

City of Decatur  
Board of Public Works & Safety Minutes  
May 18, 2021

The City of Decatur Board of Public Works and Safety members met on Tuesday, May 18, 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 May 4, 2021 meeting. Coshow made a motion to approve the minutes. Fullenkamp seconded the motion. Motion carried.

Discussed at the April 20<sup>th</sup> meeting was a Memorandum of Understanding with Famous Monster Pizza to use a portion of the alley alongside his business on 2<sup>nd</sup> St. for outside dining. The MOU has been signed by the owner, Max Miller and the Mayor. Fullenkamp made a motion to make the Memorandum of Understanding a matter of record. Seconded by Coshow, the motion was adopted.

Decatur Police Officers Mark Cook and Dan McGill appeared before the Board regarding the Standard Operating Procedure (SOP) for pepper ball launchers. Officer McGill showed the launchers and the three (3) types of balls that could be used in the launchers. The glass balls are to be used on auto or house windows. The pepper balls are used to disperse a powder that is effective as pepper spray. And, the third type of ball is the impact ball which is similar to a rubber bullet and used to impact the surface such as the muscles. The launchers would be used as a last resort as another tool for the officers' to have less lethal force. The emphasis is to train all officers and make sure all officers are aware of how to use the launchers. Also emphasized was the rule to not shoot the face of the offender. The Department has six (6) launchers with two (2) used for each shift. City Attorney Tim Baker noted the SOP is needed and the key is training the officers, the officers following the procedures, and proper documentation and keeping the SOP updated. Coshow made a motion to approve the SOP for the pepper ball launchers as presented by Officers Mark Cook and Dan McGill. Seconded by Fullenkamp, the motion was adopted. Officers Cook and McGill are trained in using the launchers and they will train the other Officers.

Discussed at the April 20, 2021 Board of Works meeting was an Agreed Order with David Wilson of 437 Mercer Avenue for nuisance fines to be waived for one year provided that additional abatement work remaining is completed and that Mr. Wilson not be cited for further public nuisance violations. The Agreed Order has been signed by David Wilson and the Mayor. Fullenkamp made a motion to make the signed Agreed Order a matter of record. Seconded by Coshow, the motion was adopted.

Karey Fuelling, Wastewater Superintendent appeared before the Board regarding safety issues at the Wastewater Treatment Plant that needs repairs. There were three (3) areas creating a need for immediate action at a total cost of \$11,000. The repairs are to a leaking cap of the activated sludge building near electrical panels, same building has a portion of the brick wall is missing grout and leaning outward, and the third repair is the ATAD building, water is getting into the block and causing them to expand and break apart when the water freezes. Coshow made a motion that because the situation is a public health risk that approval is based on one (1) quote from Miguel Suarez of \$11,000 in order to address the safety concerns as soon as possible. Seconded by Fullenkamp, the motion was adopted.

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

The first Code Enforcement issue was for 265 N. Second Street. The first notification regarding the facility was received on January 21, 2021. Notices to abate had been sent. Witte commented that the location is somewhat better than in April, 2021 but still has vehicles that are not licensed as well as other things outside the building. The owner Adam Burke attended the meeting and informed the Board that he owns the building and it is being rented. Mayor Rickord mentioned that the City has received many calls about the junk sitting outside all the time. It was noted that as per State Law, the Fire Marshal needed to inspect the interior of the building for any unsafe issues. Fullenkamp made a motion to give 14 days to get all the rubbish cleaned up outside, and to get vehicles plated, insured and operable or fines of \$100 a day will be imposed. Seconded by Coshow, the motion was adopted. Witte will report the status at the next Board meeting in two (2) weeks.

The building at 138 N. Second Street was next to be considered. As per the May 4, 2021 meeting Curt Witte, Building and Zoning Superintendent was to try to get into the building to inspect it. However, he was working with Paul Faurote's representatives and learned that the owner Paul Faurote would not permit entrance into the building. Witte has contacted Mike Schwartz of Limberlost Construction and he will assist Witte in studying the outside of the building this week. Police Officer Kevin Gerber will assist in the studying of the roof by using the drone. It was noted that some of the bricks on the south side of the building have already fallen into the alleyway. Witte had delayed condemning the building as Mr. Faurote is trying to sell it. Fullenkamp commented that if the building is a safety issue it should be torn down. It is hoped that Mr. Schwartz will be able to look at the building and estimate how long the building will last or if action needs to be taken immediately. Coshow made a motion to allow Curt Witte, Building and Zoning Superintendent to condemn the building and authorized Mayor Rickord to sign any needed paperwork if Mr. Schwartz says he feels immediate action is needed. Seconded by Fullenkamp, the motion was adopted.

Other Code Enforcement issues were brought up. 1004 Schirmeyer Street residents were invited to attend this evening's Board meeting for not mowing the yard, but did not show up. Witte reported that Code Enforcement has been working with renter Beverly Reed and the mortgage company since November 2020. Fullenkamp made a motion to abate the nuisance at 1004 Schirmeyer. Seconded by Coshow, the motion was adopted.

133 Selkirk was the next residence which has extremely tall grass. Witte noted the neighbors have been patient so far, but are beginning to get upset. The yard contains numerous extension cords used for Christmas lighting. Witte requested approval to abate the nuisance after two weeks and also to hire a private contractor if the City workers can't get to mowing this property.

1043 Central Avenue is a home in which the owner has died and the house has been condemned and taken back by the mortgage company. Code Enforcement has been dealing with this property for a year.

1046 Vine Street is under the same mortgage company as 1043 Central Ave. The bank has been contacted and said they could not get bids earlier than 14 days. However, Erin Heyerly, Office Administrator, has given them five (5) days to respond.

Fullenkamp made a motion to give Witte the authority to abate the three (3) nuisances at 1004 Schirmeyer St., 133 Selkirk Lane, and 1043 Central Ave. after the second notice has been sent, with the property owners being invoiced after 30 days. Seconded by Coshow, the motion was adopted.

Witte also informed the Board that there is an issue with lots of cats and how important it is to have animal control.

Curt Witte, Building and Zoning Superintendent sought permission to hire a professional engineer when needed for minor fixes to run calculations which would require a PE signature and seal. He shared that with the new State Building Code, he is finding that certain requirements have easier fixes than what is in the Code., and a professional engineer's certificate would satisfy the need. Witte is estimated the cost to be \$100-\$200 and has the funds available in his budget. Coshow made a motion to allow Witte to have a professional engineer for small items in order to over-ride the Code as needed. Seconded by Fullenkamp, the motion was adopted.

Due to all the Code Enforcement issues which cause more mowing for the City employees, Witte sought permission to hire an outside contractor to assist as needed when the City gets behind. Fullenkamp made a motion to allow Witte to seek quotes from outside help by accepting the lowest quote from a responsible party, and to report back to the Board of Works. Seconded by Coshow, the motion was adopted.

Coshow made a motion to authorize Mayor Rickord and Clerk-Treasurer Whitright to sign the lease drafted by City Attorney, Tim Baker to allow Cleveland Inge from the Adams County Prosecutor's Office to hold a Women's Self Defense class at the M.E.R.I.T. Center at a rate of \$85 on Saturday, June 12, 2021 from 8:00 a.m. to 12:00 noon. Seconded by Fullenkamp, the motion was adopted.

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

Adjournment was at 7:38 P.M.