

City of Decatur
Board of Public Works & Safety Minutes
June 1, 2021

The City of Decatur Board of Public Works and Safety members met on Tuesday, June 1, 2021 at 6:00 P.M. Members Craig Coshow and Mayor Dan Rickord were present while Tyler Fullenkamp was absent. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Timothy Baker.

The Clerk-Treasurer had emailed the minutes of the May 18, 2021 meeting. Coshow made a motion to approve the minutes. Mayor Rickord seconded the motion. Motion carried.

The first item on the agenda was the AEP easements regarding the acceptance of the compensation offered to the City. Brad Terhune, who was present on behalf of AEP, shared that City Attorney Tim Baker had suggested some changes to the proposal and Mr. Terhune had taken them to the AEP legal department which approved the changes. There were two (2) easements for which AEP offered compensation. The first easement #29 is made up of .068 acres and AEP is offering the amount of \$1,000 for the easement located behind the City's Public Works facility on Elm Street. The second easement #18 is .172 acres and is located on 8th Street behind the Decatur Police Department and AEP is offering \$1,376 based on a rate of \$8,000 an acre. Coshow made a motion to accept the compensation totaling \$2,376 for the two (2) easements and authorized Mayor Rickord to sign the agreement. Seconded by Mayor Rickord, the motion was adopted.

The next item on the agenda was the Berne Well Field Lease Extension. It was shared that Mr. Orlyn Lehman was willing to extend the agreement to 2069 as long as current language such as the 5% increase every five (5) years was continued. The lease will extend for 75 years by extending from the current 2056 date to 2096. City Attorney Tim Baker had researched the maximum length a lease could be extended and did not find anything. He noted it is usually considered to be 99 years. When asked if there was any stipulated time if the City needed to end the lease and City Attorney Baker noted there was no specific time limit. Coshow made a motion to approve the extension for the Berne Well Field Lease from 2056 to 2096. Seconded by Mayor Rickord, the motion was adopted.

Jeremy Gilbert, Operations Manager appeared before the Board regarding application for the next round of Community Crossing Matching Grant application. After not receiving the most current grant, Gilbert noted he had spoken with INDOT representatives in the Fort Wayne District Office and learned that there will likely be another round of applications for the first part of July. Gilbert noted this round of applications would likely be the last that Decatur would qualify for at the 75/25 match. It will likely go to a 50/50 match with the population growth as the Census figures are finalized. Gilbert would like to change to USI Consultants for assistance with the grant application, which their cost is about half the cost of the previous firm that was used for previous grant applications. The cost would not exceed \$10,000. Coshow made a motion to reapply for the 2021-2 Community Crossing Matching Grant using USI Consultants at a rate not to exceed \$10,000. Seconded by Mayor Rickord, the motion was adopted.

Gilbert also reported that the last Community Crossing Matching Grant will be closed soon, which INDOT will invoice the City for the additional grant funds received since the cost of the project was less than anticipated.

Clerk-Treasurer Phyllis Whitright announced that the 2019 Pre-Disaster Mitigation Grant agreement with the Indiana Department of Homeland Security has been received and signed for the City to acquire four (4) flood properties not to exceed \$499,200.00 of 75% FEMA grant funds, and local cost

share of 25%. Coshow made a motion to make a matter of record the grant agreement. Seconded by Mayor Rickord, the motion was adopted.

Don Bergdall, Civil Infrastructure Manager had sought two (2) quotes to clear approximately 430 lineal feet of sewer right-of-way to a width of 25' to allow access to the sewer outfall at the Wastewater Treatment Plant to the river that needed to be cleared due to blockage of tree roots, but only one (1) quote was received. Coshow made a motion to accept the quote of \$9,900 from Worx Companies. Seconded by Mayor Rickord, the motion was adopted. This will be paid from the Sewage operating fund.

Curt Witte, Building and Zoning Superintendent, appeared before the Board regarding various Code Enforcement issues.

1010 Schirmeyer Street was first considered and owner Levi Kline was in attendance. The first report was made in April, 2021. The area of concern is an empty lot. Mr. Kline shared that he had hired a tree service to cut down the trees, but because of the cost he plans to cut the rest for firewood or get someone willing to do so for the wood. He noted he hauled out five (5) loads of brush and is trying to work on weekends and evenings when he can after working 65-80 hours a week since COVID hit. He shared his saw is being repaired and he plans to continue working to get the area cleaned up and a person mows it for him regularly. By consensus, Mr. Kline was given thirty (30) days to keep working on removing the tree logs and communicating with Witte of his progress and will revisit the situation in thirty (30) days.

The next area of code enforcement was 516 Niblick Street. Curt Witte, Building and Zoning Superintendent shared that his department has been working with this location since May 5, 2020. It was noted that no one can locate the owner of the property. Witte said the property is owned by a company named DSV SPV 3, LLC in Columbia, South Carolina but a registered letter sent to the company had been returned today. City Attorney Tim Baker suggested that Witte contact the Indiana Secretary of State's office to seek information regarding the ownership of the home. Witte will be turning the property over to the City's Operations Manager, Jeremy Gilbert's department to mow. The home is an abandoned home and taxes are being paid as the tax records were the way Witte was able to get an address for the sending of the notification.

Curt Witte, Building and Zoning Superintendent, gave an update on the building at 138 North Second Street which has been condemned as of May 19, 2021 and the owner has 60 days to fix, sell, or demolish the building. Witte has talked to a couple of individuals interested in purchasing the building. If nothing is done within 60 days, Witte will report back to the Board.

Building and Zoning Superintendent, Curt Witte reported that the nuisance issued at 265 N. Second Street has been abated. He noted that the properties at 1043 Central Avenue and 133 Selkirk were cleaned up by the City and the owners were billed for the work.

On the agenda was a resolution from County Attorney, Mark Burry to transfer property ownership of 710 Schirmeyer Street from the County to the City, but no attendance from Attorney Burry. Witte will contact him to get an update on this property.

Residents of 210 S. 9th Street were present as they had received notification to attend this evening's meeting, but Curt Witte, Building & Zoning Supt., noted that the situation had been cleared this morning and they were free to go.

Jeremy Gilbert, Operations Manager appeared before the Board regarding the City's building located on First Street that was formerly Mark's Heating, and was purchased due to the Sewage Interceptor Project. Gilbert reported that the wind has damaged the roof and there is a large hole, which

needs to be addressed and for the Board to think about what they want to do long term in regards to this building.

There being no other business to come before the Board, Coshow made a motion to adjourn. Seconded by Mayor Rickord, the motion was adopted.

Adjournment was at 6:55 P.M.