

**COMMON COUNCIL
TUESDAY, JANUARY 14, 2020
6:00 PM**

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

Council Members

Walter Crowder – Present
Jennifer Reffitt – 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 Motion was made by Jennifer Romano to approve an overview of the December 30, 2019, meeting minutes as presented, Tad Varga seconded the motion, Walt Crowder, Jennifer Romano, Tad Varga and Dan Weigold voted aye, Jennifer Reffitt abstained.

ELECTION OF COUNCIL PRESIDENT Dan Weigold nominated Walt Crowder as Council President. Tad Varga also nominated Walt Crowder as Council President. Hearing no other nominations, upon the motion of Jennifer Romano and seconded by Tad Varga, the nominations were closed.

Jennifer Reffitt, Tad Varga, Jennifer Romano and Dan Weigold all voted in favor of appointing Walt Crowder as Council President. Walt Crowder abstained.

SWEARING IN OF DEPARTMENT HEADS Rosie Coyle performed the swearing in ceremony for all department heads.

ANIMAL CONTROL AGREEMENT Mayor Daniel explained the City contracts with the Humane Shelter every year to act as our animal provider. He briefly reviewed the breakdown provided by the Shelter and shared the City's obligation under the MOU was a maximum of \$25,000.00. He noted this amount has stayed the same for a long time.

Attorney McNagny pointed out the places in the agreement where it says "Town Council" needs to be changed to "City or Common Council".

Jennifer Romano questioned if they were invited to come to Council; she felt it might be interesting. Mayor Daniel agreed and thought in the past years they have come up.

Motion was made by Walt Crowder to enter into the agreement presented by the animal shelter not to exceed \$25,000.00 annually for the support of the animals in Whitley County and Columbia City, Tad Varga seconded the motion, all voted aye.

ORDINANCE 2020-1: AMENDMENT TO TRAFFIC SCHEDULE – 1ST READING

Motion was made by Jennifer Romano to read Ordinance 2020-1 by title only, Dan Weigold seconded the motion, all voted aye Clerk Treasurer Rosie Coyle read Ordinance 2020-1 an ordinance amending Chapter 75, Traffic Schedules, of Title VII of the Code of Ordinances of the City of Columbia City, Indiana.

Kelly Cearbaugh explained this was for the new section of Cambridge Crossing. He noted there would be a stop sign at Norfolk and Longfellow and 20 mph posted on both streets.

Dan Weigold questioned if the ordinance needed to reflect that it was West Longfellow instead of just Longfellow. Kelly Cearbaugh advised the sign says West Longfellow. Mayor Daniel suggested it be changed. Rosie Coyle advised Attorney McNagny could change it for the next reading.

Motion was made by Tad Varga to approve Ordinance 2020-1 on first reading, Dan Weigold seconded the motion, all voted aye.

ORDINANCE 2020-2: AMENDMENT TO GOLF CART ORDINANCE – 1ST READING

Motion was made by Jennifer Romano to read Ordinance 2020-1 by title only, Dan Weigold seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2020-2 an ordinance amending Chapter 73, Bicycles, unicycles, three-wheeled cycles and golf carts, of Title VII of the Code of Ordinances of the City of Columbia City, Indiana.

Jennifer Romano reported the amendment spells out that there can be 6 people, 2 people per seat, to cover the legal golf carts that have 3 seats.

Motion was made by Jennifer Romano to approve Ordinance 2020-2 on first reading, Tad Varga seconded the motion, all voted aye.

Walt Crowder felt it should be noted what the change was. Mayor Daniel questioned if it was a maximum of 4 people. Attorney McNagny thought it was silent on the number of people allowed. She advised she was unable to pull up the ordinance to see what it currently said.

GOLF CART DISCUSSION – AGE RESTRICTIONS Jennifer Romano shared Council has heard from the public about changing the age of people riding on the golf carts. She advised the Ordinance Committee discussed the issue and felt consistently not to change the age because of the safety aspect of it. She shared they leaned heavily on the Police and Fire Department as they would be the ones responding to the scene if something were to happen.

Fire Chief Tom LaRue shared in reading up on this issue there was a very high percentage of injuries that occur in those 18 and younger. He noted there was a gap from the infant to 5-6 year olds because most places do not allow them on the carts. He advised there were no protections built into these vehicles.

Police Chief Scott Leatherman explained small children's neck muscles were not designed for a sudden stop and were hard to hang onto anyway. He agreed it was tough to study the injuries because younger children were just not allowed on them.

After additional discussion, Council agreed to keep the age to 6 years old.

PETS AT DOWNTOWN EVENTS DISCUSSION Jennifer Romano shared the Ordinance Committee discussed pets at events in length and after much discussion it was suggested to leave the decision up to the Event Organizer.

