsibility falls to Village.

President Pro-Tem Elwaer clarifies that recent demolitions necessary due to issue of liability. President Pro-Tem Elwaer also expresses concern over parking issue next to short stop where small car parking sign is located. Continuing to have issues with large vehicles parked there. President Pro-Tem Elwaer requests that investigation into issues with Waste Management pickups and the quarterly report that should be received. VM Mitchell to discuss issue with Waste Management.

Adjournment:

Trustee Richardson makes a motion to adjourn, seconded by Trustee Mead. All in favor, motion carries at 8:39 PM.

Respectfully Submitted,

Matthew Newton, Village Clerk/Treasurer