# **BOARD OF PUBLIC WORKS AND SAFETY MEETING MINUTES**

**ZOOM AND COUNCIL CHAMBER**

## **THURSDAY, December 16, 2021**

**4:00 P.M.**

Board Members Present: Council President, John Burnsworth; Todd Titus

Department Heads present: Building Commissioner, Jim Straws, Street Superintendent Scott Richardson; Bob Gray, Wastewater Superintendent; Fire Chief, Barry Stroup; Police Chief Matt Bruss; Park Superintendent Adam Hall

Guests: Emmilee Gaston; Gaunt and Son Representative; Jerry Honeycutt

**MINUTES**

Todd Titus made a motion to accept the minutes for the December 2, 2021 meeting. John Burnsworth 2nd the motion. Motion carried.

**CITY CLAIMS-SEWAGE CLAIMS**

John Burnsworth made a motion to approve the claims. Todd Titus 2nd the motion. Motion Carried.

**OLD BUSINESS**

1. **Unsafe Building Hearing on Denton Property, Berry Street**. Jim Straws and Jeff Knee were sworn in by Mayor Pro-tem, John Burnsworth. Mr. Denton was not present nor did he have an attorney present.

City Attorney Doug Lehman entered the following:

**EXHBIT 1**: Signed affidavit showing notices sent regarding the hearing. Mr. Denton had signed a green card on 10/30, regarding the hearing notification. Attorney Thrush and Mike Howard, County Bldg Commissioner both returned green cards not signed.

**EXHIBIT 2**: Title search for the property. The search indicated that Denton owned the property but Wabash County has a lien against it.

**EXHIBIT 3:** Pictures of building taken by Straws accurately describing the conditions of the property and the building.

Since there has been no communication with Mr. Denton, Building Commissioner Straws recommended demolition of the building. He said the building could be saved if the damaged rafters were replaced with engineered rafters and the roof was then replaced. Straws told the Board they need to decide what needs to be done and the time frame. Todd Titus questioned Straws as to the building being empty in case the roof would cave in. Straws said it was mostly empty. The roof caving in would not hurt the contents of the building. John Burnsworth reminded the Board that in a prior meeting with Mr. Denton, he did indeed confirm that he understood he would need engineered trusses, not scabbed on trusses. At this point, City Attorney Lehman reviewed the process of what all had been done and talked about with Mr. Denton since August 2021. He also explained that if the Board issues a demolition order it should give Mr. Denton a deadline. This order would be so to Mr. Denton. After the deadline passed, a notice would be sent to Mr. Denton saying demolition would start in no less than 10 days. Mr. Denton would have 2-3 opportunities to address the board before actual demolition.

Todd Titus made a motion to approve the demolition order on Berry Street, giving 45 days until demolition. John Burnsworth 2nd the motion. Motion carried.

1. **Unsafe hearing on 511 Bond Street,** Cathy Ann Tudor. Ms. Tudor, nor any attorney representing her, were present. Mr. Straws and Mr. Knee were again sworn in.

City Attorney Lehman presented the following:

**EXHIBIT 1:** Affidavit served notice to Cathy Tudor and Crossroads Bank. The bank returned their green card but Ms. Tudor did not respond. Notices were mailed to the PO Box in Lagro, the Bond Street address and hand delivered to her residence in Lagro and placed the notice inside the storm door by Jeff Knee. A copy was also mailed by regular mail. A picture was presented showing Mr. Knee putting the notice in the storm door hand. The notice was hand delivered by Rick Fisher.

**EXHIBIT 2:** Title work showing Crossroad’s bank had a Mortgage interest. The notice was hand delivered to Rick Fisher.

**EXHIBIT 3:** Pictures of the condition of the property showing it has been unoccupied for several years and has openings where animals can come and go, roots growing into the foundation and weeds growing behind siding and in gutters.

Building Commissioner Straws pointed out that Ms. Tudor has had ample time to attend Board of Works meetings or respond in some way and she has not. Todd Titus made a motion to issue a demolition order that the structure will be demolished in 30 days. John Burnsworth 2nd the motion. Motion carried.

Todd Titus made a motion to give Jim Straws the authority to get demolition quotes. John Burnsworth 2nd the motion. Motion carried.

1. **173 N Huntington Street** - Commissioner Straws reported that the structure has been boarded up. However, the owner did come to City Hall early this week and said her owner rights had been violated because the structure is boarded up. Straws gave her permission to remove a board and go into the structure. She also requested a demo permit to tear off the kitchen. The Building Department granted that request. Straws continued that the Title Search came back yesterday. The owner said she cleaned up the yard but nothing has been done. The owner did remove the board off the front door but didn’t replace it, so the structure is open. The owner told Straws that the structure can be saved. Straws said he doesn’t think the foundation is stable and it would take approximately $100,000 to fix the structure to where someone could reside in it. The owner said she didn’t have that kind of money. Straws also told her that she owed the City $1,000 for boarding up the structure to keep people out. Commissioner Straws noted that there is no electric or gas connected to the structure. Commissioner Straws and Code Enforcement Officer Straws offered to go in the structure with the owner, but she said it wasn’t safe. Although, according to Straws, she let others into the structure to check it out.

An Unsafe Hearing is scheduled for January 6, 2022.

A certified letter has been received by the owner, recording a “notice of hearing” for demolition.

**NEW BUSINESS**

1. One bid was received for the Canal Street Project. Gaunt and Sons submitted a bid of $356,221.00. Todd Titus made a motion to take the bid under advisement, giving Street Superintendent Scott Richardson time to look it over. John Burnsworth 2nd the motion. Motion Carried.
2. Resolution 6.20201 Firefighter, Paramedic Cost Recovery Resolution was presented to the Board of Works. Fire Chief Stroup explained to the Board that this resolution will aid in recouping funds lost when the Department has spent monies on training new employees, uniforms and etc. Stroup said it takes approximately one year of training and around $3,800 in expense to get a new employee up to speed. If the person voluntarily leaves after the training, the Department experiences a great financial loss.

City Attorney Lehman explained that a Council member wondered why this didn’t come before the Council. Lehman explained that this is not a budget matter or income generated matter. It is an employment matter that states you must remain in your trained position for “X” amount of years or reimburse the cost. Chief Stroup explained that the employee could take anything that was personally ordered for them. He also suggested the policy reviewed on a yearly basis due to rising prices.

Todd Titus suggested that Chief Stroup review the policy and work out the kinks. The Board will revisit this at the January 6, 2022 meeting.

**OTHER BUSINESS**

Jerry Honeycutt, 32 year veteran of our Wabash Police Department approached the Board with concerns about the condition of the City Utilities leaving wires hanging all over Wabash and broken utility poles not being fixed. Officer Honeycutt said Duke Energy is great about taking care of their poles but Comcast, Verizon and Metro Net are not. He gave several examples about dangerous conditions with wires and poles. All in all, Officer Honeycut would like the Board and the City to look into what needs to be done to clean this up. He would like to see the following information on the poles:

The Owner of the pole, pole number.

Contact information in the case of a pole being damaged.

Fine for not fixing damaged poles and hanging wires.

City Attorney Doug Lehman told the Board he would look into the problem and possible solutions. He also informed the Board that Utilities are regulated by the State of Indiana and Cities don’t have a lot of control over these situations. Commissioner Straws suggested getting local contact phone numbers to expedite service.

**QUESTIONS FROM THE AUDIENCE**

None

**REPORTS FROM DEPARTMENTS**

None

**NEXT MEETING**

The next Board of Works meeting will be held on Thursday, January 6, 2022, at 4:00 p.m.

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John Burnsworth Mayor Pro-tem/Council President

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Todd Titus Member