

**CITY COMMON COUNCIL
OF HARTFORD CITY, INDIANA
FEBRUARY 1, 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 February 1, 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 HEARINGS: Mr. Lytle made a motion to suspend the council meeting and open the public hearing. Mr. Dudelston seconded the motion. The motion carried 5-0.

**PROPOSED ORDINANCE 2021-06 REAFFIRMING AWARD OF BUILD-
OPERATE-TRANSFER TRANSACTION, PLEDGING A PAYMENT SOURCE
THERE TO, AND TAKING CERTAIN RELATED ACTIONS:**

Mayor Eckstein introduced Mr. Greg Martz who is heading up the Newberry building project. Mr. Martz addressed council and explained that the request for proposal was advertised in March of 2020 and Mr. Martz's company was selected for this project. He explained that his company has been working on this project over the past 9 months doing a structural analysis of the building and working on ideas for future tenants uses. They started working on the building at their own risk due to the fact there was approximately 10 feet of water in the basement of the building that was compromising the structural integrity. The building is now structurally sound. The design will be done very shortly and they will submit for permits. They've done as much as they can without having the proper permits. He is now ready to talk to council and present a budget.

Mr. Martz stated that from a design standpoint there will be a complete renovation of the exterior of the building and have the interior ready for any tenant to pick out the finishing touches. This should be completed and up to modern code sometime in August. There will be a finished public restroom completed immediately, for amphitheater use.

The \$1.6 million is fully approved. The estimated rate is 2.65% and is locked in 3 days before closing. With the LIT pledge there is a 30 day notification period. The closing should be in the first week or two of March 2021. The payments are amortized over a 20 year period. The rate is fixed for the first 10 years of the loan and can be adjusted one time after that. There is no pre-payment penalty. The County Commissioners approved paying ½ of the payment. The method to accomplish this will be the county will increase the city's LIT distribution annually to cover the county's portion of the payment. The

annual payment will be \$104,000 so the increase in LIT distribution will be \$52,000 annually. Mr. Martz said that once the closing happens then construction can start.

Mayor Eckstein stated that he feels the city is very comfortable in making the payment. Mr. Lytle clarified, for the record, that this payment is coming from local income taxes and it is coming from the taxpayers. Attorney Murphy said that they're asking for final approval tonight due to the time sensitivity. Mr. Martz stated what council is approving tonight is:

- 1.) Pledge of Revenues
- 2.) Authorizing the Mayor to execute the documents upon the attorney's review

Mr. Martz said that the documents are not currently drafted. Upon authorization it will take the bank about one week to draft these. The bank will then send them to the attorney's office for review. The execution of these documents will be dependent upon his approval.

Mr. George said that he fully supports this. Based on the city's focus forward program and all the surveys taken by the public they want investment and revitalization of our downtown.

Mr. Warren Brown agreed with Mr. George. He said we are 100% on target. In all the community meetings he's attended, downtown revitalization is at the top of the list. He also stated that a healthy downtown creates a healthy community.

Mr. John Oxley shared that it is economic development like this project that is going to move our county forward. The community is excited about this project. He believes this is the first step and people will want to come and invest in Blackford County.

Mr. John Lancaster stated for a community to grow and thrive, we need to invest in it ourselves. If we show our pride then they will show their pride and away we'll go.

Mr. George agreed with Mr. Lancaster. If we want outsiders to invest in our community we need to invest in it ourselves. This is the first giant step in showing outside investors that we are willing to take that leap to invest in ourselves.

Mr. Dan Borgenheimer stated that we're moving forward with the new apartment addition, the Weiler lot and now the Newberry building. He said this will be a long term process and will take a lot of patience and it will take some money. He's happy that people are on board, for the long haul.

Ms. Cheri Brown stated it is a long haul project for the plans we have for the community. She wants to make sure we give kudos to those who have been working hard behind the scenes for a lot of years leading up to this point. The progress we are seeing now doesn't materialize overnight. Kudos to those who've served this community over the past many years and their efforts be acknowledged.

