

CITY OF DECATUR  
BOARD OF PUBLIC WORKS & SAFETY MINUTES  
JULY 19, 2016

The City of Decatur Board of Public Works and Safety members met on Tuesday, July 19, 2016 at 6:00 p.m. at City Hall in Council Chambers 172 N. 2<sup>nd</sup> Street. Members present were Cameron Collier, Bill Karbach and Mayor, Ken Meyer. Also present was City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright.

The Clerk-Treasurer emailed the minutes from the July 5th meeting. There were no corrections. Karbach made a motion to approve the minutes. Meyer seconded the motion. Motion carried.

Police Chief, Greg Cook requested to increase the pay for his Administrative Secretary to the top pay of an Administrative Assistant position. Cook handed out the list of duties and a copy of the current salary ordinance, showing the difference in pay for an Admin. Asst., to an Admin. Secretary. Cook explained how invaluable she is to him and the department, and with her years of service is requesting her salary be increased to the top pay of an Administrative Assistant. Mayor Meyer was in agreement to increase the salary to the top pay of an Administrative Assistant beginning with the first pay in January 2017, so Karbach made a motion to approve the request. Collier seconded the motion. Motion was unanimous.

Operations Manager, Jeremy Gilbert was unable to attend the meeting since he was promoting Decatur's curbside recycling truck through the 4H Fair Parade. Mayor Meyer informed the Board of Works members that Gilbert has posted the job opening of Administrative Asst. to the Operations Manager in-house, and Utility Clerk, Erin Heyerly was the only one who applied. Since Heyerly's husband also works for the Street Department, the City Attorney was directed to render an opinion regarding the nepotism law and the City's policy, and found that neither the statute nor City policy would be violated by hiring Heyerly as the Administrative Asst. to the Operations Manager. Only if one spouse had direct line of supervision over the other, would a violation occur, which neither will have direct line of supervision of the other. Even if the husband were to be promoted to the Asst. Street Supervisor position, no violation would occur. Only if the husband were promoted to Operations Manager or elected Mayor, would a violation exist. The City Attorney recommended in his opinion letter, an organizational chart be submitted by the Operations Manager to the City Board of Public Works and Safety for its approval in order to clearly delineate such lines of supervision. By consensus, Gilbert was given approval to offer the position to the Utility Clerk, Erin Heyerly. If Heyerly accepts the position, then the Utilities Director, Dan Rickord will post the vacancy for a utility clerk.

The City Attorney was also directed to render an opinion regarding nepotism and the City's policy to fill a vacancy of a fulltime position at the Wastewater Treatment Plant. Jane Thieme will be retiring in November this year as Class II-Certified Operator from the Wastewater Dept. and part-time employee, Veronica Curtis, who is a Class III-Certified Operator is interested in applying for this full-time position. Curtis currently is in the direct line of supervision of her mother, who is the Wastewater Supt., but Curtis was employed prior to July 1, 2012, which the City Attorney finds the statute nor City policy would be violated since Curtis was employed prior to July 1, 2012 and had a non-exempt break in service after this date. Even though there are no violations, the City Attorney advised the vacated position be filled by the members of the Board of Public Works and Safety in the manner it deems appropriate, rather than the Department Head. This ensures that the position will be objectively filled based upon merit, and not relationship. Karbach made a motion

for the opinion letter of the City Attorney be a matter of record. Collier seconded the motion. Motion carried.

Council members, Craig Coshow, Matt Dyer, Tyler Fullenkamp and Wylie Sirk attended the meeting.

Pay Application #1 was submitted for the Sewer Interceptor Project to Fleming Excavating for \$45,630.00, with a retainage amount 10% or \$5,070.00. The Clerk-Treasurer will open a separate bank account for the retainage amounts to be released after all punch list items are done with the final pay application. Karbach made a motion to approve Pay Application #1. Collier seconded the motion. Motion carried.

Bill Slike, Engineer for the Sewer Interceptor Project gave an update on permits needed for this project. Army Corp. permit has been approved based on the comment period ending without response. Rule 5-Erosion Control has been submitted to IDEM. Fleming's will provide a copy of the acceptance letter when received. The Settlement Monitoring, point data has been submitted to INDOT, and an approval notice is anticipated by next week. IDEM issued an email acceptance for construction, and a letter of amendment to acknowledge the change to approve the permit is being prepared by IDEM, and is anticipating this next week. The Operations Manager, Jeremy Gilbert has scheduled the open cut for next Wednesday or Thursday at the Loshe property on 1<sup>st</sup> Street. The City Attorney questioned the fencing around Pat Lytle's property near the storage tank. Slike informed the City Attorney he will check with the Inspector for the project, Nikki Landrum, to make sure the fencing is in the correct location.

Bill Karbach, City Code Enforcer handed out a copy of Chapter 92 of the City's Code for accumulation of rubbish nuisances, along with pictures of four locations where he has served notice of violation. Members had a lengthy discussion on how to enforce residents to clean up their properties. After discussing, the City Attorney was directed to revise the forms for notice to abate and notice of violation of nuisances. The property owner will be notified that they have so many days to clean up the rubbish, and will be given an opportunity to appeal at a Board of Public Works & Safety meeting. If owner fails to abate the nuisance a fine will be instituted and subject to filing for judicial review with Circuit Court.

Community Coordinator, Melissa Norby requested permission to apply for a Hometown Collaboration Initiative grant through OCRA. The grant is for \$5,000, and a 50-50 match. The grant is for volunteers to help with community projects. Collier made a motion to approve applying for the grant from the committed capital project funds. Karbach seconded the motion. Motion carried.

The Mayor handed out a list of capital projects that have been completed since council passed a resolution in May 2015 to commit \$2,500,000 over a five (5) year period towards capital projects that were identified in the Stellar Communities application. Funds spent in 2015 were \$214,683, and funds spent or committed for the first half of 2016 is \$425,175, totaling \$639,858. The projects committed for 2017 will be \$100,000 for the Madison Streetscapes grant, \$150,000 for Monroe Streetscapes, and \$250,000 for demolition of the former Schaefer Glove Factory building on 1<sup>st</sup> Street.

There being no further business, Karbach made a motion for adjournment. Collier seconded the motion. Motion carried. The meeting was adjourned at 7:19 p.m.