

**COMMON COUNCIL  
TUESDAY, JUNE 23, 2009  
7:00 P.M.**

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

**Council members**

Walter Crowder – Present  
Nicole Penrod – Present  
Donald Sexton – Present  
Roger Seymoure – Present  
Daniel Weigold – Present

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

**MINUTES** Upon the motion of Penrod second by Weigold approve an overview of the June 9, 2009 meeting minutes as presented, all voted aye.

**ALAN TIO – EDC REPORT** This issue was postponed.

**ORDINANCE 2009-12: IDENTITY THEFT 2<sup>ND</sup> READING** Upon the motion of Seymoure second by Penrod to read Ordinance 2009-12 by title only, all voted aye. Rosie Coyle read Ordinance 2009-12 and ordinance to amend the code of ordinances of the City of Columbia City, Indiana to provide an identity theft prevention program, to comply with federal regulations relation to address discrepancies, to comply with federal regulations relating to red flags and identity theft, to provide for codification, to provide for severability, to provide for an adoption date, to provide an effective date, and for other purposes allowed by law.

Upon the motion of Seymoure second by Weigold to adopt Ordinance 2009-12 as second and final reading, all voted aye.

**ORDINANCE 2009-13: STOP SIGN ORDINANCE: WESTGATE AVE. & S. LAWRENCE STREET – 2<sup>ND</sup> READING** Upon the motion of Crowder second by Penrod to read Ordinance 2009-13 by title only, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2009-13 an ordinance amending the traffic schedules of Chapter 75 of the code of ordinances of the City of Columbia City, Indiana.

A motion was made by Seymoure second by Weigold to adopt Ordinance 200913 as second and final reading.

Roger Seymoure reported he talked with a couple people who lived out there; one thought there was interest in making it a 4 way stop but after talking with the others found there was not sufficient interest to pursue it and one who lived on Buddale who wanted it to remain a yield.

Walt Crowder questioned if there was a certain distance from the intersection that there should be no blockage of the signage. He advised when turning off of old Lincolnway heading towards that intersection the sign is not seen until about halfway down the street because of a tree. He asked for someone to look into it. Chief Petersen advised he would get with Kelly Cearbaugh and check it out.

Walt questioned if the ordinance would go into effect once approved. Mayor Fleck advised it would go into effect after publication.

Upon the motion, all voted aye.

**WIRELESS NETWORK COMMITTEE** Walt Crowder reported he and Terry Wherry met with the school representative from their IS Department and have established a plan to start putting a presentation together for Council. He advised they are meeting with the appropriate people to get some estimates. He stated it was still in a fact finding and design stage.

Walt explained they were only looking at the fiber network for the City of Columbia City and the infrastructure of the underground system that would be put in would have spare interduct design that when and if the school elects to work out a deal with the City or share costs they can use that duct system to pull their own fiber independent of our fiber. He advised there were a lot of places when looking at the layout that there were opportunities to share pathways and save costs for all parties involved. He explained they were looking to do some of the work in house to help keep cost down and put over a plan of 1 – 3 or 1 – 5 years if needed.

Roger Seymoure questioned if there had been any discussion with the County. Walt reported we had a relationship with the County where fiber was already in place from the County jail to City Hall. He advised the County has their own fiber network as well.

**205 PROJECT** Mayor Fleck reported over the past 2 weeks they have met with the State, hospital officials, contractors, design engineers and utilities. He advised they learned that in order to qualify this project for consideration by the State for the 2011 fiscal year, which would start October 2010, is when construction can begin. He explained it was important because they wanted to dovetail it with the Parkview project so that when construction is let it would be seamless in terms of tearing up the road or interfering with traversing that area. He advised they also had a 60 day window from the time they first met with INDOT approximately 4 weeks ago in order to sign the agreement and was why the special meeting was scheduled for Thursday. He reported they had all the estimated costs to move the utilities, for the internal road in the Park, financing of the project and how it would all come together.

Don Sexton questioned if the outcome of the meeting would be the point where Council determines whether to go ahead with the project. Mayor Fleck advised that was correct and explained we had to have the agreement as a first step. Don confirmed there would be no opportunity for people to think about and discuss it but basically 'here it is make your decision'. Mayor Fleck advised the Council had been kept informed with respect to the whole process. Don did not feel they had and was his concern all along. He advised he's attended the meetings and has asked questions but has basically been told it would be discussed when it was all pulled

together. He felt it sounded like Thursday the numbers would be presented and a decision would have to be made. He advised they have never had an opportunity to discuss whether it was a viable and necessary project.

Don expressed concerns that when he talked with citizens in the community they did not understand why the project was even being considered and why public monies were being spent when it was not a necessary project. He felt it was a waste of tax payer money. Mayor Fleck explained it was primarily for safety and there would probably not be any additional costs than what it would cost to do it individually. He advised we would have to incur between \$350,000 - \$500,000 to move the utilities.

