BOARD OF PUBLIC WORKS AND SAFETY

Regular Meeting May 12, 2015

The regular meeting of the Board of Public Works and Safety of the City of Shelbyville, Indiana, was held in the Council Chambers of City Hall on Tuesday, May 12, 2015, at 8:31 A.M. All members were present, and Mayor DeBaun presided.

Mr. Williams moved to approve the minutes of the previous meeting held on May 4, 2015, 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 opened and read sealed bids for the Shelby St. Reconstruction project. The following companies, along with their address and bid amounts, are listed below:

Dave O'Mara Construction P.O. Box 1139 North Vernon, IN 47265	$307,721.05	No Alternate Bid
Crim and Sons Paving 3640 N. 775 E. Manilla, IN 46150	$232,892.00	No Alternate Bid
Rieth-Riley Construction P.O. Box 276 Indianapolis, IN 46206	$303,110.00	$360,110.00

Mr. Finkel moved to take the bids under advisement, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Under new business, Mayor DeBaun said Matt Amos, from Wal-Mart, was requesting permission to have a fundraising campaign at the intersection of Mechanic and Harrison St., on June 6, from 11:00 A.M. until 3:00 P.M., for Riley Children's Hospital. Under questions, Mr. Williams wanted to make sure that the workers wear safety vests, and that they don't try to stop cars if the light is green. Mayor DeBaun asked Matt to get with Deputy Police Chief Mark Weidner to have that discussion before he leaves. Mr. Williams moved to approve the request, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

On Resolution No. 2015-2, Mayor DeBaun said the City had two properties to be transferred to Rupert's Kids, Inc. so they could be rehabilitated. Upon payment of the two properties, located at 109 S. Harrison St., and 48 Public Square, the City would transfer all rights, title, and interest to Rupert's Kids, Inc. Mr. Finkel moved to approve the Resolution, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Mayor DeBaun talked about a dog bite case that happened at 126 Howard Street on April 28, and asked who was present for the hearing. Dee Thoman, the owner of the dog Daisy, was present, but Isaac McGuire, the owner of the pit bull dog, Mathias, who attacked Daisy, was not present. His address is 120 Howard Street. Dee said her daughter, Megan, went to her Mom's car to get Daisy, and was carrying her in her arms. While carrying Daisy, Mathias attacked Daisy in Megan's arms, knocking her to the ground by the dog's chain that wrapped around her leg. Dee said people stopped their car in the street to get the dog away from Megan and Daisy. Megan had a bruise on her leg from the chain, but she was not bitten by the dog. Daisy had bite marks on her hip area that was found by Dr. Doig when he inspected her injuries. Dee said her concern was that Mathias was tied to a cylinder block and could easily get out of the owner's yard, to possibly hurt other dogs or children. Under discussion, Mr. Williams said he had some comments to make. Mr. Williams said he's tired of getting dog bite reports from pit bulls, where it seems like 9 out of 10 cases are from pit bulls. He thought it was time the public was warned that pit bulls were bred to kill. He said if the public is looking for a pet to bring home for the kids, the pit bull is a bad choice. Personally, Mr. Williams said he's going to be looking very

strictly at all of these cases. He said if people have pit bulls, they're going to have to start being extra responsible in keeping them tied up and away from other people, so other people and animals aren't injured. He said it's almost getting to the point of being ridiculous. Another thing that bothered Mr. Williams was that Mr. McGuire got belligerent with one of our Animal Wardens, and he won't tolerate that either. He said that's the way he's approaching future cases. To add a comment, Mr. Finkel said that people use the phrase that their dog is used for protection, and he said that's not an excuse. He said we have the safety of the public and safety of the kids around to consider. If someone feels they need protection for whatever reason, they should lock up their house. From what he's seen and heard, Mayor DeBaun said this dog was improperly restrained, it wasn't supervised in any way, shape, or form. It was apparently easy for it to leave its own yard and attack Dee's dog next door. The owner was a no-show for today's hearing so he recommended that the dog should be removed from the ownership of Mr. McGuire. He also thought the dog should be retained at the Animal Shelter for further evaluation, and didn't think Mr. McGuire was responsible enough, in this instance, to own the dog. He also didn't think Mr. McGuire should be allowed to adopt any other dogs from the Shelter. Mr. Williams moved to approve Mayor DeBaun's recommendations, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

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

Thomas D. DeBaun
Mayor

ATTEST:

Frank M. Zerr
Clerk-Treasurer

RESOLUTION NO. 2015-2

RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF SHELBYVILLE, INDIANA APPROVING A PROPERTY TRANSFER TO RUPERT'S KIDS

WHEREAS, pursuant to Resolution No. 2014-6, the City of Shelbyville, acquired tax sale certificates to certain properties that went unsold at the 2014 Tax Sale;

WHEREAS, the City subsequently received tax deeds for these properties;

WHEREAS, it is in the best interest of the City to transfer these properties to an organization that will perform the necessary repairs, such that these properties become or remain habitable and are returned to the tax rolls;

WHEREAS, Rupert's Kids, Inc. desires to rehabilitate or maintain these properties by providing vocational training to at-risk youth in our community;

WHEREAS, Rupert's Kids, Inc. agrees to reimburse the City for the City's costs in acquiring these properties;

WHEREAS, Rupert's Kids, Inc. is an Indiana nonprofit corporation organized for educational, literary, scientific, religious, or charitable purposes that is exempt from federal income taxation under Section 501 of the Internal Revenue Code; and

WHEREAS, IC 36-1-11 does not apply to this sale of property, pursuant to IC 36-1-11-1(b)(7).

NOW, THEREFORE, BE IT DETERMINED, ESTABLISHED, AND RESOLVED by the City of Shelbyville, Indiana, as follows:

1. Upon payment of $208.17, the City of Shelbyville shall transfer all rights, title and interest that the City currently possesses in Parcel No.: 73-11-05-100-164.000-002, more commonly known as 109 South Harrison Street, Shelbyville, Indiana, 46176, to Rupert's Kids, Inc.

2. Upon payment of $218.45, the City of Shelbyville shall transfer all rights, title and interest that the City currently possesses in Parcel No.: 73-11-05-100-285.000-002, more commonly known as 48 Public Square, Shelbyville, Indiana, 46176, to Rupert's Kids, Inc.

3. As additional consideration, Rupert's Kids, Inc. must agree that if it dissolves while still owning the above properties, Rupert's Kids, Inc. shall convey the properties back to the City.

4. The Mayor and/or his designee may execute any documents necessary to effectuate the terms of this Resolution.

Adopted this 12th day of May, 2015, by the City of Shelbyville, Indiana by and through its Board of Public Works and Safety.

Tom DeBaun, Mayor

Robert Williams, Member

David Finkel, Member

Attest:

Frank Zerr, Clerk-Treasurer