

COMMON COUNCIL
TUESDAY, AUGUST 11, 2015
7:00 P.M.

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

Council Members

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

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

MINUTES Mayor Daniel noted a spelling error to the new Planning Director's last name.

Motion was made by Daniel Weigold to approve an overview of the July 28, 2015 meeting minutes as amended, Nicole Penrod seconded the motion, all voted aye.

WAIVER OF REMONSTRANCE TO ANNEXATION FORM APPROVAL Mayor Daniel advised they changed some things in the waiver and needed Council's approval. He explained this is if we would extend utility service to certain neighborhoods outside of the City limits, in exchange for our service, they would sign this form stating that if we annex them in the future they would not fight it. He advised this was specifically for City sewer.

Motion was made by Nicole Penrod to approve the waiver of remonstrance, Jacie Worrick seconded the motion, all voted aye.

LONG TERM CONTROL PLAN – UNITED CONSULTING Keith Bryant with United Consulting was present to give an update on the rain event and CSO data. He shared they were looking at different ways to separate sewers and perhaps collect and convey to the EQ basin and interceptors that have already been put in; ways to get the most reduction with the least amount of money. He advised they were in the process of developing potential capital improvement projects; looking at and comparing them to what we have already committed to. He reported there will be new phosphorus limits and were also evaluating what that means for the plant. He advised the end goal is to produce a group of projects that were less expensive, more beneficial to the community and then get IDEM to buy up on them as a change to the LTCP.

BIKE RAMP – NORTH WALNUT STREET Mayor Daniel stated at the last meeting a review of Ordinance 95.002, the definition of public nuisance, was requested. He advised he did take that to Attorney McNagny to review and specifically whether the bike ramp situation fits into that definition.

Attorney McNagny explained one thing, in Council's opinion, was their definition of annoyance or repose; are the ramps bothering, offending or endangering the peaceful enjoyment of neighboring properties. She stated in listening to those who brought the complaint and putting ourselves in their shoes, Council may want to take it to the Board of Works and have them send an inspector out to make a determination pursuant to what the code guidelines say in Section 95.007. She shared as she looked at the definition, it was those two words primarily; annoy and repose. Mayor Daniel explained what was ultimately in front of the Council was whether or not it is believed that this issue could fit into the definition or not. Nicole Penrod felt it was only fair to all parties involved to do everything possible to come to some kind of conclusion. She felt it should be sent to the Board of Works. Dan Weigold advised he was torn on the issue, he believed we were over ordinated the way it is; part of him had a problem with telling people what they can and cannot do on their own property but at the same time when we live 20 ft. from each other there is the reason why the ordinances are in place. He did not feel this was going to be a win/win situation; it was a tough situation as one person's annoyance may not be another person's annoyance. He suggested having 3 inspectors look at the situation rather than just one and then bring it back to the Board of Works. Nicole Penrod agreed. Jacie Worrick agreed it should be looked at and questioned who would be sent out to do the inspections. Mayor Daniel stated because our police officers are in charge of this kind of thing he would have 3 police officers go out and decide whether it fits the definition or not. Attorney McNagny felt attempts were made by the City to try to reach an amicable decision so that we had a win/win.

Additional discussion followed.

Mayor Daniel confirmed with Council they were saying this could fit under the definition under 95.002 and would like the Mayor or Board of Works appoint a 3 member panel to look at it and determine whether it is a violation or not. A citizen concern was shared in that they did not feel it should be all police officers; they did not feel it would be a fair representation. Mayor Daniel advised he would pick 3 officers that have not had a connection to the issue and were fair in the law.

After additional discussion, Council was in agreement to forward this to the Board of Works to look into.

DEPARTMENT REPORTS **Kelly Cearbaugh** – Irish Glen ADA ramps, trimming trees in streets & alleys. **Terry Wherry** – fiber project update. **Mike Cook** – Lincoln Pointe lift station fencing, blower quotes, employees attending conference. **Mike Shoda** – West Park Street water line.

ALLEY VACATE – EAST VAN BUREN STREET Jacie Worrick thought as part of the vacate there was to be a permanent structure to block off the alley and to date there was still 2 cones there. Mayor Daniel advised there was a hang up of some sort but they had installed something on the backside of the property. He advised a letter could be sent.

MAYOR REPORT Redevelopment Commission received on proposal for 213 W. Van Buren and would be interviewing that individual. EMA Director position was interviewed and recommendation would be made to the County Commissioners. He and Commissioner

Schrumpf have a meeting with Representative Judy to discuss upcoming legislative issues. The Youth Council will be meeting for the first time next Thursday. Samara Qureshi will be taking over Martha Acres position.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Deputy Clerk Treasurer Sally Wherry