

July 6, 2021

The Board of Public Works & Safety met on Tuesday, July 06, 2021, at 10:00 a.m. in the Marion City Council Chambers. Present were Linda Wilk, Cindy Cunningham, Alex Huskey and secretary to the board.

Motion to approve the minutes for June 7, 2021- Linda Wilk; seconded Cindy Cunningham.  
**Motion carried.**

Motion to approve the minutes for June 21, 2021- Linda Wilk; seconded Cindy Cunningham.  
**Alex Huskey abstained.**

**Review Request from Marion City Court**

Alex Huskey: The next item on the agenda is General Ordinance 5-2021. It is the vacation of an alley way and excuse me at Wigger and Lenfesty edition between the streets of Landess and Carey Street and right off of 27<sup>th</sup> Street. It is a property that Carey Services is requesting that the alley way be vacated. They have built homes in that area and will continue to build I believe in that are some more. This matter actually went through the zoning board um a few weeks ago but was never brought to the attention of the Board of Works. And so we wanted to just make sure that we have an opportunity to review this and that in the event that anyone from the public had an opportunity, who is concerned had an opportunity to speak. The thing that came into question was the notifications for the members of the community. Uh, only certain a small population of people were notified and having interest in properties in that are not personally but professionally I knew that notification had not been made to all of the neighbors and because it is an alley way and not many in the neighborhood may use it uh, we wanted to make sure that we got it back in front of folks in case anyone had any questions, comments or concerns. Um, and, and, and have the opportunity to speak if they didn't, you know if they did not get the chance before. The reason why this is so important is a few years back they vacated another alley way and there was a lot of confusion about what was actually vacated and Carey Services actually believed that they had vacated 28<sup>th</sup> St which they could not do without the consent of the neighboring properties. So, there was a lot of confusion going around with what is happening in that area and we just want to make sure that the neighboring properties have as opportunity to speak if so be it.

Linda Wilk: So, my question is what roll does the Board of Works play? Should any vacated alley then come to the board of Works? Is there a step in the process that has not happened or?

Alex Huskey: Well, it is a complicated matter. There are those that believe that it doesn't need to come to the Board of Works it just needs to go to zoning and city council. However, if you look at the again the statutes that govern the board of works we govern rights of ways, and those sorts of things as well so then it really should come to the board of works as well. It should be, it should go through those proper channels then... It really should come to the board first, then zoning, then...

Linda Wilk: That would be my next questions. What process is...? I wasn't too happy honestly when I got Aisha's comment or email that no one was going to be here to talk about it.

Alex Huskey: Yes.

Linda Wilk: Because I am thinking well if it is coming before me I am not going to approve something that I don't have any understanding other than reading it. And knowing that this came up at the city council meeting and knowing that Robin commented that she was going to talk to

the neighborhood about it. And I am like okay then if I am supposed to approve something you know I don't feel like I have all of the information.

Alex Huskey: So, I talked to Mr. Alumbaugh and explained to him because he actually emailed me personally because he wanted support from our church that has interest in the properties in that area. And I that's when it first came to my attention that it had not been properly advertised in my opinion or the neighboring or the neighbors did not have an opportunity to vet this or speak on its' behalf. He was advised by his attorney that it only had to be um only certain individuals had to be notified and those with property immediately adjacent to that property. And so it, this this is already been approved and this is a matter of correction but going forward we need to make sure we establish those boundaries. There is a challenge there. I can tell you that the neighbors don't have any issue with it. I did have a conversation with some of the neighbors. They were not aware of it but they don't have any issues with it. But they are aware of it now.

Linda Wilk: And so my concern continues to be what is to say the process is going to be corrected next time?

Alex Huskey: I am with you.

Linda Wilk: And if we are not and we don't approve it today and instead ask for someone to come and give us the courtesy to speak about it what does that really, what problems is that going to cause? I feel like the president needs to be set correctly now instead of saying it has already been approved, sorry we forgot about you guys, we will do it right next time. No, I think it needs to be done correctly this time and so I will not bring a motion and I will not, I will rescind a motion.

Alex Huskey: I appreciate that comment. Um, one of the things I constantly remind folks that feel that the board of works has very little wealth we are statutorily mandated. The law says "we shall have" and it would (inaudible) may have made a point, this process shall exist. And so with that there is no work-around and since we are the appointed board then we, we must follow the processes. And so then Aisha I would entertain a motion to table this for further discussion for having someone present to discuss to talk about it.

Motion to table this for further discussion- Linda Wilk; seconded Cindy Cunningham. **Motion carried.**

### **Public Comment**

Alex Huskey: I appreciate those comments, appreciate those comments. Public comment. Again, having some conversations just so you know. I see we have out representative from City Council with us and we certainly will add any comments she may have to that.

Robin Fouce: Thank you. I hope everyone had a good holiday weekend. We all certainly needed a break from the (inaudible) that we participate in. Firstly, regarding the 27<sup>th</sup> St. you are exactly right Linda about no my opposition to it but adherence to the process. And so I don't think we can go wrong when we are all on board when there is total transparency and adherence to the process irregardless of who, what, when, where. If it is Board of Works first I haven't read this but what president Huskey is saying there is Board of Works, Zoning, then, City Council. If that process has been omitted then we are not correct and we need to go back and fix that. Certainly, you deserve a representative here at your meeting today to discuss the particulars and what you are saying yes to. That (inaudible) city council. Since then I will say I have had a great tour with Jim Allbaugh. We were walking the area, we are going to make that green space if so permitted. In my mind I am think when ha the city every given a street to a business, well we have done it.

(Inaudible) Certainly the citizens are the first and the last of it all and then you know does anybody use that? It is not an alley. They are referring to it as an alley but it is called 27<sup>th</sup> Street. Whatever condition it is in it is still called 27<sup>th</sup> Street. And so we need to look at it from that perspective that is just my opinion um you know I am not strongly opposed to that happening. I just want to make sure we go through the correct process. So I think that it is commendable that you caught that. It still wasn't approved by the council it was just moved to a second reading and so we are still in a good place to have these discussions and fix it. (Inaudible) but we did our work, so. I commend you for that. The only other comment I have the last Board of Work meeting there were three properties that came before you. They were all approved to be demolished and my question is. In your processing or your authorization (inaudible) when we are demolishing these properties we want to do what's financially frugal for the city as well as impactful for the citizens. So, I don't know, my question to you would be are you aware of other properties that need to be torn down, do you have that list? Do you just take the recommendation of the uh code enforcement you know, do you have a list of those properties and have you accessed those properties. I will tell you right now I go through these properties probably every day or every other day. I am a prying, driving through my district person, and one of the building certainly it needs to be torn down but there is one that is across the street from it in more dire circumstance than the building that was approved to be torn down. So, I am trying to understand what is your process on how we, are we looking at it collectively or are we just looking at ones that are put before us? And then how do we do better management of that? That is probably a mouth full that I said to you but I think it is very important because we want to serve our citizens in the best way and that is not to take a want away from the suggestions of code enforcement. But we have these layers of approval in place so that we are on point when we do that. So that is my question. (Inaudible)

Alex Huskey: So, I will jump in on that one right off. You are speaking to one of my passions. I know certainly other members of the board have like passions. Um, one of the things that many of us have been doing is we can make recommendations for those properties which are torn down but we don't have the authority to remove the per say it has to be brought in by the city for us to take action on and I can tell you much like yourself I have driven around, I have photographed properties, and shared addresses of those that I have grave concerns over. It, the process of identifying who those land owners or property owner are is little bit tedious, and time consuming and some... And I do get much like yourself I do get frustrated. Because I and you know because I we approved a property that really needed to be torn down a few weeks about a month or two ago but I know of another property that is very similar conditions and I have brought that back up to the building department. Hey, I know of this property that is still, where are we and when are we going to do that. I try to do things in public meetings so that there is a level of transparency that people do we that we are yet reporting as well. Then that helps to maintain a little bit of accountability. I try not to be aggressive about it in the sense that it looks like I am fighting against the administration because I am not. But I am concerned about the condition of our city and this board has heard me say it on more than one occasion. I am concerned about more than just downtown and areas like that. So, I you know I will go on record today and say that the south Marion village looks horrible. That area on Washington between 30<sup>th</sup> and you get to 33<sup>rd</sup> a lot of work needs to be done in there. There are side streets that need a lot of work. So, we have made those things public and we will continue to do that. We solicit or illicit the support of the city council to do the same.

Linda Wilk: I mean we have an objective. I can think of one in particular that is right in my neighborhood. It is on West 6<sup>th</sup> St but they wanted it tore down but I said whoa wait a minute they are still working on that and now if you drive by that same house it is gorgeous. The have a railing up I mean and if we had stamped that it would have been demolished because the thought was well the guy is not working on it. No, we just need to give him a little more time. So we do I feel like we do our due diligence. Yeah, there are properties in my neighborhood that I wish we get moving on quicker and my understanding is as Alex says I know it is a long process to get them through the process as well as just because it is on the list to demo the demo list doesn't mean it is going to happen. So, for the one property that is on the Cardinal Greenway it's been sitting like that, I go by the Cardinal Greenway weekly and it needs to go and I know it is going to be expensive and it sickens me that we are probably not going get any kind of money back out of that. Based upon all the liens that are on their and all of the taxes that are on their.

Aisha Richard: Well that guy is deceased.

Linda Wilk: Oh that guy is deceased?

Aisha Richard: Yes,

Linda Wilk: Well that doesn't help. But you know so one reason I wanted to be on the Board of Works is because I wanted to do my part and see how I can help with the process and what I have learned is that is a very lengthy (inaudible) process. So, I guess to answer your question yea we do relay on the building department to come with recommendations. We will just rubber stamp them. I really feel like we will look each individual one, and should it be on the list and then realize it could be a year or before unfortunately it is demolished.

Alex Huskey: Especially after we have worked through a lot of those liens and lien holders from out of state and getting them to respond.

Robin Fouce: Please know that my question is for thought just to make it better. It is to make an attack on anyone, or any individual. I do fundamentally believe that we have a systemic issue and we can do better. As far as our goal is to work with you every day and another part of that is assessing our system, tweaking it and continually improving it. I believe we are in a good position to improve that collaboration with Code Enforcement, Board of Works, City Council, and so forth. That is kind of why I asked that. Thank you for your feedback.

Linda Wilk: I really, I wasn't able to go to the last City Council meeting. I was out of state but I really like the idea that was brought or it was reported at least in the Chronicle-Tribune about goals for in the Code Enforcement. (Inaudible) using community service workers. I think that would be awesome to do something like that. I think the legalities can be figured out, but they are so understaffed and they need assistance. So think that would be great. So I would fully support that initiative.

Alex Huskey: And I can tell you that work like that is being done in other communities.

Linda Wilk: Is it really?

Alex Huskey: Charleston, West Virginia is one, they use not only local incarcerated individuals to work but they actually have an agreement with their department of corrections and have them coming in doing the community work. They're actually doing rehab work in communities and I am just familiar with that because I did a lot of work with that community in the past and several other communities are doing the same thing. So, it can be done it is just a matter of putting the resources towards getting it done. So, good comments. Thank you.

Robin Fouce: Thank you.

Alex Huskey: One of the best discussions we have had in a long time.

Cindy Cunningham: I just wanted to mention that at the last meeting too, I have to apologize. You asked that we recognize Pearl Bassett. And the meeting went really quick. So I did not know if you wanted to do that now and talk about it.

Robin Fouce: Certainly, and as you say that I left the information from her event (inaudible) life time celebration. I left them at home. I was going to share those with you all. Again I will be sure to see that you get them but you know Pearl Bassett. The name speaks for itself. 110 years on this earth. What an awesome blessing and lifetime experience that she shared with us. You know, she did not know me. I didn't grow up around her but I grew up in the community that she served in and coming back home she was so loving embracing toward me. She advocated for people just like we are doing. Our work is advocacy when it gets down to it and so what a great example we had in the life she lived and umm I don't know that any of us will make 110 but we had a good opportunity to celebrate her milestones and her participation or contribute to this community so I want everybody to put on their thinking caps and think about how we can still honor her and bring life to the things that she did in our community. We really need to stimulate more participation more people like that more activity as she has done. Thank you.

Cindy Cunningham: Thank you.

Alex Huskey: Absolutely. Thank you. And again thank you to the board for your patience. I did enjoy my vacation time with grandbabies so I make no apologies for not being here but I do thank you for your patience. Alright, the next item on the agenda is the payment of the bills. I will entertain a motion.

#### **Payment of bills**

Motion to approve the payment of the bills for July 06, 2021- Cindy Cunningham; seconded Linda Wilk. **Motion carried.**

Motion to adjourn- Cindy Cunningham; seconded Linda Wilk.

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