Mayor Fleck reported the financing had pretty much been secured for this and there was a strong possibility that we may not have to contribute anything as a local match. He explained it was all federal money that has already been designated, voted on and allocated. He advised there would be no new taxes to the citizens of Columbia City.

Mayor Fleck explained as far as funding they had been to Washington and have been in consultations with Representative Souder's Office. He advised we do have the 2.9 million which was 80% of what was an anticipated project but since the original presentation the project has been downsized therefore the costs have gone down.

Don questioned what they would be signing at the meeting on Thursday. Mayor Fleck advised Council would be authorizing them to begin the process of selecting an engineer. Nicole Penrod confirmed the 2.9 million would come from the Federal Government. Mayor Fleck advised it would. He explained the only way the State can do the project is through the City. He advised the State has partnered with us throughout the process.

Nicole Penrod questioned what changes would be made. Mayor Fleck advised they would widen SR 205, change the entrance to the Park, change the Coon Hunters entrance, eliminating the entrance of the Wolfe property, widening the lanes almost exclusively on the east side of SR 205. He explained in the original concept there was a median strip equivalent of one more lane but has been eliminated due to some configurations on the west side of the road. Nicole questioned if the idea was to have 4 lanes out by US 30. Mayor Fleck advised the idea was basically 4 lanes to the bridge.

Roger Seymoure stated some of it would be done whether we do anything or not. He advised from 205 to the hospital entrance would be redone by the hospital. Mayor Fleck advised it would be to the library which was 1/3 of the whole project. Nicole Penrod confirmed the hospital was paying for 1/3 of the project and then the rest of the costs would involve the 2.9. Mayor Fleck advised the 2.9 million did not include anything to do with the hospital project. He explained with respect to the financing of that it could be said that we would not be contributing to the Parkview project but they may be contributing to our project. He advised their money would not be connected with our money.

Nicole confirmed that if we did not do anything to the road we would still have to incur the cost of moving the utilities. Mayor Fleck advised we would have to incur the cost to move electric,

water and sewer. He advised that was our major cost and to add the cost of the ingress/egress of Morsches Park we would almost match what we would have to bring to the table in terms of money. He stated he could not guarantee it because they did not have the design but it has been estimated. He advised to make it more difficult we could not be in contact with the design engineer that we would or may select because of the rules.

Walt Crowder stated there had been 2 or 3 public meetings for the people along the corridor to come in and see the conceptual design. He explained there has been funding established and identified for the City of Columbia City and if we do not use it another City will. He felt there was value that if funding was offered and we can make things better it would be wise to look at all the options.

Mayor Fleck stressed that he was not trying to go any faster than they had to but the time crunch was the problem.

Roger Seymoure questioned if Parkview had chosen their design engineer. Mayor Fleck advised they had.

Walt Crowder confirmed that they had 2 -3 years to plan for the City's portion of the project. Mayor Fleck advised that was correct. Walt advised there were other opportunities out there that they may not even have to use City tax dollars. Mayor Fleck explained the maximum would be 20% of the 80/20 grant. He explained the utilities some of which used by Parkview, water for instance, Parkview has to pay to move. He advised part of the project was obligated by the City and that part qualified for the 80/20. He explained all of the electric we were responsible under the rules to put in place. He advised Larry Whetstone had been in contact with Parkview with respect to the second feed. Roger Seymoure pointed out we were already incurring some of the electric costs with moving the poles. Mayor Fleck advised Parkview was under a severe timeline and was why Larry started that project about a month ago.

Dan Weigold advised everything had been explained to him and the way the financing had a possibility of working to the City's benefit.

Nicole Penrod questioned if there would be more than one way out of Morsches Park. Mayor Fleck explained the proposed ingress/egress would be an extension of Towerview Drive. He stated the question becomes of the present entrance and whether it would become an exit right turn only. He explained under the original concept the present entrance would be gone as well as the library entrance but it was being modified.

Walt Crowder confirmed the 2.9 was a done deal. Mayor Fleck advised it was. Walt confirmed that if we did not take the next step we would lose it. Mayor Fleck advised that was correct. Roger Seymoure questioned if the costs came down so that 2.9 was more than 80% would we get that much. Nicole advised we would get up to 2.9 million.

**POLICE/FIRE DEPARTMENT** Tom LaRue reported the police and fire department had everything ready for the parade on Friday.

**WASTEWATER DEPARTMENT** Mike Cook reported samples were taken and tested from the effluent and no toxins were found. He advised they were still in discussions on the sludge hauling process and the digester had been painted. He reported they would be getting letters out to the industries regarding fees.

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

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Mayor James Fleck

Attest:

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Clerk Treasurer Rosie Coyle