

BOARD OF WORKS
TUESDAY, APRIL 23, 2013
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 Motion was made by Mayor Daniel to approve an overview of the April 9, 2013 meeting minutes as presented, motion was seconded by Walt Crowder , Mayor Daniel and Crowder voted aye, Weigold abstained.

Motion was made by Weigold to approve an overview of the April 17, 2013 meeting minutes as presented, motion was seconded by Crowder, all voted aye.

ORDINANCE VIOLATION: 980 SOUTH 50 EAST Larry Jacobs was present to discuss the ordinance violation issue on his property. He did not feel there was a problem and tried to keep things neat and orderly; it was part of his life and livelihood. He stated he has been working on it and was able to move one vehicle today but his health does not allow him to work in the cold.

Police Chief Longenbaugh agreed some progress has been made.

Dan Weigold questioned Mr. Jacobs if he would be able to continue the progress of cleaning up the area. Mr. Jacobs advised if he was going to be forced to, it would be under duress as he did not feel it was necessary. He stated that he did not want to get rid of the tractors; it was a hobby and did not feel a person should be deprived of a hobby. He advised they were not farm machinery anymore; they were antique, collectible tractors.

Weigold questioned if we have had any complaints from the neighbors in the area. Chief Longenbaugh was not aware of any. Mr. Jacobs stated no one really complains over there; he tries to keep things neat and makes an effort to keep things organized. He understood the ordinance but being so close to the city limits he felt it could bend a little bit.

Walt Crowder questioned Mr. Jacobs his next objective to move things and a timeline that would be associated with it. Mr. Jacobs stated he would just like to be left alone but he was going to move the van, the mowers he uses the parts to repair so he has to have them.

Nicole Penrod advised she has talked with Larry on a couple different occasions and felt part of his frustration was that he has been able to do this for 30 years and no one has bothered him; his biggest question is why all of the sudden was the ordinance being enforced when all of these years it has not been. Mayor Daniel explained at the beginning of this year they started to be

more proactive for safety, health and beautification reasons within our community. Chief Longenbaugh shared that so far this year we have had 31 ordinance violations that have had to do with junk, rubbish or scrap metal; 26 of the 31 have been cleared up.

Pictures of the property were reviewed.

Mayor Daniel shared with Mr. Jacobs that they were not necessarily trying to harm his way of living or his right to happiness but were trying to make sure there was some sense of order.

Nicole Penrod suggested to Larry to keep a list of things he has done and the people he has contacted to try and rectify the situation.

Nicole Penrod questioned Larry and the Board what they felt would be a reasonable amount of time to make progress if there was an extension. Larry did not know; it would depend on his health and there were other things he had to do to live. He questioned if it would help to put up a piece of fence. Mayor Daniel shared, in his opinion, that a fence would not necessarily fix the issue. Larry stated he does not want to get rid of the items and felt if he could block it from view that could be a compromise.

Mayor Daniel stated he would like to extend it to July 31, 2013; every month have our Ordinance Enforcement Officer go out to look at the progress that has been made, take pictures or at the very least talk with Mr. Jacobs about what is being abated. Dan Weigold and Walt Crowder agreed with that.

Motion was made by Weigold to evaluate the property once a month for 3 months and on July 31, 2013 evaluate it to see what progress has been done, Mayor Daniel seconded the motion.

Walt Crowder questioned Mr. Jacobs if he was in agreement with the motion. Mr. Jacobs advised it would be under duress and would do his best; he questioned putting up the piece of fence on each side of the barn. Walt suggested talking that over with Officer Yorg when he comes out. Nicole Penrod suggested presenting a plan of what he would like to do. Chief Longenbaugh thought the Ordinance Review Committee was going to discuss the fence option so there would be more information to come on that.

Upon the motion, all voted aye.

ORDINANCE VIOLATION - 605 W. ELLSWORTH – CHICKENS Dan Weigold advised he received a phone call regarding this asking that the ordinance be reevaluated. Rosie Coyle reported Mrs. Burkett called and advised they were moving at the end of July and wanted to know if they could keep the chickens.

Walt Crowder suggested, since there was no representation, they table the issue to have them come in or honor the ordinance as written.

After some discussion, Dan Weigold advised he would call Mrs. Burkett and have her come in.

SALUTE A SOLDIER – COMMUNITY EVENT Gretchen Wood explained with this event they would be raising money to give to the military and to also honor veterans and soldiers. She advised on July 20, 2013 they would like to hold a 5K and were requesting to close Earl Avenue, from 7 a.m. – 9:30 a.m. close the route through Columbia Shores and if possible would like to make Columbia Shores one way during that time.

Chief Longenbaugh advised he was concerned with closing Earl Avenue down. Mayor Daniel noted that Chief LaRue also had a concern with only having one entrance and exit to Columbia Shores. Ms. Wood wondered if they could compromise by opening ½ of Earl Avenue up to Garland Avenue after the 5K that way traffic could come around by Orizon and Arby's.

Chief Longenbaugh questioned if they were asking to have everything closed from 7 a.m. – 9:30 a.m. Ms. Wood thought it would be ideal for more protection to the walkers and runners if it could be closed down through Columbia Parkway.

Dan Weigold questioned if the residents of the area would be notified so they know what is going on.

Chief Longenbaugh advised they could post the one way signs like they do for Halloween and then take them down as soon as the 5K was over. He advised he still had concerns about closing Earl Avenue off of Main Street; he felt it was the main access to the subdivision. Ms. Wood shared that she drives that way all the time and would not find it an inconvenience to have to drive behind BP and go by Arby's if they would open Earl Avenue enough so that people could make that turn. Mayor Daniel advised he would feel better if they would have that extra exit onto Garland Avenue. Ms. Wood suggested they could start the runners back further and wait until they left to set up anything for that area so that they would not have to close Earl Avenue past Garland Avenue at all then there would be two exits the entire time.

Dan Weigold felt the residents out there needed to be notified; if the newspaper was going to publish something that would be sufficient. Mayor Daniel also suggested contacting Talk of the Town.

Chief Longenbaugh advised they would need to sit down and figure out the barricades and signage they need.

Motion was made by Crowder to support the request for the Solute a Soldier run on July 20, 2013 from 7 a.m. - 4 p.m. the closure will take place on Earl Avenue from Garland Avenue to Main Street and to make Columbia Shores one way from 7:00 a.m. – 9:30 a.m., motion was seconded by Weigold.

Walt Crowder questioned if they needed insurance. Attorney McNagny advised just the usual.

Upon the motion, all voted aye.

COMMUNITY GARAGE SALE – EAGLE GLEN Nicole Penrod advised the request was the same as in the past.

Motion was made by Mayor Daniel to approve the community garage sale at Eagle Glen for Friday, May 3 from 8 a.m. – 5 p.m. and Saturday, May 4 from 8 a.m. – 12 p.m. with the restrictions of one way as presented, motion was seconded by Weigold, all voted aye.

OLD SETTLERS DAY FESTIVAL Motion was made by Mayor Daniel to approve the Old Settlers Days street closure request from 5 p.m. on June 24, 2013 to 6 a.m. on June 30, 2013, motion was seconded by Weigold, all voted aye.

MEMORIAL DAY PARADE Motion was made by Weigold to approve the Memorial Day Parade request as presented, motion was seconded by Crowder, all voted aye.

GEOTECHNICAL SERVICES – STORM WATER PROJECT Jeff Walker reported he received 3 quotes and after review the lowest quote was from GME for an amount of \$2640.00. He, as well as GAI, recommended the Board approve the quote from GME Testing for \$2640.00. Walt Crowder questioned if they needed to leave some money in there in case something unpredictable comes up. Jeff Walker advised he would have to come back to the Board.

Motion was made by Crowder to accept the recommendation to award the testing to GME for the amount of \$2640.00, motion was seconded by Weigold.

Walt Crowder noted that it said lump sum and questioned when that would be paid. Jeff Walker advised it would be paid after all testing and results have been completed.

Attorney McNagny pointed out under 3.0 Service Fee for the SB-7 it says they ‘propose to perform the work described above at no additional charge’ and questioned if that was an issue. Jeff Walker advised they will be doing it. She stated from our standpoint she would like to see it clear to say either shall or agree instead of propose. Jeff questioned if they could just cross through it. Attorney McNagny advised they could.

Crowder amended his motion to acknowledge in 3.0 Services Fees that they shall perform the work as described above at no additional charge, motion was seconded by Weigold, all voted aye.

BILLS Motion was made Weigold to pay the bills as presented in the amount of \$1,004,156.08, motion was seconded by Mayor Daniel, all voted aye.

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

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle