

**COMMON COUNCIL**  
**TUESDAY, AUGUST 11, 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  
Don 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 Seymoure second by Weigold to approve an overview of the July 28, 2009 meeting minutes as presented, all voted aye.

**ORDINANCE 2009-13: GOLF CART ORDINANCE – 1<sup>ST</sup> READING** Mayor Fleck reported since the last meeting there has been a lot of work that has been done. He asked Brian to comment on the ordinance. Captain Anspach reported the Chief was comfortable with how the ordinance reads.

Mayor Fleck asked Attorney Grossnickle to explain the background and how they arrived with the drafted ordinance. Attorney Grossnickle explained Chief Petersen initially drafted the ordinance off of one from Lebanon. She advised Rosie Coyle as well as the Chief had received several other ordinances. She reported they made just a couple tweaks from what was presented at the last meeting. She advised after going through all of the other ordinances she felt this ordinance was sufficient and changed just enough to meet the City's needs.

Mayor Fleck reported with the various discussions he has had there were those who were in favor of it and others who were very skeptical. He wanted to make sure Council felt comfortable with the document.

Roger Seymoure questioned with the statement 'equipped with factory seating' if there would be issues with a conversion group changing the vehicle. Attorney Grossnickle stated there probably could be but felt the intent behind it was to make sure there was seating meant to be used in a golf cart for safety reasons so someone was not just rigging it themselves. Roger questioned if a conversion company would be considered a factory. Attorney Grossnickle felt it very well could be.

Nicole Penrod advised her concerns all along have been Main Street, Line Street and Van Buren Street. She stated she had read somewhere that there was a state law prohibiting the use of golf carts on state highways even if they were in City limits. She advised she contacted a couple

people and one said they could not be allowed and the other said they could because the state was letting the City's decide. Attorney Grossnickle advised without having the information in front of her she felt if the City made an ordinance that allows for it then it would be allowed. Nicole questioned if they would restrict use of golf carts on certain streets would signs have to be put up. Attorney Grossnickle felt the City would be required to put up signs. Nicole questioned if they pass the ordinance allowing use on all of the streets and see that it was not working they could restrict it later on. Attorney Grossnickle advised they could modify the ordinance at any time.

Nicole mentioned some City's require a registration fee and questioned if there was a reason why we were not doing that. Rosie Coyle advised because they would be required to get proper registration and insurance Chief Petersen did not feel it was necessary.

Dan Weigold advised he has had more positive than negative responses but the skepticism comes back to the hindrance of the flow of traffic. He stated the two issues that have come up were safety and the hindrance of the flow of traffic.

Attorney Grossnickle new there were speed limits that were not to be exceeded but also thought there was something for those who were traveling too slowly on certain roads. Captain Anspach explained those vehicles had to have a triangle on them. He advised they could not impede traffic but if they were going as fast as they could; just like the motorized wheelchairs. Roger Seymoure questioned the scooters that were allowed on the streets. Captain Anspach advised they could not exceed 25 mph. He stated his biggest concern would be the curves on the main roads such as Van Buren Street or even on Whitley Street.

**FIRE DEPARTMENT** Tom LaRue reported things went pretty much without a hitch for the 4-H fair. He thought the parking went well and did not have too much of an issue. Captain Anspach advised they did have to put out some cones. Tom advised he informed some of the 4-H people that they needed to come before the Board next year to get approval for the water they wanted to use for the motor cross.

Nicole Penrod reported she was informed by Walt of a car that parks on Ohio Street that supposedly was causing a problem with vision of the street. Walt Crowder explained people turning to go north or south across the tracks have to swing out into the other lane. He stated it was not uncommon for congestion there because of the parked car. Captain Anspach advised he was there today and explained the car was parked far enough back from the intersection and a long way from the railroad tracks. He stated the individual thought he was doing a service because of the speed that goes through there and people having to slow down to go around his car. He advised the individual also made reference that it was not posted as no parking. Walt Crowder questioned Captain Anspach from his perspective what he thought. Captain Anspach advised this morning it did not catch his eye at all and was way back from the intersection.

**PARK DEPARTMENT** Mark Green reported they were holding JFL registration through August 18. He advised the POW WOW went really well and did not affect them much at all.

**ELECTRIC DEPARTMENT** Larry Whetstone reported they set 10 temporaries for the POW WOW which was more than what they have had before. He advised they reconducted behind the old Cardinal Grain to get ready for the transition to tie that loop into the new substation. He reported they were still changing transformers and meters.

**WATER DEPARTMENT** Mike Dear reported they hooked up a couple new meter settings in the past few weeks. He advised the contractors have the water lines installed in the new section of Chesapeake. He reported they started repainting hydrants in town and should take 2 – 3 months to get them all painted. He advised the light bulb project was introduced to the principals as a possible fundraiser and reported they were taking it into consideration.

**POLICE DEPARTMENT** Brian Anspach reported they would be rebanding their radios on Tuesday. He advised they received unofficial word they would be losing an officer for a year to the military. He reported in the last couple weeks they have had unlocked cars being entered into and small electronic items and cash being stolen. He advised they have 4 people identified as being connected and would be referred to the probation department.

Walt Crowder asked Captain Anspach to send out another copy of the speed report for West Van Buren Street going out past the American Legion as well as a recommendation.

There was a complaint reported regarding cars with loud mufflers at the intersection by Pizza King.

**DIVERSITY TRAINING** Rosie Coyle reported they finished up with Diversity Training and by the first of next week the fat traps should be in to give out to the public.

**WASTEWATER OPEN HOUSE** Mayor Fleck reported the open house for the Water Pollution Control Facility was scheduled for September 10 from 4 – 6 p.m.

**SR 205 PROJECT** Mayor Fleck reported they submitted to the state our recommendation for a design engineer. He advised there was a committee of Jeff Walker, Mike Westfall with Parkview, Laurie Shipman and himself.

Having no further business to discuss the meeting was adjourned.

---

Mayor James Fleck

Attest:

---

Clerk Treasurer Rosie Coyle