

**BOARD OF WORKS
TUESDAY, OCTOBER 11, 2016
5:00 P.M.**

Mayor Ryan Daniel – Absent
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 except Mayor Daniel present, Walter Crowder presiding.

MINUTES Motion was made by Weigold to approve an overview of the September 27, 2016 meeting minutes as presented, Crowder seconded the motion, all voted aye.

ORDINANCE VIOLATION EXTENSION – DELACRUZ – 514 N. WASHINGTON UPDATE Frederico DeLa Cruz was present to give an update on his previous extension request. He explained he was able to acquire the title for the vehicle and has tried to find someone to purchase the car but has not found anyone. He advised Kent Smith was interested in the car but could not pick it up until tomorrow.

Chief Hively appreciated the efforts made and advised he would be ok with it as long as the vehicle was removed tomorrow by end of business day; otherwise, a citation would be issued.

The Board was in agreement with Chief Hively.

ORDINANCE VIOLATION EXTENSION – 511 E. HANNA – COWDIN Rosie Coyle advised Mr. Cowdin called and said he could not make the meeting but advised everything was cleaned up. Chief Hively requested a recheck be made to verify.

ALLEY CLOSING REQUEST – MATT SHIPMAN Matt Shipman was present to request permission to close the alley beside 116 W. Van Buren Street for construction purposes. He advised they needed to repair the bricks along the back and side of the building as well as needed to place a dumpster somewhere to remove the tremendous amount of junk that is inside.

Walt Crowder confirmed the timeline for the alley closing would be October 15 – December 31, 2016. Mr. Shipman advised that was correct and questioned if they needed additional time could they come back for an extension. Walt Crowder advised that would be the appropriate thing to do.

Chief Hively questioned if this would be for just the northern part of the alley; he expressed a concern for equipment hanging over the sidewalk during the Veteran's Marathon or any downtown event. Mr. Shipman advised the equipment/dumpsters would be placed as far north as possible.

Walt Crowder questioned if they would potentially be closing 2 different alleys. Mr. Shipman advised they would and felt they would need to place the dumpster in the north/south alley. He was not sure how it would all work together.

Chief Hively questioned Mr. Shipman if he had coordinated with any of the other businesses in the area. Mr. Shipman advised he had not. Jeff Walker suggested making contact with at least Ball Furniture because their delivery trucks use that alley. Mr. Shipman advised he would talk with Pat. He felt as soon as the back wall gets fixed the east/west alley would be up and running but they would keep the dumpster in the north/south alley.

Walt Crowder suggested we provide a copy of the closing request to the Main Street Association. Rosie Coyle advised she would.

Motion was made by Weigold to go ahead with the alley closing from October 15, 2016 – December 31, 2016, Crowder seconded the motion, all voted aye.

ENCROACHMENT AGREEMENT – 105 ROLLING HILLS Jeff Walker advised he passed this onto Kelly Cearbaugh to look into since it was a sewer utility easement; however, there is no sewer in the easement. They recommended a fence be allowed on the property.

Motion was made by Crowder to accept the request as presented to install a fence in the utility right of way at 105 Rolling Hills Avenue, Weigold seconded the motion, all voted aye.

DANGEROUS DOG HEARING – 514 PARK TERRACE Kathleen Davisson was present and understood the dog was up for euthinization because it bit another dog. She advised she talked with the owner of the dog and they said the dog was good around children and others. She hoped to buy the animal some time; she fosters dogs and knows others who can. She knows of an individual from Chicago who trains security dogs who advised he would be willing to come and give an assessment of the dog. She was hoping to be able to create a different outcome for the animal.

Walt Crowder shared the dog was being quarantined at the local animal shelter and the owner does not want the dog. He advised he talked with the animal shelter and they were willing to work with the City but they could not wait a long period of time because there were expenses involved. He advised the dog would stay at the shelter and shared with Mrs. Davisson if she was interested in adopting the dog it would be between her and the animal shelter.

Attorney McNagny questioned Mrs. Davisson if she lived outside of the City limits. She advised she lived in Westgate, but she had a friend who was also on board with helping with Ziggy who lived outside of the City limits. Attorney McNagny felt that was important to decide because the issue was it was a dangerous dog. She explained if the Board decides they want her to be able to work with the shelter to determine if a different environment and some training would be ok then she agreed the Board could leave it with the shelter and them to work through it. She felt it was important to note that the dog may be staying in the City limits. Walt Crowder questioned Mrs. Davisson if she knew where the dog would stay. Mrs. Davisson advised the dog would first need to be assessed by someone who has worked with very aggressive dogs and then could go from there as far as training but the dog would be staying with her if the shelter would allow her to foster him.

Walt Crowder shared in his conversation with the shelter, from their perspective, they would not try to adopt the dog. He advised they had a different opinion and had a concern letting the dog out of the shelter to go to another residence in Columbia City. He shared if they could work something out that the evaluation could be done at the shelter that may be an option. He advised as the Board of Safety they needed to be cautious in this circumstance.

Mrs. Davisson questioned, pending an assessment from the gentleman from Chicago, if she could work something out with the humane shelter where she could get the dog the training he needed then have him reassessed by the shelter, if adoption could be a possibility. Walt Crowder advised they do not want the dog released at any time that it would be a risk to the community until the evaluation occurs. Attorney McNagny agreed and did not feel the dog should be released unless it can be proven to the Board that the dog is ok.

Mrs. Davisson questioned if there was a certain timeframe she needed to work within. Walt Crowder shared the shelter has had the dog for 12 days so it has exceeded the limitation but the shelter did say if there was an interested party they would be willing to wait 48 hours.

