

**COMMON COUNCIL
TUESDAY, MAY 26, 2009
7:00 P.M.**

Mayor James Fleck – Absent
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

The Columbia City Common Council met in regular session with all members present, Crowder presiding. Mayor Fleck was absent.

MINUTES Upon the motion of Seymoure second by Penrod to approve an overview of the May 12, 2009 meeting minutes as amended under the one side parking discussion, all voted aye.

NUISANCE COMPLIANTS UPDATE – SIMMERS Rosie Coyle gave an update on the complaints presented by the Simmers. She advised she contacted the Building Inspector regarding the Linvill property. She reported Mr. Wagner walked the whole property and could not find any place for animals to get in but would keep an eye on it. She reported she received an email from the Plan Commission on the fence stating they were not the ones who stopped the building of the fence and as far as they were concerned nothing was wrong. She felt that was an issue between the two property owners.

Roger Seymoure questioned if the Simmers had been notified. Rosie advised she had not but would contact them.

NEW TRACKER Rosie Coyle reported the Tracker would be going down for the next quarter. She advised residential rates would be about \$13.28 less for every 1,000 kilowatts.

She explained the Tracker is what our supplier charges us to generate the electricity. She advised it was then passed through to the customers.

ORDINANCE 2009-8: ONE SIDE PARKING – 2ND READING Upon the motion of Penrod second by Weigold to read by title only, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2009-8 an ordinance amending Title VII, Chapter 75, Schedule VI of the Code of Ordinances of the City of Columbia City, Indiana.

Upon the motion of Seymoure second by Weigold to approve Ordinance 2009-8 for second and final reading.

Walt Crowder questioned the modification of Collinwood Avenue and North Street to Collinwood Avenue and Brownwood Avenue. Chief LaRue advised it was a housekeeping issue to match what was currently posted with the ordinance.

Don Sexton pointed out a couple spelling errors. Rosie advised she would make the correction.

Upon the motion, all voted aye.

ORDINANCE 2009-11: PRETREATMENT ORDINANCE AMENDMENT – 1ST

READING Jeff Walker thought it was an update in fines. Rosie Coyle understood it was so that they could charge for pretreatment testing for different places.

Walt Crowder he talked with Mike and advised there were 4 industries that have permits we support with this request. He thought Mike was working with them and thought his intentions were to notify them via a letter.

Don Sexton questioned if this was an increase or was it to start charging fees. Walt Crowder advised the ordinance has been there and Attorney McNagny and Mike have worked to clean it up. He explained we have never charged before even though we had the opportunity.

Upon the motion of Sexton second by Penrod to read Ordinance 2009-11 by title only, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2009-11 an ordinance Chapter 55: Pretreatment of Pollutants, of the Code of Ordinances of the City of Columbia City, Indiana.

Upon the motion of Penrod second by Weigold to approve Ordinance 2009-11 as first reading, all voted aye.

Jeff Walker commented that the Flow Monitoring needed to be changed to \$100 for next reading.

PARKING COMMITTEE Tom LaRue reported at the last Council meeting a concern was raised about the intersection of Madison and Van Buren. He advised the Committee was taking steps to address that concern.

Roger Seymoure questioned if they were going to start the next group of streets. Chief LaRue advised they were going to meet when he returned from vacation.

Chief LaRue reported a letter was drafted that they were going to send to the residents on Arrowhead Court. He advised he was approached about sending the same type of letter to residents of the East Hanna Street area. He explained the letter basically states that complaints were being made about parking issues in the area and were asking the residents take action so the City would not have to and see how it works.

POLICE DEPARTMENT Mike Petersen discussed a letter that was distributed to Council regarding Lawrence Street Westgate Avenue intersection. He reported there was accident there in May in which a driver failed to Yield and struck one of the patrol cars. He advised concerns were raised from the officer as well as a resident regarding the intersection. He requested a

notice be sent to the resident at 170 Lawrence Street to abate the shrubbery obstructing the view at the intersection. He stated the signs at Lawrence Street were Yield signs. He advised he was not a big fan of Yield signs and preferred Stop signs. He felt Yield signs give too much flexibility for a driver to make discretion on how fast they would travel through an intersection. He reported he talked with Kelly Cearbaugh about it and they were both in agreement and requested replacing the Yield signs on Lawrence Street to Stop signs.

Walt Crowder questioned from a safety perspective if there was value of putting a 4 way stop there to slow traffic. Chief Petersen advised there was always value but did not like to put stops signs every 150 ft. He felt the Stop signs would be appropriate.

Council gave direction for Attorney Grossnickle and Chief Petersen to start the paperwork for an ordinance change to support the request and work with Rosie on the letter to send as well.

WATER DEPARTMENT Mike Dear reported they repaired a 4” main break last week and have finished up flushing the hydrants. He advised they stuck in a new 4” valve and started laying the main on Collins Street. He reported the Aeration Tank was put back in service last Wednesday.

ELECTRIC DEPARTMENT Larry Whetstone reported they completed the rerouting of their primary at Chesapeake and Heritage Place. He advised they completed the stump removal and had to update services at Oakview Tooling.

PARK DEPARTMENT Larry Whetstone reported for Mark Green in that they would be having a Florida Scramble at Eagle Glen to raise money for the fireworks.

OUTSIDE OPERATIONS Jeff Walker reported spring clean up was scheduled for June 13 & 20. He advised he and Kelly Cearbaugh attended Level I certification program training which was a requirement for local public agency’s when being recipients of Federal Highway Administration Grant money. He reported they began the restoration process on the two sewer projects. He reported on the required city wide OSHA safety training. He advised the fine screen process modifications were underway and Cecil Whitaker was putting together a letter to Corporate Construction regarding the Davit Cranes to work through the reimbursement process.

Roger Seymoure questioned if the OSHA training would benefit us with insurance rates or was it a requirement. Jeff Walker advised it was a requirement but every time there was an incident of workman’s comp it indirectly affects the rates. He stressed the more we could drive it down to a zero incident rate the better.

FIRE DEPARTMENT Tom LaRue reported they had a mock training at the Wastewater Plant.

CLEAN UP DAY Dan Weigold advised he had a concerned citizen contact him regarding trash having to be placed out front. Rosie Coyle advised they could put stuff in the alleys. Jeff Walker confirmed they would be picking up at the street or alley. He advised it was still in the contract that they would come around.

FIREWORKS – BUILDING VARIANCE Tom LaRue explained the new building having to do with the interceptor sewer in the park interfered with the distances needed for the fireworks to be lit off in the Park. He reported they applied for a variance through the state and were granted the variance for the building.

Nicole Penrod questioned when the fireworks were scheduled for. Rosie Coyle advised it was July 3rd.

Having no further business to discuss the meeting was adjourned.

Council President, Walter Crowder

Attest:

Clerk Treasurer Rosie Coyle