

**COMMON COUNCIL
TUESDAY, MARCH 22, 2016
6:00 P.M.**

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

Council Members

Walter Crowder - Present
Nicole Penrod – Present
Jennifer Romano – Present
Tad Varga – Present
Daniel Weigold – Present

The Columbia City Common Council met in regular session with all members present, Council President Walt Crowder presiding. Mayor Daniel was absent.

MINUTES Motion was made by Jennifer Romano to approve an overview of the March 8, 2016 meeting minutes as presented, Nicole Penrod, Jennifer Romano and Tad Varga voted aye, Walt Crowder and Dan Weigold abstained.

REZONE OF NORTH AND MAIN STREET Nathan Bilger, Executive Director of the Joint Planning & Building Department was present to discuss the rezone request. He explained the request before Council was for the southwest corner of Main and North Streets to rezone from R-1 to GB and the intended use would be for a gas station and convenience store. He reported the Plan Commission discussed this thoroughly, held a public hearing and heard comments both for and against the project. He advised the end result was the Plan Commission voted 7 – 0, with 2 members absent, to send an unfavorable recommendation. He explained a couple key factors were that the existing zoning had gone through a long process when originally established. He shared comments made that North Street would be the dividing line between commercial and residential. He added that the other piece was the Comprehensive Plan that was adopted late last year which also makes the same recommendation that this area would remain residential and be the gateway to downtown. He suggested if Council was entertaining the idea of passing the ordinance that buffering, architecture, landscaping, etc. be addressed so those commitments would be upheld in the plan development review stage.

Jennifer Romano questioned what the leading reason was why they were opposed to this. Mr. Bilger advised he could not speak for the Plan Commission but from what he heard it was because of the Comprehensive Plan and North Street being the dividing line between commercial and residential.

Dan Weigold advised one of the main issues for him was safety. He stated he had nothing against the store itself but his issue was safety, along with the other two issues already presented. He was just not sure that location was the best location.

Ryan Swanson with Arc Design Resources was present representing Casey's Marketing Company as well as the five property owners they were looking to purchase their parcels. He explained one of the first elements they considered was the Comprehensive Plan, in which they respect in terms of the City's planning, and hoped to be able to demonstrate some features of the development and how it would fit in. He shared examples with Council of what the store would look like as well as offer. He advised they typically hire 12 – 15 employees between full and part time. He noted that last year, in terms of community efforts, they donated over \$4.5 million to various local charities both from the store side and corporate side. He pointed out that one of the elements in the Comprehensive Plan was walkability and the location of this, combined with infrastructure, really promotes walkability. He believed four of the homes they were proposing to purchase were rental homes and noted that the Comprehensive Plan promotes ownership, so they felt the risk of the rezone request was not unreasonable.

Mr. Swanson explained the proposed site was on the corner of two arterials and believed other sites were mentioned but this location was ultimately the site they wanted to move forward with. He stated the traffic at this intersection would support the development; two arterials plus a signal makes this corner conducive to a commercial type development. He advised they did not believe property values would be adversely affected.

Mr. Swanson reviewed the proposed site plan with the Council. He advised pollution and noise have been mentioned as concerns but traffic is already there and the noise from the traffic is fairly loud. He stated they were really just taking advantage of the traffic already there. He advised they did traffic counts in the morning and evening hours and worked with INDOT but a full traffic study was not required. He noted the proposed drive off of Main Street was approved and they determined no lane improvements were required.

Mr. Swanson advised the site was relatively open which allows for good truck maneuverability. He reviewed an exhibit showing the potential tanker truck route. He reported they typically have one, maybe two, tanker truck deliveries per week, one product delivery per week and possibly Pepsi and Coke trucks once per week.

Nicole Penrod questioned if this does not pass, would they be done with Columbia City or reconsider another site. Mr. Swanson was not aware of any other sites they have looked at.

Nicole Penrod advised she had mixed feelings about the project; with those homes being rentals would it eventually become a blighted corner. She questioned what the neighbors think. Mr. Bilger advised the neighbors to the west were against the project.

Tad Varga questioned if the sidewalk would go around the perimeter of the property. Mr. Swanson advised it would.

Jennifer Romano pointed out that the drawings were very green and lush but the pictures did not reflect that. She questioned if there would be more landscaping than normal. Mr. Swanson advised it would have more landscaping than what they typically do.

Keith Cripe was present and shared that his lot was the biggest lot to be rezoned. He discussed the drainage issues of the lot, the condition of the home and the truck traffic. He was in favor of the project.

Colleen Hoffman of 343 N. Main Street was greatly opposed to the project. She shared her home has been in their family since 1960 and would be passed on to her daughter. She advised she did not want to live beside a gas station and felt for those who wanted to get rid of their homes, there were other options to do that. She did not see how this would make things better.

Walt Crowder advised Council had a recommendation before them by the Planning Commission. Jennifer Romano questioned if there would be any merit to tabling this. Walt Crowder advised if that would be Council's desire, he would not be opposed to it. Jennifer Romano advised she would like to go to the location and navigate the space to see if it makes sense. She felt it was a pretty important decision to a lot of people for different reasons.

Nicole Penrod advised she would not have a problem with tabling the issue, Tad Varga agreed. Dan Weigold advised he has had opportunity to look at this through the Plan Commission and have talked with other citizens of the community.

Motion was made by Dan Weigold to uphold the Plan Commission's decision to make it an unfavorable recommendation to the proposal. Hearing no second, the motion died, tabling the issue until the next meeting.

Barry Faucet commended the Council and Plan Commission on their efforts concerning the rezone. He addressed some of the concerns that have been expressed. He did not understand the concern of increase in loud noise as there has been noise there forever; it is still noisy and will always be noisy. He advised in terms of traffic flow, there were two or three residences there that have to back out onto the highway or North Street and felt that was a safety issue. He shared the concern for high school students; they cross over to get to Pak-A-Sac so this would take one highway out for those high school students. Mr. Faucet presented a petition of 96 signatures in favor of commercial zoning. He felt that corner should have been commercialized a long time ago.

Nicole Penrod questioned if those on the petition were close to this area. Mr. Faucet advised some were right in that area.

Susan Agler shared her support for the project. She did not feel that area was a safe residential area and advised there was no parking.

Fran Kuehner, resident of North Street, felt the neighborhood was safe. She felt if they put Casey's General Store in, it would no longer be safe with the increase in traffic. She did not want a gas station right against her driveway.

Margaret Cripe wanted to share that she did not agree the area was safe as their garage was broken into and tools stolen. She did not feel it was as safe an area as what some where leading on.

Tarah Ihrle, owner of 101 W. North Street, expressed sympathy to those opposed to the project but also could see why it was ok. She advised her backyard was fine but the front was extremely busy; hazardous to back out of the driveway, no parking other than their driveway in which they can only park 2 vehicles. She stated the houses on that corner were falling apart and most were close to disrepair, including her home. She advised they have put almost \$20,000 in improvements to the home and it was still falling apart. She felt the value this project would add to Columbia City would be so much greater than the negative it could possibly bring.

ORDINANCE 2016-3 REZONE ORDINANCE This issue was tabled until the next meeting.

**PUBLIC HEARING – ADDITIONAL APPROPRIATION FOR PUBLIC SAFETY
LOCAL OPTION INCOME TAX – RESOLUTION 2016-1** Walt Crowder recessed the Council meeting to hold a public hearing on the additional appropriations for public safety local option income tax. Hearing no comments or questions the hearing was closed.

Motion was made by Jennifer Romano to read Resolution 2016-1 by title only, Nicole Penrod seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Resolution 2016-1 additional appropriation resolution.

Motion was made by Nicole Penrod to accept Resolution 2016-1, Dan Weigold seconded the motion.

Rosie Coyle explained if this is approved it would go on to the State for their approval.

Upon the motion, all voted aye.

ORDINANCE 2016-2 SECURITY LIGHT RATE AMENDMENT – 1ST READING Shawn Lickey advised Exhibit A was presented at the last meeting. He explained the accomplishments of this ordinance were to introduce the language for LED lighting into our security light agreement, amend some of the language and update the rates.

Walt Crowder questioned what initiated the request. Shawn Lickey explained he has gotten a lot of requests from customers for a rental of some type of flood light for parking lots, etc. He advised there was nothing in the current agreement that he could offer other than a street light which does not light the same. He added that LED lighting was the wave of the future.

Walt Crowder questioned if this would increase the monthly rate. Shawn Lickey advised it would and thought on the 100 watt it was a little less than 80¢; on the new 48 watt light they would charge \$8.00.

Motion was made by Jennifer Romano to read Ordinance 2016-2 by title only, Dan Weigold seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2016-2 an ordinance of the Common Council of the City of Columbia City, Indiana, to amend the section 50.01 of the Code of Ordinances regarding the rates and charges of the Columbia City Municipal Electric Utility.

Motion was made by Jennifer Romano to approve Ordinance 2016-2 as first reading, Tad Varga seconded the motion, all voted aye.

DEPARTMENT REPORTS **Shawn Lickey** – another vehicle into utility pole on North SR 9, putting in new electric services, Zac Bireley and Brent Buckles testing to advance to Journeyman/Lineman. **Tom LaRue** – air bottle hydro-testing, air pack testing, warranty work on newest engine, moving forward with firefighter class in the school but a lot of things have to happen yet. **Tony Hively** – House Bill 1019 regarding body cameras, Officer Fearnow at academy, firearms training, update on cemetery vandalism.

YOUTH COUNCIL Holden Shafer was present to give an update on the Youth Council activities.

Having no further business to discuss the meeting was adjourned.

Walter Crowder, Council President

Attest:

Clerk Treasurer Rosie Coyle