

June 21, 2021

The Board of Public Works & Safety met on Monday, June 21, 2021, at 10:00 a.m. in the Marion City Council Chambers. Present were Linda Wilk, Cindy Cunningham, Brian Flynn and Chris White.

**Building department- 415 W. 20<sup>th</sup> St.**

Jerry Foustnight: Good morning we are here for three different properties today. The first one I believe use to be called the old Omar (sp) Bakery years, and years and years ago. And then I believe it had some kind of (inaudible) company in it. But anyway this is a property located at 415 W. 20<sup>th</sup> St. This is a brick structure which the roof is completely gone on it. Some of the walls have fallen. It would never be able to be rehabbed or anything like that. As you can see in the packet we have sent out our ten day certified mailing and with the procedures to bring this before you. I would entertain any questions you might have about this property. This property is going to be somewhat expensive to get rid of. Not only does it have the brick on the outside but there is many, many tires in there. So we will have to dispose of those tires. It becomes very expensive when we do these demos because the tires like this it costs us around \$2000 for the trailer when we have to dispose of these. We have to dispose of them from a company that is authorized through IDEM and all of that. So but anyway if you have any questions I will answer those otherwise we would like to move this onto our list of approvals for demo.

Linda Wilk: Do you know when this might be done? Will this be a while out then?

Jerry Foustnight: Yeah, it is going to be a while out. To be quite honest with you we have sent out fifteen notices for Indiana 18 East and West for structures and so we have started that process. So we will be bringing quite a few more to you. What we want to do is get this on our list so that... Linda a lot of times what we do is if we start to do one and we are close to that area we will just go ahead and do it while we are close. It saves us on time, effort as far as moving the machine and all of this. But we would like to get this done. It has been like this for years and years and it is right along the walk way and we would like to get this area cleaned up so it doesn't look quite so bad as people are generally up and down that path.

Cindy Cunningham: Why is it deemed an invalid sale?

Jerry Foustnight: Because what happened on that is they had some issues when they were trying to sell the property because all of the property is not, it is actually two properties. On the south end we the City of Marion owns some of that property.

Cindy Cunningham: Okay, so it is not going to be a problem.

Jerry Foustnight: Yes, and if you look back just on the balance due is over \$48,000 in taxes and liens and different things like that. We as a (inaudible) know that we are going to have to move forward on this. We know that we are going to have to take a hit and we will never get our money back but sometimes we have to do that kind of thing.

Cindy Cunningham: Okay.

Brian Flynn: Any other questions or comments? I will call for a motion to approve

Motion to approve the demolition at 415 W. 20<sup>th</sup> St.-Cindy Cunningham; seconded Linda Wilk.

**Motion carried.**

Jerry Foustnight: Thank you and I might have a question here real quick since we are here. I have to have somebody from the authority to sign this. Brian are able to sign this or do I need to leave this for Mr. Huskey?

Linda Wilk: I think you need to leave it for Alex because none of us are vice chair. Dana was the vice chair.

Jerry Foustnight: I guess he can read the minutes and see what we have done and then he can sign those okay.

#### **Building Department-2014 S. Gallatin St.**

Jerry Foustnight: Our next property is 2014 S. Gallatin St. This property has had a fire in the rear of it approximately maybe a month or two ago. The burned it up pretty good and so we again we have done all of our paperwork, notified the owner. The owner you know never replied any way so we would ask that you would affirm this order. On the pictures are not the best but the second picture shows the back of the house where it burned up pretty good. You know we would like to get approval to go in there demo this property, get it cleaned up and may be make the neighborhood a little better. It is in disrepair at this time.

Brian Flynn: Any comments or questions for Jerry at this time?

Cindy Cunningham: Do you know if they have home owner's insurance that we can maybe put a lien on it and maybe recoup our money.

Jerry Foustnight: Well what we will do Cindy of course what we will do is send out an invoice or statement to them. They have ten days to reply about that statement. If they don't reply then we automatically put a lien against the property.

Cindy Cunningham: Okay.

Jerry Foustnight: My secretary up there she is very very good at making sure we get our liens and stuff into place. We want to make sure that once that lien is in place if that individual decides they want to sell that property they will have to pay us our lien before they can sell it.

Cindy Cunningham: Can they get insurance money for it and us get?

Jerry Foustnight: You know as far the insurance money they could have already got insurance money when the fire was. We are coming at a later date. So we would have no way to know that.

Cindy Cunningham: Okay. Alright.

Jerry Foustnight: But you know believe me when we do these demos we make sure we contact the owners and try to get out money and if not liens are placed against the property.

Cindy Cunningham: Thanks Jerry.

Brian Flynn: I will call for a motion for demolition of 2014 S. Gallatin St.

Motion to approve the demolition of 2014 S. Gallatin St. - Cindy Cunningham; seconded Linda Wilk.

**Motion carried.**

Jerry Foustnight: Thank you.

#### **Building Department- 2439 W. 11<sup>th</sup> St.**

Jerry Foustnight: And the last one that I wanted to bring before you is 2439 W. 11<sup>th</sup> St. at this time we would like to dismiss this from our demo list. There was some issues out there with this property. The lean to was falling down. The building itself is structurally okay but the east end of it was in disrepair and was falling down and we had neighbors complaining about it and

everything. Well within the packet what we did was we sent out our notices. The owner of the property wanted to comply with what our orders were if you can see there. There should be a permit, did you guys get the copy of the permit? Any way there is a permit where Dave's Excavating went in there and removed the back part of the lean to and everything on the east end. So the owner actually complied with what we requested so therefor we would like to have approval from the board to dismiss this demo order. I do believe that Linda you were president for a while, I do believe that even though we are dismissing this that I would want you as a board to check modified part on here and then we can put that it was dismissed due to compliance.

Brain Flynn: And it has been inspected?

Jerry Foustnight: Yes, I actually went out there again this morning to make sure it is in compliance. The only thing is the building itself probably needs painted but I mean structurally it is a sound (inaudible) it was just the east end addition that was put on there is removed.

Brian Flynn: The request is to dismiss this action I would call for a motion on that please.

Motion to dismiss the demo order for 2439 W. 11<sup>th</sup> St.-Cindy Cunningham

Linda Wilk: You wanted that modified didn't you?

Jerry Foustnight: What I would like is because of our records and everything. I would like for you guys to modify the demo order that you, I think that you need to mention that you are going to modify the demo order to dismiss it per building department. And then that way if you do that then we can have Mr. Huskey sign this as a modification and then we can make notation on here the reason why it was modified. These are all legal things. A year from now we may need this or this or whatever.

Motion to modify the demolition order for 2439 W. 11<sup>th</sup> due to compliance per the building department- Cindy Cunningham; seconded Linda Wilk.

**Motion carried.**

Jerry Foustnight: Thank you very much. I know that I bring a lot before you and you are going to be seeing me a lot more.

Linda Wilk: Well that will be good because I know I have some in my neighborhood that I would like see come down.

Jerry Foustnight: I appreciate your time and being patient with us.

### **Public Comment**

No public comment

Motion to approve the payment of the bills for June 21, 2021- Linda Wilk; seconded Cindy Cunningham.

**Motion carried**

Motion to adjourn-

Meeting adjourned.

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Alex Huskey-President  
Board of Public Works & Safety

ATTEST:

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Aisha Richard- Secretary  
Board of Public Works & Safety