Rosie Coyle questioned how the Event Organizer would enforce that. Chief Leatherman advised they could ask the Police to get involved if someone was asked but refused to leave.

Jennifer Reffitt questioned if it was left up to the event how it would be conveyed. Jennifer Romano suggested signs could be put up. Walt Crowder suggested the event organizer could put it in their list of rules.

Mayor Daniel felt it came down to that at the end of the day where should the City be on this issue; he felt there were pros and cons on both sides but what should the City ordinances say about allowing animals at downtown festivals and events in which the City is approving street closures for.

Jennifer Reffitt did not feel leaving it up to each event is a good idea because people will not know for every single event how to handle it or whether or not they can bring their pet.

Mayor Daniel questioned if the discussion was specifically on dogs. Jennifer Romano advised it started with the dogs but then other animals came up.

Jennifer Romano noted if someone were to get bit the legal question that came up was if it would fall on the City or the pet owner. Attorney McNagny advised that was part of the discussion; the fact that the City was making these laws and say no pets at these events but then start to make exemptions and allow the pets to come in. She added if the animal bites someone, the City has interjected themselves in the issue. She questioned if the City wanted to be in the business of deciding who gets to have animals at their event and who does not; why not leave it up to the event organizer. She advised we already have the animal ordinance in place that would still apply to all of the animals within the City limits no matter if they are part of an event or not.

Scott Leatherman advised there was also State Law that requires people to keep their animals under control. He noted there were provisions regarding animal bites and who was responsible. He felt it should be up to the event organizer as to if they want animals allowed at their event or not. He shared it becomes bad P.R. for the police if they are chasing people off with their animals.

Dan Weigold felt our ordinance was pretty tight with animals anyway. He advised it all goes back to the responsibility of the pet owner to keep that animal under control. He mentioned the

issue that happened on North Elm Street with the dog attack; it goes back to a civil matter between the pet owners.

Walt Crowder understood where Attorney McNagny was at and felt the ownership does go back to the sponsor. He mentioned we have ordinances in place that we support and have been there for a long time. He did not feel we were trying to make it difficult or bad but the sponsor should have ownership of getting information out as it needs to be and if they see something, they will make an attempt to address it and if it does not work then call the police.

Mayor Daniel felt he was hearing from Council that if we leave the ordinance as is, we would continue to have issues and kind of get into a little bit of a legal situation but if we change it, then it was a lot more laissez faire in regards to whether or not they were allowed downtown. He said to Jenny Reffitt's point it would be hard for those festival planners/organizers to get the word out as to whether animals would be allowed or not. He felt it would be worthwhile for Council to take these next two weeks to talk to people to gather feedback and go from there.

APPOINTMENT TO SOLID WASTE BOARD Mayor Daniel shared the Solid Waste Board was in charge of the recycling program in Whitley County. He advised Nicole Penrod was appointed to that Board but was no longer a Council member so needed to fill her spot. Jennifer Reffitt advised she would fill the position.

Motion was made by Dan Weigold to appoint Jennifer Reffitt to the Solid Waste Board, Jennifer Romano seconded the motion, all voted aye.

DEPARTMENT REPORTS **Mike Cook** – update on liftstation issues and sludge hauling, LTCP update, received IPEP grant to purchase gas meter, flow meter ring setter and 3 AED's. **Chip Hill** – did not receive the DNR trail grant or the downtown planning grant. Mayor Daniel advised they had a meeting scheduled with OCRA to go through the planning grant and the trail grant he felt we were probably a finalist but ran into some snags that just could not get fixed in the holiday season. **Scott Leatherman** – update on hiring process. **Shawn Lickey** – started tree trimming, update on AMI implementation. **Mark Green** – Father/Daughter dance February 7 & 8, ice rink open through February, soccer goal purchase, update on high school property plans and dog park, lifeguards needed, baseball/softball registrations start in February, Walmart donated Christmas decorations to use at the Aquatics Center.

REDEVELOPMENT COMMISSION APPOINTMENTS Mayor Daniel asked Council to reappoint Tad Varga and Scott Gates to the RDC for this year.

Motion was made by Walt Crowder to keep Tad Varga and Scott Gates on the RDC Committee for the year 2020, Dan Weigold seconded the motion, Walt Crowder, Dan Weigold, Jennifer Romano and Jennifer Reffitt voted aye, Tad Varga abstained.

REDEVELOPMENT COMMISSION Tad Varga gave an update on the Cardinal Grain property. He noted Chip Hill would be putting a sign up at the Van Buren Flat's showing the City's involvement in the project.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle