

March 6, 2023

The Board of Public Works & Safety met on Monday, March 6, 2023, at 10:00 a.m. in the Marion City Council Chambers. Present were Alex Huskey, Janice Adams, Brian Flynn, Linda Wilk, and secretary to the board.

Motion to approve the February 6, 2023 minutes- Brian Flynn; seconded Alex Huskey. Cindy Cunningham abstained.

Motion to approve the February 20, 2023 minutes- Brian Flynn; seconded Alex Huskey. Cindy Cunningham and Linda Wilk abstained.

City of Marion- Public Hearing

Janet Pearson: Good morning. The properties that you have on your agenda this morning are city owned lots and the first one is 1120 E. 38th St um for \$800. The second one is 2816 S. Boots St., for \$800 and the third one is 2913 S. Nebraska St for \$800. And we are asking for the board to approve these lots, city lots to get them back on the tax rolls.

Linda Wilk: Any questions from any of the board members? If not is there anyone from the public that would like to speak on these properties and if so if you could come to the mic and state your name and address. Okay. Seeing none then I will ask for a motion to approve.

Motion to approve the sale of these properties and get them back on the tax rolls- Janice Adams 2nd Cindy Cunningham. Motion carried.

MARION STREET DEPARTMENT- BIDS FOR FRIENDSHIP CORNER

James Loftis: Good morning. Um I think this is my first time being here.

Linda Wilk: I think so.

James Loftis: I hope everyone is doing well. We did take the bids for the uh playground surface at Friendship corner. Um I did only receive on. So, this is my first time doing this so if I do this wrong please stop me or have Aisha poke me or whatever we gotta do. But uh it was from Miracle Playground and uh we did reach out to a lot more people than one. We actually had to bid it twice out. Um so I do credit Mike Graft with helping me with all of that. Since it was the first time for me as you can probable tell. Okay um... this bid did come in at \$307,320. So, I would like to take that under advisement. We have to go to the Park Board also. Um then we will come back with in two weeks and let you guys knows.

Linda Wilk: So we will go ahead and take a motion that we accept the bids and we take it under advisement. I know (in audible)

Cindy Cunningham: Can I ask a questions?

Linda Wilk: Yeah, sure.

Cindy Cunningham: Did you do like an estimate for what you thought it should come in as...

James Loftis: Um we actually had a quote from the same company. This is the same company to actually build the playground originally. We got a quote back I believe it was in July or August um they were going to (inaudible) \$285,000 back then. Um then we came through all the stuff and I did understand the dollar amount and how it had to go to public bid and all that stuff so that was uh on my part but uh so it is a little higher. And they did tell me like, he did tell me like every six months their prices are going up to meet the the uh you know the lay of the economy

now a days so. Um it is scary, the number is so scary but to do that playground right we could have took the top layer off and not did nothing with the bottom layer because we a double layer system. But if we did that we are really just putting a Band-Aid on it and that was still \$150,000 plus.

Cindy Cunningham: And this is just to resurface or is this to replace some of the equipment?

James Loftis: Uh this is just for the surface, and this will take the surface down to the sub-surface so you are basically getting a new, replacing that whole surface. And why they do have that surface out there is a few things that we can replace while it is out. Cause some of that is bolted to the sub-base of that. That is one playground; I can bolt stuff off and on that playground but to fix the sub-surface I don't have anything that will fix that. Because that is a little, the technology part of it is beyond us because it is more like pouring concrete type of thing. So

Cindy Cunningham: Do you plan on replacing any of the equipment?

James Loftis: We do have some. We actually do have some slides uh are on order um there is a paddle wheel they just broke last week. There is some pedal stools we want to redo. We started to put the swings back out there today. Uh they broke our brackets off so we are going to do that. We are going to replace the cameras out because I am not able to get a clear face. Because I would like to put them all on social media of people who do this. I know Barnes Park has been decimated with stuff as well but um the amount of stuff that we replace yearly is, its it's sad that people do that to us.

Cindy Cunningham: Yeah. Okay, thank you.

James Loftis: You're welcome.

Alex Huskey: And just could you remind me, where are the dollars for this are coming from?

James Loftis: Uh the Edit Fund.

Linda Wilk: Anyone else have any other questions at this time? If I could get a motion to take this under advisement.

Motion to take the bid of \$307,320 from Miracle Playground under advisement- Brian Flynn; seconded Cindy Cunningham. Motion carried.

Linda Wilk: Thank you James.

James Loftis: Thank you guys, have a great day.

Linda Wilk: Thanks Mike.

