

City of Tipton Board of Public Works and Safety meeting held on September 9, 2019, at Tipton City Hall, Council Chambers, Tipton.

Members: Mayor Havens, Councilman Curnutt, BOW member Mike Dollens and Clerk-Treasurer Clark.

Others: Steve Niblick, Bob Edinger, Vicky Boyd with Tipton Tribune, Mike Terry, Judy Coker, Sharon Teuscher, Diana Tomlinson, James Powell, Sherry Landseadel, Joe VanBibber and Brian Shortridge.

Mayor Havens opened the September 9, 2019, Board of Public Works and Safety meeting.

Minutes: Councilman Curnutt made a motion to approve the August 26, 2019, BOW minutes without amendment, seconded by BOW Member Dollens, with all in favor.

Amend Agenda: BOW member Dollens made a motion to amend the agenda, seconded by Councilman Curnutt, with all in favor. BOW member Dollens made a motion to move Joe VanBibber from Old Business to immediately preceding the Planning Department – Enforcement Division, seconded by Councilman Curnutt, with all in favor.

Old Business: Nothing to report.

New Business: Nothing to report.

Cemetery: Cemetery/Park Foreman Tomlinson went through here written report, stating there were 4 burials, 2 cremations and 11 lot sales. Mayor Havens asked if there was anything new. Tomlinson stated no.

Park: Foreman Tomlinson reported they repaired the concession stand at the baseball diamond. Mayor Havens asked if the agreement requires that. Tomlinson stated we maintain the buildings and the we mow the grounds. Councilman Curnutt asked if this is filed with insurance. It was stated it was under the deductible amount. Tomlinson reported the Community Service Day for IU Health is September 26th. They are planting trees and painting the walking lines on the walkway. She also reported the tire swing is broke and she has a contractor fixing it. Tomlinson reported the last concert is September 28th from 7-9:30 p.m. Mayor stated he wishes for good weather. Tomlinson asked about the property at 502 Main and Dearborn. Mayor Havens stated to continue as any other property. Member Dollens reported there is a concert tomorrow night by the Community Band at the Gazebo. Enforcement Division Coker stated the mailing address is correct for the owner at Main and Dearborn, he signed for one of the letters.

Planning Department – Enforcement Division: Planning Commissioner Niblick handed out his reports for August and reviewed them with the Board. Mayor Havens asked if the permits include the Tipton Senior Apartments. Niblick stated yes, the bank and senior housing. Niblick reported the budget for 2020 has the inspector as a part-time employee instead of contractual, this will be filled the beginning of January. Mayor Havens stated he is not

aware of anything; it should be approved as requested. Niblick stated the County approved the budget for that part. Member Dollens asked if there are no fees from last year. Niblick stated they haven't been entered into the system. This is a new program this year and we only entered so much. Mayor Havens commented that the new software is nice. The Enforcement Division – Coker went through the code enforcement reports. She also reported there is a rash of several with no permits. Mayor Havens stated they are failing to get a permit when they should have a permit. Coker reported there are six permits from that. She also reported she has two more cases that she would like a hearing on September 23rd. Mayor Havens asked if the notice will be sent through your office. Coker reported yes, the notice was issued September 3rd and it expires September 13th. She also reported she is working with the property owners on determination orders with the building violations. Coker commented that the two hearings are for 427 Green Street and 432-434 Green Street. Member Dollens made a motion to set the hearings for September 23rd, seconded by Councilman Curnutt, with all in favor. Member Dollens asked if they were the same person. Coker stated they were not. Vicky Boyd with Tipton Tribune asked what the violations were. Coker reported unsafe building. Mayor Havens reported the hearing is open to the public but is not a public hearing. In a public meeting we only have to allow observation.

Clerk-Treasurer Clark reported Mr. Powell is here for the hearing. Mayor Havens stated this is a hearing on 304 W Adams and Mr. Powell is the owner of record, he was requested to attend, there will be no decision made today. Mayor Havens commented that we will get information and get a better idea of your thoughts. Joe VanBibber status update is on this property. After the update there will be opportunity for comments. Mr. Powell gave a brief update on his intentions of the property. He also stated it will be easier for him to comply with the ordinance since no one lives at the house. Coker reported she issued a stop-work order on the repairs needed because it requires a building permit. Powell gave a brief update on what his contractor observed. Coker reported tomorrow she was going to have the building inspector to view the property so we can get a list of things that need to be done. Mayor Havens asked about the fifth wheel on the property, is it personal property, there are rules for storage on a residential lot. Powell stated it was not his property, but it was abandoned on my property. There was a brief discussion about the RV and possible steps to remove the RV off the property. Mr. VanBibber stated he was inside the home legally with a real estate representative. He also stated there is a lot of issues on the inside of the residence as well. VanBibber reported the City mowed the property on Friday, City expense, remedy a lien on the property. He also reported the Health Dept. two meetings ago required a complaint and that was filed on August 12th and he has heard no response. There was a brief discussion on VanBibber's view of the property and Powell's view. Councilman Curnutt addressed the itemized deadline of August 28th. Mr. Powell reported he received the notice but having the time to meet obligations. It was reported the Board runs out of patience when we are ignored. Coker reported there is a stop order until a permit is granted on what he requests. Mayor Havens reported he is supportive of the Department and the efforts you are making here. Your ability and due process and not to alter unless you tell us. Member

Dollens stated to reinforce that you show good faith on your part would be to have the trailer gone, would show us your efforts to make it habitable. Mayor Havens reported the Planning Dept. has full authority, if you suspect there is an issue you have the authority and the duty to do something. Coker stated Mr. VanBibber brought the concern to us and she feels it prudent to go inside. She asked for Mr. Powell to come by the office to set up a time for the Building Inspector to go through the home. Three things will happen here. 1. It will stay the way it is, 2. You put funding into minimum standard and 3. The buyer transfers risk to him or her owner/occupant. Best bet is the buyer makes a deal, they are not in the business of tearing down houses, we don't live this way in this community. Mr. Powell stated that is why we hired a contractor, one that flips houses. He also commented this is his first investment, under contract for 12 grand. Mayor Havens stated the house has interest and it attracts people, architectural not pleasing. Mayor Havens stated he appreciated Mr. Powell coming in and visiting with us.

Street: Public Works Manager Terry reported he had three items to discuss. The yard waste at the compost facility is being transferred to Green Cycle to make the pile more manageable. He also reported the splash pad's second weekend was well attended. We are working on some little bugs and winterizing it. Public Works Manager Terry reported they advertised for bids on 300 South, they are due in September 23rd. Mayor Havens asked when will the State let on the Community Crossing Grant. Terry reported at the end of September. Mayor Havens stated you, Mark Clark and the Utilities did a great job on the splash pad. You took the lead and Mark backed you up on it. It was reported the grant would be the key to the bid.

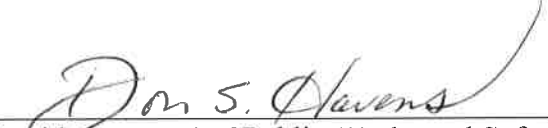
Mayor's Report: Mayor Havens recognized that Mr. Dollens used to be on the Council and BOW. He also stated that Mayor by-law gets both appointments within the incorporated City, normally we go with Council members. Mr. Dollens served 13 years and has agreed to sit on the Board for the last seven meetings. Mayor Havens and Councilman Curnutt stated they are glad to have him on the Board.

There was a general informal discussion with Sharon Teuscher on safe and sanitary housing conditions and compliance with requirements of the governing ordinance. Teuscher stated she had great headway with this issue and would like more headway with other issues. Mayor Havens stated to allow the departments to work on each issue.

Adjournment: With no further business, Member Dollens called for adjournment, seconded by Councilman Curnutt, with all in favor.

Submitted by Tamera Clark, Clerk-Treasurer.


Tamera Clark, Clerk-Treasurer


President, Board of Public Works and Safety