

**COMMON COUNCIL
TUESDAY, SEPTEMBER 8, 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
Roger Seymoure – Present
Donald Sexton – 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 Sexton second by Penrod to approve an overview of the August 28, 2009 meeting minutes with a correction of Dan Weigold voting no on Ordinance 2009-13, all voted aye.

HUMANE SHELTER CONTRACT UPDATE Karen Friend-Bowman was present to present to the Council the figures showing the number of animals picked up in the City/County and surrounding communities. She expressed her appreciation for the monetary contribution the City does every year. Karen explained that the Shelter has reorganized and cut back to try to save money. Karen also said that the shelter receives no funding from the County. Walt Crowder requested that Karen bring back figures for the next Council meeting on the budget for 2009 and where they are at with their expenses, along with their proposed budget for 2010.

ORDINANCE 2009-13: GOLF CART ORDINANCE –2nd READING Upon the motion of Seymoure 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 73 of the Code of Ordinances of the City of Columbia City, Indiana.

A motion was made by Seymoure and second by Sexton to accept Ordinance 2009-13 as second and final reading.

Dan Weigold advised he fully appreciated the research that went into this and stated he wanted to explain again that he is not upset with the fact that people could use golf carts and felt they could be used in a very wise manner around town. He stated he, as well as the people he had been talking to, have a problem with allowing use on Main Street, Line Street and Van Buren Street between Oak Street and Rolling Hills between 7 a.m. – 7 p.m. He stressed the number one concern in looking at this was safety and the hindrance in the flow of traffic. He advised he did not have a problem with any other areas but it was a safety. He stated he was just looking at between 7 a.m. – 7 p.m. Monday through Friday not allowing golf carts on Main Street, Line Street and Van Buren Street between Oak Street and Rolling Hills.

The Clerk Treasurer explained the Ordinance had been amended to include the permit.

The signage issue was questioned as to what streets, if any, we needed to post signs informing the public that there were golf carts being used. The latest IACT bulletin had information that stated the signs needed posted. This will be checked into further.

After further discussion, upon the motion of Seymoure second by Sexton to approve Ordinance 2009-13 as second and final reading, Crowder, Penrod, Sexton and Seymoure voted aye, Weigold voted no.

Weigold informed the Council that residents of Eagle Glen would not be able to drive their golf carts on SR #205 since this was not in the City limits.

ONE SIDE STREET PARKING ORDINANCE 2009-17: On the motion of Penrod second of Sexton to read Ordinance 2009-17 by title only, all voted aye. A residence on N. Park Drive had requested the no parking be moved from the North side to the South side of the street. They have off street parking along the road and their teenager's park along the North side. On the motion of Weigold second of Penrod to approve Ordinance 2009-17 as first reading with the amendment of N. Park Drive to be no parking on the South side, all voted aye.

ADDITIONAL APPROPRIATION ORDINANCE 2009-14: On the motion of Penrod second of Weigold to read Ordinance 2009-14 by title only, all voted aye. The Clerk Treasurer read Ordinance 2009-14 an additional appropriation ordinance for the Fire Cum fund. The Clerk Treasurer explained that the CIP committee requested the Fire Chief remove the command vehicle purchase from the 2010 requests and purchase it this year out of his Cum funds. The Chief presented the quotes for a 2009 truck to the Board of Works. The Board forwarded their recommendation to the Council for funding. On the motion of Penrod second of Seymoure to suspend the rules to allow passage on first reading, all voted aye. On the motion of Seymoure second of Penrod to approve Ordinance 2009-14 as first and final reading, all voted aye.

AMENDMENT TO THE FIRE WORKS ORDINANCE 2009-15: On the motion of Weigold second of Sexton to read Ordinance 2009-15 by title only, all voted aye. The Clerk Treasurer read Ordinance 2009-15 which amends the use of consumer fireworks. Fire Chief LaRue explained that this ordinance will change the hours to a fixed time from 5:00 PM to 11:00 PM for the use of consumer fireworks. The current ordinance states the use of consumer fireworks from 5 PM to two hours after sunset. This will give the police officers and definite time by establishing the 11:00 PM. On the motion of Crowder second of Penrod to approve ordinance 2009-15 as first reading, all voted aye.

ORDINANCE 2009-16 AMENDMENT FOR TRUCK PARKING: On the motion of Crowder and second of Weigold to read ordinance 2009-16 by title only, all voted aye. Clerk Treasurer Coyle read Ordinance 2009-16 an ordinance amending truck parking on streets.

Upon the motion of Seymoure second by Crowder to pass Ordinance 2009-16 as a first reading.

Walt Crowder advised he knew they were talking about trucks but pointed out that the ordinance referred to them as vehicles. He questioned if they needed to clarify and take out any gray area that may appear. Mayor Fleck advised the size was described in the ordinance. Walt thought the intent was to not open the door for any large trucks like semi's and questioned if it would open the door and allow them to park on the streets. Attorney Grossnickle recalled that the sizes listed in the ordinance did not allow for semis. Chief Petersen advised he would look into it.

Mayor Fleck mentioned the question was raised about if a trailer is attached to a pickup truck if it would become one unit and meet the ordinance. Attorney Grossnickle stated her opinion was if it was attached it would be considered one but if the trailer is unattached the trailer would not be a vehicle. Dan Weigold questioned if a construction trailer that was unattached could or could not sit on the street. Attorney Grossnickle advised the answer would be yes if it fell within the guidelines. Nicole Penrod questioned if when they were talking vehicle it not necessarily was a motorized vehicle. Mayor Fleck stated if Council was only intending for it to be trucks with attachments it

would be one thing but with Dan's case there would be an issue. Nicole felt a trailer would be a vehicle just not a motorized vehicle. Attorney Grossnickle stated the whole idea was when a trailer is attached it made it too long.

Walt Crowder advised he would like to proceed forward on first reading and did not want to hold it up just to do additional investigation.

Upon the motion, all voted aye.

CIP COMMITTEE RECOMMENDATIONS: BUDGET APPROVAL Mayor Fleck explained the plan had to be approved and then it becomes a part of the budget. He advised Council had to approve them separately since they were capital items.

Rosie Coyle explained the recommendations were just being presented at this meeting and would not be approved until the next meeting.

POLICE DEPARTMENT Mike Petersen reported Officer Hively was on pre-deployment orders and was assuming the second set of orders would be for deployment for a year. He advised Officer Eber was also currently on military training and Officer Leatherman just returned from military training.

FIRE DEPARTMENT Chief LaRue advised they were waiting on the testing to come back on the air compressor.

STREET DEPARTMENT Kelly Cearbaugh reported they put new asphalt down in the new phase of Chesapeake Landing. He advised they started brush pick up this week.

Walt Crowder questioned if they were doing anything for mosquitoes this late in the year. Kelly advised they have been larvaciding in stagnant areas that hold water and the catch basins but did not have any plans of spraying. Walt advised the low spot in Columbia Shores has some big ones. Kelly advised he had a guy that was targeting certain areas.

WATER DEPARTMENT Mike Dear reported they did a tap and service line in Park 30 for a new business and also did a meter setting in Heritage Place. He advised they continue painting hydrants. He reported they received the results back from the lead and copper samples and everything was ok.

OHIO STREET PARKING Walt Crowder advised Captain Anspach submitted a report in reference to Ohio and Swihart Street. He stated his recommendation was to restrict parking Ohio Street on both sides from Chicago to Swihart Street. Nicole Penrod felt we should move forward with what Brian suggested.

Roger Seymoure suggested adding it to one of the ordinances the parking committee was working on. Walt felt since it was brought to Council as a public safety issue they should keep it separate.

Attorney Grossnickle advised she would take care of preparing something.

Having no further business to discuss the meeting was adjourned.

Mayor James Fleck

Attest:

Clerk Treasurer Rosie Coyle