

**CITY COMMON COUNCIL  
OF HARTFORD CITY, INDIANA  
MAY 3, 2021  
MEETING MINUTES**

**CALL TO ORDER & WELCOME:** Mayor Eckstein called to order a meeting of the Common Council of the City of Hartford City at 6:00pm May 3, 2021.

**ROLL CALL:** Members of the council present were Dustin George, Ron Dudelston, Jimmy Lytle, Tony Scaggs and Michael Wolfe. Also in attendance were Mayor Dan Eckstein, Attorney, Brandon Murphy and Clerk-Treasurer, Dana Whatley.

**PUBLIC HEARING:** Mr. Dudelston made a motion to suspend the common council meeting for the public hearing. Mr. Lytle seconded the motion. The vote to suspend was 5-0.

**A.) RECOMMENDATION TO AWARD A PUBLIC-PRIVATE AGREEMENT FOR THE CONSTRUCTION, FINANCING, OPERATION AND TRANSFER OF NEW WATER & SANITARY SEWER IMPROVEMENTS TO SUPPORT THE COUNTY HIGH SCHOOL AND NEW DEVELOPMENT ALONG HIGHWAY 3 NORTH:** Mr. Greg Martz from GM Development addressed the council. He stated that they've begun to lay water and sewer line that is supporting Gillman and the Blackford Junior/Senior High School. He reminded them that in September 2020 they had proposed a budget of \$985,000 for this project with 40% projected to the school and 60% projected for the Gillman piece. The scope of the project has changed a little and now the school has the higher portion rather than Gillman. With construction pricing going up, he and Mr. Bill Bacon had a discussion and decided to lock in pricing several months prior. By doing this, it will save \$150,000 to \$200,000 in construction pricing. Citizens State Bank came in with a lower interest rate than was previously predicted. The rate is 2.25%. Citizens State Bank has a fee of \$4,925.00. The bank is going to waive that fee as a donation to the city. The estimated payment will be \$60,000. Mr. Bacon and his crew have water line laid all the way to the Gillman site. They still need to bore under Highway 3 to start the school's part. They now have the permits to start that process. The plan is to finish the school's portion of this project during the summer months while school is not in session. Mr. Martz gave Mr. Bacon kudos for his department's help with this project. He stated that it is saving a lot of money. Mr. Martz said to move forward, council needs to ratify the decision to approve this project. Since TIF money is paying for the project the Redevelopment Commission had to approve the project first.

Mayor gave kudos to Bill Bacon and his team for being so helpful with this project. He also thanked the Redevelopment Commission.

Mr. Warren Brown also thanked Mr. Martz, Mr. Bacon and the Redevelopment Commission to have the courage and vision to see what needed to be done and understand why they have a financial responsibility to the community. He thanked the City Council for allowing them to put out an RFQ to do a 5-23 project and understanding

the impact it would have on the community. Mr. Brown said with leadership like this we will continue to grow, move forward and bring new business to Hartford City. He also thanked Commissioner Oxley and the county officials for being great partners with this project.

Mayor Eckstein thanked the Blackford Development Corporation for helping with the property. It's a great location and Mr. Gillman really liked it. Gillman Home Center will be a great asset to our county. He stated that when Mr. Gillman brings his business into a community, he's not just a business owner but a community partner.

With no further public comment, Mr. Lytle made the motion close this public hearing. Mr. Dudelston seconded the motion. The motion carried 5-0.

**B.) ESTABLISH FUND 176 TO RECEIVE FUNDS FROM THE AMERICAN RESCUE PLAN – ORDINANCE 2021-07:** Mr. Dudelston made a motion to open up the second public hearing. Mr. Wolfe seconded the motion. The motion carried 5-0.

No one from the public had any comment. Mr. Scaggs made a motion to close the public hearing. Mr. George seconded the motion. The motion carried 5-0.

Mr. Lytle made a motion to re-open the council meeting. Mr. Dudelston seconded the motion. The motion carried 5-0.

**APPROVAL OF AGENDA:** Mayor Eckstein brought up two additions to the agenda and stated that we need to amend it:

OLD BUSINESS – Mr. George made a motion to add Ms. Lori Lee with Heritage Days to old business letter "A". Mr. Lytle seconded the motion. The vote to amend was 5-0.

NEW BUSINESS – Mr. Dudelston made a motion to add Mr. Eric Hays with Taylor University to new business letter "B". Mr. George seconded the motion. The vote to amend was 5-0.

Mr. George made a motion to approve the amended agenda. Mr. Wolfe seconded the motion. The vote to approve the amended agenda was 5-0.

**APPROVAL OF MEETING MINUTES OF APRIL 5, 2021:** Mr. Wolfe made a motion to accept the minutes of the April 5<sup>th</sup> meeting as submitted. Mr. Dudelston seconded the motion. The vote to approve was 5-0.

**OLD BUSINESS:**

**A.) MS. LORI LEE – HERITAGE DAYS:** Dr. Tom Lee spoke on Ms. Lee's behalf. He stated that he spoke with AEP about the power needs for Heritage Days. AEP is going to drop a couple of temporary stations in the parking lot north of the Weiler Plaza. The AEP representative stated it would make more sense to put permanent

stations up since we will need them for future events. Dr. Lee wanted an opinion from council before proceeding with the temporary power installation for Heritage Days. He said he didn't have any definite costs for the power. He estimates that it would cost approximately \$600 per station. Dr. Lee has a contractor lined up to erect the wood structures to house the temporary power.

Commissioner Oxley questioned about the boxes that are already installed around the town square that have been used for Heritage Days in previous years. He stated they only pay a fee one time a year. He wondered if we could put up more boxes under that program.

Mr. George made a motion to give Commissioner Oxley permission to pursue 2 additional boxes of permanent electricity for Weiler Plaza and the parking lot to the north. He said the city would pledge up to \$3,000 toward having this done. Mr. Lytle seconded the motion. The motion carried 5-0.

**B.) RESOLUTION 2021-14 CF-1/PP NEW INDY CONTAINERBOARD (2014-25):**

Mr. Dudelston made a motion to approve Resolution 2021-14. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**C.) RESOLUTION 2021-15 CF-1/PP PETOSKEY PLASTICS (2017-04):** Mr.

Dudelston made a motion to approve Resolution 2021-15. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

**D.) RESOLUTION 2021-16 CF-1/PP PETOSKEY PLASTICS (2012-20):** Mr.

Dudelston made a motion to approve Resolution 2021-16. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**E.) RESOLUTION 2021-17 CF-1/PP PETOSKEY PLASTICS (2015-23):** Mr.

Dudelston made a motion to approve Resolution 2021-17. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**F.) RESOLUTION 2021-18 CF-1/PP PETOSKEY PLASTICS (2014-06):** Mr.

Dudelston made a motion to approve Resolution 2021-18. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**G.) RESOLUTION 2021-19 CF-1/PP PETOSKEY PLASTICS (2015-03):** Mr.

Dudelston made a motion to approve Resolution 2021-19. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**H.) RESOLUTION 2021-20 CF-1/PP PETOSKEY PLASTICS (2012-19):** Mr.

Dudelston made a motion to approve Resolution 2021-20. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**I.) 2<sup>nd</sup> READING – ORDINANCE 2021-07 ESTABLISHING AMERICAN**

**RESCUE PLAN ACT FUND #176:** Mr. Lytle made a motion to approve the

creation of this fund to receive the American Rescue Plan monies. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

**J.) PROPOSED STOP SIGNS AT FRANKLIN & RICHMOND ST. (and/or) FRANKLIN & MAPLE ST.:** After deciding there had not been enough data collected, at these intersections, to make a determination about placing stop signs. Council asked to table this topic until the June meeting so that the HCPD can monitor the speeds and traffic patterns to provide better data. Mr. Lytle made a motion to table this topic to the June meeting. Mr. George seconded the motion. The vote to table was 5-0.

**K.) ANIMAL SHELTER CONTRACT DUE JUNE 1, 2021:** Mr. Dudelston stated that in his opinion the tax payers would be better served with a different contract between the city and the Animal Shelter. He stated that some things need to change within this contract.

Mr. Lytle asked about the inter-local aspect of the current contract and how we set a precedent as a City Council moving forward?

Mayor Eckstein said that we can draft our own contract that renews annually. We can request financial reports to be given quarterly or semi-annually to council. We can stipulate that a representative of the Animal Shelter come to a council meeting and give updates. There was other discussion. Mr. Dudelston made a motion to opt out of the current Animal Shelter contract and re-negotiate our own contract going forward. Mr. Scaggs seconded the motion. The vote to opt out of current contract was 5-0. Attorney Murphy said he will draft a notice of contract termination and send it to the Animal Shelter.

## **NEW BUSINESS:**

**A.) MR. DAVID SHEWBRIDGE – CONSTITUENT REQUESTING TO ADDRESS COUNCIL:** Mr. Shewbridge addressed council with a couple of neighborhood concerns. He lives on North Maple St. He moved to Hartford City 5 years ago and has recently relocated his business here too.

His first concern is with an ongoing feud between two of his neighbors which has resulted in graffiti covered plywood and an offensive banner being displayed for the entire neighborhood to see. He came to council to see if there is an ordinance or anything the city can do to help correct this situation. It was determined by our attorney that this is a civil issue and there is no ordinance created to help this situation. The Mayor and Mr. Wolfe said they would speak with the homeowner that is displaying the offensive signage to see if they would be willing to take it down.

Mr. Shewbridge's second concern was another property at the corner of Maple St. and McDonald St. He has encountered rats coming from this property and feels this is unacceptable. Mr. Dudelston asked him to go onto the city's website and file a formal complaint in the new ordinance violation section and he would take that complaint to the Property Standards Board's next meeting to address this situation.

**B.) MR. ERIC HAYS – TAYLOR UNIVERSITY:** Mr. Hays came to introduce "The Invitation Program" to council. He explained that it's a program for physicians to refer their patient's to consult with students who are trained as health educators. Those students walk patients through 45 minute sessions dealing with nutrition, exercise, sleep, stress management, goal setting all to improve quality of life and reduce risk of chronic disease. He stated that they are currently partnering with Dr. Jennifer Clamme. Taylor received a \$1 million dollar grant from the Lilly Endowment last year to expand their program and services. Mr. Hays stated that working with Dr. Clamme and David Hyatt from IU Blackford Hospital they have leased the space where the BMV used to be located on the downtown square. They hope to have a grand opening in 7 to 8 weeks. He said to be watching for advertisements soon.

**C.) MR. GREG MARTZ – ADOPT RESOLUTION 2021-21:** Mr. Martz reiterated that he's asking for City Council to ratify the decision that the Redevelopment Commission adopted earlier. Upon approval he will contact Citizen's State Bank and start the documentation process. He will complete that over a 7 day period and then he will submit it to the city's legal counsel, for review. Mr. Dudelston said it was his honor to make a motion to adopt Resolution 2021-21. Mr. Wolfe seconded the motion. The vote to adopt was 5-0.

**D.) MS. AMY GEORGE – PARKS BOARD:** Ms. George asked the council for permission to spend over \$5,000 for a new quarter pipe at the Skate Park. The total will be \$20,459.47. She explained that the Parks Board has received a grant from the Blackford Community Foundation in the amount \$10,000.00, \$2,500 from Hartford City, \$2,500 paid out of the Parks Dept., and \$5,459.47 in other donations. Mr. George made a motion to give permission to spend over \$5,000. Mr. Scaggs seconded the motion. The motion carried 5-0.

**E.) 1<sup>st</sup> READING – ORDINANCE 2021-08 AMENDING SECTION 10.16.040 OF THE CITY CODE – STOP SIGN AT ELM ST & WABASH ST.:** Mr. George stated that he has spoken with some of the residents in the area and they are in favor of a stop sign being placed at this intersection. Mr. George made a motion approving the 1<sup>st</sup> reading of Ordinance 2021-08. Mr. Dudelston seconded the motion. The motion carried 5-0. The 2<sup>nd</sup> reading will be on the June 7, 2021 council agenda.

**F.) 1<sup>st</sup> READING – ORDINANCE 2021-09 AMENDING ORDINANCE 2012-06**

**“SANITATION FUND”:** Attorney Murphy stated that upon council’s direction he drafted this ordinance to increase the rate that residential properties pay for sanitation. The new rate will be \$1.60 higher per month to allow for large trash curbside pickup throughout the year. Mr. George stated that the council will review the progress at 6 months and 1 year. Mr. George stated that he’s talked to several residents who think it’s a good idea and are in favor of it. Mr. Dudelston made a motion to accept the 1<sup>st</sup> reading of Ordinance 2021-09. Mr. George seconded the motion. The vote to approve the 1<sup>st</sup> reading was 5-0. There will be a public hearing and 2<sup>nd</sup> reading of this ordinance at the June 7, 2021 meeting.

**G.) LT. DANNY JOHNSON – HCPD PERMISSION TO SPEND OVER \$5,000 FOR FIRE**

**ARMS:** Lieutenant Johnson explained to council that the Police Department replaces all service weapons every 5 years. The current estimated price is \$5,863.32 which is subject to change dependent on the trade in value of their existing weapons. He is asking for permission to spend over \$5,000 for this purchase. Mr. Lytle made a motion to approve spending over \$5,000 for this purchase. Mr. Scaggs seconded the motion. The vote to approve is 5-0.

**H.) CHIEF MARK MCKISSACK – PERMISSION TO SPEND OVER \$5,000 FOR HCPD**

**SERVER:** Chief explained to council that the HCPD server is currently 7 years old. They are adding new cameras which will max out the current server. He stated that the replacement server will run approximately \$5,500.00. Mr. McKissack also asked for the city to consider paying for 1/3 of it since some of the new cameras will be utilized on the City Hall side of the building. Mr. Scaggs made a motion to pay for the cameras and installation and also give them \$2,000 towards the purchase of the server. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**I.) ATTORNEY MURPHY – CODE OF ORDINANCES:** Attorney, Brandon Murphy stated that he has obtained a couple of quotes for updating the city’s code of ordinances. He recommends that we use American Legal Publishing Corporation. This company did our last update. The quote is \$11,400 to recodify and is payable over 2 budget years. Mr. Murphy also recommends 2 optional services they offer.

- 1.) Continued Maintenance – It is a 5 year supplemental contract that will do an ongoing update on any new ordinance and resolutions that are passed. They charge a per page fee of \$23. Attorney Murphy recommends the double column format because we will get more information on each page.
- 2.) Online Access – They will digitize our code of ordinances and host them online for \$895 for the first year and \$495 for every year after.

Mr. Murphy stated that he's asking permission to spend over \$5,000 for this update. Clerk-Treasurer Whatley stated that we could pay for it out of the CARES Act money. Mr. George made a motion to approve spending over \$5,000 to update the code of ordinances. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

**J.) BEDC FUNDING:** Clerk-Treasurer Whatley received a bill from the Blackford County Economic Development Corporation for \$50,000. This brought up the topic if there is any money in 2021 to commit to the BEDC and also to consider the amount to budget for in 2022. Mayor Eckstein re-capped everything that Mr. Brown has done for the city since becoming the BEDC Director. Mr. Brown gave a brief update as well and also asked council to please consider funding the BEDC. After some brief discussion, the council members asked to table this topic until the next meeting. Mr. Lytle made a motion to table this topic. Mr. Scaggs seconded the motion. The vote to table was 5-0.

**K.) WEILER PLAZA – TRANSFER FROM BLACKFORD DEVELOPMENT CORPORATION TO THE CITY:** Mr. George addressed council on behalf of the BDC. He proposed that the BDC transfers the ownership of the Weiler Plaza and the parking lot just to the north of the plaza to the City of Hartford City. He stated they've run into a road block with insurance coverage. If the BDC continues to own the property it will cost at least \$1,000 per event held on these properties. The goal is to have 2 to 3 events per month which is not financially feasible for the BDC. If the city takes ownership then it will fall under the city's insurance umbrella. The insurance cost then is reduced to \$150 per year. Mr. George stated that the BDC will still maintain and mow this property. The BDC will also still continue to operate it. Mr. Dudelston made a motion to transfer ownership of this property to the city. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

#### **MAYOR'S COMMENTS:**

**AGENDA REMINDER:** Mayor Eckstein wanted to remind everyone that the cut off to be on the meeting agendas for both Board of Works and City Council is the Wednesday before the next meeting by 12 noon. Anyone who wants to be on the agenda needs to contact Clerk-Treasurer Whatley personally. Do not contact the Mayor's Assistant.

**MAYOR OUT OF TOWN:** Mayor Eckstein advised the council that he will be out of town the week of June 7 – 11. He will not be in attendance at the June 7<sup>th</sup> meeting and Mr. George will be running that meeting.

**T. WILLIAMSON – WWTP JETTER MACHINE EMERGENCY REPAIR:** Mr. Williamson reminded council that he sent out an email letting them know that the Jetter machine was down and needed to be repaired immediately. He didn't have the time to wait for this

meeting of the council to get prior approval. Mr. Dudelston made a motion to approve the emergency repair of the Jetter machine. Mr. Lytle seconded the motion. The vote to approve was 5-0.

**PARADE ROUTE FOR HERITAGE DAYS:** Mayor Eckstein stated that Ms. Anne Owen sent a letter because she could not attend tonight's meeting. She is seeking approval for the mapped out parade route. Mr. George made a motion to approve the parade route. Mr. Dudelston seconded the motion. The vote to approve was 5-0.

**MS. CHERI BROWN UPDATE:** Ms. Brown gave out booklets that will be distributed to citizens with 100 low cost/no cost fun things to do in Hartford City this summer.

She also stated that Blackford County has received a \$10,000 grant working with the CDC and NIH connections in health that addresses chronic health issues.

She also advised that the County Commissioners gave \$1,200 for micro-garden planter boxes. These boxes will be placed around the town square. Businesses will adopt them. They will plant them and care for them. Each one will have a different type of plant, fruit or vegetable and will have markers explaining what they are.

**CLERK-TREASURER COMMENTS: NONE**

**COUNCIL COMMENT:**

**COMMUNITY CLEAN UP DAY:** Mr. George stated that the Community Cleanup Day was a huge success. He was very happy with the amount of volunteers that showed up to help. Commissioner Oxley cooked and provided lunch for everyone. Mr. George stated that this cleanup day was also combined with the Greenscape Arbor Day Celebration. They handed out close to 1200 trees to the community. The Audubon Society came and handed out Milkweed plants.

**FLOWERS AROUND THE DOWNTOWN SQUARE:** Mr. George stated that Greenscape will be planting flowers and hanging military banners the Wednesday before Memorial Day weekend.

**HARTFORD CITY PUBLIC LIBRARY NATURE PLAY AREA:** Mr. George shared that Greenscape is the project manager for the Nature Play area. There are a lot of great activities planned and a lot of new fun structures going up for the kids to climb on and play in. He explained they are constructing an outdoor classroom. It will have an elevated deck 7 ½ feet off the ground. It will be hexagon shaped and will be an open air classroom. One wall will have a floor to ceiling chalkboard and it will have a roof.



Mr. George explained that they received a grant from the Boren Foundation in the amount of \$25,000. They received \$5,200 from the Blackford Community Foundation. The library is paying \$7,250 themselves. He explained that this will deplete the library's rainy day fund. They've run into some unexpected costs as the project went along. Since the lumber and building material costs have increased so much over the past year, he's asking for a one time donation from City Council of \$13,000 to complete the Nature Play area. They are looking for future funding in 2022 from IU Health and The Ball Foundation. Mr. Dudelston made a motion to make a one-time donation of \$14,000. Mr. Lytle seconded the motion. The vote to approve is 5-0.

**MR. DUDELSTON:** Mr. Dudelston wanted to thank Attorney Brandon Murphy and his staff for the amazing job they are doing for the city and the Property Standards Board.

**COMMUNITY COMMENT:** A homeowner asked to address council regarding a letter he received from the Property Standards Board regarding his property at 414 S. Spring St. He wanted to make them aware that he has limited income and is trying to make repairs to his home. He wanted to ask for extra time to make all repairs needed. He also asked for an adjustment on his water utility bill. Mr. Dudelston invited him to attend the next Property Standards Board meeting to discuss the letter and his repairs. The Mayor stated he would speak with him after the meeting adjourns about his water utility bill.

**ADJOURNMENT:** With there being no further business, Mr. Scaggs made a motion to adjourn the meeting. The meeting adjourned at 8:03pm.

**FOLDER 2/REC 31**