

**BOARD OF WORKS  
TUESDAY, JULY 10, 2012  
5:15 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** Mayor Daniel noted that Walt Crowder was absent from the previous meeting.

Motion was made by Weigold to approve an overview of the June 26, 2012 meeting minutes as amended, Mayor Daniel second the motion, Weigold and Daniel voted aye, Crowder abstained.

**SIGN PLACEMENT REQUEST – 100 BLOCK E. ELLSWORTH – GOTCHA**

**COVERED** Jeff Walker presented a request on the behalf of Steve Richcreek of Gotcha Covered for a new sign at their location on East Ellsworth Street. He reviewed a picture showing where the sign would be located. He advised there would not be any problem with visibility from the alley. He explained to Mr. Richcreek that since the sign would be in our right of way there may be potential they may have to move the sign and Mr. Richcreek advised it would not be a problem as it is easily removable.

Jeff explained the reason this was coming to the Board of Works was because, when in the public right of way, it was the Board of Works responsibility to determine whether the sign was acceptable rather than the Plan Commission.

Motion was made by Weigold to approve the sign the request, Mayor Daniel second the motion, all voted aye.

**PAY REQUEST – ROBERT CROSBY, INC. MISC. IMPROVEMENTS #11136-1**

**\$52,020.00** Jeff Walker explained he and Mike Cook have been working with RE Crosby and Donohue on the miscellaneous improvement project. He explained they were coming along; this was the first pay application and it has been reviewed. He recommended approval in the sum of \$52,020.00. He advised this has been submitted to SRF.

Motion was made by Weigold to pay \$52,020.00 for Contractor's Application for Payment Number 11136-1, Crowder second the motion, all voted aye.

**PAY REQUEST – STRUCTUREPOINT, INC. INV. 56197 \$2,539.88** Jeff Walker explained this request covers the ongoing 6(f) mitigation and the lighting design. He recommended the Board act favorably in the sum of \$2,539.88.

Motion was made by Crowder to support Jeff's recommendation to pay American StructurePoint Invoice #56197 for the amount of \$2,539.88, Weigold second the motion, all voted aye.

**LEASE AGREEMENT – MEDIACOM** Attorney McNagny reported we have been waiting on Mediacom to get back with us for quite some time; this was the first time she had seen the lease as they insisted on preparing it. She advised they signed the agreement and sent us a check but she had some problems with the lease. She felt the 4<sup>th</sup> WHEREAS of the lease agreement described something more than just renting a little building. She confirmed with Mike Dear it was just to store their stuff in the building. Mike advised it was. She also had an issue with #2, Work Performed, where they talk about "installation, operation or removal"; she stated they were just storing equipment in this building. Mike Dear clarified that there was some type of equipment in the building that operates the system. Attorney McNagny was unaware of that and felt then that part might be ok. Mike advised they have satellite dishes on the property too; what is there has been there for about 20 years. Attorney McNagny advised she had not been out there and guessed there would be no problems but wanted to point these things out because it was a little more than what was talked about.

Attorney McNagny advised she also had a problem with paragraph #8 and felt if someone were to take over the company the City should still have a right to get in the assignment and certainly did not feel the agreement should be able to be assigned as collateral security, at all, for the obligations of the lessee.

Walt Crowder questioned in paragraph #5 where it says the 'Lessor shall grant the Lessee a non-exclusive continuing easement' if that should be of any concern. Attorney McNagny advised it was not; they were saying the City and other people could use that area for access.

Walt Crowder questioned Attorney McNagny if she would compare this to the old contract. Attorney McNagny advised this was the first one for the rental of the little building, everything else was gone. She stated we have rented the building but it was always just a small part of the overall franchise agreement.

Mayor Daniel questioned if they should table this until changes could be made. Attorney McNagny suggested just adding an addendum since they have already signed it or maybe just get clarification on the items she had concerns with. She advised she really did not like the assignment provisions. She stated she would appreciate tabling it and she would contact them tomorrow.

The Board supported tabling the issue.

**BILLS** Motion was made by Crowder to pay the bills as presented for the amount of \$723,934.26, Mayor Daniel second the motion, all voted aye.

**IS/COMMUNICATIONS DEPARTMENT** Terry Wherry reported he continues to update the Facebook page and the website; he has met with the new draftsman on his computer needs; installed a new network switch; he has a meeting scheduled with a group regarding the

Government Access Channel on July 18 at 10 a.m. at the Peabody Library; and he has created a Twitter account for the City.

**FIRE DEPARTMENT** Tom LaRue reported they had ladder testing and they all passed; the burn ban was still on and they were preparing for the 4-H fair.

**PARK DEPARTMENT** Mark Green reported they have a 5K race at the park on Saturday to benefit the fireworks; the pool was running well; the fireworks were rescheduled for September 22; the in house tournaments finish up this week and JFL registration has started.

**ELECTRIC DEPARTMENT** Larry Whetstone reported on the storm damage. Mayor Daniel advised Larry would be meeting with the town of South Whitley on a possible partnership.

**POLICE DEPARTMENT** Tim Longenbaugh advised they have been reviewing stats and activity for 2012, reviewing budgets and have a command/staff meeting scheduled. He reported they have a new reserve policy in effect; 5 new bullet proof vests ordered and all officers were qualified with their new duty weapons.

**STREET DEPARTMENT** Kelly Cearbaugh reported on the storm that came through June 29, old settlers clean up and limb pickup.

**WATER DEPARTMENT** Mike Dear reported they repaired a 6" main break on Countryside Drive and 3 service line leaks; they installed a new meter setting in Eagle Glen and new service at 515 N. Line. He advised all they have left to do at City Ford is to seed it in September. He reported everything was running smooth at the plant and they were still running at about 50%.

**COMMUNITY DEVELOPMENT** Jeff Walker reported Alan Tio requested follow up information on some projects. He advised he talked with IDEM and Burgess & Niple on the long term control plan project and the pending change orders. He stated he had a request from the Indiana Finance Authority regarding completing a survey on all the Brownfield's in Columbia City.

**WASTEWATER DEPARTMENT** Mike Cook gave an update on some miscellaneous projects and repairs they have been doing.

**MAYOR INTERN** Zach Taylor reported he finished up with the department head video's and has been working on a welcome packet for new residents.

**BOND RELEASE** Rosie Coyle explained everything has been approved on Walker Way but still needed to release the bond.

Motion was made by Mayor Daniel to release the bond as recommended by Rosie Coyle, Weigold second the motion, all voted aye.

**MAYOR REPORT** Mayor Daniel reported they had a ribbon cutting for the Super 8 motel, they held a press conference for the Mayor's and Commissioners Caucus of Northeast Indiana,

Stepping Stones Daycare has chosen to close at the end of the month and he was trying to connect the parents and teachers to another facility in the community they might be able to use. He reported Secretary of State, Connie Lawson, was in to talk about the things her office could do for our City. He also reported that Friday would be the last day for Zach to be in the office.

Having no further business to discuss the meeting was adjourned.

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Mayor Ryan Daniel

Attest:

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Clerk Treasurer Rosie Coyle