

BOARD OF WORKS
TUESDAY, AUGUST 9, 2022
5:00 PM

Mayor Ryan Daniel – Present
Clerk Treasurer Rosie Coyle – Present
Attorney Marcia McNagny – Present
Walter Crowder – Present
Nicole Penrod – Present

The Columbia City Board of Works met in regular session with all members present, Mayor Daniel presiding.

MINUTES Motion was made by Nicole Penrod to approve an overview of the July 26, 2022, meeting minutes as presented, Walt Crowder seconded the motion, Nicole Penrod and Walt Crowder voted aye, Mayor Daniel abstained.

CRAIG WAGNER: 110 PEABODY DEMO GARAGE Craig Wagner, Building Inspector, was present to discuss the issue of a collapsed garage at 110 Peabody Avenue. He shared there were complaints submitted from the neighborhood which prompted orders to be sent out allowing 60 days for the property owner to take care of the orders. He reported the owner has made substantial progress towards removing the building.

Jeff Coverstone, 110 Peabody Avenue, was present to discuss the order. He questioned how many complaints had been submitted. Mayor Daniel advised he did not remember any complaints coming in and referred to Mr. Wagner. Craig Wagner reported they had at least three signed complaints.

Mr. Coverstone wondered if these actions may be biased or discriminatory. He shared his property was targeted as well as his son's property. He noted it could be coincidental, but they were in such close proximity. He advised his son's garage was at the back of his property, not in the main view of Van Buren so seemed a little discriminatory. Craig Wagner assured Mr. Coverstone there was no bias. He advised he saw it when he came out on the complaints of the collapsed building. He shared he did not even know who the owner was until he looked up the property.

Mr. Coverstone questioned if this was all complaint based. Mayor Daniel shared some of the time it was but other times it may be that a police officer has turned it in. Craig Wagner added that they do occasionally address structures that appear they may fall over the property line or into an alley where there was not necessarily a complaint filed. Mr. Coverstone shared it should be of note that around the courthouse square there are obvious issues that threaten the health and life of individuals on the sidewalk. Mr. Wagner advised he had not noticed or was aware of any issues. Mayor Daniel suggested if Mr. Coverstone had addresses, we would take a look at those addresses.

DISCUSSION OF 119 N. ELM STREET Mayor Daniel explained there was a house that burnt down on this property and the City actually ended up paying for the demolition. He explained the property was owned by a shell corporation out of Fort Wayne and did not have insurance on the property. He noted in the packet there was conversation between the County and City Attorney's on what to do with the property. He felt the property was too small to build on so the idea was to maybe split the parcel and donate to the adjoining property owners. Craig Wagner agreed the parcel was probably too small to build on but there were all kinds of options on how to get a house on a lot. He felt the property was saleable; however, was not sure about giving it away since there were costs incurred.

Craig Wagner confirmed there was no path to an owner of the property. Mayor Daniel advised we know who the property owner is, and where they live, but it is a shell corporation who owns the property, so no one is paying the taxes on it. Mr. Wagner questioned if tax sale had been discussed. Mayor Daniel felt the issue the County Attorney has shared has been because of the size of the parcel and the amount of fees and taxes due, it may have very well went up for tax sale but never sold because of those barriers.

Attorney McNagny summarized the discussions with the County Attorney regarding this property. She asked the Board what their questions might be or how they might want to proceed. She felt the bottom line was the County appeared to be agreeable to waiving their fees as long as the City was not making money on it either.

Nicole Penrod confirmed it was an empty lot. Attorney McNagny advised it was. She suggested we probably could not recoup what all was owed on it no matter what we do. Attorney McNagny advised that was correct. Nicole Penrod confirmed the City paid for the demolition of the home. Mayor Daniel advised we did.

After additional discussion, motion was made by Nicole Penrod to give Mayor Daniel permission to either negotiate with the owner or follow through with other means of obtaining the property, Walt Crowder seconded the motion, all voted aye.