With no further public comment, Mr. Lytle made a motion to close the public hearing. Mr. Dudelston seconded the motion. The vote to close the public hearing was 5-0.

Mr. Dudelston made a motion to re-open the City Council meeting. Mr. Lytle seconded the motion. The vote to re-open the meeting of the Common Council was 5-0.

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

APPROVAL OF MEETING MINUTES OF JANUARY 4, 2021: Mr. Lytle made a motion to accept the minutes of the January 4th meeting as submitted. Mr. Dudelston seconded the motion. The vote to approve was 5-0.

OLD BUSINESS:

A.) 2ND READING OF THE PROPOSED ORDINANCE 2021-03 AND ORDINANCE AMENDING THE 2021 SALARY ORDINANCE: Mr. George made a motion to approve this ordinance. Mr. Lytle seconded the motion. The vote to approve Ordinance 2021-03 was 5-0.

B.) REQUEST TO MOVE \$8,826 FROM CARES ACT GRANT MONEY FOR PARKS MANAGER'S SALARY FROM LINE ITEM 101 003 999 TO 101 008 100: Mr. Lytle made a motion approving the transfer of funds. Mr. George seconded the motion. The motion carried 5-0.

C.) 2ND READING OF ORDINANCE 2021-01 AN ORDINANCE VACATING AN ALLEY IN BLOCK 2 OF H.B. SMITHS FIFTH ADDITION TO THE TOWN, NOW CITY OF HARTFORD CITY, INDIANA: Mr. George made a motion approving Ordinance 2021-01. Mr. Wolfe seconded the motion. The vote to approve Ordinance 2021-01 was 5-0.

D.) 2ND READING OF ORDINANCE 2021-02 AN ORDINANCE VACATING CERTAIN ALLEYS IN BLOCK 12 OF THE ORIGINAL PLAT OF TOWN, NOW CITY OF HARTFORD CITY, INDIANA: Mr. George made a motion to approve Ordinance 2021-02. Mr. Dudelston seconded the motion. The vote to approve Ordinance 2021-02 was 5-0.

E.) 2ND READING OF ORDINANCE 2021-05 AN ORDINANCE AMENDING SECTIONS 2.64.020 AND 2.64.030 OF THE CITY OF HARTFORD CITY: Mr. Lytle made a motion to approve Ordinance 2021-05. Mr. George seconded the motion. The vote to approve Ordinance 2021-05 was 5-0.

F.) RESOLUTION 2021-03 A RESOLUTION TO FUND ADDITIONAL PARK BOARD MEMBERS: Mr. George made a motion to approve Resolution 2021-03. Mr. Lytle seconded the motion. The vote to approve Resolution 2021-03 was 5-0.

G.) 2ND READING OF ORDINANCE 2021-04 AMENDING SALARY ORDINANCE FOR PARKS BOARD: Mr. Dudelston made a motion approving Ordinance 2021-04. Mr. Lytle seconded the motion. The vote to approve Ordinance 2021-04 was 5-0.

H.) REQUEST APPROVAL TO MOVE \$2,000 FOR ADDITIONAL PARK BOARD MEMBERS SALARIES FROM LINE ITEM 112 900 590 TO 101 008 105: Mr. Wolfe made a motion to approve transfer of funds. Mr. George seconded the motion. The vote to approve was 5-0.

I.) WARREN BROWN – DISCUSS BLACKFORD ECONOMIC DEVELOPMENT CORPORATION: Mr. Brown introduced some members of the BEDC board and executive committee in attendance:

Mr. Dan Borgenheimer – President of the BEDC

Mr. John Lancaster – Vice President of the BEDC

Mayor Dan Eckstein – Member

Mr. Brown explained that the BEDC board has been very engaged through him. Mr. Brown reports to them on a regular basis like he does with City Council. The board is very supportive of Warren and they respected City Council's faith in Warren by giving the BEDC money and asked the board to do something for him. Mr. Brown stated that he was very humbled and appreciative of the gesture. Mr. Brown assured council that the BEDC board takes very good care of him. He thanked his board and our community for the opportunity to serve here. Mr. Brown said he's trying to make the greatest impact for the people who live here by utilizing a lot of tools and resources that haven't been used before in Blackford County. Mr. Brown spoke about a few things that he is currently working on like the Gillman project which is preparing to break ground. The Newberry building re-vitalization has begun downtown. He gave an update on the housing study that was recently completed and what some of the plans are for that going forward. He also talked about the new broadband towers going up in Blackford County, the downtown revitalization plans, the OCRA grant small business loan program and the monthly educational classes to go along to help support our local businesses.

Mr. George thanked the BEDC board for attending tonight's meeting and for taking good care of Mr. Brown. He stated that he's worked with a number of Economic Development Directors over the years and what Warren Brown has brought to our community is unlike anything he's ever seen. He said that he's thankful for Warren & Cheri for the drive and passion they bring to Hartford City and to Blackford County.

Mr. Dudelston stated he's thankful for Warren and said it's really fun to watch him work. He stated Mr. Brown's biggest flaw is how fast he operates. It's hard for the everyone else to hold on and keep up.

Mayor Eckstein said he appreciates everything that Mr. Brown does and for their great working relationship and friendship. He said there isn't a day that goes by that they don't at least speak to one another. He said Mr. Brown is a great asset to our community.

Mr. Dudelston asked the BEDC looking back over the last year what do they think 2021 looks like from an economic standpoint? Mr. Borgenheimer stated that he believes that 2021 will be better than last year. They do expect to see some economic recovery in the future. They don't expect to see a mid-year dip like in 2020.

Mr. Brown said we had a lot of tax abatements in 2020 due to local investment at the business park. He started working with Tru Form Steel & Wire in January. Next month they are going to start an expansion that will ensure they retain 33 jobs there and they also plan to upgrade equipment.

Mr. Brown stated there is a company called Chmura and they do data analysis on an economic basis throughout the entire nation. They rated every county on their potential for recovery based on many parameters. With their matrix, they rated each county. Blackford County rated in the top 10% of the state for the fastest and most sustainable recoveries from COVID. We should be strong and healthy.

Mr. Borgenheimer asked if he may address the council. He stated that over the past couple of years the relationship between City Council and the BEDC has been tenuous. The BEDC board has heard council's voice and have changed a couple of things. When they interviewed for the economic director's position they asked both Mayors and the county commissioners to join a hiring committee to extend the voice of the county and cities that are impacted by the BEDC. He feels like that decision definitely paid dividends in hiring Mr. Brown. Without the council's criticism, the BEDC would have stuck to the status quo. As a member of the BEDC for 20 years he knows he was part of the problem. He expressed his appreciation for the feedback they received from the city and he believes that the relationship is in a much better place than a couple of years ago.

NEW BUSINESS:

- A.) 1st READING OF ORDINANCE 2021-06 REAFFIRMING AWARD OF BUILD-OPERATE-TRANSFER TRANSACTION, PLEDGING A PAYMENT SOURCE THERETO, AND TAKING CERTAIN OTHER RELATED ACTIONS:** Mr. Lytle made a motion to approve the 1st reading of Ordinance 2021-06. Mr. George seconded the motion. The vote to approve 1st reading of Ordinance 2021-06 was 5-0.

Mr. Lytle made a motion to suspend the rules. Mr. George seconded the motion. The motion carried 5-0.

Mr. Lytle made a motion to approve the 2nd reading of Ordinance 2021-06. Mr. Dudelston seconded the motion. The vote to approve Ordinance 2021-06 was 5-0.

B.) ANNE OWEN - AREA PLAN COMMISSION PETITION FOR A ZONING CHANGE: Ms. Owen stated that when she originally requested to be on tonight's agenda she had a business who had submitted a petition for a zoning change. She stated that Mr. Dustin George, the APC President and County Commissioner, John Oxley worked together and through their collaboration she didn't end up needing that hearing. She just wanted to take a moment to thank them for getting this done and save a small business that was potentially thinking of moving to a different county.

Mr. George said that the communication between the BEDC, the county, the city, and department heads is very good. He said he's never seen the communication like this before. This is the cooperation that he's wanted to see and couldn't ever get before. He really appreciated that we can all work together towards a common goal.

C.) B. BACON - PERMISSION TO SPEND OVER \$5,000 TO PURCHASE A NEW STREET SAW: Mr. Bacon provided City Council with an estimate to purchase a new street saw to replace the 23 year old one they currently have as it is worn out. Mr. Bacon stated that the Water Department and the Wastewater Treatment Plant plan on splitting the cost and sharing this piece of equipment. Mr. Dudelston made a motion to allow Mr. Bacon to spend over \$5,000 to purchase a new street saw. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

D.) B. BACON – PERMISSION TO SPEND OVER \$5,000 FOR SEIZED UP WELL: Mr. Bacon stated that Peerless Midwest did their annual inspection of the pumps & wells. During the inspection, they found a well tube that was seized up. Peerless will need to pull the well and take it back to their facility and go through it and see what the cause is and then re-install the well after it is fixed. The quote he received was a very rough estimate of approximately \$18,835.00. After some discussion, Mr. Scaggs made a motion to allow Mr. Bacon spend over \$5,000 to repair the well. Mr. Lytle seconded the motion. The motion carried 5-0.

E.) WWTP – OUTSIDE LAB RENTAL RATE INCREASE: Mr. Williamson explained, to the City Council, that under the Sewer Use Ordinance item 13.08.090 states they are to do a cost recovery from the towns and schools that contract with the WWTP for lab rentals. We currently charge \$650. Mr. Williamson said he re-evaluates this every January and it is now time that the fee be increased to \$750. The new fees will be payable in January 2022. There was some discussion and Mr. Williamson explained how this program works and how we recover our costs on the consumables for it. Attorney Murphy stated that the entire list of charges should be reviewed and updated before the end of this year. Mr. Scaggs made a motion to approve the lab rental rate increase. Mr. Lytle seconded the motion. The motion carried 5-0.

- F.) WWTP – PHOSPHOROUS TREATMENT PROJECT FINALIZATION AND REQUEST TO SOLICIT CONSTRUCTION BIDS:** Mr. Williamson reminded the City Council that they had already approved this project back in March 2020. Mr. Keith Bryant stated that this project is required to meet the new phosphorous permit limits, at the Wastewater Treatment Plant, determined by IDEM. Mr. Bryant shared that the design is 95% finished and was submitted to IDEM. They now have the construction permits. They have evaluated and determined the best time to put this out for bids. They are suggesting advertising for bids by February 22, 2021 and receiving bids, at the Board of Works meeting on April 5, 2021. Mr. Bryant states he believes we will receive our best bid numbers by doing it that way. Once they award the contract they should start construction shortly thereafter. They estimate the cost will be in the ballpark of \$600,000 and should have a 6 month construction timeframe. He stated that IDEM has a construction start date of 8/1/21 and a finish date of 9/1/22. The plan is to finish construction by the end of 2021 and that will give the Wastewater Treatment Plant 9 months to determine if there are any variables that need to be tweaked (i.e. adjusting chemical dosing, etc.) Mr. Williamson told council that he has cash on hand in his 609 sewer improvement fund to pay for this project. Mr. George made the motion to move forward with advertising for bids. Mr. Scaggs seconded the motion. The vote to move forward was 5-0.
- G.) T. WILLIAMSON – PERMISSION TO SPEND OVER \$5,000 PUMP REPAIR:** Mr. Williamson stated that on 1/21/21 the Wastewater Treatment Plant had a pump failure on one of their filter feed pumps. They have sent the pump into the company to troubleshoot the problem. It appears there has been wear that happened, on a large electrical cable that allowed water to get into the pump and ruin some of the bearings. This pump was installed new in 2016 and Mr. Williamson stated he would not recommend replacing it if it is repairable. He received a quote from Xylem of \$6,200 to repair. The cost to replace would be over \$19,000. Mr. Lytle made a motion to spend over \$5,000. Mr. Dudelston seconded the motion. The motion carried 5-0.
- H.) COVID-19 SICK PAY PROTOCOL:** Clerk Treasurer, Whatley informed the City Council that the government mandate for paid leave entitlements for COVID-19 expired on December 31, 2020. Not realizing that this mandate had lapsed, the city has followed these directions in January 2021. Ms. Whatley is asking that the City Council review this policy monthly going forward for now since the COVID-19 pandemic is still a very fluid situation. Mr. Dudelston made a motion to allow a consecutive period of time not to exceed 14 days, for any employee, who tests positive for COVID-19 or is instructed by the Health Department to quarantine. If additional time is needed outside of these 14 days the employee must provide the appropriate documentation to the council. This topic will be re-evaluated at the March 1, 2021 meeting. Mr. Wolfe seconded the motion. The motion carried 5-0.

MAYOR'S COMMENTS: Mayor Eckstein gave kudos to Jeff Thomas and his team for their snow removal efforts. He had numerous compliments from the citizens of Hartford City.

Mayor Eckstein conveyed a thank you from Bill Smith from the Blackford County EMA. He thanked council for contributing to the Large Animal Rescue class. It was a huge success and some other things are being planned for the future.

Mayor Eckstein asked for the election of new officials on the Common Council. Mr. Lytle expressed interest in stepping down from the Presidency of the council for 2021. Mr. Lytle nominated Mr. George to be the President of the council for 2021. Mr. Scaggs seconded the nomination. The vote to elect Mr. George as Common Council President was 5-0.

Mr. Scaggs nominated Mr. Dudelston to be the Vice President of the Common Council. Mr. Lytle seconded the nomination. The vote to elect Mr. Dudelston to be Vice President of the Common Council was 5-0.

Mr. George made a motion to keep all council appointments the same as 2020. Mr. Dudelston seconded the motion. The vote to keep all appointments the same was 5-0. Clerk-Treasurer Whatley didn't have a list of these appointments at the time these minutes were written. They will be spelled out in the March 1, 2021 minutes.

COUNCIL COMMENT: Mr. George noted that through his travels through our city he has noticed an abundance of large trash items still sitting curbside, on lawns, front porches and in back yards. He is proposing for discussion the thought of raising the monthly sanitation fees from the current fee of \$18.50 to \$19.50 per customer and then permanently eliminate large trash day and possibly extra trash fees. His suggestion is allowing citizen's to put one large item out per month that will be covered in that \$1.00 monthly rate increase.

Mr. Thomas stated although it is a very good idea, he has some concerns on the logistics of completing this task on a monthly basis. There was much discussion about what the pickup schedule would look like, what kind of overtime might be incurred initially. They also discussed the positives this plan will bring. It will help the Property Standards Board and the Police Department with reduced ordinance violations, the pride our city will have by cleaning up the excess trash which will in turn be inviting to those who might want to invest or bring new business to our community. This topic will be brought up at the March meeting.

Mayor Eckstein also made the comment with the declining COVID-19 number we are planning on opening City Hall to the public on Monday, March 1, 2021.

ADJOURNMENT: With there being no further business, Mr. Dudelston made a motion to adjourn the meeting. The meeting adjourned at 7:42pm.

FOLDER 2/REC 20

