

**COMMON COUNCIL
TUESDAY, OCTOBER 28, 2025
6:00 PM**

Mayor Ryan Daniel – Present
Clerk Treasurer Leslee Robinson – Present
Attorney Marcia McNagny – Present

Council Members

Brent Bockelman – Present
Jennifer Romano – Absent
Jennifer Middleton – Present
Tad Varga – Present
Daniel Weigold – Present

The Columbia City Common Council met in regular session with all members except Jennifer Romano present. Mayor Daniel called the meeting to order at 6:01 p.m. All stood to say the Pledge of Allegiance.

MINUTES Approval of the October 14, 2025 meeting minutes were postponed until the next meeting.

Dan Weigold made a motion to approve the October 24, 2025 special meeting minutes as presented. Jennifer Middleton seconded the motion, motion passed unanimously.

ORDINANCE 2025-19 – 2ND READING Tad Varga made a motion to read Ordinance 2025-19 by title only. Brent Bockelman seconded the motion, motion passed unanimously. Clerk Treasurer Leslee Robinson read Ordinance 2025-19 an Ordinance amending Chapter 97, Streets and Sidewalks, of the Code of Ordinances of the City of Columbia City, Indiana.

Mayor Daniel stated that basically what we have done in practice is being put in ordinance form, but has also been held up by state statute. He explained that property owners were in charge of maintaining up to the center line of the road, although not in charge of taking care of the road. He stated that would include any areas between the sidewalk and curb. He noted this came from Attorney McNagny and our Code Enforcement Officer.

Dan Weigold questioned who was responsible for trees that are in the right of way or alley. He advised he did not see anything addressing trees and that has been an issue in the past. Mayor Daniel felt our position has consistently been that trees are ultimately the property owner's responsibility; however, the Tree Board does maintain the city street trees and there was a database of those trees. He stated it has been the acting policy that we maintain the street trees but if a tree causes a hazard or something, even though it may be a city street tree it is ultimately the property owners' responsibility. Attorney McNagny advised that it is correct, the property is still the property owners. Mayor Daniel added that we just have a right of way if it is platted. Dan Weigold felt many people do not understand rights of way. Mayor Daniel agreed and added easements as well. Brent Bockelman suggested if a citizen has questions or concerns to have them reach out to the Tree Board to take care of.

Leslee Robinson felt the biggest question was where the liability falls; does it fall on the homeowner if it is a street tree in the right of way. She advised that she and Attorney McNagny have talked, and confirmed that the liability still falls back on the homeowner. She reported that she has an email out to the insurance company as well. Attorney McNagny shared that she reached out to the city attorney prior to her starting in 1998 to see what the policy had been, and it was confirmed this is how it has always been viewed in Columbia City and other communities as well.

Mayor Daniel shared that this has been a lingering issue with residents in that if the city is taking care of these trees, are they not city trees? He advised the answer was no, they are really not city trees. He reported that we take care of the trees because they beautify our community and we may plant them, but to be fair, we give individuals in those planting areas the option to say no. He stated that if they can say no to a tree, that means they also own the tree, theoretically. He went on to explain that if we want to cut down a tree because it is infected or dying, the homeowner can still say they do not want the tree cut down. He advised we then have them sign a liability waiver noting that they have been made aware of it and it is their tree. He felt street trees were a bit of a gray area, but it was pretty clear from historical precedent as well as legal precedent, that it is the homeowner's responsibility.

Mayor Daniel explained that ultimately, the purpose behind this ordinance was because there are areas that individuals are not taking care of because it is the "city's right of way".

Brent Bockelman made a motion to approve Ordinance 2025-19 on second and final reading. Tad Varga seconded the motion, motion passed unanimously.

UTILITY RATE ADVISORY BOARD APPOINTMENT Mayor Daniel shared that Lee Baatz, Chairman of the Utility Rate Advisory Board, has had some medical issues and had to step away from the Board. He reported that he had a great conversation with Doug Ferrell who has been a long time Northeastern REMC employee and felt he would be a really good replacement for the Utility Rate Advisory Board. He explained that Doug would be the non-city utility customer, meaning he lives outside the city limits, but is a city utility customer. He advised he talked to Shawn Lickey who also felt pretty confident about Doug's ability to serve.

