

**COMMON COUNCIL  
TUESDAY, SEPTEMBER 12, 2023  
6:00 PM**

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

**Council Members**

Walter Crowder – Present  
Jennifer Middleton – Present  
Jennifer Romano – Present  
Tad Varga – Present  
Daniel Weigold – Present

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

**MINUTES** Mayor Daniel noted the clarification of the Humane Society under the chicken discussion as well as the outcome of the vote was listed incorrectly.

Motion was made by Jennifer Romano to approve an overview of the August 29, 2023, meeting minutes as corrected, Tad Varga seconded the motion, all voted aye.

**PUBLIC HEARING – VACATION OF RIGHT-OF-WAY – 325 N. ELM ST.** Mayor Daniel directed Council to page five of the packet. He noted Community Bible Church owns both sides of the alley there and added it was not a very heavily used alley. He shared they were planning to build a new facility there, either behind the current church or on the other side of the alleyway. He shared there was conversation with the Board of Works, specifically about vacating that half alley and the question came up from Kelly Cearbaugh about the turning radius for their plows. He believed Kelly and Mr. Flowers had worked on a turning radius there that would allow the plows to be able to turn the corner without coming into contact with anything. He questioned if the agreement was currently being worked on. Attorney McNagny advised she was working on an easement. She explained the City needs to have a radius for turning so the reason for doing an easement was in case the church sold it would stay with the property.

Mayor Daniel shared that was effectively the conversation with the Board of Works. He mentioned because the parking lot was across the alleyway from the church, there was some safety concern there. He stated it was a scenario where the church owns both sides and so it made sense. He explained the idea was they would pave the other side to blend those two areas to create additional parking opportunities for the church.

Tad Varga confirmed they essentially would use that basically as part of the parking lot. David Staudtler was present representing the Church. He explained right now they have Awanas Club and so there was always kids running out the building, even after church, to go across there. He noted there are cars that once in a while come through there and shared it was more a safety issue. He also mentioned in the winter it gets icy and they have elderly ladies who park on the other side and walk over, but it gets slippery.

Tad Varga questioned if they would continue to keep it where people could drive through or would it be closed off. Mr. Staudtler advised they would let people drive through. Kelly Cearbaugh shared we would still have to maintain the West side of that alley and would be a safety concern to have to back up. Mayor Daniel pointed out on the map how it would look.

Attorney McNagny confirmed for the easement area, or the turning radius, it would always remain unblocked. Mr. Staudtler advised they would make sure it was.

Hearing no further comments or questions from the Council, Mayor Daniel recessed the Council meeting and opened the floor for the public hearing on the vacate request. Hearing no comments or questions the public hearing was closed.

**ORDINANCE 2023-16 VACATION OF RIGHT OF WAY – 325 N. ELM ST.** Motion was made by Walt Crowder to read Ordinance 2023-16 by title only, Jennifer Romano seconded the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2023-16 Vacation of Public Right-of-way.

Mayor Daniel questioned if there were any comments or concerns.

Tad Varga questioned if Council approves the vacate, would this all become one lot. Mayor Daniel assumed the three properties would be merged into one. David Staudtler advised they would want to make sure they merged into one lot in case they would sell. Tad Varga advised he was thinking into the future that if for some reason they would want to separate it back out. Dan Weigold advised they would have to have a survey to join everything together. Mayor Daniel shared there would be no reversion to it, unless for some reason they wanted to split it back to the way it was, they could theoretically dedicate the alley back to the City. Dan Weigold suggested, if this is approved, they get with the Planning Department to make sure everything is documented accordingly.

Jennifer Romano expressed concern that if something were to change in the future and they decided to sell the property, or even just decided to expand over that space, it would be within their right to do that, but it would be a disadvantage to the City if that is a critical path for our Street Department to get through there. Mayor Daniel advised the turning radius would be locked in but the alley itself, and was his point to Mr. Flowers, that if they keep that as a driveway entrance and keep it open on both ends, there is no point in us vacating it to them because it would remain an alley. He felt the only potential there would be is that they would effectively need to come and ask the City to shut down that alley from time to time if they were having events. He stated if the vacate happens and they do not actually close off one end, there was no value to it because people would continue to go through, and the City would get a freshly paved alley at their cost. He advised that ultimately would be the deal, that if they merge the three parcels together, there was no reversionary clause back to the City. Dan Weigold shared he was not sure he has ever seen that happen. He felt if we were not using the alley now, we probably would not need it in the future, especially in that area. Mayor Daniel noted it was a maintenance thing for the City, which is not a big part of this, but felt for the safety of the parishioners and others, that was why the Board of Works was supportive of it.

Tad Varga questioned if Council votes in favor of this tonight would it still be contingent upon what Attorney McNagny was doing. Mayor Daniel advised Council would still have a second reading of the ordinance and could pass it contingent on that being taken care of. He questioned Attorney McNagny if the Council were to approve the ordinance tonight, could they approve the changes at the next meeting, or would she request that it be tabled tonight. Attorney McNagny advised they could approve for first reading but with the request to see ‘turning radius’ included in the ordinance. She felt maybe Dan Weigold was indicating it may need to go to Nathan at Planning and Building first. Dan Weigold felt since this was unique to the situation for that easement, it would be nice to see that on the survey to show that was your permanent legal document. Attorney McNagny felt they could do that without having to do a separate easement and separate agreement and just have that be a part of the ordinance. She agreed with Dan and felt that would be much easier to have it all in one, and not two separate matters and then they just include the turn radius.

Mayor Daniel questioned if the preference would be to table the ordinance. Attorney McNagny advised it was.

Motion was made by Jennifer Romano to table the ordinance, Walt Crowder seconded the motion, all voted aye.

**DEPARTMENT REPORTS** **Chip Hill** – update on Eagle Park. **Selah Wagner** – update on Youth Council activities. **Kelly Cearbaugh** – ADA ramp upgrades in Eagle Glen, Van Am sealing parking lots, preparing plows and salt boxes. **Mike Shoda** – painting hydrants in Eagle Glen, new services installed, Board of Works approved repairs to Well 8. **Shawn Lickey** – updating services on Morsches Road, preparing for AEP conversion which will result in citywide outage. **Terry Wherry** – fiber installed at new park office, waiting for

fiber to be cut into the substation to get the water booster station up on the network. **Tom LaRue** – pump testing scheduled, ladder testing.

**MAYOR REPORT** Mayor Daniel reported for Mike Cook in his absence. He reported the CIP Committee approved having a retail analysis that would assist finding ways to attract new and different kinds of restaurants and businesses to our community. He shared there was a kickoff meeting on Friday to start the actual analysis. He reported they had a Downtown Planning/Steering Committee meeting. He shared at the November 14 Council meeting they will go through the proposed plan to get feedback on the proposed ideas, and then come back with a finalized plan. He reported The Kitchen and Company was obviously moving to the Van Buren Flats building and were having their ribbon cutting at 10 AM on Saturday, the 23<sup>rd</sup>.

**PLAN COMMISSION** Dan Weigold reported Council would probably be looking at a rezone at the next meeting for the area north of Cottonwood Court and Sommerset Trail. He advised the Plan Commission unanimously approved the rezone with a few adjustments. He shared there was a possibility of 42 – 46 lots.

**ARTS COMMISSION** Jennifer Romano reported on their first major event and was a great success. She shared every one of the participating 10 sites and 15 artists commented that they had lots of people come through and they all sold things. She advised a video was being produced to show what happened that day and once it was ready, if the City would like to put it on their website, that would be fine. She reported they would be working on strategic planning for next year pretty soon and have a lot to plan out. She shared there was already talks in the works about some more partnership stuff with CC Connect and are also discussing the possibility of maybe some wintertime events with CC Connect.

**REDEVELOPMENT COMMISSION** Tad Varga reported the Redevelopment Commission met but not much was going on. He inquired with Chip Hill on whether there was just one more test to be done on the old Cardinal Grain property. Chip Hill advised they have the lead and the vapor test left to do.

Tad Varga reported they approved a façade grant and another one was in the works.

**TREE BOARD** Walt Crowder advised they will have an opening in October for the Tree Board and asked Council to let him know of anyone who might be interested in serving on the Board.

**CHICKENS** Melanie Love of 113 E. Market St. was present with handouts regarding backyard chickens. She explained it covered information that she has mostly already said but it discusses common concerns, additional benefits and has included an updated list of the Indiana cities that allow chickens, which also now includes Indianapolis. She felt it a little sad that we are a nice rural community but are very backwards. She shared places like Indianapolis, Carmel, New Haven, Valparaiso, and a lot of other cities that are not even as rural as we are, allow chickens but we do not because it is hard. She felt that was a very poor reason because a lot of things are hard but also worth doing. She pointed out that there were actually already things in place for animals in a lot of our ordinances so would not be all that difficult to add chickens in. She was not really sure this was given a lot of thought and encouraged Council to check those.

Hearing no further comments or questions, Mayor Daniel called the meeting adjourned.

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Mayor Ryan Daniel

Attest:

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Clerk Treasurer Rosie Coyle