

**COMMON COUNCIL  
TUESDAY, JUNE 24, 2014  
7:00 P.M.**

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

**Council Members**

Nicole Penrod – Absent  
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 Penrod and Worrick present, Mayor Daniel presiding.

**MINUTES** Minutes were unable to be approved.

**PUBLIC HEARING: PETITION TO VACATE UTILITY AND DRAINAGE EASEMENT**

**– BRENNAN ADDITION** Stan Franz with S & S Contracting explained there was a 10 ft. variance on Lot 38 in the Brennan Addition that they were required to vacate so they could build a house there. He advised they already had gotten a variance from the County and all utility companies that were notified had no future use for the easement.

Mayor Daniel opened the meeting as a public hearing. Hearing no comments or questions Mayor Daniel closed the public hearing.

Motion was made by Dan Weigold to review Ordinance 2014-14, Ben Romine seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle gave an overview of Ordinance 2014-14 which approved vacating a utility easement for Gary and Connie Shepherd.

Motion was made by Dan Weigold to approve Ordinance 2014-14 on an emergency basis, Ben Romine seconded the motion, all voted aye.

**COMPLIANCE WITH STATEMENT OF BENEFITS: BONES THEATRE** Chris Jones with Bones Theater explained they were in their 8<sup>th</sup> year of a 10 year abatement. He advised business was progressing.

Ben Romine noted the original estimated wages were about \$167,000 and the current wages are about 1/3 of that. He questioned Mr. Jones if he could elaborate on the original projection versus where they are. Mr. Jones explained their original attendance expectation was about 150,000 and are doing 50,000 annually so was about 1/3 of what they projected and do not need as many staff. He stated they employee 16 part time and have no full time employees.

Ben Romine questioned if there was something that could help increase the attendance. Mr. Jones explained when they first came to the Council about 10 years ago it was purely estimation; they had a market analysis done and had to rely on outside expertise. He advised the community was getting better at attending movies in Columbia City rather than going to Fort Wayne or Warsaw but it has been disappointing not to see things develop around that area of the City. He felt if a chain, bar and grill type, restaurant would come in it would help the theater as well.

Motion was made by Dan Weigold to hold off until the next meeting to approve the statement to allow for all members to be present, Bill Simpson seconded the motion, all voted aye.

**TAX ABATEMENT APPLICATION – DOT AMERICA** Alan Tio was present along with Ross Towse, President and CEO of DOT America. He advised they have worked very hard to support companies in the medical device chain and explained this company provides very compelling capabilities, some that are not even offered in Warsaw. He shared the company was planning to move forward with some building improvements and significant equipment purchases.

Ross Towse explained DOT America was a subsidiary of a German company that was the leader in their industry. He stated they specialize in surface coatings which help in how hard the surfaces are; how joints articulate together as well as faster integration with the bone. He advised over the entire term of the project they expect to invest over \$8 million in this area.

Mayor Daniel pointed out on the SB-1 that it talks about the net estimated value on completion of \$1.3 million and on the abatement schedule it looked like the real property improvements were asking to be abated with the assessed value of \$1.3 million but thought the improvements to only be \$800,000. Mr. Tio advised that was correct and the only thing he could think of was because that building had not been taxed because it was nonprofit. Mayor Daniel wanted to make sure Council was in compliance with what they were allowed to do; he felt they should table the issue to get the definition on that. Mr. Tio stated by setting a higher amount would not be a negative, it would just be a higher potential threshold for them to reach but setting a lower amount and undercutting would be a downside. Mayor Daniel questioned if they would set the abatement schedule at \$1.3 would that put them in a position that they would have to reach that. Mr. Tio explained it would be a ceiling they could work toward; they could use percentage deductions for whatever the actual expenditure was. Ben Romine advised they could approve the abatement schedule but the SB-1 would need to be corrected. Mr. Tio advised he could bring an amended SB-1.

Bill Simpson confirmed the property had not been on the tax roll since its inception. Ben Romine advised that was correct; Passages constructed it.

Ben Romine questioned if Council could approve the abatement pending the amended SB-1 so the abatement would be approved prior to the start date. Attorney McNagny advised they could.

Motion was made by Ben Romine to approve the abatement subject to being amended, Bill Simpson seconded the motion.

Attorney McNagny requested it be made clear what the changes would be. Ben Romine advised they could approve the abatement up to \$1.3 million but the question was since it had never been on the tax roll could it be abated. Attorney McNagny advised she was a little worried with moving forward without a specific amount. She questioned on the SB-1, under the cost, the current value was \$500,000 and questioned what the figure was going to be. Ben Romine advised it would stay \$500,000 but the question was whether that \$500,000 was eligible for abatement since it was never on the tax roll. Mayor Daniel advised the \$810,000 in improvements would certainly be eligible but the question was if the extra \$500,000 was or not. Ben Romine questioned if they could approve the \$810,000 and do a second approval for the \$500,000. Rosie Coyle advised they could not submit the abatement until it was totally approved.

Mayor Daniel reviewed the motion made by Ben Romine that the tax abatement would be capped at \$1.3 million with the exception that if only \$810,000 of that could be abated then that would be the new number based on the new SB-1 that will be provided by Region 3A and the EDC. Simpson seconded that motion.

Attorney McNagny felt that would be ok.

Upon the motion, all voted aye.

**TAX ABATEMENT – PERSONAL PROPERTY – DOT AMERICA** Motion was made by Ben Romine to approve the personal property abatement for DOT America, Dan Weigold seconded the motion, all voted aye.

**RESOLUTION 2014-15: DOT AMERICA** Motion was made by Ben Romine to read Resolution 2014-15 by title only, Bill Simpson seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Resolution 2014-15 a resolution approving the deduction of assessed valuation for personal and real property improvements within an economic revitalization area in Columbia City, Indiana.

Motion was made by Bill Simpson to approve Resolution 2014-15 for the full 10 years for both equipment and personal property with a sliding scale, Ben Romine seconded the motion, all voted aye.

**ORDINANCE 2014-12: AMENDMENT TO TRAFFIC SCHEDULES – ONE WAY ALLEY – 2<sup>ND</sup> READING** Motion was made by Dan Weigold to read Ordinance 2014-12 by title only, Ben Romine seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2014-12 an ordinance amending Chapter 75, Traffic Schedules of the Code of Ordinances of the City of Columbia City, Indiana.

Mayor Daniel noted this was to make the alley between Brewha and Terry Smith's Law Office one way.

Motion was made by Ben Romine to approve Ordinance 2014-12 on second reading, Dan Weigold seconded the motion, all voted aye.

**BILL KUNZ; OCCUPANCY PERMITS ON RENTAL PROPERTY** This issue was tabled.

**GAP TIME FOR FIRE MARSHALL** Tom LaRue reported this would allow Gap Time pay that is offered to the police officers to be the same for the Fire Marshall position. He explained it would go from 160-212 hours.

Mayor Daniel noted the Board of Works approved this.

Motion was made by Ben Romine to adopt the Gap Time policy for the Fire Marshall, Dan Weigold seconded the motion, all voted aye.

**DEPARTMENT REPORTS** Reports were given by Terry Wherry - Spectrum Engineering fiber project, downtown speaker system; Tom LaRue – update electronics in Fire Training room, training for Firefighter I and II, received approval from State for new firefighter Toby Fralick to start; Tim Longenbaugh – active shooter simulation at ISMS, fire arms training, online training program, 2 new officers waiting approval from the State; Kelly Cearbaugh – update on concrete projects; Mike Cook – inspections, painting, performance reviews; Shaw Lickey – new services, YMCA, receiving quotes on A/C unit at MSF, new single phase line on 500 W., 2 new employees passed CDL; Mike Shoda – BOW permission to hire new employee to fill open position.

Rosie Coyle – new bills coming out in July.

Mayor Daniel reported he has been working on employee evaluations. The Park Board made decisions on aquatics facility to be shared soon. He attended the groundbreaking for the YMCA’s Early Learning Center. He also attended a demo on a potentially new CAD and Resource Management System. He was elected as Vice President of the Indiana Conference of Mayor’s.

Ben Romine advised he met with Jeff Walker to rewrite the bid specs for the demolition of the Eagle’s building.

Having no further business to discuss the meeting was adjourned.

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Mayor Ryan Daniel

Attest:

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Clerk Treasurer Rosie Coyle