

**COMMON COUNCIL
TUESDAY, APRIL 13, 2010
7:00 P.M.**

Mayor James Fleck – Present
Clerk Treasurer Rosie Coyle – Present
Attorney Lindsey Grossnickle – Present

Council Members

Walt Crowder – Present
Nicole Penrod – Present
Don Sexton – Present
Roger Seymoure – Present
Dan Weigold – Present at 7:30 p.m.

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

MINUTES Motion was made by Sexton to approve an overview of the March 23, 2010 meeting minutes as presented, Seymoure second the motion, Penrod, Sexton and Seymoure voted aye, Crowder abstained.

MASTER GARDENERS This issue was postponed until the April 27, 2010 Council meeting.

PARK SIGN This issue was postponed until the April 27, 2010 Council meeting.

ORDINANCE 2010-7 ONE SIDE STREET PARKING – 1ST READING Tom LaRue reported this was the final group of streets up for one side street parking. He explained in addition to the streets under 26 ft. it was brought to their attention that there was a bottleneck on Jefferson Street from Whitley to Madison. He advised they did include that portion of Jefferson Street in the ordinance but it was being requested that the no parking be moved from the south side to the north side. He advised he and Kelly Cearbaugh did not have a problem with switching it to the north side.

Roger Seymoure questioned if there was a desire to move it from one side to the other. Anita Fry advised there was and explained the way both their drive and the neighbors to the west of them are that if there are vehicles parked to the north it makes it difficult, especially with the higher curbs plus they would not be able to get their boat out.

Mayor Fleck questioned if it was shown appropriately in the current ordinance. Tom LaRue advised it was not.

Motion was made by Crowder to read Ordinance 2010-7 by title only, Sexton second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2010-7 an ordinance amending Title VII, Chapter 75, schedule VI of the code of ordinances of the City of Columbia City, Indiana.

Motion was made by Sexton to amend Ordinance 2010-7 for Jefferson Street to strike south and change it to north, Penrod second the motion, all voted aye.

Motion was made by Sexton to accept Ordinance 2010-7 for first reading as amended, Seymoure second the motion.

Tom LaRue advised a letter was sent to all of the property owners on Jefferson Street from Whitley Street to Madison but requested to send another letter informing them that it would be switched to the north side. He reported he and Kelly Cearbaugh drove the street and it appeared that everyone on the north side had off street parking.

Roger Seymoure questioned, relating to Business 30, with having no curbs out there if someone would pull off into their yard if they would be in violation of no parking. Tom LaRue advised they would be in violation of another ordinance. Kelly Cearbaugh was not sure if they would park on the berm if that would be the same. Mike Petersen advised they would include that as part of their front yard.

Upon the motion, all voted aye.

Dan Weigold now present.

ORDINANCE 2010-8 AMENDMENT TO SEWAGE DISCHARGE – 1ST READING Mike Cook explained they amended Section 51 of the Grease Trap Ordinance pertaining to dishwashers and also amended Section 55 of the Pretreatment Ordinance pertaining to flow and temperature equalization from a business or industry.

Walt Crowder questioned how this would be monitored. Mike explained once they start discharging to us they would sample and take temperatures from the samples.

Roger Seymoure questioned if there were any other businesses that would have that issue. Mike advised Steel Dynamics discharges very warm water but so far they have been within the limits.

Walt Crowder questioned if there was a fee for the time to monitor that. Mike advised the fee was included in the pretreatment sampling.

Motion was made by Weigold to read Ordinance 2010-8 by title only, Penrod second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2010-8 an ordinance amending Title V, Chapter 51, Sewage Service and Title V, Chapter 55, Pretreatment of Pollutants of the code of ordinances of the City of Columbia City, Indiana.

Motion was made by Sexton to accept Ordinance 2010-8 as first reading, Weigold second the motion, all voted aye.

RESOLUTION 2010-10- AMENDMENT TO PERSONNEL POLICY MANUAL Rosie Coyle reviewed the changes made to the policy in the areas of Work Scheduling, Family Medical Leave, Disability and form changes.

Motion was made by Sexton to read Resolution 2010-10 by title only, Seymoure second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Resolution 2010-10 final approval of revisions to personnel policy manual.

Motion was made by Seymoure to adopt Resolution 2010-10 with one change on page 64, Section A (1) subsection (d) to change 'thee' to 'there', Penrod second the motion, all voted aye.

STREET DEPARTMENT Kelly Cearbaugh informed the Council that he would like to do a curb and sidewalk project on Whitley Street from North to Van Buren Street. He advised he would like to use some of the street paving money and Cum Funds to support the project.

Dan Weigold questioned if we had any signs that said 'No Parking This Side' he said there seemed to be some problems on Burke Street. Kelly was not sure they had one at the shop but could order one.

Mayor Fleck questioned what the dates were for limb pickup. Kelly advised it started April 5 and the next one would be the week of May 3. He explained their route starts on the west side and they work their way east.

WATER DEPARTMENT Mike Dear reported they performed annual maintenance on the chlorinators and high service pump #1 was overhauled and put back into service. He advised the water lines for the new hospital had been tested and turned on. He reported all of the meters had been turned on in the first building for the Overlook Villas and they made a tap and meter setting for a new home on Business 30 west.

POLICE DEPARTMENT Mike Petersen advised they were working on a couple traffic issues; one regarding an emergency route for Old Settlers. He distributed a copy of the proposed route to the Council. He stated they also have a resident on Elm Street who has talked with them about speed issues in the alley behind their home. He advised he and Kelly would be looking into a resolution and come back to the Council.

Walt Crowder questioned how the speed sign program was going. Mike Petersen advised it was out for repair but thought Captain Anspach might have it up this week. Walt questioned if they could get an update on it.

FIRE DEPARTMENT Tom LaRue distributed a copy of their run totals since April 1. He gave an update on the status of the Testworth property. Mayor Fleck advised that was a property identified as a Brownfield in the grant that was submitted.

Walt Crowder pointed out in the report there were 6 false alarms and questioned if the ordinance was initiated in reference to false alarms. Tom LaRue explained in that particular instance they did not write tickets because they had been in prior discussions about the problems they were having.

Walt also questioned under the medical runs what priorities they respond to or was there a certain level that they stop responding. Tom explained they are to respond to all priority 1's but if the dispatcher or paramedic deems their help is needed otherwise they have the ability to dispatch the department and that is when they go beyond the priority 1's. Walt understood and just wanted to acknowledge the evaluation of the priority list of when we should respond.

WASTEWATER DEPARTMENT Mike Cook distributed brochures to the Council regarding mercury and copper reduction as required by IDEM. He advised brochures would go out the end of this month or the first of May and would also be posted on the City's website.

COMMENTS/QUESTIONS - TERRY SMITH Terry Smith advised he read in the newspaper that Phase II of the sewer project was going to be funded by a grant from the Indiana Office of Community and Rural Affairs, low interest loans and rate increases. He also mentioned he was talking with a gentleman who reported to him that the City had 150 disconnects for unpaid sewer bills. He questioned why we did not apply the \$1.5 million left over from Phase I to the cost of Phase II and avoid the rate increases. Mayor Fleck explained we did and came in \$2 million less than what was projected. He stated when the initial rate increase was given, it projected for the whole amount therefore this rate increase was less because we did not spend that money. Mr. Smith questioned if we would still have rate increases. Rosie Coyle explained they have already been applied and there would not be any more. Mr. Smith stated that was why all of those people got disconnected because of the rate increases. Rosie advised we do not disconnect sewer, there was no way of disconnecting sewer. She also advised we only had 30 disconnects for this month.

Mr. Smith advised he saw in the newspaper that the Board of Works discussed initiation of litigation and questioned if anyone could comment on that. Mayor Fleck advised they could not as it was dealt with in executive session.

Mr. Smith stated there were some people in Westgate who do not have a problem with the 20 mph speed limit but have a problem with all of new signs put up. He questioned why there were so many new signs. Mayor Fleck advised we were required to. Mr. Smith questioned who was requiring it. Kelly Cearbaugh explained there was an ordinance stating it was 20 mph out in that area and there had to be signs to support it. Mr. Smith advised they did not have a problem with the speed limit but had a problem with the increase in speed limit signs. Mike Petersen advised there had to be signage in speed areas because there is not a general governance like there is on a county road where if it is not posted it is assumed to be 55 mph. He explained in the Westgate area it goes from 20 mph to 40 mph. Mr. Smith explained one fellow who has lived out there for years came back from vacation and there was a speed limit sign in his yard that had never been there before. He stated there was another one across the street from a driveway that had never been there before and the resident almost hit it backing out of his garage. Mike Petersen explained they had an accident in Westgate that was 45 mph+ and one of the residents did complain so they addressed the issue because there was no signage.

Having no further business to come before the Board the meeting was adjourned.

Mayor James Fleck

Attest:

Clerk Treasurer Rosie Coyle