

Board of Public Works & Safety Meeting - Wednesday, November 23, 2011 – 1:30 p.m. – Audio Available

Call to order by: Mayor Fisel

Roll Call

Present: Board Members Bonnie Edgell, Tom Janes, and Patty Fisel, City Attorney Steve Hagen and Clerk Treasurer Barb Hawn

Minutes from previous meeting of November 9, 2011

Motion to approve by: Tom Janes

Seconded by: Bonnie Edgell

Vote: All Ayes

Citizens Comments

Name and Address: Gary Bishop, 306 Pontiac Street

Gary is working on a plan to put a Veterans/Public Service memorial at Pettit Park. The plan is in the initial stages and he will meet with fire, police, and legion representatives to further the plan.

Name and Address: David Magnus, 105 W. Miller Street

David was representing the Marshmallow Festival. They would like to use an area at Kenney Park north of the recreation center for a truck and tractor pull either on Labor Day weekend or the weekend before. There are variables to consider such as insurance liability and noise. The BOW will take the matter under advisement at this time.

Unfinished Business

1. Brad Ebey – Mowing Liens at 204 Hollister Street

Mike Shellman, partner to Brad Ebey was present ask the board to reduce the liens placed on the property at 204 Hollister Street. The partners purchased the property in the county commissioner's certificate sale in June. New liens totaling approximately \$1600 have placed on the property for mowing and yard clean up since the purchase. He feels the City is putting people like them in a position to not be able to purchase these vacant homes due to the charges. It was explained that the ordinance was put into place as a tool designed to get property owners to clean up their yards, not designed to deter tax sale bidders. The City does plan to look at the ordinance and charges for the future to determine if the manner in which the billing is computed should be changed. However, the feeling of the board is that until the ordinance is revisited and the policy is changed we cannot allow a reduction in the liens.

2. Sidewalk on Depot Street

City Engineer Rick Pharis reported that he believes we should wait and see if a new sidewalk is actually necessary. He feels a natural sidewalk will stabilize the soil. Street superintendent Mike Burdette was in agreement. The issue will be tabled at this time.

3. Tort Claim – Farm Bureau/McDonald

Contact with the attorney representing Farm Bureau was made to try to determine if the charges are fair and do not include upgrades rather than replacement. To date, we have not heard back. The attorney did ask however if the City would like to make an offer on the claim. The issue will be tabled until further information is received.

4. Park Meadow Property – Irrigation/Stutzfus

Tritium Inc., a professional geologist, did testing on the property and a report was made available. Water Dept. Superintendent Jeff Boyle recommended that the City grant the permit to Mr. Stutzfus with the stipulation that any citizen problems that may arise are addressed by Stutzfus. Stutzfus commented that a direct hook up for the Fire Dept. could be made available by putting a copper valve in and he will meet with Chief Weaver for the correct size.

Motion to give provisional permission to Mr. Stutzfus to continue with the well drilling and issue a permit by: Patty Fisel

Seconded by: Tom Janes

Vote: All Ayes

5. Mosley/Hursey Fence Placement Waiver

Plan Commission Attorney Everett Newman prepared a Fence Placement Waiver for the Mosleys to sign. It states that the City is responsible for labor only and is held harmless. The Mosleys signed the former. This concludes the issue. The street department personnel will move the fence next week.

6. IDEM Fine

The City received the final agreed order from IDEM. The fine was reduced down from over \$40,000 to \$15,750. We have signed the order, paid the fine, and will move forward with our commitments. The timeline started on 11/15/12 and we have 120 days to commit to a plan. Mayor Fisel reminded those in attendance that 90% of the issues resulting in the fine were problems when the WWTP was under the management of EMC.

New Business

1. Kemp Construction – Pay App #3, Farmer's Market

A pay request was submitted for \$47,130. The masonry work is completed. Brick is going up today. Mayor Fisel commented that locks are needed for the restrooms as they will be closed in the winter. City Engineer Rick Pharis will be sure this is taken care of.

***Motion to approve pay application #3 totaling \$47,130 to Kemp Construction by: Bonnie Edgell
Seconded by: Tom Janes Vote: All Ayes***

Department Heads and Members of Administration

Police Chief Bryan Shearer: Bryan requested approval to add three reserve officers: Wayne Breetz, Chad Cruz, and Sarah Haber

Motion to allow the addition of Wayne Breetz, Chad Cruz, and Sarah Haber as reserve police officers by: Tom Janes Seconded by: Bonnie Edgell Vote: All Ayes

Street Superintendent Mike Burdette: The work to connect College Street is complete. The company did a good job and the residents are pleased.

City Engineer Rick Pharis: Rick would like permission to work with Region III-A to apply for an OCRA grant for the Water Dept. This would be for hydrant and meter replacement as well as to correct the backwashing problem with the holding tank, the cause of some of the IDEM violations.

***Motion to allow Rick Pharis to begin work on an OCRA grant for the Water Dept. by: Patty Fisel
Seconded by: Bonnie Edgell Vote: All Ayes***

Mayor Fisel: The Mayor reported on some meeting date changes. The City Council meeting of December 26, 2011 has been cancelled due to the employee Christmas holiday falling on the date. The BOW meeting of December 28, 2011 is still on as scheduled.

IACT Boot Camp for newly elected officials falls on the dates of the first Council and BOW meetings of the New Year, January 9-11, 2012. Therefore, both meetings have been rescheduled. The Council meeting will be on Thursday, January 12, 2012 at 7:00 pm and the BOW meeting will be on Thursday, January 12, 2012 at 1:30 pm.

The City's land application permit has been approved.

The check for the IDEM violation fine was mailed on 11/22/11.

The annual compost report was completed and sent.

Adjournment

Motion to adjourn by: Bonnie Edgell Seconded by: Tom Janes