Mayor Daniel respectfully requested Council's approval of Doug Ferrell to fill the non-city utility customer board position.

Dan Weigold made a motion to accept Doug Ferrell for the utility advisory board as the Mayoral appointment. Tad Varga seconded the motion, motion passed unanimously.

TREE BOARD APPOINTMENT Tad Varga reported that he has talked with an individual a couple different times about serving on the Tree Board. He advised they were willing to serve, and they live just north of town, but not in the city limits. He shared that he was a super sharp guy who used to do building, planning and construction in Los Angeles and Northern California. He advised he has lived here for probably 10 - 12 years now and his name is Jim Christl.

Tad Varga made a motion to appoint Jim Christl to the unexpired term of Jennifer Romano. Jennifer Middleton seconded the motion, motion passed unanimously.

DEPARTMENT REPORTS **Shawn Lickey** – continue with their pole placement project, the second half of pole testing was completed with 160+ additional poles to be added to the project. He gave an update on the State Road 9, from 500 North to 600 North, project and an outage that occurred in the process. He reported that he was approved for engineering work on the Radio Road transmission project so will be sending RFQ's out for a switch for that project. He gave an update on the status of their bucket truck that was purchased nearly two years ago and hope to have that done in the next couple months. He reported that they had training on some underground wire fusing applications and testing and the Board of Works approved substation testing for the year. **Kelly Cearbaugh** – they started the second round of leaf pickup and will start preparing the plows and salt boxes for winter. He talked with Lori Shipman about starting on the Community Crossings grant for next year. He reported that the school maintenance crew contacted him about running a new sewer line to our main down at the old Braden Products building. He advised the line gets really close to the new trail and they were going to try and avoid damaging it. **Tom LaRue** – gave an update on Ladder 107 repairs and reported that the new engine will be coming in earlier than expected. He advised Mike McGregor was updating equipment quotes and they continue working through Sierra Wireless issues. He reported that Landon Timm completed his probation book, they received quotes to repair the west side of the fire station and reported on the live fire training that took place on Saturday. **Matt Heiden** – ran electric out to the front sign so it can have permanent lighting and outlets to plug in seasonal lights. He reported that they have started winterizing in the parks by taking down nets and things down and will start doing restrooms soon. They are getting ready to launch a new software as their old software will no longer be supported. **Mike Shoda** – gave an update on the lead line project. He discussed the discolored water issues and requested people call into the office when there are issues rather than post on social media. He explained that brown water was a natural thing when you have well water as it has a high iron content. **Gary Parrett** – update on the tornado sirens, he took the four potential applicants to Indiana Public Safety Medical for their physical and psychological testing and are still waiting to hear back on the results. He reported that the Skeleton Festival went well and are gearing up for Halloween this Friday. He shared that Tractor Supply is doing a Touch-a-Truck this Saturday and will have a couple guys there and the Veterans Marathon is November 8th. He reported that they transitioned to a 12-/8-hour shift schedule, and everybody seems to be enjoying it. He gave an update on their Sierra Wireless issues and appears they have a fix for it.

Mayor Daniel shared reports from Terry Wherry and Mike Cook.

UPCOMING MEETING DATES Leslee Robinson reminded the Council of the budget adoption meeting scheduled for Monday, November 3rd at 9:00 a.m. and then the next regular council meeting will be November 12th instead of the 11th because of Veteran's Day.

MAYOR REPORT Mayor Daniel reported that the Youth Council met with County Commissioners and a couple of members from the County Council. He reminded everyone that Trick or Treat was scheduled for this Friday from 5 to 8 p.m. He shared that we were having two leadership development sessions for our staff on Friday on how to deal with difficult people. He

reported that he and Chip will be attending an economic forum that Star Bank puts on next Thursday morning and the Veterans Marathon will be happening on Saturday November 8.

AIM DESIGNATION – MAYOR DANIEL Dan Weigold congratulated Mayor Daniel on being elected as AIM president for 2026.

Having no further business to discuss, Mayor Daniel called the meeting adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Leslee Robinson