

BOARD OF WORKS
TUESDAY, AUGUST 9, 2016
5:00 P.M.

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

The Columbia City Board of Works met in regular session with all members present, Mayor Daniel presiding.

MINUTES Motion was made by Mayor Daniel to approve an overview of the August 3, 2016 executive session meeting minutes as presented, Crowder seconded the motion, Daniel and Crowder voted aye, Weigold abstained.

Mayor Daniel noted a grammatical correction under the street truck quotes discussion. Motion was made by Weigold to approve an overview of the July 26, 2016 meeting minutes as corrected, all voted aye.

STREET CLOSING – MUSIC IN ALLEY – BREWHA Rosie Coyle explained the request was to close the alley beside Brewha on August 26, 2016 from 6 – 10 p.m. for music.

Chief LaRue expressed a concern that there was no map to show placement of any tent or other items that will be set up there.

Motion was made by Mayor Daniel to approve the street closing permit for August 26, 2016 from 6 p.m. – 10 p.m. with the caveat that a map be delivered at least one week prior to the event to the Fire Chief, Weigold seconded the motion, all voted aye.

STREET CLOSING CHANGE – TASTE OF THE TOWN – BRETT FACER Brett Facer was present and explained that some of the bands requested to do sound checks and in order to get the stage in and everything set up they have requested to change the street closing time to noon rather than 4 p.m. Mayor Daniel questioned if they had contacted the Farmer's Market. Mr. Facer advised they had not. It was noted that Chris Lilly was aware of this event but they would touch base with him on the specifics.

Walt Crowder questioned what would be stationed on Van Buren Street. Mr. Facer advised they were starting to put together the layout; on Chauncey Street there would be some lawn games and vendors, food trucks and vendors would be on the north side of the Courthouse and if they get more they would extend on down. Crowder questioned if they would block Van Buren off at Line Street. Chief Hively felt it would be better that way.

Mayor Daniel clarified there would not be power available to the food trucks according to where they were located on the map. Mr. Facer advised the food trucks have been made aware of that.

Mayor Daniel questioned if they would be able to open Van Buren back up after the events is over. Mr. Facer explained they were working on being able to remove the stage as soon as they were able to tear down. Chief Hively advised he did not have a problem with keeping Chauncey Street shut down as long as the stage was not impeding the intersection at all. Shawn Lickey advised he would not have someone come in that late at night to unhook the stage. He shared it would be safer to have it done during the daylight. Mr. Facer did not feel it would be an issue to get the stage the next day.

Motion was made by Mayor Daniel to approve the Taste of the Town 2016 street closing permit request for August 27 from noon – midnight with the caveat that the stage be moved at a different time, Weigold seconded the motion, all voted aye.

MOBILITIE – PERMIT APPLICATION SUBMISSION A representative with Mobilitie was present to introduce the company. He explained they were an infrastructure installer and provider for cellular communications. He advised they were a public utility company regulated through the IURC. He explained they were building a hybrid transportation network that would be all wireless and reviewed the proposal with the Board.

Mayor Daniel questioned the sign that states ‘Stay back, radio-frequency...’ and if it would be posted on the pole and if individuals walking by would be exposed to exceeding levels. It was explained the sign would be posted at the top of the pole warning anyone who may climb the pole not to go any further; at the ground level there would no more radiation than is naturally occurring in the environment or standing in front of a microwave.

Walt Crowder questioned where the closest community would be that they have already been. It was explained they were going nationwide and there have been no actual poles installed in Indiana yet, they were still going through the permitting process. It was advised that Marion and Indianapolis have approved permits but they were just starting in the Fort Wayne/South Bend region. Crowder questioned if equipment would grow on the poles as time goes on. It was advised that it could.

Jeff Walker explained the City and County both have communication tower restrictions that would require certain zoning but public right of way’s were not in those areas so anything requested would be exempt from the ordinance. He advised from that standpoint, Nathan Bilger had no problems with it. He shared that they inquired why Mobilitie was not locating on private property and it was shared that the average lease was around \$1,000 per month for the nationwide average. He advised it had gotten to the point where it was not sustainable in their business plan.

Walt Crowder questioned if this would be a one-time installation that would support the need of our community or did they foresee in 3-5 years setting another pole. It was unknown at this time but could be possible.

Mayor Daniel shared that one of his hang-ups was setting a precedent by allowing a tower to be placed at this location and the right ways continue to get more and more full. He was not sure

what we could and could not do in this scenario. It was asked that they just be treated equally like anyone else.

Dan Weigold shared he was not comfortable putting a tower in our right of way and was not sure that was the best location. He advised he would like to research this further.

Walt Crowder felt like, as a Utility Board, we would be losing control of the right of way. He agreed with the idea of setting precedence. He suggested taking it under advisement.

Mayor Daniel requested 2 weeks to think about it and to give Attorney McNagny time to review things. Rosie Coyle was asked to put this on the next agenda.

K-9 PROPOSAL – CHIEF HIVELY Tony Hively asked for authorization to start the preliminary ground work in the K-9 proposal process. He advised it takes a lot to get a K-9 started and wanted to take a slow systematic approach. He asked permission for the K-9 handler's collection process to be started so that individual could assist in the process. He advised that position would be contingent on, down the road, when a formal proposal was presented that it would then be solidified or if it was not approved they would just be back to business as usual.

Walt Crowder was in support of the program as well as Dan Weigold. Mayor Daniel questioned how many K-9's we have in Whitley County. Chief Hively advised we do not have any working dogs; the DNR does have a K-9 available but at times is pulled out of the County.

Mayor Daniel directed Chief Hively to proceed.

BILLS Motion was made by Weigold to approve the bills as presented in the amount of \$807,768.88, Mayor Daniel seconded the motion, all voted aye.

FOOTBALL BOOSTERS – FIREWORKS Lisa O'Dell was present representing the High School Football Boosters to request permission from the Board of Works to set off fireworks after each time Columbia City would score a touchdown or field goal. She advised it would be between 7 p.m. – 10 p.m. on the Friday nights that they would have a home football game. She shared the new Athletic Director was in favor of it and had a remote starter; he suggested setting up in the baseball field but if needed they could move the staging back to the soccer field that was behind the baseball field. She advised they would be shooting off consumer grade fireworks. She shared they have not gotten approval from the school yet but Dr. O'Connor was checking into insurance.

Mayor Daniel confirmed that Mr. Leitch would be responsible from start to finish. Lisa O'Dell advised that was what they talked about.

Dan Weigold thought it was a cool idea, something different. He suggested they may need to look at setbacks.

Tom LaRue suggested the Board put restrictions on the fireworks of 1.3 and under and to maintain fallout distances of 75 feet. He recommended that someone guard the area to ensure the 75 feet was maintained and that they have a means of extinguishment in case something where to occur. Mayor Daniel questioned if it needed to be 75 feet from structures, people or all of the above. Chief LaRue advised it would need to be people, cars, everything.

Nicole Penrod shared that they would need to have people all over the area in back because people climb the fences all of the time and was one reason why it was never pursued before.

Walt Crowder questioned Attorney McNagny what her thoughts were on liability, etc. Attorney McNagny advised a lot of it depends on what grade of fireworks. She advised they would definitely want to have insurance. She deferred back to Chief LaRue on the grade of fireworks but the Board could certainly ask that insurance liability coverage be provided.

Mayor Daniel questioned if the Board were to approve this, would the City hold some type of liability if something were to go wrong for allowing them to shoot the fireworks and, if that is the case, is it that much different than when we allow fireworks on the other dates. Attorney McNagny explained the one handling the fireworks would be responsible but the point of requiring an additional certificate of insurance is for extra protection for those who might be injured. Mayor Daniel questioned if the school comes back and decides their insurance would cover it, was there still a need to have an insurance policy. Attorney McNagny advised they would need one and the City could be asked to be an additional insurer but then the question becomes is the City now a sponsor of the event. Mayor Daniel advised he did not have an interest in that.

Dan Weigold did not feel it would be that big of a deal at this point. Walt Crowder shared he was a strong supporter of the Eagles but also acknowledges that the field was surrounded by residential subdivisions. He advised he was willing to try it but if a complaint was filed they would need to reevaluate.

Mayor Daniel suggested they maybe test it out for Homecoming and see what kind of feedback is received.

Motion was made by Mayor Daniel to allow the Football Boosters to shoot off consumer grade fireworks of 1.3 or under with a 75 foot fallout distance for people and buildings during football scores pending approval of the school corporation and Dr. O'Conner for 2016, Weigold seconded the motion.

Walt Crowder asked for consideration to also include Senior Night.

Mayor Daniel amended the motion to include Senior Night, Weigold seconded the motion, all voted aye.

JAMES CARPENTER LOT UPDATE Tony Hively reported the lot had been cleaned up considerably but there was some wood still remaining. He was unsure of the plan to remove the rest of the wood and asked the Board how to proceed as Mr. Carpenter was already past the 10

day extension. Mayor Daniel felt we had been very kind; he was not interested in any more extensions. He advised if it was not cleaned up then the proper procedure needed to be followed for ticketing.

Motion was made by Crowder that the ticketing process be followed, Weigold seconded the motion, all voted aye

Having no further business to come before the Board, the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle