

**COMMON COUNCIL
TUESDAY, MAY 22, 2018
6:00 P.M.**

Mayor Ryan Daniel – Present
Clerk Treasurer Rosie Coyle – Present
Attorney Marcia McNagny – Present

Council Members

Walter Crowder – Present
Nicole Penrod – Present
Jennifer Romano – Present
Tad Varga – Present
Dan Weigold – Present

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

MINUTES Nicole Penrod noted a change in the year to state “since the 1860’s” under the Tonkel rezone discussion.

Motion was made by Jennifer Romano to approve an overview of the April 24, 2018 meeting minutes as amended, Nicole Penrod seconded the motion, Walt Crowder, Nicole Penrod and Jennifer Romano voted aye, Tad Varga and Dan Weigold abstained.

PUBLIC HEARING – SDI LIFT STATION & FORCE MAIN PROJECT Mayor Daniel opened the meeting as a public hearing.

Paul Elling with Donohue & Associates was present to discuss the project. He advised the public hearing was a requirement of the Indiana Department of Environmental Management and the State Revolving Loan Fund. He reported he would also be discussing the Preliminary Engineering Report which has been on display in the Clerk’s Office for the past 10 days for public review.

Mr. Elling reviewed the project pamphlet with Council members. He began with reviewing the service area for the sanitary sewer collection system and advised within that area was the existing Steel Dynamics Plant. He reported the existing discharge permit was for 280,000 gallons per day and have requested 500,000 gallons per day. He discussed the route and the different sized force mains and gravity sewers to get to the wastewater plant.

Mr. Elling shared part of the problem with improving the existing facilities was that they not only had to consider the currently anticipated increase in flow from SDI, they had to think long range. He reviewed the TIF District and noted all of the open land available for future growth. He explained the proposed improvements looked at through the existing system was a ‘no action’ alternative. He went on to discuss Alternate #2. He advised they looked at what they could do differently that would provide additional capacity to solve the problem and was where they came up with the idea of building a force main all the way from 700 to the wastewater plant, which

was about 9 miles. He stated to do that they went outside of the TIF District, which has the potential to have some growth in the future by adding some additional lift stations along the way.

Mr. Elling reviewed the cost of both Alternatives. He explained with the existing system improvements they were looking at almost \$13.1 million and the alternative with 2 new lift stations and force main they were looking at about \$6.9 million. He reported they went through a number of financial calculations to comply with SRF requirements. He advised the current interest rate, which can fluctuate, they were looking at about 2%.

Mr. Elling reviewed the PER Components to include location and planning areas, current and future conditions, alternative evaluations, environmental conditions, the selected plan, legal, managerial and financial conditions that they will be required to pass and public participation.

In reviewing the Environmental conditions, Mr. Elling noted they did discover some arrowheads but they did not expect a need for further evaluations or investigations to clear the project.

Mr. Elling advised he would receive additional comments until May 29 at 5:00 p.m.

Hearing no comments or questions on the project Mayor Daniel closed the public hearing.

REZONE – TONKEL 981 S. 50 E. – ORDINANCE 2018-14 – 2ND READING Motion was made by Jennifer Romano to read Ordinance 2018-14 by title only, Tad Varga seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2018-14 an ordinance amending the zoning classification of certain property from the “I-1” Light Industrial District to the “R-3” Multi-Family Residential District.

Nathan Bilger, Planning Director, was present to discuss the rezone. He advised the request was for the house at the southeast corner of 50 E. and Raber Road. He explained it has historically been zoned industrial since the 1960’s. He reported there were 2 other houses on either side of the current house but the 1 home remaining has stuck with the family.

Nathan Bilger advised as far as changing the setbacks he did not recommend that as part of the zone map change. He reported at the last Plan Commission meeting he did offer a potential solution in looking at the industrial code in the County. He explained it too had an increased setback but it was only 10 ft. instead of the 25 ft. and in exchange for that it had certain buffering requirements.

Nicole Penrod noted according to the notes of the Committee leaving it as industrial also has implications for insurance and mortgages in the future.

Cary Tonkel was present to express his interest in having his property rezoned.

Walt Crowder felt the simplest thing would be to make it residential zoning that way there would be no issues in the future if something happened to the home. Nicole Penrod thought there would be issues in getting a mortgage if they wanted to build onto the home if left industrial.

Jennifer Romano questioned if Council would agree to allow it to be residential now, could they make it so that it would have to revert back to industrial if they were to sell the property. Nathan Bilger advised reversionary clauses should be avoided. He stated they have to structure the criteria very specifically and added there was some argument that effectively, if it was 12 years in the future, you could be making a legislative act for another Council altogether. He said they can be done but have to be tightly crafted.

Nicole Penrod suggested if ChromaSource wanted to buy the property they could make it contingent on it being rezoned to industrial. Nathan Bilger advised they would have to go through the rezone process.

Jennifer Romano advised she had reservations about it because it was industrial on 3 sides. She added in looking at it, it clearly looks like it should be industrial space but also felt for the situation if something were to happen to the house.

Dan Weigold advised he did not have a problem changing it to R-3 mainly because if something happened they would have the opportunity to rebuild the home. He stated down the road if ChromaSource wants to expand they could always go back through the process.

Jennifer Romano questioned how they would get the wording through that Council would prefer less in setbacks. She advised she did not want to see any problems with economic development there. Nathan Bilger advised the simplest thing would be to give a directive for a text amendment in the form of a motion.

Walt Crowder questioned if they would be willing to include that manufactured homes would not be accepted on this property. Nathan Bilger advised mobile homes were not allowed and the other piece was the zoning code does not allow for 2 separate dwelling units on the same parcel. Walt Crowder did not feel that area was designed to support that. Mr. Bilger advised that should be a recorded amendment and attached to the ordinance.

Motion was made by Jennifer Romano to initiate a text amendment regarding setbacks for industrial to the Plan Commission, Tad Varga seconded the motion.

Nicole Penrod questioned what the buffering would include. Nathan Bilger advised there could be fences, trees, walls, mounding, etc. He stated the County just requires trees right now, shrubs and various other things. He was thinking of proposing to just keep the existing 25 ft. setback and not adding the additional 25 ft. Nicole Penrod noted 25 ft. was what ChromaSource was requesting.

Upon the motion, all voted aye.

Motion was made by Dan Weigold to approve Ordinance 2018-14 with a requirement of a written commitment to be recorded, Tad Varga seconded the motion, all voted aye.

ORDINANCE 2018-11 – VACATE ORDINANCE – 2ND READING Motion was made by Jennifer Romano to read Ordinance 2018-11 by title only, Nicole Penrod seconded the motion,

all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2018-11 an ordinance of the City Council of Columbia City vacating a public way in the Brand's 1st addition to the town of, now City of Columbia City.

Nathan Bilger shared building plans with Council members.

Motion was made by Nicole Penrod to approve Ordinance 2018-11 on second and final reading, Jennifer Romano seconded the motion, all voted aye.

PROFESSIONAL ENERGY SERVICE – FINANCING Rosie Coyle explained this was for the remodeling of City Hall 2nd floor. She advised the loan would be through Star Financial Bank for about \$750,000.00 and was for a 15 year period. She reported they would begin work on June 11.

Mayor Daniel advised the entire 2nd floor would be vacated. He shared meeting locations during the remodeling process and gave a brief overview of what would be done.

Motion was made by Nicole Penrod to approve the financing with Star Financial Bank for the City Hall remodel project, Tad Varga seconded the motion, all voted aye.

UTILITY RATE ADVISORY BOARD MEMBER CONFIRMATION Mayor Daniel advised he had 3 appointments he was requesting Council approval on. He stated for the unexpired term of Jeff Writtenhouse, who was moving away, he was appointing Amy Hesting. He shared Amy was the Director of Regional Initiatives and lives on east Swihart Street. He stated for the unexpired term of Kevin Eames, he was appointing Jon South who was the Manager at Teghtmeyer Ace Hardware and for the expired term of Lee Baatz, he would like to reappoint him to the Board.

Motion was made by Dan Weigold to approve the Mayor's Utility Rate Advisory Board appointments, Walt Crowder seconded the motion, all voted aye.

COMPLIANCE WITH STATEMENT OF BENEFITS Mayor Daniel explained the Tax Abatement process to the audience.

Mayor Daniel advised the first approval was for STAFCO. Dan Weigold noted they had done better than anticipated.

Jennifer Romano felt all of the applicants surpassed any promises made to Council as far as what they were intending to do; most have hired quite a few more people than they had planned to.

Walt Crowder questioned the maturity date for the abatements. Rosie Coyle advised the last year for STAFCO was 2020.

Mayor Daniel questioned Council if they believed STAFCO was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Rinly Property was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Quality Inspection & Gage was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed DOT America 2014 was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed DOT America 2017 was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed K.C. Jones Plating was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Peak Performance was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Oakview Tool was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Burnham-Kerr (Dunham's, Wings Etc., Crossfit) was in compliance. There was concern this was not in compliance. Nicole Penrod noted the number of employee's listed. Mayor Daniel guessed the form was filled out incorrectly more than anything else; he quickly went through the number of employees at the different businesses.

Jennifer Romano felt it would be nice to have them come in when their Statement of Benefits was being considered. She felt the City was giving them something and to have them come in, especially if there were questions, was not too much to ask. Mayor Daniel thought there was discussion in the past regarding having the business come in. He questioned Rosie Coyle when these had to be approved by. Rosie Coyle advised they were supposed to be in by May 15. She stated she had been working with the new Assessor because she was getting frustrated too with the forms being filled out wrong or not getting turned in. She reported she still had 2 in her office that were out of compliance because they did not have their paperwork turned in.

