

**BOARD OF WORKS
TUESDAY, JUNE 14, 2016
5:00 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 Weigold to approve an overview of the May 10, 2016 meeting minutes as presented, Crowder seconded the motion, Weigold and Crowder voted aye, Mayor Daniel abstained.

Motion was made by Mayor Daniel to approve an overview of the May 24, 2016 meeting minutes as presented, Crowder seconded the motion, Mayor Daniel and Crowder voted aye, Weigold abstained.

MAIN STREET ASSOCIATION SUMMER CONCERT – STREET CLOSING Motion was made by Mayor Daniel to approve the street closing permit request from the Main Street Association for the summer concert series as presented for July 16 from 1 – 11 p.m., Crowder seconded the motion, all voted aye.

THOMAS MARSHALL PLAZA DEDICATION – ALLEY CLOSING Rosie Coyle explained they were requesting the alley that runs along the park from Van Buren to Market Street as well as 5 parking spaces west of the alley on Van Buren Street. Mayor Daniel noted the request was for 8:30 a.m. – 11:00 a.m.

Tom LaRue expressed a concern that if one alley is closed off they need to make sure the other is open. He shared they do have vehicles that exit into the alleyway but could work around it.

Motion was made by Mayor Daniel to approve the Thomas Marshall Plaza dedication for July 9 from 8:30 a.m. – 11:00 a.m. as presented, Crowder seconded the motion, all voted aye.

REAL ESTATE PURCHASE Mayor Daniel shared he was approached late last year by Real Estate Equities regarding the site at the end of Denzil Drive where we have been dumping our fill material. He advised they offered for the City to purchase the property as they were not interested in leasing out the property. He shared that he, Kelly Cearbaugh, Mike Shoda and some others got together to discuss what the best route would be for the City. He advised they proceeded to get appraisals for the property, averaged the two and have been working with Attorney McNagny. He shared if the Board approves this he could then go to Real Estate Equities to present the offer to purchase.

Kelly Cearbaugh and Mike Shoda shared how they have been able to utilize the dump site and the convenience of having an area to take fill material.

Mayor Daniel shared that we would put a fence around the area so it would be purely used by the City. He advised he talked with Rosie Coyle and they believe the Solid Waste account could handle the purchase of this property.

Walt Crowder felt there were so many good tangibles to this purchase. He felt it was a great idea and great investment. Dan Weigold agreed.

Motion was made by Mayor Daniel to proceed with the real estate sales contract as presented with a purchase price of \$34,187.50 to be presented to Real Estate Equities and for negotiating purposes, Weigold seconded the motion.

Mayor Daniel questioned if the purchase price changed would the Board like him to come back or could he go ahead and sign on behalf of the Board. Walt Crowder suggested a not to exceed amount.

Mayor Daniel amended his motion to be a not to exceed amount of \$34,187.50, Weigold seconded the amendment, all voted aye.

REQUEST FOR DUMPSTER – 227 W. VAN BUREN STREET JoAnn Bird with Running Around Screen Printing was present to request a dumpster at 227 W. Van Buren Street with placement on Line Street to take up 2 parking spaces by the alley.

Motion was made by Mayor Daniel to approve the request as presented, Weigold seconded the motion, all voted aye.

ORDINANCE VIOLATION – 505 N. WALNUT STREET Rosie Coyle reviewed the correspondence concerning the violation at 505 N. Walnut Street. Chief Hively advised the violation remained and tried to make contact at their current address but was not able to.

Discussion followed on removing personal property. Mayor Daniel advised we have gotten a dumpster to clean up another property so it would not be without precedent.

Walt Crowder confirmed we have had zero communications with the individual. Chief Hively advised she was served the violation tickets but she was hard to make contact with. Crowder questioned if the property was abandoned. Chief Hively advised it was; the owner currently lives at a different location in the City.

Additional discussion followed.

Walt Crowder felt this was a health issue as well as an ordinance issue. He suggested we do the minimum safety requirements and then move forward.

Motion was made by Mayor Daniel that when the 10 days was up for the second ticket that we clean up the property and file a lien on the property.

Attorney McNagny suggested adding to the motion that the individual be given notice of their right to appeal, which does not stop proceeding with the abatement, but if they fail to provide notice of appeal then we continue to move forward.

Mayor Daniel added the suggested addendum to his motion, Weigold seconded the addendum, all voted aye.

BILLS Motion was made by Weigold to pay the bills as presented in the amount of \$975,575.65, Crowder seconded the motion, all voted aye.

EASEMENT ENCROACHMENT POLICY Jeff Walker advised he and Nathan Bilger have been working on an easement encroachment policy. He shared they have taken the majority of the elements from Greenfield, Indiana. He explained on several occasions the Board has heard from the utility superintendents regarding how difficult it is to access infrastructure in easements because of property owner improvements such as fences, outbuildings, etc. He shared they were trying to develop requirements that were consistent that would help the City as well as the Planning Department.

Before proceeding with the easement encroachment discussion, Nathan Bilger, Planning and Building Director, was reminded by the 505 N. Walnut Street ordinance violation discussion of a State Statute that went into effect July 1, 2015. He shared the statute, IC 36-7-32 or 33, dealt with vacant and abandoned properties. He stated working through the timelines is something the municipality will need to handle during the spring and fall months in order to meet all of the statutory deadlines for the next year. He explained the executive body would prepare a list of properties that qualify as vacant or abandoned; State Statute provides qualifications for determining this. He shared if some criteria are met, the property can be put on a list and then the list could be certified at the County Auditor's Office. He advised the biggest benefit was if the property is certified as vacant and abandoned and is sold at tax sale, there was no redemption period. He offered their services to help put together the background information since they already do that with unsafe buildings.

Getting back to the easement encroachment, Nathan explained the process they currently have for someone who wants to construct a fence in a utility easement. He advised their office typically will send the request to Jeff Walker for department heads to review. He advised it was a very loose, informal process. He reviewed the process Greenfield, Indiana has in place.

Walt Crowder questioned how they handle situations where the homeowner does not know where the utility right of way is. Mr. Bilger explained that was the benefit of being in town because almost all lots were platted and his office can look that up.

Mr. Bilger advised his office has 2 fence requests pending already. Jeff Walker asked the Board to expedite this as quickly as they felt comfortable with.

Walt Crowder questioned if this policy needed to be converted to an Ordinance. Attorney McNagny questioned if this would be included anywhere or would it just be done as a policy. Mr. Bilger explained Greenfield handles it as a policy of the Board of Works; it was basically an agreement between the Board of Works and the property owner. She confirmed Greenfield did not establish an ordinance, it was just their policy. Mr. Bilger advised that was correct and had a

checklist of guidelines to go by. Attorney McNagny advised the Board that this would be in their authority and would not need an ordinance. Walt Crowder questioned what they would do if there was a violation. Mr. Bilger stated if a shed or something would pop up, there would be 2 things; it is a shed without a permit so could be a violation of the zoning code which would be under their authority to enforce but also it was in the easement so the utilities could direct them to move it or remove it ourselves.

Motion was made by Crowder to accept the recommendation as presented to use the encroachment agreement process going forward for the City to monitor and for approvals for encroachment onto easements, Weigold seconded the motion, all voted aye.

COMMUNICATIONS DEPARTMENT Terry Wherry requested from the Board of Works permission to start the process of hiring 1-2 new dispatchers. He advised the department was suffering from extreme overtime and was causing issues for the departments they serve. He advised he met with Rosie Coyle to look at funding possibilities.

Mayor Daniel noted the documentation presented concerning issues with employee's being off and call volume. He confirmed this would bring 2 dispatchers on first most of the time, 2 on second's all of the time and 2 on third's part of the time. Terry advised that was correct.

Terry Wherry shared they have an aging department that has a lot of vacation time which also causes a scheduling problem. He advised Amie LaRue has done a wonderful job covering the schedule but they have people who are working way too many hours and has already become a safety issue. He shared they have one person who has 50 hours of OT in a two week period.

Dan Weigold felt after examining the information that was brought to the Board it was apparent they needed to move with the times as far as personnel.

Walt Crowder advised the times have changed; the schooling, training, restrictions and qualifications of a dispatcher. He felt they have delayed this as long as possible and felt they owed it to the dispatch center and the emergency services group to move forward.

Mayor Daniel agreed he did not have a problem with moving forward with the hiring process.

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

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle