BOARD OF PUBLIC WORKS AND SAFETY

Regular Meeting June 1, 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 Monday, June 1, 2015, at 5:30 P.M. Mr. Finkel was absent, and Mayor DeBaun presided.

The minutes for the May 26 meeting were not approved because Mr. Williams was not at that meeting. They will be approved at a later date.

Mr. Williams moved to approve the claims as presented, and Mayor DeBaun seconded. The motion was carried on a 2-0 voice vote.

Under old business, Mayor DeBaun told Mr. McGuire his dog bite case would be moved to the end, so they can move through the other business quickly.

Under new business, Mayor DeBaun said he had a request from Police Chief Mark Weidner to promote three officers from Sergeant to Lieutenant. Chief Weidner said the results of the promotion process were in, and he'd like to promote Sergeants Shawn Bennett, Bart Smith, and Jeremiah Walton. Additionally, he asked permission to separate the promotions by one day for establishing the clear cut lines on seniority. Mr. Williams moved to approve the requests, and Mayor DeBaun seconded. The motion was carried on a 2-0 voice vote. Mayor DeBaun asked the Chief to extend the Board's congratulations to the officers.

City Attorney Trent Meltzer had a request for permission to have "Music in the Park" by the Arts Alliance on June 20, July 18, August 15, and September 19. It would also allow having alcohol sales in the park, which would be handled by the Knights of Columbus. Mr. Williams moved to approve the requested dates, and Mayor DeBaun seconded. The motion was carried on a 2-0 voice vote.

On behalf of the Library, Cheryl Miller said the Library has a couple art boxes that they would like to place so people can take a book, keep a book, or replace a book. One of the locations was in front of the Three Sisters Book Store, in the flower bed, where it could be used 24/7. Because it has a sprinkler system in the flower bed, Mayor DeBaun wanted her to get with Street Commissioner Jennifer Jones to talk about the situation. She said the artists would decide if the art box should face the street, or the Book Store. Cheryl said the second art box would be placed in front of the Main Public Library, or it might be placed at another location close by. Mr. Williams moved to approve the request, and Mayor DeBaun seconded. The motion was carried on a 2-0 voice vote.

Bob Britton came to speak for a few residents in his neighborhood to modify the route of the trash pickup service, so that it includes their housing development on Jordan Court, in Trotter's Chase. Bob said it was a private Street that was developed by Ray Wetnight, and it has five homes on it. He said the current method of trash pickup is to make everyone on the Court haul their trash to State Road 9, with the exception of one handicapped individual. He said the method of picking up the trash is to pull into Riley Crest, which is a non dedicated Street that leads to Jordan Court, and is only about 30 yards long. As it stands now, the truck has to pick trash up for four houses on SR9, then come to pick up a handicapped service, and back up three times to get out. Where, if in effect, they just pull in to Jordan Court, they would do one circle loop, pick up five houses, and then pull out. Bob said he's talked with the driver of the truck, and he would prefer to do that, but he said he gets in trouble if he pulls onto Jordan Court. Bob said the residents of Jordan Court are in total agreement that they have no issue with the truck pulling around the circle so it can do a simple loop and get out on SR9. His request is that the route be changed for the trash pickup, so it can be done. Bob said if it's required that the residents sign some kind of release of indemnity because it's a private road, he said they will do that. Mayor DeBaun said he would like to talk with Jennifer Jones and the truck driver to fully understand the concept, saying he'd also like to take this under advisement and do a little more investigation. Mr. Williams said Trent Meltzer should also be involved, so Mayor DeBaun said this will be taken under advisement.

Mayor DeBaun opened and read sealed bids for the milling and/or resurfacing of certain streets in Shelbyville. The following companies, along with their address and bid amounts, are listed below:

Robertson Paving 2740 W. 1200 S. Flat Rock, IN 47234	$151,976.05
Crim and Sons Paving 3640 N. 775 E. Manilla, IN 46150	$146,786.00
Dave O'Mara Construction P.O. Box 1139 North Vernon, IN 47265	$149,024.50
Milestone Contractors, L.P. 3450 S. 650 E. Columbus, IN 47203	$189,547.00

Mr. Williams moved to take the bids under advisement, and Mayor DeBaun seconded. The motion was carried on a 2-0 voice vote.

Mayor DeBaun said there will be two dog bite cases coming up for a hearing tonight, so he told everyone what was to be expected during the hearings. He asked Isaac McGuire to come up first, whose original hearing date was held on May 12. Mayor DeBaun asked Mr. McGuire if there was a reason why he didn't attend the May 12 hearing. He said the ticket he received was for a June date, and he didn't know about the May 12 hearing. Mayor DeBaun asked Mr. McGuire if he signed the paper showing his hearing date was May 12. He said he signed it, but he wasn't given a copy of it, just a ticket showing a hearing date in June. Mayor DeBaun asked Animal Control Officer Jim Lane to come forward. When asked by the Mayor if he remembers giving Mr. McGuire a copy of the May 12 hearing, Mr. Lane said everyone always gets a copy. Animal Control Director Keith Barrett said the ticket Mr. McGuire was referring to was for a possible Court date with Judge Riggens. Mr. McGuire said he hoped to bring his dog home today, saying he's not a bad dog, he's not a mean dog, and he plays with his three month old baby. He said he's normally an inside dog, and he rescued the dog when it was five months old from a family in Greensburg. A lot of discussion was held about the dog, Mathias, by Mr. McGuire, and he talked about other dogs in the area. When asked by Mayor DeBaun if he felt anything had changed his mind today about releasing the dog back to Mr. McGuire, Officer Jim Lane said no. Officer Barrett said the dog can't go back to the house and have things done the same way as they were before. As stated in the May 12 hearing, Mayor DeBaun said it was determined that Mr. McGuire was an irresponsible pet owner. Since both Officers said they didn't think the dog should be returned to Mr. McGuire, Mayor DeBaun said he has to go on the recommendations of the gentlemen who do this for a living. Mayor DeBaun said no further action will be taken on this matter, and the dog will remain in the custody of the Animal Shelter.

In the second dog bite case, Mayor DeBaun asked Mr. and Mrs. Justin Bitner to come forward to explain, to the best of their knowledge, what happened in this case, on May 27. Mr. Bitner said a few children went to a nearby park to play ball, including their nine year old son. When a ball went into a neighbor's yard, their son, Jayson, went to get it. After he got the ball, the dog came from behind and bit him in the leg. A total of eleven stitches were used. The Bitner's have lived in the area for ten years. Neshea Schmidt was then asked to come forward, who lives at 1305 Central Park Drive, and is the owner of the dog, Chase. Neshea said she's lived there 6 1/2 years, but she's looking at moving elsewhere because children are constantly teasing the dog. She said there have not been any incidents of her dog biting anyone else, and she's had the dog for nine years. A discussion was held about possibly having a fence at the house, but there's a storm drain over the land, so a fence couldn't be built, and Neshea rents the house, instead of owning it. Mr. Williams said he would feel better if a sign was placed in their yard saying no trespassing or vicious dog. Neshea said the HOA would have to approve the sign, and didn't think they would allow it. Mayor DeBaun said he could contact the HOA about the situation, and say something was ordered by the Board. Mr. Bitner said he didn't want the dog taken away, but he doesn't want another child bitten either, because there are lots of children in the

area. Mayor DeBaun said his inclination is to have the dog returned home, with some stipulations; that there is some kind of signage, some fencing if possible, seeing that the kennel fees are paid to the Animal Shelter after its quarantine period ends, and that the dog gets all of its required shots. Mayor DeBaun asked Brad Fix, Water Resource Recovery Facility Superintendent, to get with Neshea to see if something can be figured out on the fencing. Mr. Williams moved to approve the Mayor's recommendations, and Mayor DeBaun seconded. The motion was carried on a 2-0 voice vote.

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

Thomas D. DeBaun
Mayor

ATTEST:

Frank M. Zerr
Clerk-Treasurer