

January 18, 2022

The Board of Public Works & Safety met on Monday, January 3, 2022, at 10:00 a.m. in the Marion City Council Chambers. Present were Alex Huskey, Janice Adams, Brian Flynn, and secretary to the board.

Motion to approve the minutes for January 3, 2022- Brian Flynn; seconded Janice Adams.
Motion carried.

Alex Huskey: Before we get to the next item on the agenda I would like to just walk on something real quick. We have a number of properties that we are going to be looking at today for potential demolition and a couple of projects. So, what I am going to ask the board this morning especially for, more so for the properties for demolition is that unless those properties are contested, can we agree to allow a condensing of the minutes for those, not a verbatim on that just to help the secretary a little bit.

Brian Flynn: I think that is appropriate.

Alex Huskey: Thank you.

Transportation Department: Title VI Program update

Jeff Edwards informed the board that the change in the Title VI happened between 1964 and 1990. He believes Title VI was meant for race, color and national origin. And in 1990 they might have put in creed, sex and disability. It is posted that we don't discriminate against those either it is just not part of Title VI. Alex Huskey asked if there has been any changes in demographics since there has been a change in the routes. Jeff Edwards stated no he has not. The change that was made was thought about real hard but the changes did not hurt transportation any other than work. There were two people that had to go to work and they set it up to get them picked up. The ADA disability bus is running as normal. Alex Huskey asked how long transportation plans on running the adjusted hours. Jeff Edwards said hopefully just through January and may be a little bit in February but they are trying to get people hired and stop the coronavirus from hitting them. Alex Huskey asked Jeff Edwards to come back the first meeting March to talk about the ridership of the city buses. Jeff Edwards said that will be fine. Alex Huskey informed Jeff Edwards and the board that there are community businesses talking about what it will require for extended bus hours with the number of people who don't have vehicles for transportation to work and those sorts of things.

Brian Flynn said on page 11, the passenger advisory committee. It shows the composition of the Board of Public Works. It says 4 Caucasian, 1 African American, 2 male, 3 female. That needs updated. There are 3 Caucasian, 2 African American, 2 male, 3 female.

Motion to accept the information from the transportation- Janice Adams; seconded Brian Flynn.
Motion carried.

Engineering Department- 2022 Street Crossing bids

Mike Graft stated they had received bids from two companies. They also requested the cost of replacing lane marking paint with thermoplastic. The information is listed below. Community Crossing is dollars that the city can get from the state. There is an award from the state right now for \$677,000 the city has to come up with an additional fifty percent as matching funds. There will be some handicapped ramps and curbing done as well.

	STREET NAMES	BROOKS	E&B PAVING
1.	17 th St. from Brownlee to Florence	\$12,134.76	\$12,044.00
2.	31 st St. from Race to Poplar	\$33,985.32	\$32,190.50
3.	42 nd St. from SR 9 to Washington	\$26,637.58	\$24,886.80
4.	Felton St. from 32 nd to 36 th	\$53,669.36	\$50,617.20
5.	Felton St. from 36 th to 38 th	\$33,426.40	\$30,896.50
6.	Grant St from Penn Ave to Campbell	\$60,373.20	\$67,822.13
7.	Hill St from 14 th to 17 th	\$17,504.32	\$16,320.40
8.	Keal Ave from Bradford to Grant	\$48,668.88	\$44,921.50
9.	Locust St from Wood to High	\$44,231.08	\$41,013.70
10.	Marshal St. from Keal to Dead End	\$46,671.28	\$42,966.70
11.	Washington from 4 th to Bridge	\$50,259.98	\$47,280.84
12.	Wigger St. from 36 th to 38 th	\$40,325.36	\$37,934.90
13.	30 th St. from Lincoln to Washington	\$319,701.04	\$312,516.02
14.	Adams St. from 10 th to 29 th	\$292,742.90	\$283,824.13
15.	Kem Rd from Miller Ave to Baldwin	\$262,528.00	\$253,141.42
16.	Wabash Ave from Jeffras to Spencer	\$33,262.64	\$30,931.02
	TOTAL	\$1,376,122.10	\$1,329,307.76

	STREET NAMES	BROOKS	E&B PAVING
1.	17 th St. from Brownlee to Florence	-	-
2.	31 st St. from Race to Poplar	-	-
3.	42 nd St. from SR 9 to Washington	\$350.00	\$130.00
4.	Felton St. from 32 nd to 36 th	\$480.00	\$180.00
5.	Felton St. from 36 th to 38 th	\$180.00	\$67.00
6.	Grant St from Penn Ave to Campbell	\$200.00	\$74.00
7.	Hill St from 14 th to 17 th	\$80.00	\$30.00
8.	Keal Ave from Bradford to Grant	\$330.00	\$200.00
9.	Locust St from Wood to High	\$80.00	\$30.00
10.	Marshal St. from Keal to Dead End	\$210.00	\$30.00
11.	Washington from 4 th to Bridge	\$2,750.00	\$100.00
12.	Wigger St. from 36 th to 38 th	\$3,610.00	\$40.00
13.	30 th St. from Lincoln to Washington	\$100.00	\$1,950.00
14.	Adams St. from 10 th to 29 th	\$2,700.00	\$600.00
15.	Kem Rd from Miller Ave to Baldwin	\$6,600.00	\$340.00
16.	Wabash Ave from Jeffras to Spencer	\$1,510.00	\$421.00
	TOTAL	\$19,180.00	\$4,192.00

Mike Graft advised that he will take the bids under advisement and inform the board of his decision at the next board meeting. No action taken.

Board of Works- Chief / Deputy Chief Handbook

City attorney Tom Hunt stated part 3 subsection G “Long Term Paid Sick Leave” number 1 the 13 weeks do not reset with every injury. The language is what is in the contract for the rank and file. Fire Chief Paul David said the wording is a little different. Attorney Hunt stated the reason calendar year was not used is because what if someone gets sick or injured on November 15 and they you don’t have 13 weeks left and so how do you deal with that carrying over into the next

year and then what happens if that person gets ill or sick again in the next calendar year. It is easier to deal with a 12 month time frame. Tom believes that number two is not a concern. Brian Flynn stated he would like to insert the date of the first illness or injury. He said there can be more than one illness or injury as long as they have not used all of the 13 weeks during that twelve month period. We want the clock to be clearly started upon the first initiation. It gives them the maximum of thirteen weeks no matter how many injuries. Alex Huskey said the language delineates a difference between the administrative ranks and the contract. Brian Flynn stated maximum of 26 weeks should be added to number 2 as well. Attorney Hunt said make number two consistent with number one so you know you are dealing a twelve month period from the date that the injury or illness occurs.
No action taken.

Fired Department: Chief Paul David asked the board for permission to post two positions. One is a captain spot and one is a fire prevention officer spot.
Alex Huskey, Janice Adams, and Brian Flynn all said yes.

Building Department-Demolitions

1414 W. 7th St.-

Jerry Foustnight stated that all of the notices had been sent to everyone that has potential interest in the property. There have been different complaints on this property. The pictures represent the condition of the property today. The building department is asking for permission to demolish the structure. Alex Huskey said there is a note from June from someone who identifies themselves as the owner who states that are looking for someone to do work on the property. Alex Huskey stated he suspects that nothing more has been done on the property. Jerry Foustnight stated correct. Janice Adams asked if they had tried to contact here again to see if she intends to move on it. Jerry Foustnight said they have thirty days to respond and if they respond the building department tries to work with them. If they fail to communicate further with the building department the building department moves forward.

Motion to approve the demolition for 1414 W. 7th St- Brian Flynn; seconded Janice Adams. Motion carried.

1706 W. 4th St.-

Jerry Foustnight: Again inspections were made. We did go through the correct procedures as far as contacting the property owner. We also as you are aware when we do contact the owner we also send them a notice that they can appear before you at the Board of Works to appeal or the process. Again, we have the facts sheets before you. Again, you will see that the process was started on 6-4-21 for the project. You can see again that the recipient signed for the paper itself. So, again would ask that this structure be approved for demo.

Katlyn Blinn: I am here to represent the house on 4th Street. I am with Hoosier Rental Group. We are the property managers for this house on 4th St. we just bought it within the last year. We bought this property in a Sheriff sale last year and we just haven't had time to get in there and get the renovations done that we need to. I mean with covid I have got people left and right that are out. We can't find additional people to work. I mean to be honest we have several houses that are empty that we can't find people to do the work and get it done.

Alex Huskey: When did you purchase this property?

Katlyn Blinn: I believe February or March of last year.

Alex Huskey: So, we are almost twelve months out and you have not been able to move anything on it, because it doesn't look like anything has been done with this particular property.

Katlyn Blinn: No.

Alex Huskey: What is the time line that you have for moving forward with?

Katlyn Blinn: If I had one I'd give it to you. But again with Covid we are not finding people to work. I have got people off, I mean my maintenance guy's worked three days last week because they were out sick so.

Janice Adams: So in a perfect situation you would have already taken care of this.

Katlyn Blinn: Exactly, exactly.

Janice Adams: That means no Covid, no.

Katlyn Blinn: Yeah, if Covid did not exist I don't think we would be having this problem. I mean again I have several houses that sit empty because we don't have anybody that can work on them.

Alex Huskey: Let's see here. Have you been working with the Mr. Foustnight's team on anything with trying to resolve the issues as hand?

Katlyn Blinn: I thought that my brother had sent a letter back in June or July stating that we had planned to do renovations to the property but again we just haven't had time.

Alex Huskey: My concern is that there are things that could have been done to at least secure the property to make it a little bit more presentable. Clean up the messes around the property. It doesn't look like anything has been done, and that doesn't take a large maintenance crew to clean-up and addressing some of the issues. And, it has been over a year. I have some serious concerns about that. In the spirit of transparency.

Katlyn Blinn: I completely understand and just to let you know this is where we are at. I mean I had five people last Friday, two Friday's ago excuse me that went without heat and I called three companies in town. I called two of my tenants that work for these companies and they did not have time to get out over the weekend to get them done. I mean this is how, I had three maintenance guys call off on that Friday. This people had to go all weekend without out because I couldn't hire anybody. There is literally no one available that could go out over the weekend and get it done. I mean unfortunately that is how it is right now.

Jerry Foustnight: May I respond Mr. Huskey?

Alex Huskey: One moment please, go ahead Mr. Foustnight.

Jerry Foustnight: This has been almost a twelve month period. Again, nothing has been done. We consider this a life safety matter. It is an unsafe structure especially if you look at some of the foundation areas within that structure. We did not receive any kind of notification as to that they were going to work with us or whatever. Again, you can see that the initial letter was sent out on 6-4 of 21. Therefore, I understand about Covid and everything but I also understand that they have had it almost a year to do something to the property and again we feel that it is a life safety matter. When we bring something before you therefore we request that the board proceed with this demo request.

Alex Huskey: It has been the privilege of this board for these matters of demolition that whenever they come before us we are able to take the necessary action and we always reserve the right to allow the building department to work with individuals who come back and they make significant progress on properties that are in disrepair to the satisfaction of making sure that we can move these properties along. We are dealing with a serious blight issue in our

community and it is growing and we need to address those issues. I think I have heard enough from both sides and I understand the issues but I also know that our process and policies do allow for some leeway so I am at the point now if there are no additional questions I would entertain a motion for these properties. For this property rather.

Motion to approve the demolition of 1706 W. 4th St. and for the owner there is an opportunity to appeal that if you can come up with some kind of agreement between now and the demolition date to show the good faith effort of actually doing something on this house if you want to maintain it- Brian Flynn; seconded Janice Adams. Janice Adams: I second that based on the information that you would use that as an opportunity. **Motion carried.**

Alex Huskey: Are you representing more than one property?

Katlyn Blinn: No that is it. Thank you.

Alex Huskey: Thank you.

Brian Flynn: Thank you.

1648 W. 4th St.

Jerry Foustnight informed the board that the fact sheet has been provided, the notices were sent as required to the property individuals. The property is in disrepair. This started on 6-9 of 21 and on 6-14 the certified mail was sent and it was returned to us with no signature. First class mail as well as certified mail were sent. The property is in the same condition as it was before. Alex Huskey said that this property has sat in this condition even after contact early on.

Motion to approve the demolition of 1648 W. 4th St. - Janice Adams; seconded Brian Flynn.

Motion carried.

1652 W. 4th St.

Jerry Foustnight said the facts sheet before you to show the process started on 6-17 of 2021 with a 10 day notice sent to the individual. On 6-19 of 21 certified mail was sent and it was signed for by the recipient. They were given the date they were going before the Board of Works to review our request for demo. This is a large house. The windows are broken out and there are issues with the foundation, the front porch area has fallen. We requesting the demo of this property.

Motion to approve the demolition of 1652 W. 4th Street- Brian Flynn-seconded; Janice Adams.

Motion carried.

1121 W. Delphi Ave.

Jerry Foustnight said the facts sheet has been presented. The notices have been sent to the owner and any individuals that have any interest in that property. The notice was also sent to inform the individuals that the property would be before the Board of Works today. There are issues with the foundation, the chimney is falling, broken windows, and the city boarded the windows on the house. We are asking that the board grant approval for us to move forward on the demo of this.

Alex Huskey stated the property taxes on this property have been delinquent for an extensive period of time. So, that shows they have had no interest in this property. Janice Adams told Jerry she wanted to commend him on the work he has done.

Motion to approve the demolition of 1121 W. Delphi- Janice Adams; seconded Brian Flynn.

Motion carried.

Alex Huskey said when these properties lay dormant like this it presents health concerns for our community. It puts our public safety at risk as well. Jerry Foustnight informed the board that on

February 21, 2022 he will be presenting the seven properties that the CREED Board is helping to cover the cost of the demolitions. Outside contractors will be contacted for these demolitions but we still have to continue with the same process. The individual that owns 509 W. 4th St has begun working on the property and the building department is working with them. A letter of intent has been given to the building department and they will be following up with the owner to make sure they are following the time table. 1630 W.4th has provided a letter of intent on their plans. They currently have a lot of materials laying in the yard but they have to get a dumpster this week and remove that material as a starting point. From 2016 to date there have been approximately 278 properties demolished. There is a map in the building department referencing the locations. Alex Huskey asked Jerry Foustnight if he has a list of all of the larger rental properties in town and if he does inspections on those properties. Jerry Foustnight said the inspections would be through the fire departments as far making sure they had smoke detectors. The only time the building department gets involved with something like that in residential is when there is an individual that makes a complaint against that property. The building department will go out if the issues are electrical or structural. The building department works closely with the environmental division of the health department when there are issues such as the living conditions of the structure. The health department are the ones who would placard that because the building department does not deal with the health issues of it.

Public Comment

Robin Fouce said she wanted to thank Jerry Foustnight for his increased effort in toward blight. It is worth all of our efforts and heartaches toward these efforts. There is still work to do but there is good progress toward attacking blight in Marion and making it better. She thank Jerry Foustnight again for his efforts and she is looking forward to greater things out of Jerry's office. Robin Fouce said that she has received several complaints on 3212 S. Hamaker and she feels it is worth looking at getting on the demo list as soon as possible. Alex Huskey said there are some disabled children that live directly adjacent to that property and sometimes they don't understand safety boundaries and it is literally caving in. Jerry Foustnight said he would make an effort to go look at the property today or tomorrow.

PAYMENT OF THE BILLS- JANUARY 18, 2021

Motion to approve the payment of the bills for January 18, 2022- Janice Adams; seconded Brian Flynn.

Motion carried

Motion to adjourn- Brian Flynn; seconded Janice Adams.

Meeting adjourned.

Alex Huskey- President
Board of Public Works & Safety

ATTEST:

Aisha Richard- Secretary
Board of Public Works & Safety