Mayor Daniel shared his opinion was they were in compliance but suggested to Council if they believed they were in compliance and still had questions we could request a representative come in. He advised he would pass onto Jon Myers that Council would like to have the businesses present every year.

Walt Crowder felt Council had been patient but also keeps making exceptions so if there was time to extend it, to give them the opportunity to come in and explain it. Jennifer Romano advised Council had a responsibility to the citizens of the community to make sure the businesses were following through.

Dan Weigold suggested taking the Mayor's recommendation and find them in compliance at this point but in the future, request a representative be present.

Jennifer Romano questioned if it could be relayed that it was the expectation a representative be present in the future. Mayor Daniel advised he absolutely would relay that message. Nicole Penrod added it be reiterated and stressed that if the Statement of Benefit was not turned in on time it would not be approved. Jennifer Romano also added that if there were questions and a representative was not present it could also risk it not being approved.

Mayor Daniel questioned if Jeff Kerr needed to come in to further explain or answer questions. Nicole Penrod suggested giving him a year's notice to be present next year.

Council agreed to find Burnham-Kerr in compliance for this request.

Mayor Daniel questioned Council if they believed Burnham-Kerr (Dollar Tree) was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Precision Plastics for real property was in compliance. Council agreed.

Mayor Daniel questioned Council if they believed Precision Plastics for personal property was in compliance. Council agreed.

Motion was made by Dan Weigold to find all companies as listed in compliance, Nicole Penrod seconded the motion, all voted aye.

DEPARTMENT HEAD REPORTS **Kelly Cearbaugh** – installing ADA ramp on Swihart Street, televising sewers on the southwest part of town. **Shawn Lickey** – finished installing lights at Morsches Park, Board of Works approved getting bids for new bucket truck, pilot meters should be in soon, update on reductoring project. **Tom LaRue** – training opportunities, meeting on high school fire academy program, new firefighter scheduled to start May 27, Truck 101 repair. **Mike Cook** – RDC signed contract for the sewer crossing on US 30 with tentative preconstruction meeting on May 31, setting flow meters, preparing for sludge hauling, met with R & C fence on various fencing repairs. **Mike Shoda** – tapped Verizon store line, working on Jefferson Street, cement work done on Squawbuck. **Mark Green** – update on Aquatics facility, Youth Council work at Morsches Park, investigating light replacement for fields at Morsches Park, Splash Pad open, developing website for Aquatics facility.

PARKING ENFORCEMENT Mayor Daniel advised he has had multiple downtown businesses requesting the enforcement of 2 hour parking again. He thought the enforcement was set to begin June 1st. He advised Council can always look at the time limits and change those. He shared one concern that has been brought forth is those who are handicapped. He proposed, for the interim, the idea of exempting the handicapped spaces from the 2 hour parking. He advised there were pros and cons of that idea and questioned Council what their thoughts were.

Jennifer Romano suggested waiting as there has been some discussion on a proposal that would be a compromise. Mayor Daniel questioned if that would be coming in ordinance form. Jennifer Romano thought it would be in petition form to be considered for an ordinance.

Dan Weigold advised they have had the discussion before of exempting those spots. He felt we had amply handicapped spots but was unsure about allowing someone to park full time.

Walt Crowder concurred and suggested there could be a compromise but did not feel allowing someone to park for 8 hours would be in the best interest.

Nicole Penrod felt they should go ahead with the parking enforcement beginning June 1st and also felt they should not exempt the handicapped parking until Jennifer brings forth the proposal. She advised it would be harder to take away.

Mayor Daniel confirmed with Council to begin 2 hour parking enforcement June 1st until there was a formal change brought to City Council. Council agreed.

CITY ENGINEER Mayor Daniel noted the previous discussions on a City Engineer and advised there was a potential opportunity to acquire a 30 hour per week engineer. He shared there was a retired engineer interested in coming back to get PERF benefits and who also brings a lot of experience. He advised he had Beth drafting a job description that would be brought before Council but questioned, before he starts moving down this path fairly quickly, if they would be supportive of having a City Engineer who would make an average of what engineers make for our region.

Tad Varga thought when discussed before they had come to the conclusion there would be cost benefits to this. Mayor Daniel advised the City spends a lot of money on engineering every year. He explained for electrical engineering we would still need to spend money as this person was a physical and civil engineer which would cover things such as road and sidewalk design. He felt this person could really save us with projects such as Westgate, Blue River Trail, park and storm water stuff.

Dan Weigold advised he has been in support of this from the very beginning. Tad Varga agreed. Walt Crowder believed we had a need for it. He noted in looking at the list of things going on this person could be a support for our department heads as well as City Council. He advised he was more than willing to take it under advisement. Nicole Penrod thought it could be a good trial period.

Having no further business to discuss the meeting was adjourned.

Attest:

Mayor Ryan Daniel

Clerk Treasurer Rosie Coyle