

**COMMON COUNCIL
TUESDAY, JULY 22, 2014
7:00 P.M.**

Mayor Ryan Daniel – Present
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 – Present

The Columbia City Common Council met in regular session with all members present, Mayor Daniel presiding.

MINUTES Motion was made by Ben Romine to approve an overview of the June 24, 2014 meeting minutes as presented, Dan Weigold seconded the motion, Romine, Simpson and Weigold voted aye, Penrod and Worrick abstained.

Motion was made by Dan Weigold to approve an overview of the July 8, 2014 meeting minutes as presented, Ben Romine seconded the motion, Penrod, Romine, Weigold and Worrick voted aye, Simpson abstained.

REZONING REQUEST STEPHAN WELLS (OLD TESTWORTH) David Sewell, Executive Director with the Planning and Building Department, was present representing the Columbia City Plan Commission to forward a recommendation the Commission made on a rezone request. He explained the petition filed by Stephan Wells to change the zoning district designation from GB general business to I-1 light industrial contained approximately 2.15 acres and was the former Testworth Laboratories property. He advised the Plan Commission held a public hearing after proper notification was given to adjoining property owners; meeting was held on July 7, 2015. He stated based upon the information submitted and discussion by the Commission they voted 8 against and 0 in favor, with one member absent, for the rezoning. He advised the Plan Commission was sending an unfavorable recommendation to City Council on this rezone request.

Stephan Wells felt Columbia City had been misled in believing that they were going to put piles of trash and garbage on the Testworth property, but that was not true. He advised the property looks a mess now but they just tore down a huge building and were in the process of putting up fences. He shared that last year they filed taxes on \$916,000.00 in this community, did not take it out of the community and at this point they have spent approximately \$250,000.00 to tear down this building. He stated at this point, if the community was ready to cut them off at the knee, it was unfair and unjust. He stated if the City wants to put on some guidelines for them to operate by they were not opposed to that but would at least like the opportunity to try to show this community that they can be a viable business and generate revenue for this community. He asked the Council to overturn the decision; if Council wants to put guidelines on, they would adhere to them.

Elizabeth Whiteman hoped the City would not change their decision on the zoning. She stated she and Mr. Wells had a dispute; he promised he would not tear down the tree line but he did. She advised there was a lot of junk on the property and he was recycling things over there. She stated she did not want to listen to the banging and the smell of the machinery all of the time. She stated she would like him to clean up the property or get a fence put up. She advised she has chased kids out of there, back part and front part.

Brett Kistler property owner of 415 S. Main Street explained he has watched this go down from the time he was kicked out of the first place to the time he moved into this place. He said as far as abiding by the rules; he told the public he was open for business

and he did not care what the City said. He did not believe Mr. Wells would follow new rules, laws or restrictions.

ORDINANCE 2014-16 REZONE REQUEST – STEPHAN WELLS Motion was made by Dan Weigold to read Ordinance 2014-16 by title only, Ben Romine seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2014-16 amending the zoning classification of certain property from the GB general business district to the I-1 light industrial district.

Dan Weigold credited Mr. Wells for removing one of the biggest eye sores in Columbia City but in looking at the lay of the area and what is currently going on with it, being relatively close to the downtown area he was having a little bit of a problem having an I-1 zoning area close to the downtown area.

Ben Romine stated throughout town we have pocket areas that are zoned differently than everything around it and it has created a lot of issues in those areas. He shared that they have tried to clean that up with the current zoning path they have taken. He stated to change this one it would put it right in the middle of a residential/commercial district and there was not enough acreage there that it would ever be a large industrial area.

Motion was made by Dan Weigold to take the recommendation from the Columbia City Plan Commission and deny Ordinance 2014-16, Ben Romine seconded the motion, all voted aye.

ORDINANCE 2014-13 ORDINANCE VACATING ALLEY – 2ND READING

Motion was made by Ben Romine to read Ordinance 2014-13 by title only, Dan Weigold seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2014-13 an ordinance vacating an alley in the City of Columbia City, Indiana.

Mayor Daniel advised this was regarding the platted alley known as Legion Drive. Attorney McNagny advised the Legion was relinquishing their rights to the 50% interest to the property owners to the north. She noted that it would normally be a 50/50 split.

Attorney McNagny requested this go to 3 readings as the property owners to the north have not been notified yet.

Motion was made by Jacie Worrick to approve Ordinance 2014-13 as second reading and move to a third reading, Nicole Penrod seconded the motion, Penrod, Simpson, Weigold and Worrick voted aye, Romine abstained.

SEWER RATE INCREASE DISCUSSION Mayor Daniel advised the Utility Rate Advisory Board met to review the different rate scenarios; their suggestion was scenario #3 which was the 7/6/5 plan. He explained they looked at 4 different scenarios; 4/4/4 plan which basically, on the average user of 4,000 gallons, their increase would be \$4/month this year, \$4 additional the following year, \$4 additional the next year for a total increase of \$12; 5/4/3 plan \$5/month this year, \$4 following year, \$3 the next year; 7/6/5 plan \$7/month this year, \$6 following year, \$5 the next year and the last plan was just a flat one time increase of \$13 for the average household. He thought our rate right now was \$50 for the average household. He advised in the study it was projected that we need to be at \$75 for the average household to be able to pay for the Long Term Control Plan.

Dan Weigold shared he had to believe the work that has been done in the past has made a significant difference in looking at what we have to do in the future. He stated in looking at our financial situation he felt the one being recommended is the one we should look to go with.

Bill Simpson was concerned that the \$4 phased in increases were not going to make up in a timely fashion the \$400,000.00 we were in the hole and then have the monies available to do the projects we have to do. Mayor Daniel advised the 7/6/5 plan was the recommended plan and explained based on Umbaugh projections, by 2017, which was

when we were projected to the engineering for the next phase of the LTCP, we should have a surplus of about \$989,000.00. He noted this would be barring large break downs.

Ben Romine understood there was no way to set aside that money. Mayor Daniel explained our rate increase was both to cover our shortfall as well as get enough money to start compensating the LTCP. He did not believe there was a way to specifically say revenues were for a certain project. He advised he was committed to paying for the engineering with cash and would do everything he could to keep dollars set aside for that project. Rosie Coyle advised we would first have to get the sewage department out of the hole and then in the depreciation account they could earmark money, as they could, in that budget account. Ben Romine confirmed there was no way Council could ensure the money would be there; especially if there was another couple hundred thousand dollar sewer breaks. Rosie advised that was correct but stated between Mike and her they would do what they could to get funds in there.

Nicole Penrod questioned in the forecasts that were given, for 2014, it was showing a deficit and questioned if that was figuring with no increase for this year. Mayor Daniel advised that was correct; the thought was we probably would not have an ordinance and everything put together until the end of the year.

Bill Simpson questioned that actual year of the projected project. Mayor Daniel advised it was 2019.

Mike Shoda shared as a citizen, tax payer and utility purchaser he did not like the stepped increase; he would rather have everything up front. Dan Weigold noted when they were out knocking on doors there was a number of people who wanted the rates stepped in. Mike Shoda questioned what the one time rate increase would be. Mayor Daniel advised it would be \$13. Mike Shoda noted that would be less than if they would go with the 7/6/5 plan. Mayor Daniel noted the projection for the one time increase, the maximum surplus they figured was \$638,000.00 so would not be up to being able to pay for the engineering of the project.

Dan Weigold advised he would like to hear more from the public on which way to go with this. Mayor Daniel advised he was perfectly fine with having public discussions but felt they needed to take action now.

Nicole Penrod shared at first she was leaning towards the \$13 but she did not want there to be the implication that we were done when we would not be. She advised she definitely did not want to do the 4/4/4 so the two she would like to see would either be the \$13 or the 7/6/5 as recommended by the Board.

Dan Weigold advised they put the Board in place for a reason and felt they have done diligent work to come up with their conclusion. He understood all the directions people were coming from but would probably go with the recommendation of the Board.

Jacie Worrick explained in her industry they have found over time that the consumer was more adapt to taking a small increase every year than taking a large one at one time. She advised she would be more apt to go with the 7/6/5.

Nicole Penrod advised she would like to have a public meeting and to discuss the two options.

Bill Simpson agreed we needed a rate increase but still had concern with raising revenue without reducing costs. He stated in looking at the expense sheet for this utility, he felt there was money in categories being spent that may not be being spent out of the right area; example was the Communications Department. Mayor Daniel confirmed with Bill Simpson that he did not believe there was fair equity. Simpson advised that was correct. He felt as they talk about a rate increase we should also be looking at ways to reduce and defer those costs in other areas. Rosie Coyle agreed and advised they were slowly working to get the costs cut down, moving more to the tax base, but it was something that could not be done overnight. Simpson understood but when looking at raising the rates

for this utility he did not feel slowly switching it over was working for us. Rosie Coyle advised her only comment would be to pick something out of the general fund to get rid of (police officer, firefighter, part of the park department) so that they could switch it all over to the tax base. Simpson suggested that may be something that needs to be discussed during budget discussions but having a utility almost \$400,000.00 in the hole does not make sense to him. Mayor Daniel felt ultimately the question becomes what is the equitable share of each of the utilities for 24 hour monitoring. Simpson agreed and felt it was a legitimate discussion to be had. Mayor Daniel agreed. Dan Weigold stated if we take from one then we have to raise the tax rate to take care of the other loss; either way we go there would be some type of increase. Rosie Coyle advised the problem with the taxes is we cannot raise the taxes, we were stuck. Bill Simpson understood but he did not feel we should use the utility departments to subsidize tax base items and then turn around and raise utility rates. Rosie Coyle advised the Mayor understands that and has diligently been working with her to try and get some of the utility stuff switched back to tax base the best they can. Ben Romine felt it was not only that line item but for all line items; are there places we could trim. He stated if we are asking the public to sacrifice by paying higher rates then we as a utility should sacrifice where we can.

Ben Romine felt the cost side of it has to be discussed as well as the raise. He stated when half of your revenues are serving as debt there is only so much that could be addressed.

Dan Weigold recommended having the public meeting to discuss the two options and then move on to a public hearing after that.

The public meeting was scheduled for Tuesday, July 12 at 7:00 p.m. with the regular Council meeting to follow.

DEPARTMENT REPORTS Department reports were given by Tom LaRue – grass rig in service to assist Columbia Township, command vehicle restriped; Mike Cook – facility maintenance, mixed and storage tank back online, water softener replaced; Shawn Lickey – general maintenance and tree trimming, new services, move forward with fiber project, changing out poles; Tim Longenbaugh – fire arms training, trainer & command staff meeting, ordinance committee meeting; Mike Shoda – Elm Street, repair several leaks; Mark Green – training, sand volleyball tournament, pool update, pavilion update, concession stand bathroom pump replacement, Pizza Hut tournament, weekend tournaments, Pow-Wow, tree removal.

Ben Romine questioned the status of the new pool. Mark Green reported he received 2 appraisals for the land they were looking at purchasing and will be presented to the Park Board on Monday night. He advised he talked to Engineering Resources to see what would be needed to put a bridge in that could handle traffic. He reported he was putting together a brochure for fundraising and donations.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle