BOARD OF PUBLIC WORKS AND SAFETY

Regular Meeting September 16, 2014

The regular meeting of the Board of Public Works and Safety of the City of Shelbyville, Indiana, was held in the Common Council Chambers of City Hall on Tuesday, September 16, 2014, at 8:28 A.M. All members were present, and Mayor DeBaun presided.

Mr. Williams moved to approve the minutes of the previous meeting held on September 9, 2014, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

Mr. Finkel moved to approve the claims as presented, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Under old business, Mayor DeBaun asked Brent Drake if he had anything additional he would like to add to his request from last week. He said no. Under comments from the Board, Mr. Finkel said he did a lot of research, he looked at what the issue was, making sure he understood things fully, and he has that information now. Mayor DeBaun said the Board asked for a continuance because they wanted to do some additional research, he talked with Jason Karmire last week, and he asked Street Commissioner Jennifer Jones as well as the Planning Department to research any written Ordinance or documentation on policies. He told Brent there was nothing specifying when the City will or won't pick up trash or where it would or wouldn't be picked up. In talking with Street Commissioner Jennifer Jones, she said there has been an unwritten policy since 2005 concerning the four units, so he disclosed that to attorney Jason Karmire, and told him it would most likely be in the best interest of the City to come up with a written policy. Mayor DeBaun said he didn't see any reason why the policy should change from what's been done at Autumn Trace since 1991. Mr. Finkel moved to deny Mr. Drake's request to have the City pick up the trash at Autumn Trace, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Under new business, Deputy Plan Commission Director Michele Hansard said the Building Department sent out an unsafe demolition order for property at 1311 S. Harrison St., which was owned by James and Bobbie Sandefur. The letter was sent August 27, giving them 30 days to demolish it, or the City will take action to demolish it. She said this was a required hearing by state law to confirm the order, so she asked the Board to approve demolishing the house and the garage, and assess a civil penalty of $150.00 for administration costs. Michele said she had proof that they received the initial order and the order for today's hearing. Mr. Finkel moved to affirm the order, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Mayor DeBaun asked Police Chief Keith England to come forward saying Traffic Safety Officer Mark Newman had a concern addressing Grandview Drive with a speed limit. Chief England said his Department was approached by residents that live on Grandview Drive expressing safety concerns with the current speed limit of 20 miles per hour. After Officer Newman reviewed their request to lower the speed limit to 15 miles per hour, he agreed with them and recommended the speed limit be lowered to 15 mph. Mr. Williams moved to lower the speed limit to 15 mph, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

Resident Gary Nolley said the Strand Theatre has requested permission to close Post St. behind the Strand Theatre this Saturday, from noon until whenever the performance is completed, which he thought would be around 9:30. Gary said an RV is being requested to be in the alley because the Strand doesn't have adequate dressing space for actors to change. The Police and Fire Chiefs didn't think it would be a problem to close the Street. The show "The Color Purple" starts at 7:00 p.m. If approved, Mr. Williams wanted to be sure something would be posted at both ends, so people don't have to back out. Mayor DeBaun asked to have a couple barricades posted at both ends of the Street. Mr. Williams moved to approve closing Post Street this Saturday at noon, and Mayor DeBaun seconded. The motion was carried on a 2-0-1 voice vote, with Mr. Finkel abstaining.

Mayor DeBaun said he understood Molly Robbins was here to talk about Barktoberfest. Molly said this will be the fifth annual Barktoberfest, and it will be held on Saturday, October 4, at St. Luke's Episcopal Church. She said there will be a bloodmobile with a blood drive from 9 to 12 noon, and a priest will bless the animals at 12 noon. The Animal Shelter will be there for

adoption of dogs and cats, there will be concessions, a yard sale, chili, and bacon sandwiches. The event will be from around 8 a.m. until 2 p.m., rain or shine. Molly requested permission to place 10 yard signs about the event starting this Sunday until October 4, when they'll be taken down. She said she would check with the Plan Commission as to where the signs could be placed. Mr. Finkel moved to approve the request, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

On another dog bite incident, Mayor DeBaun described the rules for how the hearing will be conducted, but a decision will not be rendered today because they just received the information this morning. The Board wants time to observe the dog at the Animal Shelter, and they will be taking time to call or talk with witnesses of the dog bite incident. Animal Shelter Officer Jim Lane said he received this report late as well. The incident happened September 11 at Blue River Memorial Park when a runner, Leslie Baker, approached Elizabeth Floyd, who was with her German Shepherd, on a leash. Leslie noted that the dog was getting excited, so she stopped running and walked by the dog. Although on a leash, the dog leaped toward her, and the lead on the leash broke, so he bit her on the back left leg and thigh. Leslie was taken inside a building to have the wounds looked at, medics were called, and she was taken to the hospital. Jim said the dog is now at the Animal Shelter, but he didn't pick it up until after he was made aware of the incident. Jim said the demeanor of the dog at the Shelter is aggressive towards them, and it's separated from the other animals because it's agitated. Leslie Baker was up next but she didn't come forward to talk into the microphone. She stayed at her seat. She said after the dog attacked her, a coach screamed at the dog with the word "STOP", and it did. Elizabeth arrived to leash the dog and took it to her vehicle. Leslie said it didn't appear that Elizabeth could control her dog to stop before she got there. Leslie said she had bruising and soreness, punctures and abrasions, but no stitches were needed. She said she might be able to run in another week. She told Mr. Williams that she had insurance. Leslie felt the dog could attack someone in the future, but her dog is protective of her owner. Elizabeth gave her side of the story, saying she had no idea there was a cross country meet going on, and she usually walks her dog around the path. She said she's in training with her dog, and when someone runs or rides a bike by him, he gets excited, so her trainer taught her to lay him down and watch from a distance to get used to it. But people were too close when she sat down, her dog broke away from her, and it took her a while to get to them because she's a walker, and not a runner. After taking her dog to the vehicle, Elizabeth went to the concession area where Leslie was, she called the Police Department, and information was exchanged with each other. She was told to take her dog home and keep him inside, except to go outside when necessary. She said she's had the dog since June, it's less than one year old, and she's been training with the dog for obedience. She said her trainer told her to keep a muzzle on her dog until everything passes on this, and also felt the dog was more overactive, and not aggressive. Elizabeth takes her dog to Pet Smart in Castleton to be trained, and has taken several weeks of classes with the dog. She said she works at least one to two hours a day with the dog. Mr. Finkel said it will be important for Board members to see the demeanor of the dog at the Shelter. The dog's trainer wrote a letter giving the Board her name and phone number if any of them have any questions. Mr. Williams moved to take this under advisement for a week, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

There being no further business, Mr. Williams moved to adjourn.

Thomas D. DeBaun
Mayor

ATTEST:

Frank M. Zerr
Clerk-Treasurer