

**COMMON COUNCIL
TUESDAY, JULY 24, 2012
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 Mayor Daniel pointed out one contextual error under the Old Settlers discussion.

Motion was made by Ben Romine to approve an overview of the July 10, 2012 meeting minutes as amended, Jacie Worrick second the motion, Romine, Simpson, Weigold and Worrick voted aye, Penrod abstained.

ORDINANCE 2012-23: AMENDMENT TO HOUSING AUTHORITY – 2ND READING

Motion was made by Dan Weigold to read Ordinance 2012-23 by title only, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2012-23 an ordinance amending Chapter 32, Administrative Departments and Boards, of Title III of the Code of Ordinances of the City of Columbia City, Indiana.

Motion was made by Bill Simpson to pass Ordinance 2012-23 on second reading, Nicole Penrod second the motion, all voted aye.

ORDINANCE 2012-21: AMENDMENT TO THE NUISANCE ORDINANCE – 2ND

READING Motion was made by Jacie Worrick to read Ordinance 2012-21 by title only, Ben Romine second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2012-21 an ordinance amending Chapter 95, Nuisances, of Title IX of the Code of Ordinances of the City of Columbia City, Indiana.

Motion was made by Ben Romine to pass Ordinance 2012-21 on second reading, Dan Weigold second the motion, all voted aye.

ORDINANCE 2012-22: AMENDMENT TO TREE TRIMMERS ORDINANCE – 2ND

READING Motion was made by Dan Weigold to read Ordinance 2012-22 by title only, Jacie Worrick second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2012-22 an ordinance amending Chapter 116, Tree Trimmers, of Title XI of the Code of Ordinances of the City of Columbia City, Indiana.

Motion was made by Bill Simpson to pass Ordinance 2012-22 on second reading, Nicole Penrod second the motion, all voted aye.

PERMITS FOR INSTALLATION OF A FENCE Mayor Daniel advised this was a carryover discussion from the previous meeting. He felt it would behoove us to make some kind of decision so Mr. Sewell can move forward with the process.

Dan Weigold questioned what the Department Heads thought; if we had a permit in place would it help with situations they run into. Kelly Cearbaugh advised he has seen fences over sewer lines and often wondered what the process would be if we would have to get in there to dig up the sewer line in an emergency situation. Could the City tear it out, would we have to put it back? He felt if there was a permit then we would know what was going on at the property and have some input on it. Mike Dear advised he has not run into it very often since most of his stuff is out front but there are some fences that can be a nuisance and also landscaping. Larry Whetstone advised there were several places in Columbia Shores that not only have fences in the right of way but buildings too. He shared another fence issue at Brennan's Addition.

Dan Weigold questioned if there had been any civil matters with this. Chief Longenbaugh was not aware of any conflicts with neighbors about fences. Bill Simpson mentioned they made it pretty clear at the last meeting that they were not going to measure property lines so did not feel the permit would make any difference on whether the person puts it on his property or the neighbors property. Dan advised that would be the property owner's responsibility to know where their borders are.

Ben Romine advised his concern is that there is no enforcement and still goes back to a civil matter. He felt it would have to be very clear in the ordinance what the permit is, that it does not guarantee property line.

Nicole Penrod questioned if they do permits if they would check neighborhood covenants. Mayor Daniel thought as part of the process of getting a permit one of the things would be to check if there were any covenants. Attorney McNagny advised that was correct; the Planning & Building Department would not interpret the covenants but would have to get clearance from the association.

Motion was made by Dan Weigold to give the Planning & Building Department Council's blessing to move forward with the permitting process for fences, Nicole Penrod second the motion, Worrick, Penrod, Simpson and Weigold voted aye, Romine voted against.

IS/COMMUNICATIONS DEPARTMENT Terry Wherry reported three cameras were damaged at the Park during the storm. He spent the last 2 days working on a server that crashed in the Utility Office and was able to get it back up today. He reported he met with a group about getting the Government Access Channel up and running.

Dan Weigold questioned if the access channel was the same situation they talked about a few years back that would go through Mediacom. Terry advised it was the same channel; they would have recorded programs or live meetings that could be viewed on cable TV. He stated they were

also looking to see if they could put it on the internet. Dan advised he was concerned with costs and the number of people who actually have Mediacom in the City that would benefit from it. Terry advised most of the costs, equipment wise, would be taken care of through our Mediacom contract.

FIRE DEPARTMENT Tom LaRue reported they lifted the burn ban.

COMMUNITY DEVELOPMENT Jeff Walker reported the draft sewer and water study for Coesse was complete and they met and made some revisions to it. He advised they would be holding a public hearing next month.

Jeff Walker reported the Mayor and himself, along with our design engineer consultant, met with INDOT today. He stated it was a real eye opener as they were provided some information from INDOT that they were not aware of and were dealing with the updated information. He shared they received the final documents back from the State Historical Preservation Office stating that there were no significant findings of historic artifacts in the East Van Buren area but it will still need to go through the DNR and the National Parks Association for approval. He reported they could then have the public hearing and are anticipating that in November of this year. At that point we will solicit input from the public and move forward with the process of reacquisition of public right of way for the properties impacted by this. He stated the minimum for that process was 6 months because of certain requirements but it could take up to a year if there were any hiccups in the process. He stated as it stands right now it looks like we will end up with a spring 2014 bid letting and award. Mayor Daniel noted that he was very disappointed in the timeline and expressed that at the meeting. He also conveyed at the meeting that he was hesitant to have this project going on at the same time as the US 30 bridge deck replacements. Jeff shared that the bridge project would be bid out in March and would not wrap until probably October of 2014.

ELECTRIC DEPARTMENT Larry Whetstone reported they have been trimming and cleaning out brush from the lines; they replaced a couple poles in the country and Westgate and put in a couple services at Crooked Lake. He shared that IMPA would be having an appreciation banquet on August 20 for us.

POLICE DEPARTMENT Tim Longenbaugh reported they had a command staff meeting to discuss upcoming changes to the department policy manual and department activity. He advised he was still in the process of meeting with each officer individually. He reported on their training and was reviewing options for the in-car cameras.

PARK DEPARTMENT Mark Green reported they held a 5K race for the fireworks and made about \$850 - \$1,000; the pool was still operating well; they held a baseball tournament of about 45 teams from all over the state last weekend; they have a youth golf tournament on Thursday at Eagle Glen.

Ben Romine questioned the status of the trail extension. Mark explained it went out to bid; they had to redo the environmental study but were informed since the amount of land was so small we did not have to do that. He stated they were in the process of pursuing the donation of land and

hoped to be able to award the bids at the August meeting. Ben questioned if there would be any construction this year. Mark advised they were planning on it.

STREET DEPARTMENT Kelly Cearbaugh reported they were at the City Ford property to do final inspection of the sewer and just need to televise it. He advised they were trying to keep the sweeper out to pick up debris from the storm and keep the catch basins clean; they installed the sign at the new parking area and Community Corrections helped clean up limbs and debris at the cemetery

WATER DEPARTMENT Mike Dear reported they tested in the 300 block of South Line Street on the new water line; they would start tying in the intersection of Spencer Street then lay the last 300 ft. of pipe; they fixed 3 small leaks last week; today they had a sanitary inspection by IDEM and everything was fine. He advised the pumpage was down to about 200,000 per day and keeps dropping with all of the rain.

Ben Romine questioned Mike if he knew what the pumpage was for a month. Mike advised last month they were at 42 million. He stated to break even would depend on expenses for the month but if they do not hit 1 million gallons per day they were losing money.

Mayor Daniel reported the schedule for the rate increase was a 30 day filing, we were somewhere around 90 days and it was still in the IURC's court. He advised we have expressed our displeasure and continue to get the "We're sorry but we are working on it". He thought we would be sending a more formal letter to the IURC listing the dates we were promised.

MAYOR REPORT Mayor Daniel reported CC Deli was burglarized awhile back and they continue to work with Steve Hostetler on the case; the City has a team of about 20 employees and spouses that will be participating in the YMCA Corporate Challenge.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle