

COMMON COUNCIL
TUESDAY, APRIL 28, 2015
7:00 P.M.

Mayor Ryan Daniel – Present
Deputy Clerk Treasurer Sally Wherry – Present
Attorney Marcia McNagny – Present

Council Members

Nicole Penrod – Present
Ben Romine – Present
William (Bill) Simpson – Present
Daniel Weigold – Present
Jacie Worrick – Present

The Columbia City Common Council met in regular session with all members present, Mayor Daniel presiding.

MINUTES Ben Romine noted a spelling error. Motion was made by Ben Romine to approve an overview of the April 14, 2015 meeting minutes as corrected, Nicole Penrod seconded the motion, Romine, Penrod and Worrick voted aye, Simpson and Weigold abstained.

ORDINANCE 2015-12 1ST READING: VACATE OF PUBLIC ALLEY – 508-510 E. VAN BUREN STREET Motion was made by Jacie Worrick to read Ordinance 2015-12 by title only, Nicole Penrod seconded the motion, all voted aye. Deputy Clerk Treasurer Sally Wherry read Ordinance 2015-12 by title only.

Verne LaRue of 508 E. Van Buren Street was present to discuss the vacate request. He reviewed a map that was distributed to Council and discussed their plans to block off the alley with gates.

Ben Romine questioned if the main objective was to be able to close the alley off. Mr. LaRue explained that was the objective; they have a dog, the house sits very close to the alley and becomes a safety issue at times as well as to just make it more usable for them.

Mayor Daniel mentioned the previous platted alley that was vacated at one time. Mr. LaRue understood that Morsches requested that alley be terminated.

Ben Romine questioned if there was a way to allow them to close the alley off without vacating it, if that would that be acceptable. Dan Weigold was not sure we could legally do that. Mr. LaRue felt it would become an issue for the City if they would need to grate or plow the alley. Ben Romine advised he was thinking more of a long term lease for a nominal fee; he had an issue with giving away City property. Mr. LaRue advised he did not know the total history of any alley that had been ended but the one he did pull information on there was no information stating that anything was paid for that alley. Bill Simpson agreed with Ben Romine and did not like the idea of giving away the public's property. Dan Weigold advised he has experienced this throughout the County as well as the City and did not see it as a major issue.

Nicole Penrod mentioned, as she shared at the last meeting, in talking with realtors and others the information she got was that there was no real value to the alley itself but the value would come from having the property reassessed and paying higher taxes.

Bill Simpson felt we were saying this alley had no value to the City but circumstances could change, things could happen and that alley could become useful again. Mr. LaRue felt anything that would grow that direction would still be accessible from Market Street. Bill Simpson understood but shared the way that alleys were developed originally gave multiple access points.

Attorney McNagny cautioned against the alternative of having the alley gated off with some sort of agreement because if there were a fire and fire trucks could not get through there because of gates that would become a liability issue. She stated the lease would be statutorily covered and would have to investigate to see if that was even possible.

Ben Romine questioned from a legal standpoint if this would be setting precedence by continuing to vacate alleys. Attorney McNagny shared that certainly whenever you do anything it could be argued that you were setting precedence but you look at the facts of every situation and determine if that is something that is going to come up again and again under these very specific circumstances. Mr. LaRue mentioned there were other alleys that have been ended and there was no precedence set in his case.

Nicole Penrod questioned Mr. LaRue if they had plans for the other lot besides recreation. Mr. LaRue advised there were no real plans right now.

Ben Romine questioned if in the future the City decided they needed the alley back would it need to be purchased. Mayor Daniel suggested we could put a clause in the agreement. Attorney McNagny advised it could not be improved upon and did not feel it would be difficult as long as all parties agreed to those terms. She stated we would need to revise the ordinance.

Motion was made by Nicole Penrod to approve Ordinance 2015-12 as first reading with an amendment to be presented for 2nd reading to include that the City can compel the alley be reestablished if it is determined there is a reasonable need to do so, Penrod, Romine and Worrick voted aye, Simpson and Weigold voted against.

Dan Weigold shared that he was not opposed to the vacate but felt once it was done then we go all the way with it.

Attorney McNagny advised she would take care of amending the ordinance and will have it on the agenda for the next reading.

TAX ABATEMENT – C & R PLATING Alan Tio was present, along with Art Wormet of C & R Plating. He stated they were looking to get approval on a request for abatement on new manufacturing equipment.

Art Wormet shared background of the company. He stated they hope to expand the corporation and add approximately 29 jobs; they currently employ 72-80 people. He advised with this new

equipment it would increase their capacity by greater than 100% and will allow them to compete in areas they have never been able to.

Jeff Walker advised the tax abatement committee met and it was their recommendation to approve what was requested which was a traditional 10 year 10% sliding scale for every year.

RESOLUTION 2015-16: TAX ABATEMENT C & R PLATING Motion was made by Dan Weigold to read Resolution 2015-16 by title only, Ben Romine seconded the motion, all voted aye. Deputy Clerk Treasurer Sally Wherry read Resolution 2015-16 a resolution approving the deduction of assessed valuation for personal property improvements within an economic revitalization area in Columbia City, Indiana.

Motion was made by Bill Simpson to approve Resolution 2015-16 with 10 years, Nicole Penrod seconded the motion, all voted aye.

ORDINANCE 2015-13: SALARY ORDINANCE AMENDMENT – 2ND READING Motion was made by Jacie Worrick to read Ordinance 2015-13, Nicole Penrod seconded the motion, all voted aye. Deputy Clerk Treasurer Sally Wherry read Ordinance 2015-13 an ordinance amending the City of Columbia City salary ordinance for 2015.

Motion was made by Ben Romine to approve Ordinance 2015-13 as second reading, Nicole Penrod seconded the motion, all voted aye.

ORDINANCE 2015-14: AMENDMENT TO TRAFFIC ORDINANCE – 1ST READING Motion was made by Nicole Penrod to read Ordinance 2015-14 by title only, Jacie Worrick seconded the motion, all voted aye. Deputy Clerk Treasurer Sally Wherry read Ordinance 2015-14 an ordinance amending Chapter 75, Traffic Schedules, of Title VII of the Code of Ordinances of the City of Columbia City, Indiana.

Motion was made by Bill Simpson to approve Ordinance 2015-14 as first reading, Ben Romine seconded the motion, all voted aye.

DEPARTMENT REPORTS **Mike Cook** – reinstalled sludge mixer, finished up 1st qtr. information on LTCP, truck repair, hosting 8th graders from ISMS. **Jeff Walker** – trail extension, demolition bids for 213 W. Van Buren Street due May 1, request for proposals on the old Eagles property, comprehensive plan online, SR 205 project. **Mike Shoda** – water main on Wallace Ave. **Mark Green** – opening day cancelled, trout fishing derby, cleaning pool. **Tim Longenbaugh** – hiring process, training. **Terry Wherry** – fiber project, sound system improvements. **Kelly Cearbaugh** – ADA ramps in Graber Heights, catch basin installation, street paving contract.

PARKING AT MORSCHES PARK Dan Weigold advised he has been approached several times about the lack of parking down at Morsches Park. He was not sure how to expand it but felt they needed to seriously look at it.

Having no further business to discuss the meeting was adjourned.