

**COMMON COUNCIL
TUESDAY, APRIL 8, 2014
7:00 P.M.**

Mayor Ryan Daniel – Absent
Clerk Treasurer Rosie Coyle – Present
Attorney Marcia McNagny – Present

Council Members

Nicole Penrod – Present
Ben Romine – Present
William (Bill) Simpson – Present
Daniel Weigold – Present
Jacie Worrick – Absent

The Columbia City Common Council met in regular session with all members except Mayor Daniel and Jacie Worrick present, Daniel Weigold presiding.

MINUTES Motion was made by Penrod to approve an overview of the March 25, 2014 meeting minutes as presented, Simpson seconded the motion, Penrod, Simpson and Weigold voted aye, Romine abstained.

COMPLIANCE WITH STATEMENT OF BENEFITS: PEAK PERFORMANCE Shawn White, owner of Peak Performance, explained this would be their 3rd year of tax abatement. He stated he was well above the requirements of the initial SB-1.

Ben Romine questioned if the current staff included The Hearing Place also or just his staff. Mr. White advised it was just his staff. Ben Romine confirmed they were additional payroll that this project has created. Mr. White advised that was correct and since the initial SB-1, two of his employees have moved into Whitley County.

Motion was made by Romine to approve the abatement for Peak Performance for the next year, Penrod seconded the motion, all voted aye.

SEWAGE RATE PRESENTATION: JEFF ROWE – UMBAUGH Dan Weigold advised this issue would be tabled until the next meeting.

ORDINANCE 2014-3: KEY BOX EMERGENCY ACCESS SYSTEM (FIRE

DEPARTMENT) 1ST READING Motion was made by Ben Romine to read Ordinance 2014-3 by title only, Penrod seconded the motion, all voted aye. Rosie Coyle read Ordinance 2014-3, an ordinance requiring the installation of a key box emergency access system for use by the Columbia City Fire Department during an emergency or any other action deemed necessary by the Columbia City Fire department and adding key box emergency access systems to the Chapter 94 of the municipal code of the City of Columbia City, Indiana.

Tom LaRue explained the back ground on the code for knox box requirements. He advised Chris LaRue contacted the State's Attorney who also was not real clear what the enforceability dates would be under the current code. He stated we were saying this particular date was the enforceable date. Attorney McNagny noted the date was April 30, 1988. She advised they were

confused with what the state was telling us but this date is what they came up with according to the regulations.

Bill Simpson clarified the requirement to put a Knox box on a building is covered by State Statute; however, the time frame is a little fuzzy and this was an effort to clean it up so that it was enforceable. Chief LaRue advised that was correct.

Dan Weigold questioned if we currently had Knox boxes on facilities. Chief LaRue advised there were a lot of facilities that already had Knox boxes on their buildings. He stated they do not have to have a sprinkler system or alarm system to have a Knox box, any building could put one on. He thought 95% of our buildings inside the City limits were compliant with this. Dan Weigold confirmed we would not be adding a huge cost for something, this is already there we are just cleaning it up. Chief LaRue advised not all buildings were in compliance.

Ben Romine questioned if this was for any building with a sprinkler system or security alarm. Chief LaRue advised it was for any alarmed building with a sprinkler system or smoke alarm system.

Chief LaRue advised they have been offering this since early-mid 90's and since then most buildings have already picked them up.

Bill Simpson questioned if the penalty was \$50 per day for noncompliance. Chief LaRue advised that makes it consistent with the other fire codes.

Ben Romine pointed out that the ordinance states "when constructing a new building you should comply immediately", and questioned if that meant constructed and ready for occupancy or at the point they apply for the building permit. Chief LaRue advised when they get the occupancy permit they would be required to have one on or in the building.

Chief LaRue advised they would be giving forms to Craig Wagner at the Building Department so that they are aware of the requirement and that it needs to be part of the building procedure.

Motion was made by Romine to approve Ordinance 2014-3 as first reading, Penrod seconded the motion, all voted aye.

STREET WEIGHT LIMIT – HANNA STREET Jeremiah Chandler explained there was a weight limit on Towerview Drive of 5 tons. He asked to extend that to Golden Avenue so that he can get to his house. He advised he has been parking on Short Street across the field from his house but is blocking trucks from turning. He stated his truck was about 18,000 lbs. and would like to bring his truck home. He reported his truck would never be loaded when he brings it home.

Dan Weigold questioned Kelly Cearbaugh if there was a reason why there was a weight limit in place. Kelly advised those were put in place years ago. Dan Weigold mentioned a similar incident across town where an individual had to park his truck in a different location. He questioned how we would allow one and not the other. Kelly thought maybe those were put in place to discourage semis and bigger trucks from going down local roadways.

Bill Simpson felt one of the problems of moving the sign to Golden Ave was any semi could come off of Towerview, go down Hanna and then be stuck in a 5 ton weight limit with nowhere to go. Mr. Chandler suggested a “No Thru Trucks” sign could be posted. He advised Warner’s have it set up so that all truckers come in on Hanna and not Short Street so they are violating that daily.

Nicole Penrod questioned Mr. Chandler if he had to park on the street. Mr. Chandler advised he had off street parking at his house. Nicole confirmed that if the weight limit was lifted and he could get to his house he would be parking off of the street. Mr. Chandler advised he would.

Ben Romine confirmed with Mr. Chandler that he would not be running a business out of his home he just wanted to park there. Mr. Chandler advised that was correct.

Dan Weigold suggested they table the issue until the next meeting to evaluate further.

Bill Simpson suggested since this continues to come up maybe we should take a serious look at why the roads are limited. He stated if it was a parking issue we could regulate parking and would be different than a vehicle going down the roadway. He stated if there was a legitimate reason that a vehicle more than 5 tons should not go down the roadway then that is legitimate, but if we are continuing on with this ordinance for a reason we are not really sure why then we should take a serious look at if it is really needed.

Kelly Cearbaugh noted that an average garbage truck was 33,000 lbs. and they travel every street; although they are providing a service to everyone in town they have to run the streets but our streets are holding up. He advised he was not worried about our streets caving in if that was the concern. Ben Romine questioned if it was town wide or sections. Kelly was not sure and advised there was a list of streets in the ordinance that were 5 ton; he stated we would have to go way back to see why they picked certain streets. Bill Simpson stated whenever the ordinance was written there was probably a legitimate reason for doing it and questioned if that reason still existed, if it does then they have an answer but if not we should reconsider why the ordinance exists. Dan Weigold stated in talking with people who have been around awhile one reason was because it was breaking down the road and another was because they did not want semi’s parking on the side streets.

Dan Weigold advised they would take time to research it further and maybe pass it onto the parking committee.

PARK DEPARTMENT Mark Green reported on April 19 they would be having a fishing derby at Morsches Park, INDOT was moving along on the US 30 bridge, the concession stand and bathrooms were ready for the season, they would be draining and cleaning the pool and there were 2 sections of the riverbank along the trail that has fallen in.

STREET DEPARTMENT Kelly Cearbaugh reported they started limb pickup for the year, they would be working on manholes and catch basins, would be cleaning up the cemetery, continue with sewer inspections, they would have the sweeper out as much as they could and the leaf mulch was done and ready for the public.

COMMUNITY DEVELOPMENT Jeff Walker reported the GIS Coordinator would be leaving us next week but have received 7 applications and out of those 6 were qualified to fill the

position, held a preconstruction meeting on the south side storm water project with Ironclad and GAI, the firm has been tentatively selected for the comprehension plan, he met with representatives of the W.C. Redevelopment Commission to talk with them about the liability and condition of our sewer infrastructure in our TIF corridor, continues to work on the SR 205 project, the Redevelopment Commission approved to seek proposals to seek demolition of the Eagles building.

WATER DEPARTMENT Mike Shoda was introduced as the new water superintendent.

ELECTRIC DEPARTMENT Shawn Lickey reported on their standard operations for the week, he advised Friday, April 18 has nationally been declared Lineman Appreciation Day and the Mayor has signed a proclamation to recognize the day.

FIRE DEPARTMENT Tom LaRue reported on their upcoming training.

BLUE RIVER TRAIL REPAIR FUNDING Rosie Coyle stated since the trail was such an emergency she questioned if the Council would go ahead and approve getting the trail fixed and then she and the Mayor would find where it could be paid from.

Motion was made by Penrod to allow the greenway to be fixed with the stipulation that the Mayor and Rosie would come back to Council before any money is approved. Ben Romine asked to add to the motion to look at the whole picture so we would not just be plugging a hole. Penrod agreed with amendment to the motion.

Mark Green advised he did not plan on ripping out what is repaired; the only thing that could happen is another section could fall in. Ben Romine questioned if what we would be doing now would be a short term fix or two years from now we would have to do it again. Mark Green advised they believed it would be a long term fix. Rosie Coyle suggested having whoever does the repair to really look at the whole bank.

Motion was seconded by Simpson, all voted aye.

Having no further business to discuss the meeting was adjourned.

Council President Daniel Weigold

Attest:

Clerk Treasurer Rosie Coyle