BOARD OF PUBLIC WORKS AND SAFETY

Regular Meeting July 28, 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, July 28, 2015, at 8:31 A.M. All members were present, and Mayor DeBaun presided.

Mr. Finkel moved to approve the minutes of the previous meeting held on July 14, 2015, and Mr. Williams seconded. The motion was carried on a 2-0-1 voice vote, with Mayor DeBaun abstaining.

Mr. Williams moved to approve the minutes of the previous meeting held on July 21, 2015, and Mayor DeBaun seconded. The motion was carried on a 2-0-1 voice vote, with Mr. Finkel abstaining.

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 for an update on the property at 324 W. Mechanic St. Attorney Tim Black said an insurance claim has been filed because a tree fell on the home, and there is some equipment in the area to possibly clean the area. Mr. Black said a Sheriff's sale will be held on August 6, and his client doesn't have an interest in it, so it can be given to whoever purchases it on August 6. Mr. Finkel moved to table this until August 11, so they'll know who the owner is, and make a decision as to where to go. Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

In the prelim meeting, Mayor DeBaun said it was discussed about the limits the Animal Shelter has in its abilities and duties they could perform in taking in stray cats, and Keith Barrett, Animal Control Director, has provided protocol in the trap, neuter, return program. Mr. Finkel said Kerry Ann May offered to give data throughout the process of the first year. He requested four key data points from her. The first was to provide the number of cats on in-take. The second was the number of cats fixed and returned, back to the neighborhood. The third was the number of complaints, and the fourth was the number of repeat cats. Mr. Finkel asked Kerry Ann to send the information to Keith once a month, which will give a chance to see the trending throughout the four seasons. Mr. Williams moved to approve the Animal Shelter protocol, with the amendments that Mr. Finkel suggested regarding the performance data, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

Finally, under old business, Mayor DeBaun said he had an update on the Ranochak property that was discussed last week. Compliance Officer Troy Merrick met with Kevin Ranochak, and toured the site. Troy explained to Kevin the concern and nature of the violations that were brought to the Board last week, and Kevin agreed he understood the concerns. Troy gave him a time line to complete the clean-up, and if it's not met, then a ten day letter would be sent to Kevin. It would then be handled as a nuisance property. Mayor DeBaun said the adjoining property owners would be notified that this action has taken place, and then the situation will be monitored.

Under new business, Mayor DeBaun said he had a request from Police Chief Mark Weidner to reinstate Billy Leffler to the Reserve force. Chief Weidner said when Mr. Leffler left, he was in good standing, and his training can be made current without any inconvenience to the Police Dept. Mr. Finkel moved to reinstate Mr. Leffler to the Police Reserve force, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Phil Stieneker came forward, on behalf of Grover Museum, the Class of 1965, and world renowned sculptor/artist Mike Helbing, from Chicago, who was also in the Class of 1965. Phil said the Grover Museum was gracious enough to exhibit Mike's work through the months of August and September, and he would like to put two of his sculptures out on the sidewalk, between the flag pole and the planters. It would require putting in four anchors into the sidewalk just to keep them from blowing over or getting messed with. Phil would like to put them up on August 5, before the Class Reunion on August 7 and 8, and keep them there through September. Phil said he would patch the holes in the sidewalk once the sculptures are removed. When asked

by Mr. Finkel if Mike was concerned about his sculptures being damaged by skateboarders or anything else, Phil said Mike has a 2 million dollar insurance policy to cover damages to his work. Mr. Williams moved to approve allowing the art display outside the Grover Museum, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

Mayor DeBaun said the appeal hearing on Dean Rush would now be held, and he asked that everyone be respectful and honest on what they say. Building and Plan Commission Director Dann Bird spoke first saying work that Dean did took place at 923 Eaglebrook Drive without a permit, without a licensed contractor, and there was not an inspection called to be done on the property. He said that was why Dean is being fined a total of $1,050.00. Dann gave a breakdown as to how that figure came about according to a City Ordinance. Dean said he had a long-time friend that asked him if he would drop four ceiling fans where old ceiling fans had been. He said no wiring, no switching, and no altered wiring needed to be done. He said it was his assumption that he didn't have to pull a permit if nothing was altered, and he wasn't notified until two months after doing the job for $75.00. Dean said he doesn't do any electrical work in the City at the current time, but he does electrical work for every other city in the State. From what he's heard, Mayor DeBaun said fines were assessed based on a fee schedule that was adopted by the Building Commission, and we have a dispute over whether or not the work required a permit, inspections, and a licensed electrician. Mr. Finkel said the code is very clear on this, and the Board was here to discuss the fines as it's related to the code. He said he didn't see where the Building Department is out of line for what they found. Dann said a homeowner can install such things as a ceiling fan with a registration and a license. Mayor DeBaun said what Dann's speaking to is something a little different, and he thinks it's a discussion the Building Commission needs to have. He said Dean raised some valid points as far as what the scope is that can be performed by a homeowner, what can be performed by a contractor, and when is a permit required. Mayor DeBaun said he felt Dann and the Building Commission need to go back and make sure they are firm and consistent on their application fees because Dean is making allegations that this is happening all over town. Dean just had the misfortune of being brought before the Board. Mayor DeBaun wanted this to be clarified for contractors so they know what needs to happen, and he wants it to be applied universally and consistently. He didn't want this to be a situation where the Board is making an example of Mr. Rush, while others are doing this without being addressed. Dann said he would follow up on that with the Building Commission to take a look at it. Dean's wife, Brittany, said many on the Building Commission don't like Dean, they're in direct competition with him, and that type of meeting won't go anywhere. She said they don't like him being a business owner in town trying to make a living, and stealing business from them. She said his customers love him, he does good work, and he treats them fairly. There being no further comments, Mr. Finkel moved to affirm the decision of the Building Commission, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Mayor DeBaun said various representatives from the City had the pleasure of attending an event in Shelbyville, Kentucky, and the City received a Certificate of Achievement that acknowledges that Shelbyville, Indiana is the Sister-City of Shelbyville, Kentucky. The Mayor said the Certificate is suitable for framing and display, the Shelbyville, Kentucky Mayor and his staff will be coming here for a like event, and he will let everyone know when that takes place.

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

Thomas D. DeBaun
Mayor

ATTEST:

Frank Zerr

Frank M. Zerr
Clerk-Treasurer