

City of Decatur
Board of Public Works & Safety Minutes
August 6, 2019

The City of Decatur Board of Public Works and Safety members met on Tuesday, August 6, 2019 at 6:00 P.M. at City Hall in Council Chambers, 172 N. Second Street. Members present were Bill Karbach, and Mayor Ken Meyer. Craig Coshow was absent. Also present were City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright.

The Clerk-Treasurer had emailed the minutes from the July 16, 2019 meeting. Karbach made a motion to approve the minutes. Meyer seconded the motion. Motion carried.

The first item on the agenda was Ryan Moser who was sent a petition on July 12, 2019 to appear before the Board of Public Works and Safety members regarding Mr. Moser having 41 snakes and approximately 100-150 rats and mice. On June 28, 2019 Mr. Moser property had been inspected and was notified to remove the snakes, rats and mice from his residence at 128 S. Ninth Street. Mayor Meyer read letters from neighbors Nathan and Betsy Parker, and Gerald and Phyllis Ulman, who could not attend this evening's meeting. They urged the City to uphold the City Ordinance regarding the housing of reptiles and rodents. Karbach made a motion to make the letters from the Parker's and Ulman's a matter of record. Seconded by Mayor Meyer, the motion was adopted. Other area neighbors in attendance to speak against Mr. Moser having the reptiles and rodents were Rick Naatz and Mr. and Mrs. Ray Roman who were opposed especially because of the odor. Curt Witte, Building and Zoning Superintendent, had been at the location and noticed the odor and he read the section of the City Ordinance that refers to noxious odors. He shared he has an issue with the odor as there was a great odor from ammonia too. Witte referred to the Kennel Ordinance which stipulates a maximum of four (4) pets per residence. It was noted Mr. Moser lives in a residential area, an area not zoned for business. Mr. Moser mentioned he is attending school now, and will not have time to make the animals a business at this time, but plans to do so in the future. Mr. Moser informed the Board that the cages were made so the snakes and rodents could not escape. He shared the snakes grow to 3-5 feet and 3-5 pounds. He also shared that the snakes he has are not strong, powerful creatures. Karbach informed Mr. Moser that he does not live in the right area and Moser is too early in the process as he noted he wants to complete his education first. Karbach, who is also the City's Code Enforcement Officer also had witnessed the odor and had specifically looked for trash, but found no garbage causing the odor. Karbach informed Moser that with the City Ordinance, having the large number of snakes and rodents is prohibited, and noted neighbors do not want that number of snakes and rodents next door. Mayor Meyer respects Mr. Moser's passion for snakes, but it is just not the right location. Mayor Meyer sought any input from Jessica Bergdall, Environmental Director of the Adams County Board of Health, and she shared their main issue was air quality. Mr. Moser mentioned that he has had the snakes for over a year and the neighbors have never personally approached him, and if they would have, he would have tried to work with them. Mayor Meyer again noted the location was in a residential area, and that the area is not properly ventilated. With the large number of snakes, it is comparable to operating a kennel and Mayor Meyer hoped Mr. Moser could find another location away from close neighbors and outside the City. Karbach made a motion to reject Mr. Moser's petition to appeal and not allow him to keep the 41 snakes and 100-150 rats and mice. Seconded by Mayor Meyer, the motion was adopted. Upon advice of City Attorney, Tim Baker, Mr. Moser has 30 days from today to relocate the snakes and rodents. When asked, he was given permission to keep two (2) snakes as he also has two (2) dogs for a total of four (4) pets. However, he is not to keep any of the rodents.

The next item on the agenda was the residence at 1003 Schirmeyer Street. John and Troy Hart were present regarding notification sent on April 15, 2019 starting the process for cleaning up

the residence. John Hart shared the tenant had moved out in the middle of the night and left a great mess. Curt Witte, Building and Zoning Superintendent, had checked the residence and found the vans and auto parts had been removed and found John Hart working on cleaning up the yard today. Mr. Hart mentioned that he is retired and can spend time there, but has back trouble, which hinders his working. Troy Hart informed the Board members that he was told that the City would condemn the house, which does not give an incentive to clean up the property. Witte informed the Hart's that condemnation is not an order to demolish. The City Attorney also informed the Hart's that if the City does condemn the property, the owner still pays for the cost. Troy Hart mentioned that he could bring in a truck and clean up everything within a week, however, the house still needs a lot of work. Shingles have already been purchased, but the house does not just need shingles as the current roof is bowed. Mayor Meyer recommended giving the Hart's more time to clean up the exterior, but noted the rest of the work on the house depends on what needs to be done. Upon recommendation by Witte, Mayor Meyer made a motion to give the Hart's an additional 30 days from today to get things cleaned up. Seconded by Karbach, the motion was adopted.

Building and Zoning Superintendent, Curt Witte then brought forth the situation with the home at 1223 S. 14th Street, which he had entered and found in great need of cleaning. Owner Scott Harmon was befriended by fellow church members, John and Trudy Eisenmann of Mr. Planners who assisted in cleaning out the house. However, when the water was turned on, they found the home beyond help. It was shared the neighbors offered to buy the location, but did not want the home. Jeremy Gilbert, Operations Manager had looked at the home and provided a cost estimate to demolish the home. The Eisenmann's have volunteered to pay the City to tear down the home and then the neighbor would purchase the lot from Mr. Harmon. Gilbert suggested getting the funds up front. City Attorney, Tim Baker noted that proper paperwork will need to be signed prior to demolition. By consensus, it was decided to proceed with the project.