STREET CLOSING REQUEST – HOMECOMING PARADE Motion was made by Mayor Daniel to approve the homecoming parade for September 9 as presented, Nicole Penrod seconded the motion, all voted aye.

STREET CLOSING REQUEST – MOVIE ON THE SQUARE Mayor Daniel noted this was for September 2 following First Friday events.

Motion was made by Nicole Penrod to approve the street closing permit for Movie on the Square for September 2, 2022, starting at 9 pm, Walt Crowder seconded the motion, Nicole Penrod and Walt Crowder voted aye, Mayor Daniel abstained.

PAY REQUEST 2: WAYNE ASPHALT – WESTGATE Chip Hill gave an update on the paving at Westgate.

Motion was made by Mayor Daniel to approve payment for Wayne Asphalt Pay Application # 2 Job #2228 in the amount of \$267,422.72, Nicole Penrod seconded the motion, all voted aye.

STREET CUT – SURF BROADBAND – MADISON & MARSHALL ALLEY Motion was made by Mayor Daniel to approve the permit to cut into curbs, streets or alleys for Surf Internet for the Madison & Marshall alley, Nicole Penrod seconded the motion, all voted aye.

STREET CUT – SURF BROADBAND – CATHERINE, LINE & RADIO RD. Motion was made by Mayor Daniel to approve the permit to cut into curbs, streets or alleys for Surf Internet for Catherine Ave and the corner of Line & Radio as presented, Walt Crowder seconded the motion, all voted aye.

STREET CUT – SURF BROADBAND – MARKET & CHAUNCEY Motion was made by Mayor Daniel to approve the permit to cut into curbs, streets or alleys for Surf Internet for the corner of Market & Chauncey as well as the alley between W. Market and W. Ellsworth, Nicole Penrod seconded the motion, all voted aye.

TRICK OR TREAT Mayor Daniel reported that Halloween falls on a Monday. He reminded the Board that he did an outreach to the community to see what they wanted, and it came back pretty solid that they liked Saturday night.

Motion was made by Mayor Daniel to set trick or treat for October 29 from 5 – 8 pm in the City of Columbia City, Nicole Penrod seconded the motion, all voted aye.

BILLS Motion was made by Nicole Penrod to pay all accounts payable in the amount of \$1,431,848.99 from the allowance of accounts payable vouchers dated August 9, 2022, Mayor Daniel seconded the motion, all voted aye.

PAYROLL Motion was made by Nicole Penrod to pay all paytypes except overtime in the amount of \$255,873.41 plus overtime in the amount of \$8,873.86 for the payfile ending July 29, 2022, Walt Crowder seconded the motion, all voted aye.

DEPARTMENT REPORTS **Kelly Cearbaugh** – working on curb issue at Oak & Vine, trimming trees, relocating welcome sign to the Little Turtle school property, submitting Community Crossings application for the 2023 street paving project, Kevin Cearbaugh retirement reception on Friday, August 12 at the MSF. **Mike Cook** – reviewed drawings for the CSO project, requested permission to hire 1-2 high school interns; Board of Works approved. **Terry Wherry** – SOS Communications installed new switches damaged from the last storm. **Tom LaRue** – Truck 102 failed pump testing and working to get the issue fixed, update on interview process, attended incident command training, will be doing a presentation regarding the future of pool fills. **Mike Shoda** – finished installing storm drain at Westgate and will start storm drain at Dogwood. **Gary Parrett** – offer of employment to 3 candidates approved by the Board. **Shawn Lickey** – update on Westgate project, bid opening for the Main Street project will be August 23, pole attachment agreement with Surf Wireless, preliminary meeting with developer of new jail. **Chip Hill** – update on Westgate, meeting with the County RDC about providing sewer to potential development on 100 S.

Having no further business to come before the Board, Walt Crowder called the meeting adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle