

BOARD OF WORKS
TUESDAY, APRIL 22, 2014
5:15 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 Dan Weigold noted that Scott Richards should be Scott Richmond. Motion was made by Weigold to approve an overview of the April 8, 2014 meeting minutes as corrected, Crowder seconded the motion, Weigold and Crowder voted aye, Mayor Daniel abstained.

BREWHA REQUEST FOR A DRIVE THROUGH WINDOW IN ALLEY NEXT TO 120 N. MAIN STREET Dan Weigold advised they were looking for additional information; the letter received from Mr. Hosler he was in favor of the drive thru but he was not the owner of the building and felt they needed approval from the owner. He stated there was discussion regarding the gas meters on either side of the alley but per Tom LaRue there could be some guards installed. He shared one of his concerns was the traffic backing up onto Main Street. He advised it was a great idea but it was just working out the mechanics without hindering traffic flow on Main Street and then getting traffic back out.

Mayor Daniel questioned if they had explored the idea of posting a sign “no cars after this point” to help stop the potential occurrence of traffic backing up into Main Street. Dan Weigold did not recall they had.

Mayor Daniel agreed they really needed something in writing from the owner. Kay advised she could get something in writing from Mr. Ulerich, the owner, and also had a letter from Terry Smith and the owner of the tattoo parlor.

Mayor Daniel questioned if Kay would come back with a letter from Mr. Ulerich, would the Board be ready to move forward. Walt Crowder felt there were no negatives to the concept but had concerns of public safety and backing up traffic on a state highway; the location was a safety factor and the congestion of that intersection. Dan Weigold agreed.

Mayor Daniel agreed there were certainly hurdles but did wish they could find a way to accommodate it; was not sure what that would be, but would be willing to work on it. He felt this could maybe enrich our downtown but the question was how to make it work. He questioned the other Board members if there was a way to try and work around the issue. He stated if the Board was ok with it, he would like to find a creative solution to this. Walt Crowder advised he was trying to find a compromise; he questioned if we would have to get a permit or have the State’s blessing to do this. Jeff Walker advised anything that could potentially impact

vehicular traffic on a state highway they want to be aware of. He offered to contact them. Mayor Daniel suggested it maybe was something where he, Tim Longenbaugh, Jeff Walker and Kay needed to have a discussion with INDOT about; if they come back and say they would not allow it then the quest would be over.

Dan Weigold thought the drug store in South Whitley had a drive thru off of an alley that goes onto a main artery. He suggested checking that out to see how it works there.

Ben Cook advised he was helping Kay and signage was a big thing they have talked about. He stated they have notes that have not been presented yet because they are trying to take it step by step but as far as monitoring, if they get to that point, they could have someone on staff there so that the sidewalk was not blocked. He stated they were limited in what could be done as far as growth; the only other option was to relocate.

Mayor Daniel felt Brewha was one of our mainstay's downtown and would not want to see inhibited growth push them out of downtown. He advised if everyone was ok with it he would like to proceed with doing discussions with INDOT and additional research. The Board agreed.

DENIAL OF JUNK VIOLATION: DENNIS OGDEN – 347 N. CHAUNCEY STREET

Dennis Ogden advised he received a letter, three days later he cleaned up his property but was still given a ticket. He had updated pictures he took of his property that were shared with the Board.

Mr. Ogden explained he had some items sitting out for spring clean-up as he had no place to put it.

Tim Longenbaugh explained the process and pictures taken by the ordinance officer. He advised he drove by the address this morning and there were still items there but not as bad as in the recheck pictures. Mayor Daniel questioned if the piles there were awaiting junk pickup. Chief Longenbaugh felt they could be, but a tarp had been put up.

Mayor Daniel questioned Mr. Ogden if there was 10 days from the time he got the letter and the time the ticket was made. Mr. Ogden advised there was not. Rosie Coyle reported the letter was signed for on March 28, the ticket was issued on April 8 the same day the recheck pictures were taken. Dan Weigold questioned if the letter was sent certified that they have to sign for. Rosie Coyle advised that was correct.

Dan Weigold stated we had proof there was 10 days to get the property cleaned up. He questioned if there was a reason why it was not clean up in the 10 days. Mr. Ogden advised it was cleaned up. Mayor Daniel felt Mr. Ogden was saying the pictures taken on the recheck were the piles he made for junk pickup. Mr. Ogden advised it was all hidden; it was still on his property but could not be seen from the alley or street.

Mayor Daniel felt the question becomes was his clean up good enough or not.

After additional discussion, Walt Crowder advised he would like an opportunity to talk further with the officer. Mayor Daniel advised he was about where Walt was with this, Dan Weigold felt they needed to have faith in their officers when coming to these types of enforcements. Walt Crowder suggested giving Mayor Daniel the authority to represent the Board in working with the Chief and the enforcement officer in a review and support the decision that was made. The Board was in agreement.

Mr. Ogden questioned what would happen with the ticket. Mayor Daniel advised it would be on pause until a decision was made.

Motion was made Crowder to give the Mayor the authority to represent the Board of Works in working with the Police Chief and the officer in charge of the ordinance violation enforcements to review this matter and whatever decision is made by those 3 the Board of Works would support and the ticket will be on hold until further notice and will have an answer by the end of the day on April 29, Weigold seconded the motion, Crowder and Weigold voted aye, Mayor Daniel abstained.

FARMER'S MARKET UPDATE Chris Lilly was present to give an update on the Farmer's Market. He shared that it was previously approved for them to use Chauncey, Market and Van Buren Street from the corner of Chauncey to the sidewalk leading up to the north entrance of the courthouse.

Mr. Lilly advised he approached the pretzel truck to see if they would be willing or interested in joining the Farmer's Market on Saturday's. He stated they did express an interest and questioned if the location of the food truck as it is on Main Street was acceptable on Saturday's for the Farmer's Market. He shared that he may have 2 other mobile food vendors; one was a food truck he was hoping to set up at the edge of the Van Buren boundaries at the sidewalk leading up to the courthouse. He stated they had also talked about closing Chauncey Street from the corner of City Hall to Market Street, not to block the alley way, for possibly another food vendor.

Mayor Daniel confirmed it would be between the hours of 8 a.m. – 12:30 p.m. Mr. Lilly advised it would probably be more like 7:30 a.m. so they are set up and ready to go by 8 a.m.

Mayor Daniel advised he would be more in favor of blocking off between Van Buren and the alley rather than Market and the alley. Chief Longenbaugh wondered how that would affect the people at the Clugston.

Mayor Daniel questioned if they had considered putting the food trucks in the driveway on the west side of the courthouse. Mr. Lilly advised his idea was to spread the food vendors out around the court house square to hopefully circulate consumers back and forth in front of the vendors. He stated he did consider shutting down a section of Chauncey Street to put the food cart vendor there.

Walt Crowder questioned if the people involved pay a fee for a spot. Mr. Lilly advised they did and would carry over to the food trucks as well. Dan Weigold confirmed the food vendors

would not require any additional electrical work, etc. Mr. Lilly advised they would have to be self-sufficient.

Mayor Daniel did not think he would have an issue with them parking where they currently are but was a little leery, at least initially, with shutting down a road especially every Saturday for all of the summer.

Chief Longenbaugh advised they typically only have 2 officers on duty on Saturday's; if they get called out they may be busy and not able to get the barricades up. He questioned Mr. Lilly if they could put up and take down the barricades. Mr. Lilly advised he was not looking for them to utilize their man hours and would take responsibility of getting the barricades up and down.

Dan Weigold mentioned there were a lot of things going on downtown this summer and questioned how this would coordinate with the other events. Mr. Lilly mentioned they would have the 3 on 3 which they have not had for a couple years, for Old Settlers they just move, with the car show they try to consolidate the vendors around the courthouse square, the art festival they do whatever they have to accommodate them.

Mr. Lilly advised he did not have 100% confirmation from the other two food vendors but wanted to lay the ground work so when they commit he was ready to go.

Tim Longenbaugh felt it would be best to keep the food vendors off of Main Street as much as possible and keep the crowds closer to the court house lawn or even City Hall.

Mayor Daniel suggested having Mr. Lilly work with Chief Longenbaugh to come to a solution; it would not be ready by opening day since the next meeting was not until after that. He advised we would need to get the street closing permit approved. All were in agreement with this.

QUOTES FOR REPAIRING DITCH BANK ALONG RIVER GREENWAY Mark Green reported he received an additional quote from Wigent Excavating and was a little bit cheaper than Niblock. It was noted that Niblock would use riprap and Wigent's would be using broken up concrete and the difference between the two was a little less than \$30,000.

Walt Crowder questioned if this would be a permanent fix, a fix but with no guarantees or do we look at spending the money to move the walkway away from the washout. Mark Green advised their thoughts were this would be a permanent fix for those areas. Walt Crowder noted that it did not mean past those areas it would not do it again. He stated Mother Nature was going to do to the river bank what comes natural. He questioned if they could move the trail away from the embankment inward; longevity wise what was the best thing. Dan Weigold advised he took one of the County Drainage guys back there with him to look at the situation. He felt Walt had a valid point in moving the walkway. Mayor Daniel felt ultimately they were going to need to address the bank throughout the City limits, especially in Morsches Park. He felt this was absolutely going to be the first of many fixes. He advised he would be much more in favor of repairing the bank than moving the trail.

Walt Crowder stated he would like to have an opportunity to see if there were other options that would be valid before making a decision. Dan Weigold expressed a concern for waiting and how much more might be taken out. Walt Crowder felt if they would move the trail it would buy time to look at the big picture in regards to what we could do long term instead of just reacting to pockets that wash out.

Mayor Daniel asked Mark Green to get with Niblock and bring back another estimate to pave a new trail 10 – 15 ft. back from what we currently have in the danger zone areas.

STREET CLOSING PERMIT: COMMUNITY SERVICE BLOCK PARTY EXPO

Miranda Ringel and her partner Gabby, founders of Taste of the Town, were trying to get all of the local businesses recognized. She explained Taste of the Town was a family oriented business expo in a block party atmosphere. She stated it was scheduled for May 17 from 4 – 9 p.m. They shared a list of businesses, bands and other activities planned for the day.

Tim Longenbaugh advised they typically do not block off Market Street because of the jail and fire department. He suggested they move those business booths to Van Buren Street. Mayor Daniel agreed. Ms. Ringel advised that would be fine. Mayor Daniel questioned if the car show could be moved to the court house side of Chauncey Street as that would still allow the availability of police cars to access City Hall. Chief Longenbaugh felt they should close Chauncey from Market to Van Buren and then close Van Buren from Main and Line for traffic flow purposes.

Mayor Daniel questioned how many businesses they had signed up. Ms. Ringel advised they had 10 with 5-6 pending.

Ms. Ringel explained they were trying to get local restaurants to come out and share their food. Mayor Daniel questioned if the food vendors would be charging for their food. Ms. Ringel advised they would and would go towards their business. She shared they would be asking for a free will donation that would go to a deserving cause; she asked the Board for suggestions of organizations they could give the donations to.

Mayor Daniel questioned what the costs would be to put this on. Ms. Ringel explained everything would be free but they were told there would be a \$25 fee and questioned if there was any way to have the fee waived. Mayor Daniel advised they certainly could.

Ms. Ringel questioned if it would be ok to put flyers and signs up around the community. Mayor Daniel advised they could but would need to ask the business owners in their own stores.

Motion was made by Mayor Daniel to conditionally approve the street closing request with it being rewritten in conjunction with Chief Longenbaugh, waive the electric temporary fee and pay for the usage out of the Mayor's promotional account, Weigold seconded the motion, all voted aye.

RADIO CONTROL AIRPLANE PROGRAM Mary Hartman, Director at the Library, explained on Wednesday, July 9 from 4 – 6 p.m. the library would like to have the Whitley

County Barnstormers come and do their radio controlled airplanes. She was concerned with any ordinances that might violate as well as the noise. Mayor Daniel advised he was not real concerned with the noise but was unsure if there were any ordinances in place. Attorney McNagny was not aware of any.

The Board advised they had no problem with it.

Attorney McNagny confirmed there were no towers in the area. Ms. Hartman advised there were but not in the area where they would be.

GIVING GARDENS It was noted they checked into the insurance but the company could not quote them since they were not sure what the City wanted. Attorney McNagny explained it would be a liability policy; just want to make sure the City was protected in case someone was injured. Mayor Daniel questioned if we could work out an agreement, could that be covered in the agreement well enough that it would protect the City in that regard. Attorney McNagny advised she would include hold harmless language too but they would need to provide proof of liability insurance with the City as an additional insured on the policy.

Zack Arnold stated the second thing they were trying to figure out was the fencing issue. He was not sure the issue was for vandalism or deer. Mayor Daniel explained for him personally if they are willing to take the risk that something might happen do we care if they put a fence up or not. Dan Weigold stated he was more concerned about the deer and animals out there that would eat the produce. Mrs. Arnold advised they may have other solutions for the animals and wondered if the fence was a bridge they could cross when they need to. She explained if the deer vandalize something it would probably cost less to replace it rather than put up a fence. Dan Weigold advised he had no problem with that. Mrs. Arnold advised they were willing to risk it.

Mayor Daniel questioned if they addressed whether there was a water tap on that corner. Mike Shoda was not sure if there was a tap there but there was no reason why they could not put one there. Mayor Daniel questioned if the water connection would be a deal breaker; if water connection was not there could they move forward with the project. Mr. Arnold advised they could.

Parking was discussed. The Board was questioned if they would be against knocking out some of the curb on Hanna and have parking access on Hanna Street. Mayor Daniel advised he would prefer Hanna rather than Towerview. Rosie Coyle noted that Kelly Cearbaugh did not feel Hanna could support the parking but was not sure what he meant by that. Dan Weigold agreed it would make more sense to park on Hanna.

Mike Shoda questioned if the cost of the water tap would be waived. Mayor Daniel advised that was a bridge we would have to cross in the near future. He asked Mike to find out if there was a tap in that area and if not how hard it would be to put one in. Rosie Coyle advised the tap fee was \$1000.00.

Mayor Daniel asked the City Attorney to start drafting up an agreement based upon some of the terms that were discussed. He stated, if Dan was ok with it, he would like to have it so that they

would not have to put up a fence but if vandalism occurs it would be highly considered. He stated water usage would be billed. He stated if there was not a tap there it would be a lot more money and hassle to make one; he suggested it may be a better way to go with rain barrels. Dan Weigold mentioned they have discussed waiving fees for certain situations too. Rosie Coyle noted we do make adjustments for the one church that has a community garden and the Lighthouse. Mike Shoda explained there would be a tap fee whether a tap was there or not. Mayor Daniel stated he would be much willing to waive the fee if there was already a tap there.

BILLS Motion was made by Weigold to approve the bills as presented in the amount of \$833,532.80, Mayor Daniel seconded the motion, all voted aye.

WASTEWATER INTERN PROGRAM Mike Cook questioned if he could continue with the high school intern program. The student he has now would like to continue on through the summer before leaving for college. Mike explained he would also like to be able to work with the high school to get another intern to work through the summer and next school year. He stated it helps the school and his department too.

Dan Weigold felt it was a win/win situation.

Mayor Daniel directed Mike to proceed with the intern program.

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

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle