



BOARD OF PUBLIC WORKS AND SAFETY MEETING MINUTES

CITY HALL CHAMBERS

WEDNESDAY, APRIL 1, 2015

9:30 A.M

Present: Mayor Vanlandingham, Board member Dee Byerly, Board member Greg Metz and City Attorney Doug Lehman.

Department Heads present: Todd Titus, Rick Price, Fire Chief Robert Mullett, Police Chief Larry Schnepf, Tyler Niccum and John Stephens.

Council members: Doug Konkle, Joan Haag and Bonnie Corn

MINUTES

Dee Byerly moved to approve the Minutes of the meeting of March 18, 2015, as recorded and distributed. Greg Metz seconded the motion, motion carried.

CITY CLAIMS-SEWAGE CLAIMS

Greg Metz moved to pay the City Claims and Sewage Claims as presented. Mayor Vanlandingham seconded the motion, motion carried.

OLD BUSINESS

1. Update on 458 N. Allen Street-John Stephens, Building Commissioner

We made contact last fall with the owner and he came to the Board of Works meeting. He said he'd have all the fire damage restored immediately and have the house completed by the end of the year. He has not completed the work. John would like to either have him come back in or proceed however, the Board feels we need to proceed.

Attorney Lehman reviewed the file and provided an update. We (the Board) already voted and found it to be an unsafe building and issued an Order for it to be demolished within 30 days. When Mr. Phillips came before us, he was already beyond the 30 days and what you did (the Board) was extend that. We are in a position that we could take bids on it anytime and once we got a bid, we could issue a 10-day notice indicating that in 10 days or, as soon thereafter, we would begin to tear it down. Another hearing is not necessary, that part has all been done. It's just a matter of what you (Board) want to do. The alternative you have is to issue a notice to him (Phillips) to come back and explain why he hasn't done anything and to give him another opportunity to tell you what his plans are or you can proceed with the demolition. Dee Byerly asked if anything has been done. John responded he has secured where the fire damage was on the outside. John has not seen the inside and does not know if any repairs have been made to the inside. The last time he (Phillips) was here was, last fall.

Greg Metz asked that Mr. Phillips come to the next BOW meeting to give an update but also to go ahead with quotes for demolition because if he does not appear, it will be torn down. Before demolition the Board wants to give him one more chance to explain what he has done, what he is going to do and when. All agreed.

NEW BUSINESS

1. Women's Clubhouse update-Ellen Stouffer

In 2006, it was when the clubhouse was in such devastating condition and the ladies started working on it. Since that time, we have, through donations, one \$20,000 grant and approximately \$15,000 from the City. There has been about \$200,000 invested in the clubhouse, probably more. The group has seriously taken on the two aspects of restoration of the building (which is on the National Register) and making a building that is useful to the community. The building serves all of Wabash and not as expensive as some of the other venues and suitable for so many activities.

The specific reason for appearing before the Board is that she has been talking to John Stephens about the last phase-restoring the back porch. They are in the process of raising money and they think it will be under \$80,000 (that's what they've budgeted for) and includes a new roof. Greg Metz asked when they would have their numbers. Ellen thinks in May and depends on the fundraising. They are working with Parker Beauchamp for part of it and the clubhouse is raising the other part. She asked the Board if they may proceed (with the porch project). It was the Mayor that asked she attend the meeting, as a courtesy, because the City does own the building, but the clubhouse has paid for everything that has been done so far.

Major improvements have been an \$8,000 chair lift to the second floor and a handicap ramp. Approximately 400 people use the clubhouse each month and there is now a woman's auxiliary of younger working women.

The clubhouse was incorporated in 1930 for educational and artistic purposes.

OTHER BUSINESS

An update on 7 Elmwood Drive. Doug did an update/overview. In early December, we had an Order issued to the Jo Jenks Dietzer Estate to demolish the building. After that the Personal Representative came before you asking for more time. We said we were going to proceed with the demolition and the Estate then filed an appeal of our Order. The City filed a response indicating their appeal was untimely because it needed to be within ten days of the Order (State law) and the Order was issued December 3, 2014. When we went to the Court hearing on that, the attorney for the Estate basically conceded it was untimely but had a new defense that proper notice was not given to the Personal Representative, and, therefore, could not proceed and needed to start over again. Another hearing was set and the Judge issued a decision (end of last week) finding that yes it was too late and we had sent notice to the attorney for the Estate and that constituted sufficient notice and dismissed their appeal. We can proceed with the demolition.

During some of that time, there was some discussion of the possibility of someone buying it from the Estate with the idea of repairing it and the City was entertaining that with certain conditions including recovery of our costs and making sure it was a reputable contractor, who will give us a timeline that we can rely on. The City is not aware that any kind of deal has been worked out. I indicated when I got the decision from the Court that if the Estate were going to proceed that way,

it would be good for them to be here today and present us with something showing they had gone forward with some kind of deal. I've not seen anything yet.

In the meantime, John has done more research into the issue and the property is in the Charley Creek flood plain. Under our flood plain Ordinance, which our City council was required to adopt, not much more than a year ago, and required to adopt it pretty much in a form mandated by the State, there are restrictions on repairing buildings in a flood plain. Doug feels there's a little ambiguity in that because at one point if the cost of renovation is 50% or more of the value of the property, then you are not supposed to be able to do it but there's a little tag line saying it does not include repairs made to conform to code.

Corky Ross was in attendance and interested in purchasing the property. He indicated he had been through the house twice and he states it's savable. There is one major damage-a 2 foot by 3 foot area, in a valley on the rear side where the rec room is. The rest is not up to code (which he would do) and it can be saved. In the attic there's only two places-the plywood subsurface is showing deterioration and rot and in the front of the house where the major picture window is the shingles are curling and snow has backed up and leaking through. All the walls are in good shape and no bowing in the walls. The entire place needs updating. Water is still in the partial basement (3-4 feet). To make it new and livable, it will need new siding, roof and gutters, all new electrical, new windows, soffit fascia and yard update. The yard would be the first thing done to make it presentable from the road. Corky indicated an estimated cost of \$45,000 to bring it back. He did comps and feels he can get anywhere \$65,000-\$75,000. There's back taxes owing in the approximate amount of \$3,000.00. An offer was made (the night before this meeting) and she told him she'd turn it over to her lawyer; he has not heard from her.

Greg Metz stated that as of April 1st, there's no agreement in place to sell. The City would have been done with this six weeks ago if an appeal that they lost, had not been filed. My question is why wasn't there an agreement to sell the place contingent upon the action of this Board. Greg stated he has no desire to extend this and the neighbors have waited way too long for something to be done. He will not agree to another extension.

Greg Metz moved to demolish the house. Mayor Vanlandingham seconded the motion. Attorney Lehman reminded the Board that a bid has been accepted and in a position to move forward.

Dee Byerly stated he hates to spend the taxpayers' money to tear down a house when there's an opportunity to save something. We don't have money to throw away to tear somebody's mess down. On the other hand, I can see what Greg is saying that the neighbors deserve better treatment but I think we have an obligation to look at what we are spending to tear it down.

Greg stated he agrees with Dee and it's distasteful that the citizens of Wabash have to pay this bill.

The Mayor said there's a motion and a second on the table and asked if there was any more discussion?

Dee Byerly called for the question. It's time to vote.

2 ayes

1 nay

Motion carried

QUESTIONS FROM THE AUDIENCE

None

REPORTS FROM DEPARTMENTS

None

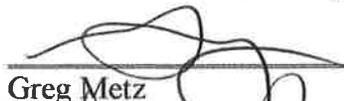
ADJOURN

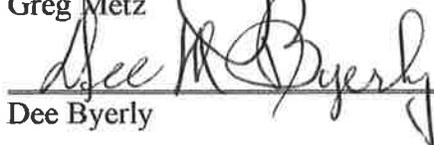
Mayor Vanlandingham moved to adjourn. Greg Metz seconded. So moved.

NEXT MEETING

Wednesday, April 15, 2015 @ 9: 30 a.m.


Robert Vanlandingham Mayor


Greg Metz Member


Dee Byerly Member

The City of Wabash desires to make reasonable accommodations to persons with handicaps or disabilities in order that all persons may fully participate in Public Meetings. In that regard, if you need reasonable accommodations to attend and participate in a public meeting, you are requested to contact Human Resources, ADA Coordinator, Wabash City Hall, 202 South Wabash Street, Wabash, Indiana 46992, (260) 563-4171 between 8 AM and 4 PM at least 24 hours prior to the meeting. Please indicate the accommodation requested and every reasonable effort will be made to comply with your request.