Dan Weigold noted the Board received a behavior triage assessment of the animal to help base their decision upon. He advised there were mechanisms in place to help them make decisions using the expertise of the Humane Shelter.

Attorney McNagny noted the shelter does have the right to euthanize the animal if it simply becomes a danger to those working at the shelter. She suggested getting with the shelter right away to see about getting someone in to help save the animal and then get back with the Board to make sure they would be ok with releasing the dog.

Walt Crowder questioned if the Board needed something in writing that would support the evaluation from a liability standpoint. Attorney McNagny advised she would and then would send something to the shelter notifying them of the Board's decision and the timeframe. Walt Crowder suggested until the Board would receive a letter from the shelter, the dog would need to stay there.

Chief Hively was fine with proceeding this way. He suggested if the person coming down was a certified professional, if he could show his credentials that may even trump the humane society's assessment of the dog.

Rosie Coyle noted if the dog ever does get released within the City it would need to be registered in her office as a dangerous dog.

Walt Crowder asked Chief Hively to work with Mrs. Davisson on this.

STREET CLOSING PERMITS – NEIGHBORHOOD HALLOWEEN PARTY Motion was made by Weigold to accept the street closing for Washburn from Chauncey to Douglas Street then Douglas Street to the Farm Credit drive and the alley off North Street to Douglas Street from 11:00 am – 9:00 p.m. on October 30, 2016 , Crowder seconded the motion, all voted aye.

STREET CLOSING REQUEST – TACO TUESDAY – CHAPMAN BREWERY Kristin Spangle, owner of the Urban Skillet food truck and Urban Station, was present to discuss the request. She advised Chapman Brewery asked her to do Taco Tuesday's since they do not have food available. She explained because of the length of her truck she cannot park diagonally without it extending out into the street so was requesting to take up 3 parking spaces in front of Chapman's.

Chief Hively advised he was ok with it; he had a little run in with Chapman's last week as they had a food truck in blocking the alley. He supported the idea but was trying to make better arrangements with Chapman's. He was not sure what the Fire Chief's thoughts were about parking in the alley since food trucks were mobile. He suggested maybe when the repairs were complete at 116 W. Van Buren it would maybe free up the alley where food trucks could park there to open up the parking spaces.

Chief LaRue questioned how long it would take to move the truck if there was an emergency. Ms. Spangle advised it would take about 4 minutes.

Discussion took place on the number of spaces needed. Walt Crowder requested Ms. Spangle provide a map to have on file.

Chief Hively questioned how long they were planning to be there. Ms. Spangle advised she would be there as long as she could stand it without freezing.

Walt Crowder suggested they put a cap on the number of days such as 30 days and then if more is needed she could come back for an extension. Ms. Spangle was fine with that and shared that usually by Halloween time it gets pretty cold in the truck.

Ms. Spangle questioned if Chapman's could get the permit rather than the food truck vendor. Chief Hively advised he originally suggested to Chapman's that they should be the ones getting the permit but was not sure that followed the ordinance. Rosie Coyle shared the only problem with that is we would not have a way, without checking, to see if the vendor had a food truck permit. Walt Crowder suggested preplanning would be best to keep everyone in compliance.

Motion was made by Crowder to accept the street closing for every Tuesday during the month of October from 5 p.m. – 9 p.m. for 4 parking spaces; 1 for safety and 3 for the unit, Weigold seconded the motion, all voted aye.

STREET CLOSING REQUEST – COURT HOUSE ANNEX Rosie Coyle reported they would like to start work tomorrow on replacing the roof on the annex. She reviewed a map with the Board.

Motion was made by Weigold to accept the alley closing request for the replacement of the roof at the Whitley County Annex building from 7 a.m. October 12 to 6 p.m. on October 14, 2016, Crowder seconded the motion, all voted aye.

CURB CUT PERMIT – 90 W TIDEWATER TRAIL Kelly Cearbaugh reported he met with the gentleman at the site. He advised he did not have a problem with the work being done.

Motion was made by Weigold to allow the curb cut permit at 90 W. Tidewater Trail to be finished in 10 days, Crowder seconded the motion, all voted aye.

GUIDELINES FOR TEMPORARY STREET/SIDEWALK/PARKING SPACE

CLOSURES Rosie Coyle explained at the last meeting Mayor Daniel requested we develop some guidelines to go by in case a closure request came in that could not wait for a Board of Works meeting. She advised the guidelines were reviewed by Attorney McNagny and asked for the Board's approval.

Walt Crowder questioned if this would need to be in ordinance form. Attorney McNagny did not feel it would need to be in ordinance form because the citizen would still have to come to the City for the request; the concern was when they come in between meetings with emergencies. She advised the Mayor would still bring the request to the Board.

Motion was made by Crowder to accept Mayor Daniel's guidelines for emergency or temporary closures giving the Mayor the authority to make the decision at that point in time and follow up with the Board of Works with the appropriate paperwork, Crowder seconded the motion, all voted aye.

QUOTES FOR HIGH SERVICE WATER PUMP Mike Shoda reported one of the high service pumps at the water plant has not been working for about a month because the clay valve needed repaired. He advised he has been talking with Peerless Midwest and felt the best way to go was with a VFD and check valve. He explained there would be less moving parts and no electronics going to it. He talked with Rosie and felt they would have enough money to get 2 done this year and 1 next year.

Motion was made by Weigold to take the recommendation of Mike Shoda to go with Peerless Midwest for a total price of \$17,342.00 for the one pump, Crowder seconded the motion, all voted aye.

BILLS Motion was made by Weigold to pay the bills as presented in the amount of \$928,483.63, Crowder seconded the motion, all voted aye.

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

Walter Crowder

Attest:

Clerk Treasurer Rosie Coyle