

**CITY COMMON COUNCIL
OF HARTFORD CITY, INDIANA
NOVEMBER 2, 2020
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 November 2, 2020

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

MOTION TO SUSPEND COUNCIL MEETING FOR PUBLIC HEARING: Mr. Dudelston made a motion to suspend the council meeting and open the public hearing. Mr. Lytle seconded the motion. The motion carried 5-0

PUBLIC HEARING: PROPOSED ORDINANCE 2020-11 MINIMUM BUILDING & PROPERTY STANDARDS – Mayor Eckstein stated that this topic was initiated from a trip that several people made to the city of Rushville. The city leaders in Rushville had many good things to share with the representatives from Hartford City. Property Standards was one of the topics. City Councilman, Ron Dudelston has taken the lead on facilitating this and has done a lot of research and has spent a lot of time working with Attorney Murphy in drafting this proposed ordinance.

This ordinance is a very detailed document that does repeal 15.04 Unsafe Buildings out of Title 15 Building and Construction. Attorney Murphy stated it's important that the city has 2 public hearings on this proposed ordinance because of the number of items being changed. Mayor Eckstein said we should post this document in easily accessible sites so the public can read through it and present any questions or concerns at the next public hearing. It was discussed to post a PDF of this document on the City of Hartford City's website and its Facebook page, as well. Attorney Murphy did clarify in stating that the city did meet the requirements of publishing in the local newspaper the announcement of this public hearing and as always a copy is in the Clerk-Treasurer's office for review upon request. Mr. Dudelston said he'd like as many sets of eyes that there can look at it.

It was decided to hold a 2nd public hearing at the December City Council meeting. The Mayor asked for a motion to close the public hearing. Mr. Lytle made the motion to close the hearing. Mr. Dudelston seconded the motion. The motion carried 5-0.

MOTION TO RESUME COUNCIL MEETING: Mr. Dudelston made a motion to resume the regular meeting of the City Council. Mr. Lytle seconded the motion. The vote to resume meeting was 5-0.

APPROVAL OF AGENDA: Mr. Lytle made a motion to approve the agenda as presented. Mr. George seconded the motion. The motion carried 5-0.

APPROVAL OF MEETING MINUTES:

- A.) MEETING MINUTES OF OCTOBER 5, 2020
- B.) SPECIAL MEETING MINUTES OF OCTOBER 19, 2020

Mr. Dudelston made a motion to accept both sets of minutes as submitted. Mr. George seconded. The vote to approve was 5-0.

OLD BUSINESS:

- A.) **VACATE ALLEY – E. CONGER ST., E. PERKINS ST., N. OAK ST., N. MULBERRY ST.**
Mr. George said that he reached out to Mr. Ball (property owner) 3 weeks ago and as of today had not heard back from him. Mr. George stated that he would try to reach out to him again. Attorney Murphy provided two boiler plate petition forms that could be filed to begin the legal process to vacate the alley. Mr. Murphy stated that he had sent Mr. Ball a packet of information that also contained these same petitions. Mr. George suggested that council continue to table this subject until he hears back from Mr. Ball. Mr. George made the motion to table until December 2020 meeting. Mr. Lytle seconded the motion. The vote to table was 5-0.
- B.) **PROPOSED ORDINANCE 2020-10 4-WAY STOP AT THE INTERSECTION OF HIGH ST. AND KICKAPOO ST.** – All councilmen stated that they had driven by this intersection and agreed something needs to be done here. The Police Department and Fire Department both gave their thoughts on what should be done. They would prefer that parking be restricted the standard 15 feet to possible 30 feet caddy cornered on the east and west sides of High St. Mr. George suggested that before taking any action the councilmen should speak with the property owners. Mr. George offered to do this since this area falls within his district. Mr. George made a motion to vote against proposed Ordinance 2020-10. Mr. Dudelston seconded the motion. The ordinance was defeated 5-0.

NEW BUSINESS:

- A.) **ORDINANCE 2020-12 AN ORDINANCE FIXING SALARIES, WAGES, VACATION AND HOLIDAYS FOR 2021.** After review of the salary ordinance it was discovered there was a mistake in the paragraph regarding the Police Department's clothing allowance. Ms. Whatley inquired about amending that paragraph. Mr. Scaggs made a motion to amend the salary ordinance 202-12. Mr. Wolfe seconded the motion. The motion to amend was 5-0. Mr. Lytle made a motion to approve amended salary ordinance 2020-12. Mr. Dudelston seconded the motion. The motion carried 5-0.
- B.) **ADA INFORMATION**– Ms. Sands gave a very detailed report on the Americans with Disabilities Act (ADA). Clerk-Treasurer Whatley was first contacted by INDOT advising her that Hartford City was not compliant with the ADA. Ms. Whatley approached Ms. Sands and asked her if she would take on this project. Ms. Sands graciously accepted this monumental task. She has been in contact with the State of Indiana, other communities and has worked with Department Supervisors for compiling information and documentation needed to update our ADA Compliance Plan. Ms. Sands will be the ADA Coordinator for the City of Hartford City. She has started taking courses required so that she can take the State Exam. She and DPW Supervisor J. Thomas have written a commitment letter specifying a good faith effort to become in compliance with the 12 points that have been pointed out. Ms. Sands announced that if anyone would like to see the documentation she has completed for Hartford City's compliance, they are welcome to reach out to her.

Ms. Sands explained that the ADA compliance is a huge undertaking of which she cannot do alone. She is requesting an ADA Committee be established consisting of herself, Mayor Eckstein, DPW Superintendent J. Thomas, a Board of Works member, a City Councilman and

Attorney Murphy. Ms. Sands requested to meet monthly and invite the public to these meetings for their questions, concerns and input as well.

- C.) 1ST READING OF PROPOSED ORDINANCE 2020-11 – MINIMUM BUILDING & PROPERTY STANDARDS** – Councilman Dudelston explained that this ordinance deals with residential property standards and that the non-residential piece will be rolled out in the future. Mr. Dudelston stated that it does replace the current 15.04 ordinance and it incorporates Title 36 from the state level as well as drawing in the ADA Act too. He said that the rules are fair but firm. This ordinance defines what an occupied dwelling is. (i.e. homes, apartments, hotels, motels and rooming houses that have water service). The registration fees are as follows: \$50 for a rental property which is good for 2 years and \$150 for a hotel which has the same duration. By filling out the registration form and paying this fee the property owner is stating that their property meets the city's property standards criteria. This gives the code enforcement officers and Property Standards Board the ability to make inspection with a 72 hour notice. Mr. Dudelston asked everyone to please look at this proposed ordinance and bring back any proposed changes before the December meeting. He would like to see this Ordinance become effective January 1, 2021. Mr. Lytle made a motion to move forward with this. Mr. George seconded the motion. The motion to move forward was 5-0.
- D.) NEWBERRY BUILDING PROJECT** – Mr. Warren Brown gave an update on the Newberry Building. He stated that this project will cost in the realm of \$1.5 million with 50% paid out of the City of Hartford City EDIT funds and 50% paid out of Blackford County's EDIT funds. They are working with Greg Martz on this project. The scope of work will include making the outside of the building water tight, drying out the basement, replacing the windows, all new electric, plumbing and HVAC, hood system with fire suppression and sprinkler system. The first floor will be white boxed with the hopes of housing an event center and high end restaurant. Mr. Brown hopes to have the budget and the scope of work soon.
- E.) GILLMAN PROJECT UPDATE** - Mr. Brown stated that the City and Mr. Gillman have encountered and overcome many issues with this project. They still have one INDOT issue with a permit on a driveway. They are waiting for Blackford County Schools to make a decision if they will join this project so that city water and fire suppression can be taken out to the Blackford County Jr./Sr. High School. Mr. Brown that he has to have a complete design in place before submitting it to INDOT to obtain the said permit. This project will include boring under State Road 3 two times for water and sewer.
- F.) PROPOSED ORDINANCE 2020-13: ECONOMIC DEVELOPMENT TARGET AREA** – Mr. Brown stated that he provided C-T Whatley a copy of a resolution from the Economic Development Commission giving a favorable recommendation. Mr. Brown explained that the city is allowed to use 15% of the footprint of a municipality for residential construction and retail development for tax abatements. He stated that Hartford City is currently sitting under 8% of areas targeted for development. Without these target areas, the city cannot provide those incentives for retail & residential development. Residential development can be large or small from single family

dwellings to housing subdivisions. Existing business improvements and new construction are also included. These target areas were recommended by different city and county leadership. This proposed ordinance will require two readings. Mr. Lytle made a motion to approve the 1st reading of ordinance 2020-13. Mr. Dudelston seconded the motion. The vote to approve the 1st reading was 5-0.

G.) CHRISTMAS TREE LIGHTING – Ms. Anne Owen approached council requesting street closures for the Christmas Tree Lighting Ceremony on 11/28/2020 from 3-7pm. The rain date is Sunday, 11/29/20. Ms. Owen stated that she has been working with the Blackford County Health Department on all the proper guidelines to be followed to ensure the safety of everyone during the COVID pandemic. She supplied a map showing the road closures, the carriage ride routes and where any vendors would be placed. Ms. Owen stated that there would be no crafts or indoor activities scheduled. Santa Claus will be placed in “Mrs. Claus’s Kitchen” where he will sit across the table at a safe social distance. There will be a sanitizing crew to sanitize the carriage after each ride. All food items will be served by people wearing the proper PPE. Mr. Dudelston made a motion to close the requested streets. Mr. Wolfe seconded the motion. The motion carried 5-0.

H.) FLOODING ISSUE AT PROPERTY ON RITTER ROAD (9TH ST) AND MULBERRY STREET. – MS. GINGER ENGLE (PROPERTY OWNER) – Ms. Engle approached council about a property that her family has owned for over 50 years. She inherited the property in 2016. She has no water service to this property and hasn’t for 6 years. She has a flooding problem on this property even after many days of no rain. She has been diligently working with private plumbing/sewer contractors, the Water Department several times. She’s exhausted all of her avenues of trying to fix her problem. She came to ask City Council if there is anything they can do to help her. After a lengthy discussion with many people in the room, the Mayor said they would look into her problem and see what we can do to help her.

MAYOR’S REPORT

A.) FIRE DEPARTMENT - Mayor Eckstein gave kudos to the Fire Department on their response to the 3 fires they recently had. Police Chief McKissack also gave kudos to the Capper brothers that both work for the Blackford County Sheriff’s Department and the Hartford City Police Department for their efforts in trying to rescue a person trapped in one of those fires. Mayor Eckstein stressed the importance of having a Fire Department that is very quick to respond to emergencies.

B.) SKATEBOARD PARK – Mayor Eckstein explained that Bill Knapp and his family have approached him about donating \$5,000 to update the skateboard park. The Knapp family is asking the city to match those funds with another \$5,000. They have requested to name the park after their deceased son, Shane Knapp. This is currently being discussed by the Parks Board and will be brought back to City Council after the Park Board meeting.

C.) OCRA PLANNING GRANT FOR UTILITY STUDY- Mayor Eckstein shared that Hartford City was the only community to be awarded over \$69,000 with this grant. In fact, we were awarded \$90,000 the Mayor stated. We have hired AME consulting to help the Water Department and Wastewater Department. We must match \$10,000 as the city’s portion. After this professional

assessment is completed, Mr. Warren Brown has told the Mayor there is a construction grant the city can apply for and potentially receive up to \$700,000.

- D.) GENERATOR** – Mr. Ethan Cox explained that he has a quote for a new generator for City Hall. We have a very old military generator from the 1970's that does not work and we would have problems finding parts to replace. He explained that it is very important that City Hall and the Police Department have power in place if a power outage, storm, emergency of any kind. He has found a 48kw generator that is natural gas powered. It will cost approximately \$25,000 to purchase the generator and have natural gas run to the building as City Hall is currently all electric. He stated upon purchase we could have the generator within 5 days to 2 weeks. He will have PK Heating & Cooling to do the installation. The generator and all expenses related to the installation will be paid for out of the Cares Act grant that the city received. He is asking Council for permission to spend over \$5,000 to purchase this generator. Mr. Scaggs made a motion to allow him to spend over \$5,000 for the generator. Mr. Dudelston seconded the motion. The motion carried 5-0.
- E.) COVID** – Mayor Eckstein has talked with all Department Supervisors about COVID ramping back up this fall. He has directed them to keep a temperature log and have all employees check their temperatures daily. The supervisors are to give those logs to the Mayor's office each week.

CLERK-TREASURER'S REPORT

- A.) RESOLUTION 2020-36 – A RESOLUTION TRANSFERRING GRANT PROCEEDS TO GENERAL FUND**
– Clerk-Treasurer Whatley along with Mayor Eckstein told council that we have received \$187,070 from the Cares Act grant. She explained that she is directed by the State Board of Accounts to receipt in the money to the Cares Act Fund but then move the money to the General Fund leaving the Cares Act Fund with a zero balance. Ms. Whatley and Mayor Eckstein have met and have agreed on the following disbursement of funds.

\$100,000 – to stay in the general fund and not spent until the 2022 budget has been adopted and approved.

\$20,000 – Police Department for items needed in their department

\$20,000 – Fire Department for items needed in their department

\$25,000 – Generator for City Hall

\$22,070 – Equipment for ZOOM meetings and remote work for City Hall, Clerk-Treasurer's office, City Council Members, Board of Works Members and Department Supervisors.

Mr. Lytle made a motion to approve resolution 2020-36 to move the money from Cares Act to General Fund. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

- B.) ANIMAL SHELTER - \$5,000 ADVANCE FROM 2021 BUDGET** – Clerk-Treasurer Whatley explained that Pam Bonham from the Blackford County Animal Shelter approached Mayor Eckstein about needing emergent funds. He stated that we could pay her \$5,000 now and he intended it to be an advance from the 2021 budgeted amount for the Animal Shelter. Ms. Whatley said that she

misunderstood what he was doing and thought it was additional funding. She is approaching Council to see how they would like to proceed? There was discussion about our contract with the Animal Shelter going forward and different details that will be addressed in March of 2021. Attorney Murphy stated that he will provide a letter to the Animal Shelter when we issue the first check in 2021 to communicate the fact that we paid them an advance and clarify our expectations going forward. Mr. Dudelston made a motion to advance the \$5,000 from the 2021 appropriated funds. Mr. Wolfe seconded the motion. The vote to make the advance was 5-0.

COUNCIL COMMENT

- A.) Mr. Dustin George gave an update on behalf of the Blackford Development Corporation and the home being built on North Walnut St. He stated that this home has already been sold and the mortgage has been closed on. There will be an open house scheduled, in the near future, for public viewing even though it is already sold.
- B.) Mr. George also inquired about the Healthy Meal Program at Blackford Jr./Sr. High School. He was curious of where the program stands and what happened to the funding that the city contributed? Mayor Eckstein said he would reach out to Superintendent Yencer and get an update.
- C.) Cheri Brown with Purdue Extension addressed Council to give an update on the Housing Study. She said that it is complete and the Housing Summit will be held on 11/13/2020 from 9am to 11am at City Hall. She said that everyone should be receiving an email invitation. The USDA, IHCD and OCRA will be participating in this summit. Ms. Brown also said that the following Thursday, 11/19/2020 everyone will be meeting again to formulate a plan for our community.

ADJOURNMENT

With no further business, Mr. Wolfe made a motion to adjourn. The meeting adjourned at 8:17pm.

FOLDER 2/REC 10