BUILDING DEPARTMENT-1904 W. 2nd

Whitney Gilbert: Hello. These are current pictures from today. Jerry is out um for an undermined amount of time. We are not sure when he will be back. But um I will try to answer whatever questions you guys have.

Linda Wilk: Normally Jerry kind of gives us an overview of you know what has taken place.

Whitney Gilbert: Um so we started in December. Jerry had the ten day the regular ten day notice sent out. Um it shows when we tracked it that it was delivered. Um to the, and we typically only send those to whoever is on the taxes at that time. Um like it says it got delivered, we went through the title work process and we sent out several notices for this meeting. Um I don't know if you have your facts and finding it will show you. Most of them were delivered. The ones to the property owner were delivered. Um this one is pretty basic. I don't know unless there is conversation that Jerry had that I wasn't aware of but I don't know that there have been any

conversations um things have been delivered and signed for but no communication that we know of. Um that I know of I apologize. Um so that's, it is pretty cut and dry on this one.

Linda Wilk: Does anyone from the board have questions?

Brian Flynn: This includes the small shed as well as the

Whitney Gilbert: I believe so, yeah. Yep. Um the first pictures that were back in January Jerry and his inspector RJ went out and included that that shed in those pictures. So when I went back out today just to get current pictures I went ahead and included that because I believe there were pictures that included that. Are you Mr. Collins?

Linda Wilk: Mr. Collins as soon as I see if any of the board members have any questions then I will call you up and you can speak in the mic and talk to us ok. Thank you for being here. Does anyone have any question before we hear from Mr. Collins? Seeing none okay Mr. Collins if you want to come up to the mic where Whitney is and you can let us know about your property. If you could let us know your name and your address once you get seated.

Mr. Collins: I beg your pardon.

Linda Wilk: I said if you could state your name and your address for the record.

Mr. Collins: Ronald E Collins, 3136 S. Partridge Lane, Marion, Indiana.

Linda Wilk: Okay and you are the sole owner of this property?

Mr. Collins: I am.

Linda Wilk: Okay. Have you, and you have received the communication that the building department sent out about the plans for this property?

Mr. Collins: Yeah. They wanted a response from me by the 23rd of January and I faxed them a response on the 21st. I told them at the time that I was 80 years old and uh unable to do most repairs on the building. I did manage to get the steps nailed down to where you can walk up and down them now without a problem. I had two young men come out and help get a lot of the stuff out of the building. We made three trips with my pick up and uh and they didn't have any problems going up and down the step. I have got the property in Tucker's real estate hands right now. It is up for sale. He said he had one party interested. He wasn't interested in the building. He thought he might be waiting until after taxes are taken care of and uh I told him all I wanted was what I paid for it in April of 1997 which was \$33,000. It is a zoned for business property, corner lot, lot and half um it is on Bradner Avenue and 18 West, and he said he thought was ought to be able to get that out of it you know. But um he said we probably just have to wait until after tax time to see what happens then.

Linda Wilk: Do you understand that what we are here today to do is to do whether to approve the demolition of the property. So to tear the building down, put it on a demolition list?

Mr. Collins: It is a um mobile trailer all you need to do is put four tires and wheels on it and (inaudible) and pull it away.

Linda Wilk: The problem is where would the city take it? You know unless you are planning to do that, is that something you are planning to do?

Mr. Collins: Well I got to, no I would like to sell it just as it is.

Linda Wilk: Okay but the problem is, it has become quite an eyesore for the city. You know as you said it is right on that thoroughfare.

Mr. Collins: I seen an awful lot of them around town that are eyesores

Linda Wilk: I don't disagree with you but this is one that has been brought to us and so they have went through the process or the steps and now they are wanting us to approve or deny putting it on a demolition list. So I just want to make sure you understand what we are here to do today.

Does that make sense? Now, that does not mean that it will be torn down immediately but that

means that it will be on a demolition list. Whitney can maybe give us an idea of when that might happen.

Whitney Gilbert: Uh it would probably be an extended time; it wouldn't be right away. That is definitely something Jerry would have to but there are a few, a few on the list prior to, (inaudible).

Linda Wilk: And then you would be responsible for the cost of that demolition. So whatever the cost would be and then any taxes that you may owe on it you would be responsible for paying.

Mr. Collins: I don't owe any taxes.

Linda Wilk: Okay. You said something about the person that was interested wanted to wait until after the taxes. So I am assuming he wants you to pay the next round of taxes and then he would take

Mr. Collins: (inaudible)

Linda Wilk: Okay, but again you understand the cost; if we approve the demolition and it is put on demolition list then you would be responsible for paying whatever that cost is once the city did that work.

Mr. Collins: Before they demolished it uh there is a party I don't know what his last name is his name is Ron and he works with AARP tax fills out the taxes you know and he made a statement that he was interested in the building.

Linda Wilk: In the building or the property?

Mr. Collins: No the building.

Linda Wilk: Okay.

Mr. Collins: So, if push comes to shove we would maybe get ahold of him and maybe he'd still be interested in it. And he can contact somebody to get some tires and wheels put under and a tongue on it and pull it out of there.

Linda Wilk: Okay. Does anyone have questions for Mr. Collins?

Brian Flynn: Yeah, I do. Um I want you to understand even if it approved to demolish to be demolished you have the ability to take care of this this structure prior to the demolition.

Mr. Collins: Oh, I would?

Brian Flynn: Yes. This doesn't mean that you couldn't sell it to an interested party and have

Mr. Collins: I am not selling it to anybody if Ron wants it he can have it you know just for moving it out.

Brian Flynn: Right,

Mr. Collins: I mean the building I been paying taxes on that building and taxes on that building goes up, up and up. I think it is valued right now at around \$32,000. I wouldn't give you \$3.20 for it. Personally.

Brian Flynn: I understand but I am just wanting you to clarify, I am just wanting you to realize if there is action by this board to approve demolition you still have the opportunity to take care of this. To have it hauled if you have somebody who wants it.

Mr. Collins: Would I be notified prior to that?

Brian Flynn: I think that is something that Whitney, is that something we do?

Whitney Gilbert: We can. Um that should not be a problem. Once it get closer and the utilities are basically confirmed um it would not be a problem. I would not have an issue with sending notification of that.

Brian Flynn: I would encourage you to act on this as quickly as you can that way you are not waiting until the 11th hour in case there is an issue that comes up.

Mr. Collins: Well

Brian Flynn: Or you will get in a bind.

Mr. Collins: I kind of would like to let Mr. Tucker, it is not Mr. Tucker it is an agent for Tucker Realty. Um I kind of would like to give him a chance to sell it as it is if he can. Maybe they want to restore the building. I don't know.

Linda Wilk: What I would encourage is get Whitney's card so you have her contact information and stay in communication with her because that, she has indicated she will let you know but once it comes up; if we approve demolition once it comes up to be demolished they won't wait. You know it may be three months from now but once they get at date it is going to be a firm date.

Mr. Collins: Yeah.

Linda Wilk: Because there may be other structures in that area you know that they want to demolish so yeah I want to be really clear. Yes, you have time it sounds like to do something but it is not an open ended time frame.

Mr. Collins: Right, okay.

Linda Wilk: Okay. Do you have any questions for us about this?

Mr. Collins: No.

Linda Wilk: Okay, alright. Okay, are there any other questions from board members otherwise I will ask for a motion.

Mr. Collins: Like I told them in the letter on January 21st. I told them then that we don't do any business there so there is no safety problems if there is no business, there hasn't been in the last twenty years. The only people who go on the property who want to park free, steal something or dump their trash.

Linda Wilk: And that's why cleaning it up would eliminate a lot of that. That would be the hope.

Mr. Collins: I have got a storage building out there on that and I had to close up the door to keep the lady in the apartment house next to the property from putting her trash in my building.

Linda Wilk: Yeah, yeah.

Mr. Collins: That is all.

Linda Wilk: Okay.

Cindy Cunningham: Whitney is it usually less expensive for the property owner to have somebody tear it down as opposed to the city doing it?

Whitney Gilbert: Um once we have reached this point in the process it typically is. Um now if they is contacting or arrangements are made with Jerry after we have started this process but haven't got through um then it can be arranged that they do the owner demo assistance program. They applied for that but typically once it gets through the whole violation process it ends up being more expensive than what

Mr. Collins: Will I need a permit to um have it hauled off.

Whitney Gilbert: I do believe if you tow something on a state highway I believe that you have to have, we do if we have a trailer or something towed on a state highway you have to go through the state to have that a permit. Um from us you would need it if you were to demo the building you would need a demolition permit for that. But we don't have any permits for moving the structure um but that maybe something you want to check with the state since you are right there on 18. You might be getting out on the state highway and that could be an issue if you are towing something that is oversized like that there is something called um an oversized hauling permit.

Mr. Collins: Would that be up to the party that is towing it?

Whitney Gilbert: I would say so. I would think so, yes. But um that maybe something that you or whoever is going to be towing it may want to check into.

Mr. Collins” (inaudible)

Whitney Gilbert: I can um once I get you my contact information I can give you um some contact information probably a 1-800 number for the state if you wanted to check into that.

Mr. Collins: Okay.

Whitney Gilbert: Okay?

Mr. Collins: I appreciate it.

Cindy Cunningham: Mr. Collins do you understand that um you can get ahold of Mr. Carper, Ron Carper and find out if he can do it but if not Whitney says there is a program through the city that they will do it but it would be a little bit less than if they come in without you saying I want it done here is the money.

Mr. Collins: Yeah, you know. If I was forty years younger I would turn that into a rolling sound stage. It is 40 feet long 12 feet wide, it would make an excellent prewired for all of the instruments and everything. The lights, I would love to do that but like I said if I was forty years younger.

Linda Wilk: Any other questions, comments from the board? If not do I have a motion?

Motion to approve the demolition order- Alex Huskey; seconded Brian Flynn. Motion carried.

Linda Wilk: Thank you very much for coming. We really appreciate that. Whitney will be really good to work with so she will help take care of your questions. Alright?

Mr. Collins: Very good.

Linda Wilk: Thank you.

BOARD OF WORKS RULES AND REGULATION MANUAL

Linda Wilk: Alex has not had chance to do the liaison piece so I don't know if we want to approve the rules and regulations with the understanding that that will be still becoming or if we want to delay the approval. It is something that, when I created this I wanted it reviewed every year to make sure there weren't changes and a make sure it was an active document. That is up to the board. I know Brian had some thoughts, some changes. So just let me know what you would like to do.

Alex Huskey: I am okay to move forward with the other changes and then you can add the liaison piece later I don't think that should hold up the progress.

Linda Wilk: Okay. Alright. And I really wanted to wait for Janice since she is the newest member. I just wanted to make sure she didn't have any questions. So is everyone else in agreement? Do you want to tell us what has been addressed?

Brian Flynn: I think I, I identified these editorial changes that were in our minutes. Um so I just want reinforce those but also um I just want to look at our language in the public comment section. It is really pretty small, it doesn't really give a lot of information. But I would like to add language that uh any person that wants to make a public comment that they do as we did today. They approach the microphone, identify who they are, where they live and I I think that is important to have in the documents for us to follow that a little more closely than we have in the past.

Alex Huskey: Agreed.

Brian Flynn: So, I would, I would suggest that we add the language um prior to the second sentence that begins with “Each person shall be permitted” and that we insert the language that “any person wishing to make a public comment shall approach the microphone, state their name,

and address and then be given up to three limits of the topics that are limited to the current agenda.”

Linda Wilk: Were there any other questions, comments about the rules and regulations? If not can I get a motion with that addition (inaudible) and then we will come back later with Alex’s liaison addition.

Motion to approve the language that Brian has provided for the board manual- Alex Huskey; seconded Cindy Cunningham. Motion carried.

Linda Wilk: Okay next on the agenda is public comment. And just to clarify we have now added that if anyone wants to have public comment we just ask they come up to the mic, identify themselves, name, and address and have up to three minutes to speak on any agenda item that is on the agenda. So is there any public comment?

PUBLIC COMMENT

Linda Wilk: Brian in the payment of bills did mention to me the last meeting there was a question about one of the bills and had that information, I just asked that he do that as part of payment of bills.

No public comment.

PAYMENT OF THE BILLS- March 20, 2023

Brian Flynn: So before we get into any of the details of this current payment, uh there was a question um about an architecture um assignment whether it was bid out or if it was something that was just assigned. I did follow up on that and I found the code is IC 5-16-11.1 that addresses this. And specifically within that code IC 5-16-11.1-4 number 4 determines that the city does is not required to provide notice or open for bid for that type of war so what was done was done within the language of the code. And um it does have some specifics with in that section as well that describes what an architect is, what an engineer is and what surveyors are um and through my research I believe everything was about the board.

Linda Wilk: Thank you for that. And now we will going on to the payment of the bills for March 6, 2023 voucher numbers 141-50777-50897 for \$309,026.55 are there any questions, concerns about the bills?

Motion to approve the bills for March 6, 2022- Cindy Cunningham; seconded Brian Flynn. Motion carried.

Motion to adjourn- Alex Huskey

Meeting adjourned.

Linda Wilk- President
Board of Public Works & Safety

ATTEST:

Aisha Richard- Secretary

Board of Public Works & Safety