

**BOARD OF WORKS
TUESDAY, JUNE 27, 2017
5:00 P.M.**

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

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

MINUTES Mayor Daniel sent a spelling change to Rosie through email. Motion was made by Dan Weigold to approve an overview of the June 13, 2017 meeting minutes as amended, Mayor Daniel seconded the motion, all voted aye.

QC COMMUNICATIONS: APPLICATION TO LOCATE – 885 W. CONNEXION WAY Mayor Daniel noted this would be to locate the utility improvements within City right of way. There were no concerns from the department heads.

Motion was made by Mayor Daniel to approve application to locate utility improvements within the City's right of way for 885 W. Connexion Way, Dan Weigold seconded the motion, all voted aye.

QC COMMUNICATIONS: APPLICATION TO LOCATE – 275 FRONTAGE ROAD No concerns were presented.

Motion was made by Mayor Daniel to approve application to locate utility improvements within the City's right of way for 275 Frontage Road as presented, Dan Weigold seconded the motion, all voted aye.

SIGN ENCROACHMENT AGREEMENT – HOLIDAY INN EXPRESS Nathan Bilger with the Planning and Building Department was present to discuss the sign request. He explained this would be for the free standing sign at the Holiday Inn Express. He shared they did not show the sign location on the development plan that went through the Plan Commission and was only on a landscaping plan which was conceptual. He explained they were proposing to locate the sign within the platted drainage easement for that lot. He advised he talked with Kevin Michael who did the drainage design for the site and he did not have any particular problems with the request. He shared with it being an improvement in a platted easement they felt it would be appropriate to send it through as an easement encroachment. He reported the sign would be located on the south end of the building next to the highway.

Dan Weigold questioned if Mike Shoda had any issues with it. Mike Shoda advised if Kevin did not have a problem with it, he did not either.

Motion was made by Dan Weigold to approve the sign encroachment agreement for the Holiday Inn as presented, Mayor Daniel seconded the motion, all voted aye.

PLAT APPROVAL – 550 W. OLD TRAIL Nathan Bilger explained the plat approval was for the split of parcels the City was planning to purchase from TNT Floral.

Motion was made by Mayor Daniel to approve the plat for 550 W. Old Trail Road, Dan Weigold seconded the motion, all voted aye.

DAVID FORD – ALLEY CLOSING REQUEST David Ford of 117 N. Elm Street advised he submitted an alley closing request for July 8 & 9 to temporarily close Van Orsdoll Street so he could get a lift in to repair his roof. He shared it should only be a couple of hours but was unsure of the times.

Rosie Coyle advised she had Chief Hively check out the area; his only concern was parking for the neighbor. Mr. Ford felt they would be able to keep access open for his neighbor.

Motion was made by Mayor Daniel to approve the street closing permit for the closing of Van Orsdoll from July 8 at 8:00 a.m. to July 9 at 9:00 p.m. as presented with the caveat that Mr. Ford continue to make available the opportunity for the neighbors to be able to park across the alley, Dan Weigold seconded the motion, all voted aye.

DAVID FORD – POLICE RESPONSE David Ford was present to also discuss issues they have had with their neighbors, violations and the non-enforcement of the issues. He shared his wife has been attacked in the past a couple times so therefore easily perceives people or things as threats. He shared an incident that recently happened involving someone in their yard taking pictures; someone they have had issues with in the past. He advised his wife called the police. He reported he went online to Whitley Scan and could not find that the call was ever dispatched. He shared his wife called him in a panic because an officer had not arrived so he instructed her to call the County. He advised he checked the dispatching where he found that the County received the call and contacted the City who then did a TX to an officer and an officer did finally show up to take care of the situation. He expressed that made he and his wife very uncomfortable; if they were going to be discriminated against or treated this way because they are considered complainers.

Chief Hively shared they do not dispatch all calls over the radio; they have computer systems for that so those people who listen to scanners will not hear some of the traffic. He disagreed with Mr. Ford saying they did not respond, took their time or did not come out because they were considered complainers. He advised they deal with all calls in a professional manner and was quite offended that he thought of them that way. He reported he had 78 complaints from Selena Ford and 66 from David Ford as well as the service report from the camera guy. Mayor Daniel confirmed with Chief Hively that he could verify calls were being dispatched. Chief Hively advised he could and had all the paperwork.

Mr. Ford advised he just wanted to open things up for discussion to get issues resolved. He went on to discuss his neighbors, his neighborhood and how it had changed since the economy tanked. He shared he and his wife, along with another neighbor, felt like they have been selected as complainers and therefore were being discriminated against or rudely spoken to by the officers. He spoke highly of the new officers but commented on a problem from a couple years ago concerning one particular officer. He advised he wanted to try and get something going so they could talk about things and start making the people of Columbia City a little bit more comfortable with our police force.

Mayor Daniel advised we did have formal processes in place. He noted there could certainly be personality conflicts between certain police officers and residents but had faith in the process that was in place; with the idea that the videos and body cameras provide additional insurance that our guys were doing what was proper and professional. He recommended to Mr. Ford to first go through the formal process and if that process was not meeting the concerns he advised he would have no problem sitting down with the Chief to look at the videos to see whether the individual(s) were being professional through the process. He shared that was his preference to move forward that way.

Mr. Ford advised their primary concern was safety. Additional discussion followed.

Mayor Daniel advised he would personally review the phone calls, videos and read the reports.

Mr. Ford expressed another issue of patrolling. Mayor Daniel advised he gets weekly reports from the Police Chief and promised, whether seen or not, our officers were patrolling; we certainly could not be everywhere at all times and understood there needed to be a balance. Mr. Ford also brought up the issue of business walk through's. Mayor Daniel advised that was part of our foot patrol, to have a police presence. He understood the concern and felt we could put additional patrol area in their neighborhood.

SELENA FORD – NOISE ORDINANCE Selena Ford shared there were a lot of people who work 3rd shift, split shifts, off shifts and believed it was important to enforce a noise ordinance of some sort. She advised she did research on other cities in Indiana and most all of them have noise ordinances they enforce. She expressed a concern of just having peace and quiet in our city and also addressed the fireworks.

Mayor Daniel advised fireworks have been a challenge for us as the State has made it a lot more legal than they use to be. He explained one of the challenges with noises, in talking with some of his fellow Mayors, is that the only way it holds up well in court is if you have a decibel meter or something of the sort.

Chief Hively advised we have a noise ordinance and noted the time frame which is between 9 pm to 7 am. He noted every complaint filed by the Ford's was prior to the 9 pm timeframe. Mayor Daniel confirmed with Mrs. Ford she was proposing we review the timeframe because of how it impacts 2nd and 3rd shift workers. Mrs. Ford advised she was. Mayor Daniel advised we have an ordinance review committee and would have no problem with passing this onto the committee to look at the challenges. He suggested to Mrs. Ford to put together a letter to the committee that would address her specific concerns.

BILLS Motion was made by Dan Weigold to pay the bills in the amount of \$984,767.49, Mayor Daniel seconded the motion, all voted aye.

RESOLUTION 2017-19 - NET METERING Motion was made by Mayor Daniel to read Resolution 2017-19 by title only, Dan Weigold seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Resolution 2017-19 a Resolution of the Board of Public Works and Safety of the City of Columbia City, Indiana, recommending repeal of Ordinance 2009-20 an Ordinance which adopted Net Energy Metering for the Columbia City Electric Utility.

Shawn Lickey explained an ordinance was passed back in 2009 but was not properly codified and put into our Code of Ordinances. He advised we currently did not have anyone on the net metering policy and would like to devise a brand new net metering policy. He shared he was advised by IMPA that what we have is not a good policy; those customers would be subsidized by the customers who were not on the policy.

Motion was made by Mayor Daniel to approve Resolution 2017-19, Dan Weigold seconded the motion, all voted aye.

DUMPSTER – 760 HANNA STREET Tony Hively advised a dumpster would be delivered to 760 Hanna Street on Thursday or Friday of this week. He shared they were given 2 weeks to put in as much as they could and upon recheck if needed he would bring a crew to clean up the rest.

FIREWORKS Tom LaRue advised they have been receiving a lot of complaints on fireworks. He shared when you contact the State they will tell you it was basically an unenforceable law; unless you witness someone lighting the firework and have prior

knowledge of the size of the firework because once it is lighted it typically burns off the weight of the firework.

Chief LaRue added we could not further restrict the dates and times as we have to allow those dates the State mandates.

Dan Weigold felt we had a very well written noise ordinance but is so difficult to enforce unless you are right there to witness it.

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

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle