

August 21, 2023

The Board of Public Works & Safety met on Monday, August 7, 2023, at 10:00 a.m. in the Marion City Council Chambers. Present were Alex Huskey, Janice Adams, Cindy Cunningham, Brian Flynn, Linda Wilk, and secretary to the Board.

Approval of the minutes for July 3, 2023- Janice Adams- seconded Cindy Cunningham. Motion carried.

Approval of the minutes for August 7, 2023- Alex Huskey- seconded Brian Flynn. Motion carried.

### **City of Marion-Public Hearing**

Janet Pearson: Good morning. The properties that we have on your agenda this morning are 1219 and 1223 South Branson Street for \$1,000 and it is a lot. The second one is the 1800 block of South Branson Street. It is a city lot and it is for \$800. We would like to sell these and get them back on the tax rolls.

Linda Wilk: Any questions. This is a public hearing and I don't know if there is anyone here to speak to or about either of these properties.

Alex Huskey: Real quick. Are these going to individuals or are they going to corporations, or?

Janet Pearson: The first one is going to an individual, the one South Branson, um the second one is actually the um formally Bowman Construction, you are familiar with that it is now in the name of Branson Street Property. This lot sits right in between two properties that they own.

Linda Wilk: I don't see anyone from the public. Seeing no one, is there any other questions or I will ask for a motion.

Motion to approve the sale of the properties are identified- Brian Flynn; seconded Cindy Cunningham.

### **Building Department- Demolition process update**

Linda Wilk: Good morning Jerry.

Jerry Foustnight: Good morning, good morning.

Linda Wilk: We did get this in our packet. What questions are there for Jerry?

Jerry Foustnight: We um, we've actually with this we did it again and everything trying to simplify it and make it so that everybody would understand um um our procedures. Um hopefully this clarifies some of your questions as far as the procedures as far as assigning the property to the demo list. Uh I guess we can just go down through it and if you have questions or anything we can go further into it.

### **SEE ATTACHED DOCUMENT FOR THIS INFORMATION.**

Jerry Foustnight: Again, I would invite you to please to come up to my office. I have a um available, I do have a um board up on my wall that we show our demos that we have done this year. I believe so far this year we are up to number twenty-four on the list we have demolished. Our excavator was broken for approximately a month and a half so we're a little bit behind where we would like to be but we are moving forward pretty quickly on these. Um we do have the map available that we can show you throughout the city where we have um other properties, you know somebody said uh that one of the questions is you look prejudice, that you know we do more properties then we do here, or or (inaudible) I believe if you would look at this map and see this map it will indicate to you that we are very fair in our procedures. That we uh move forward not only in the districts say area five, four, or three. Anyway that is all indicated within this map so, I would um invite each of you to come up and spend a little time with me uh let me show you our map. Let me show you our list on the board that we do. And we do uh I do come before you and one of the questions I believe, I don't know if it was Linda or somebody asked uh something to do with once they are on the board you know how do we move or how quickly do we move on them. Well, one of the things that we have found is that it is much easier for us when I say us I mean the building department. It is much easier for us to take and get a list of properties and get them with on this board or on this list of properties that we need to do because of the period of time that it takes for vacates. The period of time it takes to notify individuals and all that. That we like to keep a list so that we can keep moving forward. If we just came before you today and said okay we have this property then it takes us a long time to move forward and so that is why we try to keep uh properties with all of this within this list so that we can move forward. Um...

Linda Wilk: Jerry, thanks for providing this. I think for me this is a great start and I think once more what I really am after is what you talked about and so if that could be put, if this could be

flushed out a little bit more because my ultimate goal is that this be something on the website that you know the public knows. You know, now I understand better your process but if I was just a citizen, which I am a citizen but you know I would like to know what's your process, and so filling it out a little more would be helpful but when you said complete complaints submitted and logged okay who is the complaint submitted by code enforcement officers and the public? And you know if I call you and say I have a property on W. 7<sup>th</sup> Street in the I think it is the 900 block and it is over grown with vegetation and it, it's terrible in my opinion, how do I know that's or what are you going to do next with it. You know that is kind of what I was looking for and I don't know what the rest of the board is looking for. So, this is a great start and I appreciate this and you going through all this and I wrote notes and have more information but that is what I want or looking for for the public to have.

Jerry Foustnight: Well maybe Linda or anybody on the board that is here if you would please write your questions down submit them to me

Linda Wilk: Yeah,

Jerry Foustnight: I, I, I've taken and submitted a couple two or three procedures that we follow and um uh maybe it would be easier for you to submit some things to me that I can clarify, that I can go through and we can change some of this and add to it or delete what we don't need and uh maybe we can get a better understanding.

Linda Wilk: Sure. This is definitely a starting

Jerry Foustnight: Because, because it is our you know I deal with this on a daily basis so this right here seems like it's very, very clear

Linda Wilk: Yes

Jerry Foustnight: But maybe like you said to an individual maybe it is not as clear so I think it is, so if each of you would take and please uh write your questions and submit them to me, get them to me uh uh then we will go through and we will add or delete whatever and try to move forward on this.

Linda Wilk: Is there anything today that anybody else has as far as

Alex Huskey: So the only question, and I, I think for me part of this would be not only just the procedure but how the prioritization takes place. Um because I will give you an example. We, we sometimes we have had two within the last year that I can recall, one on 2<sup>nd</sup> Street that we voted on. The gentleman was here we told him he would have time and the next thing I knew I went by it and it was gone. Right? And so then I started receiving calls hey I thought I was going to have time to get this moved or whatever then another one being the Fairfield property. Uh I know we voted to have that property demolished and I know the gentleman came to see you. I don't know what came out of that but I know he reached back to me and said hey I did not get a chance to get my meeting and get that taken care of. And I would have probably had to torn down a lot cheaper than what it is going to cost me from the city. And so I guess for me I want to know about the prioritization, how we prioritize. What gets torn down after it is voted on because there's times it seems like it happens really fast then there are times it seems like it happens really slowly. Then the last thing is properties that are on the list because there is a property at 30<sup>th</sup> and Nebraska that has been on, has been submitted a couple of times and I haven't seen anything in almost five years on that one. So, I mean

Jerry Foustnight: Well as for the one on Fairfield Mr. Huskey I did have three meetings with that individual so uh you know it wasn't (inaudible) I actually met with him twice out on the job site and we met three times up in my office so he was very aware of what the circumstances was on that and it was a uh matter of him not reaching out anymore to us and we prior to it we did have a conversation with that individual.

Alex Huskey: Okay because he told me he was waiting for Judge Hunt to get back with him and he had tried to meet with you and you told him he had to meet with Judge Hunt or something like that and I am just going by what he said. And see if that was all clear then we would not have these discussions.

Jerry Foustnight: Right, right, right. And two Mr. Huskey and members of the board uh whenever an individual we deal with whenever they take and say that uh they are in contact with an attorney or they are wanting to sue the city or whatever um we have been advised through legal staff that uh just forward that individual to the legal staff. Let me Mr. Hunt or the legal department deal with that. And that is what we do Mr. Huskey, when he comes up and says uh uh his attorney is involved in it and everything we just forward it to Mr. Hunt per his instructions, okay.

Alex Huskey: Yeah, I just said of the process was clearer we wouldn't have to go through this.

Jerry Foustnight: Right.

Janice Adams: Just thinking to you mentioned questions and I was thinking sometimes you have questions and answers and so maybe turn your information into a questions like I thought um

“How are properties identified?” “How are the properties prioritized?” um “How long do I have before property gets demolished?” Just those kinds of questions go boom, boom, and boom and there is no questions, so I think that is a good one too. It’s questions and answers, these are the questions and then right up under that you know sometimes you have them in groups and things so people have given questions I think your list is good but I like what you said, questions.

Jerry Foustnight: Sure. And that is where I invite each of you to to submit your questions to me or your suggestions whatever and uh then we will try to accommodate each of you and move forward.

Linda Wilk: But in the end I would really like a working document that if for the public. I mean that is our ultimate goal so how soon can everybody do this? Can we have it done by the next meeting? Do you need more time than that?

Alex Huskey: How do you want the questions submitted? Do you want them submitted to Aisha because I want to be real careful that we don’t create this unofficial quorum to (inaudible) back and forth?

Linda Wilk: Yeah, that’s true. I mean that is one reason to have the discussion now so that we are not because I certainly don’t want to do anything that illegal or unethical or anything like that.

Alex Huskey: So we can submit

Linda Wilk: So we submit them to Aisha and then she can forward that on to Jerry. Will that work?

Aisha Richard: Yes.

Linda Wilk: Okay. So again can we have this I don’t want to drag this out? So can we have a report back by next meeting? Is that realistic? That is in two weeks. Does that give you enough time Jerry, you and Whitney?

Jerry Foustnight: I don’t believe so. I, I would suggest that we have a thirty day, by the time you submit your questions, she forwards it to me that uh (inaudible) I don’t think we can do it in two weeks.

Linda Wilk: Okay.

Jerry Foustnight: Because not only do we have this but we have a lot of other things

Linda Wilk: You have other things. Okay.

Jerry Foustnight: We have a lot of other things.

Linda Wilk: So if I say thirty days so in a month we would have another project that we can take some time to talk about at that meeting, at the next meeting. So whatever that second

Aisha Richard: September 18<sup>th</sup>.

Linda Wilk: Okay, so September 18<sup>th</sup> meeting. But then in fairness to Jerry we are going to have this to him, can I say within a week. A week from today, will that work?

Aisha Richard: When you send them to me I will forward them to Jerry.

Linda Wilk: Okay. I would like to have a deadline so people, so what is a week from today, Aisha?

Alex Huskey: The 28<sup>th</sup>.

Linda Wilk: the 28<sup>th</sup> so by August 28<sup>th</sup> we will have it to Aisha, any questions that you may have. Okay. And I would say Brian as the city council liaison to us if you have questions that you want to submit to Aisha from what you have gotten that would be appropriate.

Brian Cowgill: Okay.

Linda Wilk: Okay, thank you very much Jerry. We appreciate it.

Jerry Foustnight: Thank you.

Linda Wilk: So the other item on the agenda is public comment.

### **Public Comment**

Councilwoman Robin Fouce: Good morning. Councilwoman Fouce District 4. And so a couple of things. I receive your plan that you have even though I believe it is taking to long for lack of better words. Um we have requested a plan that is being executed so we are probably in sixty, ninety day time frame for having requested this process and an understanding of it. But listen if he needs more time he needs more time so um we certainly will refer to that. That was your decision today. I have a couple of properties is district 4 that I just got a complaint about over the weekend of habitanace. On 3400 block of South Selby. One is 3436 South Selby as well as 3417 South Selby, both of these properties for the last five, six years has been uninhabitable. We kind of have squatters, some drug, and major drug activity. Uh this weekend, it is a block over from me but I do talk to the people in the neighborhood and they um are up all times of the night doing their little stuff, whatever it is. Um certainly some drug activity, squatters. The lady that lives at the 3436 she is moving, she moved into an uninhabitable residence. There are no windows in the place. Um I have reported that repeatedly. Aside from there was a hole in the roof that leaked for three years or more it stayed empty and there was no mold mitigation or

anything. This house is uninhabitable. Um as well at the 3417 it is long been that they have a problem with the electrical. There was a family that lived in there. The electric was short circuited, it has been reported and I would like to see um sometime of written assessment of those properties in terms of demolition, again that is right by McCulloch Middle School. One of my goals is to clean that area up. Our track team, our football team, all the teams run up the street. It is a pathway to school from McCulloch to Frances Slocum and I would like a better just a safer environment for the kids. We have had needles show up there and so forth. So, um that is my plea for those properties. Thank you for your time.

Linda Wilk: Thank you. Any other public comment today. If not then I would ask for a motion to adjourn.

Motion to adjourn- Alex Huskey; seconded Brian Flynn.

Meeting adjourned.

---

Linda Wilk- President  
Board of Public Works & Safety

ATTEST:

---

Aisha Richard- Secretary  
Board of Public Works & Safety