

City of Decatur
Board of Public Works & Safety Minutes
May 4, 2021

The City of Decatur Board of Public Works and Safety members met on Tuesday, May 4, 2021 at 6:00 P.M. Members present were Craig Coshow, Tyler Fullenkamp, and Mayor Dan Rickord. Also present were Clerk-Treasurer Phyllis Whitright and City Attorney Timothy Baker

The Clerk-Treasurer had emailed the minutes of the April 20, 2021 meeting. Fullenkamp made a motion to approve the minutes. Coshow seconded the motion. Motion carried.

The first item on the agenda was a discussion of various properties with safety/code enforcement issues. Curt Witte, Building and Zoning Superintendent appeared before the Board discussing the first property located at 138 North 2nd Street, a building owned by Paul Faurote which is causing serious safety concerns. The front façade of the building is coming out and the wall on the south side is cracked and moving out. If it were to come down, it would come down in the alley. Witte noted his department has been working with Mr. Faurote since 2017 when the awning was finally removed in 2018 but no other action has been taken as the building structure continues to worsen. Mr. Faurote has the building listed for sale as he attempts to sell it. It was noted the building is an important piece of the downtown area. Councilman Dyer asked if Redevelopment funds could be used to purchase the building and repair it. Witte remarked that he feels the building is likely not salvageable. City Attorney Tim Baker commented that he did not feel that TIF revenues would be appropriate use of Redevelopment funds. The City may have to go to court regarding the situation. By consensus, Witte will call Mr. Faurote and try to get entrance into the building to inspect it and after inspecting it will decide if he needs to bring in an engineer before deciding the City's next move.

Building and Zoning Superintendent Curt Witte then brought forth code enforcement issues regarding various homes as follows:

122 North 9th Street, have abated the nuisance.

809 North 2nd Street, had been summoned to the Board meeting this evening, but have abated the nuisance.

804 Schirmeyer Street, have not abated their nuisance and have accrued a fine of \$2,600 as of today. Several attempts have been made to reach out to the residents with no returned calls. Plans were to contact owner Gary Meyer and residents William and Kylie Harvey following the April 20, 2021 meeting to explain exactly what needed to be done. Some cleaning had been done over the weekend, but still much more needs to be done. Information was shared with the property owners that Common Ground would help with cleanup. City Attorney Tim Baker outlined the legal process regarding a court order. Coshow made a motion to proceed with court actions. Seconded by Fullenkamp, the motion was adopted.

The next code enforcement issue was for 728 Schirmeyer Street and Witte noted that as of this morning, the nuisance had been abated and they had been connected with Common Ground.

903 Schirmeyer Street was the next issue discussed. Curt Witte, Building and Zoning Superintendent shared that a year ago he and Tony Lothridge, City Fire Marshal/Assistant Building and Zoning Superintendent, had investigated the home owned by Domingo & Oralia Rivas and found the back of the house was sinking into the ground. Residents were told they had until April, 2021 to move out of the house and they have purchased a home on Adams Street. The home owner contacted the City and asked if the City would demolish the home and they would pay the costs for demolition. Witte asked City Attorney Tim Baker if a contract could be drawn up so he can pay for the demolition through the Unsafe

Building Fund, and then invoice the property owners, Domingo & Oralia Rivas for the cost. Fullenkamp made a motion for City Attorney Baker to draft a contract using the Unsafe Building Fund to pay for the demolition and then invoice the owners for the disposal cost. Seconded by Coshow, the motion was adopted.

Witte next had three homes located at 928, 904, and 710 Schirmeyer Street which have been condemned as unsafe buildings. The owner of 928 Schirmeyer is in prison and none of the plumbing is hooked up. At 904 Schirmeyer, no one wants to clean that property and it would be better to tear it down and rebuild. The property at 710 Schirmeyer has gapping holes, is beyond repair, and it has gone through three (3) Sheriff's sales with no one purchasing it. Witte is seeking approval to seek an injunction and tear down all three (3) buildings. The Unsafe Building Fund will be used to pay demolition costs. Following demolition, liens will be placed on the properties. Witte shared that people have contacted his department wanting to purchase the lots but they do not want to purchase the lots with the buildings. Lots could eventually be purchased through a sheriff's auction. Coshow made a motion to have Witte proceed with getting a Court Order with a judge for all three properties to demolish. Fullenkamp seconded the motion. Motion carried.

Curt Witte, Building and Zoning Superintendent presented proposed templates for Code Enforcement procedures for nuisance abatements that his department had written. Witte reviewed the steps included in the proposal and had emailed them to all Board and Council Members for input. He and Erin Heyerly, Office Administrator, were willing to follow whatever steps are adopted. Witte noted that if anyone calls in, the department must investigate. The desire is to make certain everything is done legally and complies with State Law, and is defined and easily understood. With Tony Lothridge likely leaving the Building and Zoning Department at the end of 2021, but continuing as fulltime Fire Marshal, Witte plans to budget for an assistant in the 2022 budget. He also noted Office Administrator Erin Heyerly keeps excellent records of each code enforcement issue. Coshow made a motion to adopt the Code Enforcement policy and templates as presented by Witte. Seconded by Fullenkamp, the motion was adopted.

Mayor Rickord remarked that as he meets with other mayors that are the size of Decatur, he has found they all have a full-time Code Enforcement person on staff.

Coshow made a motion to approve Pay App #2 in the amount of \$11,112.75 and the retainage of \$69,947.36 to Brooks Construction for the 2020 Community Crossings Matching Grant. Seconded by Fullenkamp, the motion was adopted. The Clerk-Treasurer, Phyllis Whitright noted that once the grant is closed out, since the project cost was less than the engineers estimate, INDOT will invoice the City the overage of approximately \$81,000 of federal funds received.

Karey Fuelling, Wastewater Superintendent appeared before the Board seeking permission to hire an individual to work at the Wastewater Treatment Plant. There are two employees who will be retiring in five (5) years or less who have a significant amount of knowledge to share before they retire. The person hired would complete the daily tasks thus freeing up current operators to spend time shadowing and gathering their in-depth knowledge on the collection and treatment of the Wastewater. This information will then be put into GIS for future operators. Coshow made a motion to give Fuelling the permission to hire one (1) person with her plan. Seconded by Fullenkamp, the motion was adopted.

As discussed in the previous meeting in regards to AEP requesting to purchase easements from the City. City Attorney Baker had sent out the changes to the agreement, but has not received a response back. The person who Attorney Baker contacted was okay with the changes, but didn't have the authority to approve, so waiting on their legal team to respond.

Kevin Hackman, Utilities Auditor appeared before the Board regarding purchasing GIS equipment. Currently the County and the City are using the same equipment which is in need of being replaced. Hackman presented an estimate from Anatum GeoMobile Solutions in the amount of \$10,456.00. The County recommended this equipment, and Ethan Snyder the GIS Specialist will still help the City with GIS work. The equipment is user friendly and the data will feed into the current system. It will update the system so problems can be located and identified quickly and in very close vicinity. Hackman recommended the purchase of the equipment from Anatum GeoMobile Solutions at a cost of \$10,456.00. Coshow made a motion to approve the purchase of the GIS equipment as presented by Hackman. Seconded by Fullenkamp, the motion was adopted.

Clerk-Treasurer Phyllis Whitright informed the Board members that the Fire Department had revised their Conditional Employment Contract to be the same as the Police Department's contract changing that the reimbursement for expenses shall be reduced at a rate of 20% per year for each full year of service commencing on the date of hire if the employee leaves the department before 60 months. Also an Exhibit "A" has been attached to the contract to detail the purchase of uniform to be worn for new fulltime firefighters. Fullenkamp made a motion to accept the revised Conditional Employment Contract for the Decatur Fire Department. Seconded by Coshow, the motion was adopted.

Mayor Rickord shared that he had been contacted by a Marketing Firm from St. Louis, MO wanting to make a film for the Shriners Hospital which featured a family from the Monroeville/Hoagland area. They used The HIVE for the taping and Mayor Rickord had waived the fee for the use of the facility. Fullenkamp made a motion to ratify the action of Mayor Rickord to waive the rental fee. Seconded by Coshow, the motion was adopted. Mayor Rickord commented that the marketing firm was very complimentary of the City and noted they would send a copy of the tape to the City when completed.

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

Adjournment was at 7:24 P.M.