

**BOARD OF WORKS
TUESDAY, MAY 22, 2018
5:00 P.M.**

Mayor Ryan Daniel – Present
Clerk Treasurer Rosie Coyle – Present
Attorney Marcia McNagny – Present
Walter Crowder – Present
Daniel Weigold – 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 April 24, 2018 meeting minutes as presented, Walt Crowder seconded the motion, Mayor Daniel and Walt Crowder voted aye, Dan Weigold abstained.

STREET CLOSING REQUEST - 1ST FRIDAYS & ART IN THE ALLEY Mayor Daniel noted the request was to close Main to Line Street and Chauncey from Market Street to the alley by CenturyLink.

Motion was made by Walt Crowder to accept the street closing for First Friday's for the dates listed, Mayor Daniel seconded the motion, all voted aye.

STREET CLOSING REQUEST - MOVIE ON THE SQUARE – JUNE 1 Mayor Daniel explained this would be the grown up movie, Dirty Dancing, and would be on the north side of the court house.

Motion was made by Walt Crowder to approve the street closing request as presented, Dan Weigold seconded the motion, Walt Crowder and Dan Weigold voted aye, Mayor Daniel abstained.

STREET CLOSING REQUEST - MOVIE ON THE SQUARE – SEPTEMBER 7 Mayor Daniel explained this movie was yet to be determined.

Motion was made by Dan Weigold to approve the street closing request as presented, Walt Crowder seconded the motion, Dan Weigold and Walt Crowder voted aye, Mayor Daniel abstained.

STREET CLOSING REQUEST - GRADUATION BLOCK PARTY – JUNE 15 Mayor Daniel noted the request was for Collinwood between Main and Washington Street.

Motion was made by Mayor Daniel to approve the block party street closing request on June 15 from 4:30 – 9:30 p.m. with the caveat that the neighbors were notified ASAP of the closing, Dan Weigold seconded the motion, all voted aye.

ENCROACHMENT AGREEMENT – 780 THORNAPPLE COURT Motion was made by Dan Weigold to approve the encroachment agreement for 780 Thornapple Court, Walt Crowder seconded the motion, all voted aye.

ENCROACHMENT AGREEMENT – 601 E. VAN BUREN STREET Stephan Bruhoe was present to discuss his request to put up a 6 ft. privacy fence on the right of way about 1 ft. from the sidewalk. He advised the fence would be installed on the Marshall Street side of the house since he was a corner lot.

Walt Crowder wondered if there needed to be additional space between the sidewalk and fence. Mayor Daniel questioned how wide the sidewalk was. Mr. Bruhoe thought it to be about 4 ft. He shared pictures of his property and the location where the fence would go. He advised the fence would encroach 7 ½ ft.

Shawn Lickey questioned if it would enclose the electric meter to the house. Mr. Bruhoe advised it would not.

Mayor Daniel noted if there would ever be a reason in the future the City would need to widen the road then we would need that right of way. He did not see a reason that Marshall would be widened to 4 lanes but wanted Mr. Bruhoe to be aware of the possibility. Mr. Bruhoe advised that would be fine if it ever happened.

Motion was made by Mayor Daniel to approve the encroachment agreement for 601 E. Van Buren Street with the fence being put 1 ft. back from the sidewalk on Marshall, Walt Crowder seconded the motion, all voted aye.

ENCROACHMENT AGREEMENT – 219 W. BAY BRIDGE COURT Collin Gibbs was present to discuss an issue regarding his fence being built 1 ft. onto his neighbor's property.

Mayor Daniel wondered in looking at the map if the reason for this agreement was for the placement of the south side of the fence which appeared to be in our utility easement. Mr. Gibbs advised that was correct.

Dan Weigold questioned if there were any buried utilities in that easement. Mr. Gibbs advised there was a sanitary sewer and storm water line back there. He shared he talked with Jeff Walker last year before he put in the retaining wall and also met with Kelly Cearbaugh and Mike Shoda.

Walt Crowder noted they would be responsible for taking down the fence if the utilities would need to get back in there. Mr. Gibbs understood.

Motion was made by Mayor Daniel to approve the encroachment agreement for 219 W. Bay Bridge Court, Dan Weigold seconded the motion, all voted aye.

Mr. Gibbs questioned if there was a formal document he and his neighbor would need to sign. Attorney McNangy advised they should have something in writing. She suggested drafting something themselves or could seek legal assistance to put something together.

ENCROACHMENT AGREEMENT – 706 S. COLUMBIA PARKWAY Michael Jauch was present and advised he would like to put up a wooden privacy fence.

Mayor Daniel confirmed with the department heads the location of their utility lines and questioned any challenges we might have. Shawn Lickey advised it would be the same with every other encroachment, if they have to get to the area they have to get to the area but they try not to be too destructive. He shared usually homeowners were pretty understanding.

Motion was made by Mayor Daniel to approve the encroachment agreement for 706 S. Columbia Parkway, Walt Crowder seconded the motion, all voted aye.

CURB CUT REQUEST – 289 WEST WALKER WAY Motion was made by Mayor Daniel to approve the curb cut request for 289 West Walker Way as presented, Dan Weigold seconded the motion, all voted aye.

RIGHT OF WAY APPLICATIONS – 608 COUNTRYSIDE DRIVE; 550 W. BUSINESS 30; 695 OPPORTUNITY DRIVE Mayor Daniel noted these were for QC Communications.

Kelly Cearbaugh advised he checked them out. He shared there really was not an issue with what they are doing but then may have to make adjustments once locates are done. Shawn Lickey noted our easements were getting very congested.

Motion was made by Mayor Daniel to approve the application to locate improvements into our right of way at 550 W. Business 30 and 608 Countryside Drive, Walt Crowder seconded the motion, all voted aye.

Motion was made by Mayor Daniel to approve the application to locate improvements within our right of way at 695 Opportunity Drive, Dan Weigold seconded the motion, all voted aye.

ORDINANCE VIOLATION – 629 E ELLSWORTH – WENDELL CHANEY Police Chief Tony Hively noted the violation pertained to the accumulation of junk and rubbish. Mr. Chaney reviewed pictures with Mayor Daniel and noted the items that had been removed. He advised he buys and sells the large foam pieces that people use for archery targets. He shared he could not get them around to the back because Holmes & Company bought the alley so he does not have access; they were too big and bulky to carry to the back.

Chief Hively offered more up to date pictures for the Board to review.

Chief Hively advised Mr. Chaney also has over the maximum number of cats. Mr. Chaney noted they were neighborhood cats and his wife said to come and get them. Mayor Daniel advised we have trapped cats in the past.

Mayor Daniel noted it looked like progress had been made and felt the Board could allow for more time to get rid of the rest of the stuff. He advised he would like to have a plan for the foam things. Mr. Chaney stated he did not know from one day to the next if someone was going to

call to come get one. Walt Crowder questioned if they could get the foam things to the back of the house. Mr. Chaney advised there was no way back there; his driveway stopped about 1/3 of the way back. Discussion followed on an unimproved alley west of his neighbor. Mayor Daniel requested Mr. Chaney be mindful of his neighbors.

After additional discussion, motion was made by Mayor Daniel to give an extended time frame of 30 days to get the junk and trash cleaned up and to try to find a different scenario for the foam things.

Mayor Daniel was not sure they could mandate Mr. Chaney to do anything with the foam things. Walt Crowder agreed but was looking for alternatives to get them to the back of the house.

Upon the motion, Dan Weigold seconded the motion, all voted aye.

ORDINANCE VIOLATION – 760 E. HANNA STREET – NICK MILLER Nick Miller was present to discuss the property, the purchase history and contract he had with Jeremiah Chandler. He agreed the house was in bad repair and noted Jeremiah was in violation of their contract but he had until June 15 to purchase the property back. Mr. Miller shared that was the reason he has not touched the property to do repairs. He advised he explained to Jeremiah that he had until June 15 to get something done and also how simultaneous closings worked.

Mr. Miller asked that liens not be placed on the property for the next 60 days to make sure he had legal possession of the property, could find a different owner or to make sure Jeremiah had exhausted all of his legal capital in the matter.

Mayor Daniel shared that it has been found that there was power being back fed into our meter from some sort of rigged device they put together on that property. Shawn Lickey explained they have hooked jumper cables to a propane tank and hooked to a battery that is then hooked into the main supply to his house. Shawn advised they have requested Jeremiah keep his main breaker off for the safety of our Lineman. He shared the Building Department would be out to look at the situation as well. Mayor Daniel advised he shared that information as he was not sure he was willing to wait 60 days for that piece to get taken care of. He was on the fence as we have been dealing with this property as long as he has been Mayor. He advised Mr. Miller that he did not want to punish him but did want to make sure the property got cleaned up quick.

Mayor Daniel questioned if we had an idea of the next steps of the Building Department. Shawn Lickey advised Craig Wagner was going to take a look at it this week; he was unsure what steps he would take. He shared they were staying in the barn in a small camper with no water or electric.

Mayor Daniel advised what he would like to do is delay a decision until the second meeting in June and at that point make a determination of where to move from there. He stated it would get us past the June 15 date and allow time to figure out a path.

Mr. Miller questioned how long the electrical and camper situation had been going on. Shawn Lickey was unsure but was given an alert from the meter about 2-3 weeks ago of the back feed.

He advised they requested the main breaker be left off until the Building Inspector could make a determination of what steps he wanted to take. He explained it was disconnected right now but Saturday he received another alert. He advised the next email alert he receives they would be removing the electric service from the property for the safety of everyone.

Motion was made by Mayor Daniel to have Mr. Miller come back to the June 26 meeting with an update and proceed at that point, Walt Crowder seconded the motion, all voted aye.

BILLS – Motion was made by Dan Weigold to pay the bills for May 8, 2018 in the amount of \$985,610.23, Mayor Daniel seconded the motion, all voted aye.

Motion was made by Dan Weigold to pay the bills for May 22, 2018 in the amount of \$775,690.02, Mayor Daniel seconded the motion, all voted aye.

ELECTRIC DEPARTMENT BID REQUESTS Shawn Lickey requested permission to go out for bids on a new bucket truck. He reported they were also looking at a major reconductoring project. He advised Spectrum Engineering completed the work and requested permission to get quotes around for that project as well.

The Board approved both requests.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle