

**COMMON COUNCIL
TUESDAY, MAY 24, 2016
6:00 P.M.**

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

Council Members

Walt Crowder – Present
Nicole Penrod – Present
Jennifer Romano – Present
Tad Varga – Present
Daniel Weigold – Absent

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

MINUTES Mayor Daniel noted a spelling error regarding Jon Myers' name.

Motion was made by Jennifer Romano to approve an overview of the May 10, 2016 meeting minutes as corrected, Nicole Penrod seconded the motion, all voted aye.

TREE BOARD REPORT Ken Lundquist gave a report on the Tree Board. He shared they were trying to keep track of 2500 trees in the City and were 3 – 4 years behind in planting new trees. He advised they received a grant through the DNR where they were able to plant 27 trees this past fall. He reported they were going to go after another grant for 2017. He shared that Columbia City was awarded Tree City USA designation for 2015 which makes 22 years in a row. He reported the DNR chose Columbia City as 1 of 3 areas in Indiana to hold a round table seminar.

Jennifer Romano thanked Mr. Lundquist for his volunteer work to the Tree Board. Mayor Daniel echoed her appreciation.

COMPLIANCE WITH STATEMENT OF BENEFITS & TAX ABATEMENTS Walt Crowder asked Attorney McNagny to elaborate on the topic of having the applicants come in. Attorney McNagny shared her and John Myers had a conversation on this topic. She pointed out that could not be an element stating the applicant was not in compliance unless it is specifically made an element in a memorandum of agreement that the applicants would sign off on knowing that their failure to come in on an annual basis could be a reason for Council to deny their tax abatement. She questioned whether appearing in front of Council really should be an element of substantial compliance but that was Council's decision as well as the applicants. She explained there was a notice requirement in the CF-1 to allow the applicant to be heard if Council does not feel they are in compliance. She felt there was something in place to require them to come in.

Nicole Penrod advised she would like to see the applicants here just because there may be questions.

Jennifer Romano felt on some level Council owes a certain amount of transparency to the citizens but also felt the applicant would want to showcase their business.

Walt Crowder noted that a first time applicant typically does come in but for year #2 they are not required, based upon the way it is written, to come in; however, they do submit the proper paperwork to show they are in compliance.

Mayor Daniel suggested that was maybe something John Myers could communicate to the applicants that if their documents are showing they are not in compliance it would behoove them to be present.

Discussion followed on information provided on the Impact CNC and Bones Theater paperwork.

Rosie Coyle shared the problem was the applications come in at the last minute. Walt Crowder suggested they evaluate the timelines to make sure Council has time to respond and investigate. Rosie advised it was too late for this year but should move forward for next year. Mayor Daniel questioned if the deadline was a State mandate in that the City could not force them to turn in a report prior to the date. John Myers advised May 15 was the deadline. Mayor Daniel suggested our push should be with the County Offices. Rosie Coyle advised the businesses do not turn them in like they should. She advised there was still one that has not been turned in. It was noted those businesses would not be found in compliance. Mayor Daniel felt our City has been and is continuing to try to be very business friendly but we also have to be responsive and responsible with taxpayer money. He did not feel it was a huge question to ask the applicants to come in to at least report why they were not meeting the goals. Attorney McNagny advised it was already an element by law, if a CF-1 was missing, but could stress it even more in a memorandum of agreement.

Walt Crowder questioned what the deadline was for Council to have these approved. Rosie Coyle was not sure. Attorney McNagny noted it was 45 days from receipt of the information.

Jennifer Romano questioned what the penalty would be for the one who has not turned in their information yet. Attorney McNagny advised it would be up to Council.

John Myers explained if Council does not do anything and the 45 days passes, it would be approved by default.

Nicole Penrod questioned which one had not been turned in yet. Mayor Daniel advised it was Burnham-Kerr. He question how Council wanted to proceed with that one. Walt Crowder felt the ball was in their court, they have options to request an extension. Nicole Penrod questioned if they never turn in paperwork would they still get the abatement. Rosie Coyle advised they have to sign and turn in paperwork to the Auditor showing approval of the abatement for them to get it.

Jennifer Romano questioned John Myers if he had been in contact with Burnham-Kerr. John Myers advised they sent emails, mailed letters and made phone calls so there should be no reason why they were not expected to file the paperwork.

Motion was made by Nicole Penrod to find in compliance Bones Theater, C & R Plating, DOT America, Impact CNC, Oakview Tool, PEAK Performance, Precision Plastics and Steel Tank and Fabrication and for their tax abatement to continue, Tad Varga seconded the motion, all voted aye.

Mayor Daniel mentioned to John Myers that it would behoove Burnham-Kerr to know they were on the verge of losing their abatement. Nicole Penrod advised if they do turn in their paperwork, they need to have someone attend the meeting.

DEPARTMENT REPORTS **Jeff Walker** – 3 on 3 basketball on June 18, planning session on the new high school. **Terry Wherry** – installation of new cameras and network video recorder for security cameras. **Mike Cook** – received final draft of US 30 sewer study, ICE student starts May 31, set flow meters, pump maintenance scheduled for June 14, 15 & 16. **Tony Hively** – launched application process to replace Officer Petersen, update on investigations. **Kelly Cearbaugh** – update on South Oak St. project, update on cross walk & sidewalk projects, grating & spraying alleys, mowing. **Mark Green** – parking lot complete, pool & splash pad opening, Kids Dreamland vandalism, USSI employees doing fundraiser for aquatics facility. **Mike Shoda** – flushed hydrants, update on Jeffrey Drive project. **Tom LaRue** – Memorial Day flags at cemetery. **Shawn Lickey** – power buried on Court House square, summer help begins June 6, SCADA project update, work on Morsches Park lights.

YOUTH COUNCIL Chase Emmert reported they held their last meeting of the school year, worked on the landscaping at the Historical Museum and had their end of school year celebration.

MAYOR UPDATE attended Indiana Conference of Mayors, continuing with US 30 meeting, Memorial Day parade, budget meetings with department heads.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasure Rosie Coyle