

**COMMON COUNCIL  
CITY OF HARTFORD CITY, INDIANA  
JULY 6, 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 6:08pm July 6, 2020, which can be viewed by the public through ZOOM using this link: [www.zoom.us](http://www.zoom.us) meeting code 835 2250 1580 Password 679930. This information is also on Hartford City Facebook page.

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

**POLICE CHIEF MARK MCKISSACK:** Chief McKissack introduced some of our new officers to the Council. He introduced our 2<sup>nd</sup> K-9 Officer, Hera. She is a Dutch Shepherd who is 1 ½ years old. Her handler is Officer C. Elston and they are beginning with the bonding process and will begin training soon. Hera will serve a dual purpose in tracking & narcotics.

Sargent L. Phillips introduced himself. He has been with HCPD since 2016 and works the night shift. He recently has started working as a Detective, as well.

Officer C. Jarvis introduced himself. He has been with HCPD since 2017 and really enjoys hanging out and spending time with our City's youth. He was complimented by the board for his efforts and that they enjoy seeing him out playing basketball with them, etc.

It was also brought up that someone from our community called the police department regarding some girls who were stranded along the roadside, with car problems. Officer N. Herndon responded to that call and helped the girls get the repairs needed and got them on their way. The gentleman who made the call was so impressed with Officer Herndon that he made it known that with all the bad publicity in the news today he wanted to take notice to the good things our police officers do. This gentleman made a \$250 donation to our K-9 fund as a token of his gratitude.

**MOTION TO SUSPEND COUNCIL MEETING FOR PUBLIC HEARING:** Mayor Eckstein requested a motion to suspend the regular Council Meeting to conduct the Public Hearing for the COVID-19 OCRA Grant. Mr. Dudelston made a motion to suspend meeting. Seconded by Mr. Wolfe. Approved 5-0.

**PUBLIC HEARING:** Mr. Greg Beumer from Kleinpeter Consulting conducted a repeat hearing due to the fact that the public notice did not print in the News-Times even though Kleinpeter sent the proper request in time for it to be run. This hearing was for the Office of Community and Rural Affairs (OCRA) grant. Mr. Beumer stated that this hearing is a requirement to receive this grant and it would be a very short hearing. He stated that he had permission to use all comments given to him at the last hearing and that would meet our requirements. He did ask if anyone had any further comments or questions about this grant. Clerk-Treasurer Whatley and Mayor Eckstein did ask for clarification on submitting of claims against this grant. Mr. Beumer stated to send the unpaid invoices to his attention and Kleinpeter will cut checks and pay the vendors on our behalf. Mr. Beumer did ask Warren Brown for a more detailed receipt for the \$20,000 expenditure from Save-A-Lot for the Food Pantry Contribution. With no further questions or comments, Mr. Lytle made a motion to close the hearing. Mr. Dudelston seconded the motion. Vote to close hearing carried 5-0.

**RESUME COMMON COUNCIL MEETING:** Mayor Eckstein asked for a motion to resume the regular City Council Meeting. Mr. Dudelston made a motion to resume the regular City Council Meeting. Seconded by Mr. Lytle. Vote to approve 5-0.

**APPROVAL OF AGENDA:** Mr. Lytle made a motion to approve agenda as submitted. Mr. George seconded the motion. The vote was 5-0 in favor.

**APPROVAL OF MEETING MINUTES:**

1.) **JUNE 1, 2020 MEETING MINUTES** - Mr. Dudelston made a motion to accept minutes as submitted. Mr. Lytle seconded. The vote carried 5-0.

2.) **JUNE 10, 2020 SPECIAL MEETING MINUTES** – Mr. Dudelston made a motion to approve the minutes as submitted. Seconded by Mr. Lytle. The vote to approve was 5-0.