Tony Stimpson appeared before the board to share information regarding the equipment from AGAW Trauma Systems, LLC, which is owned by him and his son. He showed the different types of bags that hold trauma kits. Jeremy Gilbert noted that the Safety Committee would be in support of the kits, but wanted the employees to be trained. Stimpson informed the Board he would train the employees at no cost. Stimpson will work with Melissa Norby, Community Development Director, and Jeremy Gilbert, Operations Manager, regarding the number of kits needed, and then he would bring the proposal to the Board.

Councilmen Cam Collier, Matt Dyer, and Wylie Sirk joined the Board of Public Works and Safety meeting for information and input purposes only.

Mayor Meyer had received an email request from Sarah Wolfe from Adams County Healthy Families regarding the north building located on 12th Street that was purchased by the City along with the Northwest School property. Ms. Wolfe requested the possibility for Hero Meals to continue to storage food supplies in the building until they move to a new location. Mayor Meyer made a motion to approve the request from Adams County Healthy Families for Hero Meals to use the building on 12th Street, but will notify Ms. Wolfe that the City has insurance on the building, but not the contents. Karbach seconded the motion. Motion carried. The Mayor will also notify Ms. Wolfe that the City is not sure of long-term plans for the building.

Jeremy Gilbert, Operations Manager had emailed the members of the Board regarding the chiller and boiler at the Northwest School building. Gilbert had met with Building Temperature Solutions, LLC (BTS) representatives who had installed the system and had the maintenance contract with North Adams Community Schools. Gilbert recommended keeping the same maintenance contract with BTS. Gilbert shared that BTS had found some problems with the

chiller system, which he had BTS repair. Gilbert noted someone needs to go through the entire system to make sure the system is currently running on the default system with the temperature set at 76 degrees, which definitely will need to be changed before winter. Karbach made a motion to recommend to the City Council to enter into a maintenance agreement with BTS for \$6,350 per year. Seconded by Mayor Meyer, the motion was adopted.

Mayor Meyer mentioned that the Board of Zoning Appeals members had allowed for a fence on a property on Grey Goose Blvd. The residents are now asking that a yield sign at Blue Heron Cove to Grey Goose Blvd. be changed to a stop sign. Karbach made a motion to recommend to the City Council that they change the yield sign to a stop sign at the intersection. Seconded by Mayor Meyer, the motion was adopted. It was noted an ordinance would be amended and presented to the Council for action at a future meeting.

Chief of Police, Lennie Corral reported that three (3) officers had applied for the open Detective position--Jamie Tharp, Kevin Gerber, and Derek Loshe. Interviews will be held on August 26 from 9:30-11:00 A.M. in the Council Chambers of City Hall. Thus, there will be an Executive Session of the Board of Public Works and Safety.

The next item to be considered was the refinancing of the Sewage Works SRF Loan of 2008. City Attorney, Tim Baker informed the Board that Crowe had notified the City that a refunding analysis from Hilliard Lyons shows potential savings of approximately \$317,000, which is 5.8% of the refunded bonds. The cost for refinancing, which includes legal costs of about \$110,000. It was noted the refinancing would keep the same amortization period of ten years. Karbach made a motion to recommend the refinancing of the Sewage Works SRF Loan of 2008 to the City Council for their action. Seconded by Mayor Meyer, the motion was adopted.

The City Attorney mentioned with the refinancing of the Sewage Works SRF Loan of 2008, engagement letters will need to be approved and signed by the Mayor or the Clerk-Treasurer. Jennifer Wilson of Crowe, Municipal Advisor \$35,000 plus out-of-pocket expenses not to exceed \$3,000, and with Patti Zelmer of Ice Miller, as legal counsel not to exceed \$35,000 plus additional fees for expenses not to exceed \$600, and Tim Baker of DeVoss, Baker, Ainsworth & Razo, as local counsel \$16,750. Hilliard Lyons, rating agency engagement letter has not been received yet, but is estimated at \$14,000. The other engagement letters for the paying agent and underwriter's counsel will be forth coming. Karbach made a motion to approve the engagement letters be signed and Mayor Meyer seconded the motion. Motion carried. These expenses will be paid from the bond proceeds.

Mayor Meyer presented a maintenance contract with Innovative Concepts for the security and recording system at City Hall at a cost of \$2,500 for two (2) years. Karbach made a motion to recommend to the Council the maintenance service from Innovative Concepts at a cost of \$2,500 for two (2) years. Seconded by Mayor Meyer, the motion was adopted.

At the July 18th meeting, the board members authorized the Mayor to sign the contract agreement with Taylor Gage after corrections were made to the contract. Karbach made a motion to make the amended contract for the concrete work for the 2nd St. Streetscapes project with Taylor Gage Concrete, LLC d/b/a TG Concrete a matter of record. Seconded by Mayor Meyer, the motion was adopted.

Mayor Meyer brought up the area to the north and south of the lift station located on Monmouth Road. The owner Gina Wenger was selling the Riverview Tap and had asked if the City wanted to purchase the easement area. The City is not sure if they have easements at that location. Wastewater Supt., Karey Fuelling informed the Board that the City does have an

easement going north, but not south. City Attorney, Tim Baker suggested a record search could be done for approximately \$100 to learn of any City easements, and to notify Brett Miller of Miller Land Surveying who may have records on the property. It was noted the area is 5.38 acres and under the jurisdiction of Finish Line Investments. Mayor Meyer suggested the item be tabled in order to allow for added research.

There being no further business to be brought before the Board, Karbach made a motion to adjourn. Seconded by Mayor Meyer, the motion was adopted.

Adjournment was at 7:30 P.M.