

**COMMON COUNCIL
TUESDAY, DECEMBER 8, 2009
8:00 A.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.

PARK DEPARTMENT Mark Green reported their first week of Christmas lights went really well. He advised the 5K run was scheduled for next Friday the 18th.

COMMUNICATIONS/IS DEPARTMENT Terry Wherry reported he worked with the engineers from CenturyLink to install all the new routers at City Hall and other locations. He advised they would be activating them next Monday.

WATER DEPARTMENT Mike Dear reported they had a main break on Azuba Court last Friday. He advised they hooked up another meter setting in Lincoln Pointe and would be starting to winterize hydrants.

ELECTRIC DEPARTMENT Larry Whetstone reported they put street lights in at the new section of Chesapeake. He advised he had been working with the hospital and engineer and found out they had a transfer switch. He stated the electrical contractor was responsible for getting it on site and having the platform made. He advised they continue with tree trimming.

WASTEWATER DEPARTMENT Mike Cook reported they switched a couple more floats in the lift stations from mercury to the mechanical style floats. He advised Flow Tech was out to look at one of the roof tops units that has been malfunctioning and found they could repair the unit in house.

STREET DEPARTMENT Kelly Cearbaugh reported the leaf machines were cleaned up and put away as well as the sweeper. He advised they were getting the trucks ready for snow. He reported they were working on getting speed signs up and would be working with Attorney Grossnickle on some verbiage in the ordinances.

PUBLIC HEARING – SEWAGE AND STORM WATER RATE INCREASE Mayor Fleck opened the meeting as a public hearing.

Mayor Fleck explained this was a blended rate and they were able to reduce the impact in a much greater way than anticipated. He stated it reflects a significant grant in an amount in excess of \$5 million. He explained the increase was due to a mandate for us to do Phase 2 of the Long Term Control Plan which was a court ordered plan we entered into in 2005. He stated if adopted the rate would go into effect around March. He explained the increase based upon a typical residential user would be \$7.85.

Mayor Fleck explained the reason for the storm water rate to be adjusted along with the sewage rate was that it was part of why we must do the construction project. He stated it was a flat rate and would not change with respect to use whereas a sewer increase changes with respect to the amount that was actually collected. He advised it allowed us to get better financing and the financing we will have to support the construction project plus the rates will go towards paying off that financing through the SRF. He reported the interest rate with respect to both of these was just over 3%.

Hearing no further comments or questions Mayor Fleck closed the public hearing with respect to the sewage and storm water rate increase.

ORDINANCE 2009-25: SEWAGE RATE INCREASE – 2ND READING Motion was made by Sexton second by Weigold to read ordinance 2009-25 by title only, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2009-25 an ordinance amending the schedule of rates and charges to be collected by the City of Columbia City, Indiana, from the customers served by the municipal sewage works of said City, and other matters connected therewith.

Motion was made by Seymoure to adopt Ordinance 2009-25 as second and final reading, Penrod second the motion, all voted aye.

ORDINANCE 2009-26: STORM WATER RATE INCREASE – 2ND READING Motion was made by Crowder to read Ordinance 2009-26 by title only, Seymoure second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2009-26 an ordinance amending the schedule of rates and charges to be collected by the City of Columbia City, Indiana, from the owners of property served by the storm water system of said City.

Motion was made by Crowder to adopt Ordinance 2009-26 as presented, Penrod second the motion, all voted aye.

ORDINANCE 2009-23 ELECTED OFFICIALS 2010 SALARY ORDINANCE – 1ST READING Motion was made by Seymoure to read Ordinance 2009-23 by title only, Sexton second the motion, all voted aye. Clerk Treasurer Rosie Coyle read Ordinance 2009-23 an ordinance fixing the annual salaries of all elected officials of the City of Columbia City, Indiana effective December 20, 2009 for the year 2010.

Motion was made by Weigold to pass Ordinance 2009-23 as first reading as presented in the packet, Penrod second the motion, all voted aye.

POLICE DEPARTMENT Mike Petersen reported the police department was working on a triathlon as a fund raiser for part of their training. He stated it would be held at Chain-O-Lakes were trying to partner with Northeastern SWAT Alliance.

AMERICAN STRUCTURE POINT, INC: LPA CONSULTING CONTRACT (SR 205)

Mayor Fleck explained the Board of Works would be hearing from the engineer and their recommendation with respect to the scope of the project, payment of the project and where they were at with the State.

Mayor Fleck advised after the presentation the Board will be asked to make a recommendation to City Council. He stated it would then be scheduled for the December 22 meeting at which time the engineers will also make their recommendation. He advised the decision to be made was to enter into the engineering design contract and should have received a copy of that in the packet.

Roger Seymoure confirmed the City would sign a contract for the whole thing and then turn around and signs a contract with Parkview for their funding. Mayor Fleck advised that was correct. He explained INDOT changed the rules in that this had to be administered as one project. He advised that would not change the contributions in terms of what Parkview would be paying but would be administered through the City. He explained the Group 3 grant usually requires the grantee, which was the City, to advance the monies and then at the end of the contract would get reimbursed. He advised they apparently in some ways modified that rule and StructurePoint requested they make an advanced payment so the City would not have to advance those monies as they would come due. He reported they were pretty confident that will be granted.

Roger Seymoure advised we had applied for a second grant and questioned when we would know about that one. Mayor Fleck advised that would not be determined until February and may not hear anything until March.

Nicole Penrod questioned if American StructurePoint was the engineer. Mayor Fleck advised they were. He explained it was a competitive process and were 8 – 10 engineering firms that had to be graded and approved by the State.

Nicole Penrod questioned if the fee listed was included originally and was not additional fees. Mayor Fleck advised it was already included and had to be approved by the State as well.

Walt Crowder advised they were also supporting the utilities in the design and placement so there were multiple tasks happening under the umbrella of the project. He explained if we did not have anything other than utilities we would still have this requirement.

Nicole Penrod questioned the proposed tunnel and if it was something someone had to vote on to include in the project. Mayor Fleck explained the question becomes if it was funded within the Group 3 grant and if it was not they asked that it become part of the design. He stated if it was done and we have the money to include at the time of construction then it would become part of the construction but not funded under that grant. He advised if it was included from the State with respect to the additional monies then it would be paid for with 20¢ dollars. Nicole

questioned if they were asking for a grant to include that. Mayor Fleck advised they were asking the State to include it. Nicole questioned if they approve it if we had to include it. Mayor Fleck advised that would be the design. He advised we had no other alternatives because they would not put a stop light in. Nicole advised she was torn on the issue and saw a lot of potential for people getting in trouble in the tunnel. Walt Crowder stated we have had a tunnel in the city limits for years and was designed to safely move people from one park to another. He agreed the point was valid but felt people could get in trouble anywhere. Mayor Fleck advised it would be lit and would have security cameras. Nicole questioned if the tunnel was cheaper than the median. Mayor Fleck advised it was by far.

Don Sexton asked for clarification of what the \$450,000 number represented in the total project. Mayor Fleck explained. Roger Seymoure advised the total project was \$5.3 million and the \$450,000 was included in that. Mayor Fleck stated it also qualified for the 80/20. Don advised when he sees this, it was a contract, and when we sign the contract, in his mind, we were obligated and were going to do it with the idea that we had something coming. He questioned if the City would be on the hook for the \$450,000. Mayor Fleck advised we would but that qualified for funding from the grant. Nicole Penrod confirmed we had the grant. Mayor Fleck advised we had \$2.9 million and it would be part of that.

Roger Seymoure advised that was his initial concern too that we would be on the hook for \$450,000 but knew part of that was Parkview's money so we would have to turn around and sign an agreement with them that they would reimburse us for their share of that piece. Mayor Fleck advised one of the things they know is that Parkview's portion was considered local match so we would have sufficient monies to get the total 80%. Walt Crowder stated with INDOT making this a single source project it has actually made it stronger for all entities to go forward financially.

Mayor Fleck advised the engineering firm has started work on this without a contract.

Don Sexton stated he realized projects change but questioned even if the City would sign the contract it still might change. Mayor Fleck advised that was the nature of the beast but all of the items count as the match. Walt Crowder assumed with saying not to exceed that was our cushion to pay as we go and if we see issues we could stop and have discussions.

Mayor Fleck explained the urgency to this was because they had to have a signed contract so the survey for our easements can begin. He advised we had a deadline in terms of serving Parkview with electricity by March 1.

Walt Crowder questioned if they would have a drawing at the next meeting. Mayor Fleck thought they might be able to do a drawing and could ask them.

CHRISTMAS LIGHTING AWARDS Dan Weigold asked for a list of past winners. He advised he had been taking note of some homes and would have winners presented at the next Council meeting.

MINUTES Roger Seymoure pointed out a typographical error on the second page regarding Ms. Mayo's name.

Motion was made by Seymoure to approve an overview of the November 24, 2009 meeting minutes as presented, Crowder, Penrod, Sexton and Seymoure voted aye, Weigold abstained.

TAX APPROVAL Rosie Coyle advised she received the tax approval back with no changes. She reported the assessed valuation went up almost \$7 million and the City's tax rate went down a little over 2¢ for the year.

Having no further business to be discussed the meeting was adjourned.

Mayor James Fleck

Attest:

Clerk Treasurer Rosie Coyle