**OLD BUSINESS:**

**MICHELE RISINGER – HARTFORD CITY PUBLIC LIBRARY – DECLARATION OF FISCAL BODY:** Ms. Risinger explained to the Council that due to recent laws that have been passed, the state requires the library to have a governing fiscal body. When the library is located within a city limits then said city is their fiscal body. If the library goes over their growth quotient (over budget) then she must report that to the Council. With no further questions or discussion, Mr. Lytle made a motion to accept the Declaration of Fiscal Body. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

**ORDINANCE 2020-03 HISTORIC PRESERVATION – INDIANA LANDMARKS:** Mr. George stated that the meeting was set to take place on July 16, 2020 and this topic needs to be tabled until that meeting has taken place. Mr. Lytle made a motion to table Ordinance 2020-03. Mr. Dudelston seconded the motion. The vote to table was approved 5-0.

**MARC HANSON WITH SUEZ – ASSET MANAGEMENT – WATER TOWERS:** Mr. Hanson was here to explain their findings on assessment of the two water towers and to present a proposal of pricing. Mr. Hanson explained that the 300,000 gallon tank is in good condition but the paint is bad. He's proposing they do a heavy power wash, paint the tank and retrace the logo on the outside of tank. The inside of the tank, he's proposing they blast it down to steel and apply 2 coats of epoxy.

The 500,000 gallon tank has old lead paint on the outside. This job will be more expensive because Suez will need to Tent the tower, blast off the lead paint and then repaint the exterior of the tank.

Suez will bring both water towers up to OSHA code. He explained that their proposal is an ongoing contract that Suez cannot get out of. Every year that the City pays the bill, the contract continues. The City is basically paying for its next paint job. Mr. Hanson stated that with this contract, Suez will overcoat the outside of each tank every 11 years and every 15 years they will do the inside of the tank. Suez guarantees its work and will make sure everything is done to the City's liking.

Mr. Dudelston asked if the tank having the lead paint on it is any sort of violation. Mr. Hanson said no it is not a violation but is something the City needs to address sooner than later. Mr. George was questioning when the lead paint was used on the water tower because he recalls when the tank was re-painted and lead paint had been outlawed at that time. Mr. Hanson explained that the original paint was lead paint and when the tank was re-painted the acrylic paint was applied on top of the old lead paint and that is why it's peeling now. It should have been blasted off at that time and re-painted but was not.

The Council is taking this information presented under advisement. No action was taken.

**NEW BUSINESS:**

**RICK ANDERSON – JOHNSON MELLOH SOLUTIONS – GUARANTEED ENERGY SAVINGS**

**PROJECT:** Mr. Anderson, after visiting with our various departments throughout the city, came to the Council to present a proposal for an Energy Savings Project. The objective is to develop energy conservation measures, reduce utility costs, and produce sustainable energy. The project highlights LED conversion to all buildings, 3 solar arrays at Wastewater Treatment Plant, Street Department and Pump House #4. HVAC upgrades to the Fire Station and the Wastewater Treatment Plant. Install smart thermostats; replace the generator at the Police Department. The energy savings benefits are reduction of operating expenses, avoid rising utility rates, improve building environments, replace aging equipment and the project pays for itself. Mr. Anderson stressed several times that this project does not affect the City's indebtedness. Mr. George inquired about the cost to maintain solar panels. Mr. Anderson stated that the maintenance program is included in the preliminary quote. Mr. Anderson said the next step is to do a RFQP (Request for Qualifications and Proposal). Mr. Dudelston had questions about utility rate increases. Mr. Anderson stated that with solar panels and the fact that they last 25 to 30 years you are essentially locking in your utility rates for 25 to 30 years. Mr. Lytle asked about his concerns that this project might raise taxes for the citizens of Hartford City. Mr. Anderson reassured him that this is a budget neutral project and the citizens won't be asked to pay anything. The savings in utility costs would pay for the project itself. Mr. Dudelston made a motion to move forward with an exploratory phase of this project. Mr. George seconded the motion. The motion carried 5-0.

**TYLER HUNT – DISC GOLF:** Tyler Hunt and Levi Strait appeared before the Council just to give information about a potential Disc Golf Course in Hartford City. They have developed the Blackford Disc Golf Club. They are currently attempting to get a grant to design and build a disc golf course. They are interested in building it at The Lions Club Park in Hartford City. They explained how they found about Disc Golf and their experiences playing it over the past few months. They see potential for families of all ages being able to play this sport and reap the benefits of family time, more exercise and just a fun place to go. There is potential economic impact as well with the merchandising of Disc Golf equipment. The Disc Golf Course can become a destination for disc golfers which can lead to increased sales at restaurants, gas stations, etc. Mr. Dudelston question the City's liability if someone was injured at this proposed park. Attorney Murphy stated that The Lions Club Park is City property and there is a potential for legal liability. He stated that waivers may need to be used. Teresa Henderson, Parks Board President stated that when they built the skate park, the City worked with the insurance company and followed their directive. They were instructed to post all rules and regulations at the park. Ms. Henderson said that all the parks carry limited liability insurance. Everyone seems to be in favor of this potential park and will wait to see what these gentlemen find out from the Community Foundation.

**BILL SMITH – EMA DIRECTOR – 2019 MULTI-HAZARD MITIGATION PLAN:** Mr. Smith came to ask the Council that after reviewing the 2019 Multi-Hazard Mitigation Plan, that they would approve it tonight. He thanked Ethan Cox for his work on putting this plan together. Mr. Lytle made a motion to approve the 2019 Multi-Hazard Mitigation Plan. Mr. Scaggs seconded the motion. Vote to approve was 5-0.

**TERESA HENDERSON – PARKS DEPARTMENT – PERMISSION TO SPEND MORE THAN \$5,000:**

- 1) **SIDEWALK REPAIR AT ONE OF THE PARKS:** This project is for sidewalk repair across Hoover Park and when completed will also have wheelchair access. The total cost of the project is \$7,860.15. Kirk Townsend is the contractor and will put this project on his schedule once Council approves it. Mr. George clarified that this is a repair to the existing sidewalk and Ms. Henderson confirmed that yes it is. Mr. Lytle made a motion to spend over \$5,000 on the sidewalk repair. Mr. Dudelston seconded the motion. The vote to approve was 5-0.
- 2) **PLAYGROUND MULCH:** This project will place a 2 inch cover of engineered mulch in all of our city parks in all of the fall zones under swings, slides, etc. The total cost of this project is \$9,773.00. Ms. Henderson explained that it will take 3 semi loads of mulch and will be dropped off at all 4 parks and the Parks Department will be responsible for laying it. Mr. George made a motion to approve spending over \$5,000 for engineered playground mulch. Mr. Dudelston seconded. The motion carried 5-0.
- 3) **AMEND 2020 SALARY ORDINANCE FOR PARK BOARD:** A discrepancy was discovered while working on the 2021 proposed budget. Ms. Henderson discovered that in the adopted 2020 budget approved by the DLGF, the line item for Park's Board Member Salary reads \$4,000 (\$1,000 per Park Board Member per year). The Salary Ordinance 2019-07 states on the same line item \$3,600 (\$900 per Member per year). Ms. Henderson and Clerk-Treasurer Whatley were asking for this Ordinance to be amended to read \$4,000 per year for Park Board. After some discussion and input from City Attorney, Brandon Murphy, the topic was tabled until Clerk-Treasurer Whatley could pull the copies of the checks already paid out in this year and determine the amount that was paid to each Board Member. Mr. Dudelston made a motion to table this topic until August so that Ms. Whatley can review the situation. Mr. Lytle seconded the motion. The vote to table was 5-0.

**ANNE OWEN – POSSIBLE CHANGES TO THE BLACKFORD COUNTY ZONING ORDINANCE:**

- 1) **ALLOWING AN ACCESSORY STRUCTURE ON A LOT WITHOUT A PRIMARY RESIDENCE:** Ms. Owen stated that she's had several requests by property owners that they would like to build an accessory structure on a lot that does not have a primary residence. Some have gardens on these lots and need a structure to house their tools, etc. Ms. Owen believes that several lots would be improved if these structures would be allowed. There are specifications that would have to be met, such as, the structure would be 10'x10' or larger. It cannot be a shipping container, etc. Mr. George made a motion to approve this change. Mr. Lytle seconded. The vote to approve was 5-0.
- 2) **LOWERING THE MINIMUM SQUARE FOOTAGE OF A PRIMARY RESIDENCE FROM 950 SQ FEET TO 720 SQ FEET:** Ms. Owen stated that she's had requests that the minimum square footage of a single family home be lowered to 720 sq. feet. She stated that these homes are 2 bedroom built from the foundation single family homes. Ms. Owens believes that this will be an improvement to several of the empty lots in Hartford City. It has had favorable feedback from the other municipalities. If the Council approves this tonight, it will go back to Montpelier, Shamrock Lakes and the County Council for final approval. Mr. Lytle made the motion to approve. Mr. Scaggs seconded. The vote to approve was 5-0.

**WARREN BROWN – CARES ACT:** Mr. Brown updated the Council on The Cares Act Funding for Blackford County. He stated that all four municipalities in Blackford County qualify for funding. Blackford County - \$387,000; Hartford City - \$187,000; Montpelier - \$54,000; Shamrock Lakes - \$10,000. Mr. Brown is proposing that he be the single point of contact for this project. Mr. Brown said because of this we would need to have legal help who is familiar with the Cares Act. He has arranged for an Attorney from Barnes & Thornburg to help with this. The cost for the Attorney is \$6,000 and Mr. Brown suggested the following breakdown to pay that fee: Blackford County - \$3,000; Hartford City - \$2,000; Montpelier \$700; Shamrock Lakes - \$300. Mr. Lytle made a motion to move forward with this. Mr. Wolfe seconded. The motion carried 5-0.

**TRAVIS WILLIAMSON – PERMISSION TO SPEND OVER \$5,000 FOR EMERGENCY**

**REPAIR OF SECONDARY CLARIFIER DRIVE:** Mr. Williamson came before the Council with a preemptive request. The Wastewater Treatment Plant lost a clarifier drive while cleaning and doing maintenance. He has sent it out to be repaired and currently had no idea what it will cost for the repair. He anticipates worst case scenario that the repair could run anywhere between \$5,000 & \$7,000. He did not want to wait until the August meeting to approach council with this request. Mr. George made a motion to allow Mr. Williamson to spend up to \$8,000 for this repair. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

**PERMISSION TO SPEND OVER \$5,000 FOR NEW WASTE RECEPTACLES FOR THE TOWN**

**SQUARE:** Mr. George stated that he's tried to get new trash receptacles for the downtown area. The current trash receptacles are falling apart and rusted. Mr. George did go to each Councilman individually to get their approval to purchase these new trash cans. Tonight we are just stating for the record that this purchase was approved. After getting several quotes he went with Tree Top Solutions to purchase 16 new waste receptacles. We have received 10 of them and 6 are on back order. Michele Risinger from The Hartford City Public Library has also ordered a few for the library area as to keep the aesthetic continuity. The old trash receptacles are being re-purposed by our Parks Department and the scrap material left is being utilized to make covers for the water spigots at The Wyler Lot. Mr. Lytle made a motion to approve the expenditure of over \$5,000 for new waste receptacles. Mr. Dudelston seconded the motion. The vote to approve was 5-0.

**MID-YEAR STATUS UPDATE FROM DEPARTMENT SUPERVISORS:**

- 1.) PARKS DEPARTMENT** – Bryon Maddox gave an update on the Parks Department. The Parks Board decided on May 12, 2020 due to COVID-19 not to open the City Pool this season. May 21, 2020 the parks were allowed to open in a limited fashion. On June 11, 2020 the parks were given the go ahead to open all playgrounds. Everything was sanitized per CDC guidelines. Currently all parks, playgrounds, shelter houses are open and have been very busy. Since the pool is closed the Parks Dept. has re-focused their efforts into mulching and planting in the parks and around downtown. They've tried to make the best of a challenging situation. All Parks Department employees remain healthy.

Major Projects they are working on: The Prairie Project is now complete. The adjoining Pearl St. property has been cleaned up. They've removed and replaced over 100 railroad ties and replaced them with cement wheel chocks. They are working on fixing the lights at the Pee Wee field. They have re-sealed the parking lot at the pool. They have installed an emergency sump pump at the pool, as well.

Upcoming Projects: Sigma Phi Gamma dug outs need to be extended, repainted and re-roofed. The new engineered mulch will be laid at all parks.

2.) **COMMUNICATIONS DIRECTOR:** Bryon Maddox gave an update on this position. He stated that there is work to be done. COVID-19 has caused a stall in the progress with this position. The Parks Dept. is calming down now and he will be able to concentrate on this position more now. Council members had several topics they want Bryon to start publicizing:

A.) **Big Trash Day** – The Sanitation Department will be hosting Big Trash Day on September 19, 2020 and they want to offer assistance to elderly citizens of Hartford City if they need it for disposing of any big trash.

B.) **List of Empty Lots For Sale** – Our Street Department is mowing in excess of 70 empty lots. It was mentioned that possibly we could advertise this list of properties so that maybe we could sell some of these City owned lots.

C.) **Golf Cart Education Campaign** – Make the citizens aware of the Golf Cart Ordinance, The fines involved with infractions and just make parents aware that our City is trying to protect its children from a potential tragedy.

D.) **Wastewater – Flushable Wipes** – Continuing education on not flushing these wipes even if they are advertised as flushable. They are causing a lot of problems for the Wastewater Dept.

E.) **Sanitation Recycling** – Continuing education so that the community knows that we provide them with free recycling bags and it saves the citizen's on their sanitation bills.

3.) **SECURITY CAMERAS:** The Police Department was called out on a run during the meeting and was not able to make the presentation. Mr. George wanted to mention the security cameras that the City is looking into. They are a Wi-Fi based system. We will be able to place cameras downtown, in the parks and other key places in the community that can be monitored from cell phones, laptops, etc. The Police Dept. is compiling figures for this potential project.

4.) **STREET DEPARTMENT:** Jeff Thomas gave an update for his department. COVID-19 did not hit them very hard at all. They just finished the street paving project for this year. They are concentrating on street sweeping, checking for extra brush and there has been quite a bit more this year due to the storms we've had. They are doing a lot of mowing of empty lots, in excess of 70 yards. They have expressed hope that the Blackford Development Commission can help alleviate some of this workload with the sale of some of these properties.

They are hosting the Big Trash Day on September 19, 2020 from 8:00am – 12 noon downtown. They will be offering assistance to the elderly that need help hauling away their large trash. They are also working on the CSO and Community Crossing Grants process. They currently have 80% of the City's streets re-paved.

**CONSIDERATION OF ORDINANCE 2020-04 AN ORDINANCE AMENDING CHAPTER 15.04.030 OF THE CITY CODE – PROPERTY STANDARDS BOARD:** City Attorney, Brandon Murphy explained that this is a very simple ordinance that changes the definition section. It will change the enforcement authority to the Property Standards Board itself. Mr. Dudelston stated that this change will give the Property Standards Board some teeth to enforce ordinances and give them some expediency to do so. Mr. Dudelston made a motion to accept the first reading of Ordinance 2020-04. Mr. Lytle seconded. The vote to approve was 5-0.

Mr. Dudelston made the motion to suspend the rule of the second reading of Ordinance 2020-04. Mr. Lytle seconded the motion. The motion carried 5-0.

Mr. Dudelston made a motion to pass Ordinance 2020-04. Seconded by Mr. Lytle. The vote to approve was 5-0.

#### **BRC RUBBER & PLASTICES, INC TAX ABATEMENTS:**

- 1.) **RESOLUTION 2020-31 CF-1 PP** – Mr. George made the motion to approve Resolution 2020-31 retroactive to June 15, 2020. Mr. Wolfe seconded the motion. The vote to approve was 5-0.
- 2.) **RESOLUTION 2020-32 CF-1 PP** – Mr. Wolfe made the motion to approve Resolution 2020-32 retroactive to June 15, 2020. Mr. George seconded. The motion carried 5-0.

**REVIEW ORDINANCE 2013-05 – AN ORDINANCE AMENDING THE CODE OF LOCAL ORDINANCES OF THE CITY OF HARTFORD CITY, INDIANA FOR PURPOSES OF PROVIDING FOR THE OPERATION OF GOLF CARTS ON CITY STREETS AND REVIEW OF THE SCHEDULE OF ORDINANCE VIOLATIONS:** Mr. George expressed his deep concern for the abuse of golf carts in Hartford City with underage children operating them and many carts filled over capacity. He stated that we are flirting with disaster if we allow it to continue. The ordinance reads that persons age 16 and over with a valid driver's license is permitted to operate a golf cart. He wants to start with an education program for the City's residents and golf cart permit holders of what the ordinance states and the fines involved if they are in violation of these rules. Mr. George would like to send a letter and copy of the ordinance to all of those families who hold golf cart permits. If after this education program is in place, the city still has problems then the council should look at amending the penalties and maybe stair-stepping the fines with the most severe being revocation of the golf cart permit for the offender.

**MAYORS REPORT:** Mayor Eckstein explained after doing research of neighboring cities, he has become aware that our City Hall is the only one around this area that stays open until 5pm. After COVID-19 hit the Water Department, customers had to find alternate ways of making their payments (i.e. drop box, online and over the phone). Many have just continued to make their payments this way even after opening up City Hall again. He has asked council to approve that City Hall's hours become 8am – 4pm. The City Hall employees will remain on premises during lunch hours and the Water Department and Clerk-Treasurer's office will be flexible on those days where the traffic days are busier or if there is a special circumstance where a customer cannot come before 4pm and it is pertinent that they have a face to face visit with the Water office. Mayor Eckstein proposes we make this effective on July 20, 2020 and give the public a two week notice of the change. Mr. George made the motion to change the City Hall office hours to 8am to 4pm. Mr. Scaggs seconded the motion. The vote to approve was 5-0.

Mayor Eckstein also had good news to report. He received a phone call from INDOT and they have awarded Hartford City a hardship grant to help repair our water and wastewater infrastructure along the Highway 3 project corridor from Franklin Street on southward. The Water Department will receive \$1.5 million dollars and the city will pay \$244,000 toward that water project. The Wastewater Department will receive \$1.3 million dollars and the city will pay \$266,000 for the wastewater portion.

**HERITAGE DAYS:** Lori Lee came to seek permission to add some additional street closures to host a car show/motorcycle show. Mayor Eckstein stated that his office has fielded many calls and questions from people concerned about having the festival this year due to COVID-19. He asked Ms. Lee to consider safety above all in the final decision to have it or not. He said that he really had reservations over having the parade due to lack of supervision over social-distancing and the throwing of candy or

handouts during the parade and all the hands that would touch these items. There was much debate and discussion about the topic of actually even having Heritage Days this year. Several councilmen expressed their concern and lack of comfort with having Heritage Days. They are very concerned about our citizens and our children and with so many unknowns with COVID-19 they really felt it would be irresponsible to host the festival this year. They strongly suggested that we not have it this year and maybe have an even bigger and better one next year.

Mr. Scaggs made a motion to approve the extended road closures for Heritage Days. The motion was seconded by Mr. Lytle. The vote was 2 Yay and 3 Nay. The request for extended road closures was denied.

After everything was said and done, the majority agreed that Heritage Days should not be held this year.

**ADJOURNMENT:** Mr. Dudelston made a motion for adjournment. Mr. Lytle seconded. Mayor Eckstein adjourned the meeting at 9:20pm

**REC 53**