

City of Tipton Board of Public Works and Safety meeting held on July 8, 2019, at Tipton City Hall, Council Chambers, Tipton.

Members: Mayor Havens, Councilman Curnutt and Clerk-Treasurer Clark. Councilman Morgan was not present.

Others: John Alley, Bob Edinger, Vicky Boyd with Tipton Tribune, Diana Tomlinson, Ron Byal, Sherry Landseadel, Judy Coker, Mike Terry, Steve Niblick, Jill Curnutt-Howerton, Darlyn Hughes, Del Hughes, Rick Chandler, Joe VanBibber and Rebecca Redmon.

Mayor Havens opened the July 8, 2019, Board of Public Works and Safety meeting.

Minutes: Councilman Curnutt made a motion to approve the June 24, 2019 BOW minutes without amendment, seconded by Mayor Havens, with all in favor.

Amend Agenda: Councilman Curnutt made a motion to amend the agenda to include the decision on the kennel license, seconded by Mayor Havens, with all in favor. Councilman Curnutt made a motion to add the Kennel License, 453 N. West Street, seconded by Mayor Havens with all in favor.

Old Business:

Kennel License – Mayor Havens reported this is a domestic kennel license is there any discussion by the Board. There was no comment. Mayor Havens asked if there was anyone from the Board that would allow the kennel license. There was no comment. Mayor Havens asked if there was anyone against. Councilman Curnutt made a motion to deny the kennel license application by Rebecca Redmon, seconded by Mayor Havens, with all in favor.

New Business:

Ron Byal Hearing – Vegetation Nuisance: Mr. Byal complained that there were certain technical items in the ordinance that were not properly followed. He received a bill of \$162 on two occasions to cut the weeds on the property. Mayor Havens reported a year ago we addressed the same vegetation nuisance. Mr. Byal reported they cleaned up and we had a hearing and it was determined he was not responsible for the cost of the clean-up, so the Board removed the fees. He also reported this year he received a bill from the City where they cleaned it up again, with no certified letter from the Board, City Agency or Planning Commission given written notice to abate the problem. 1. He didn't get a letter and 2. The letter he got last year can't be carried over to the next year. After abatement by the City they continue to inspect property. Technically they abated the problem last year and then he abated it so he said he should get another certified letter for this year. The way this ordinance intent is to cover the growing season, he should receive another notice. Clerk-Treasurer reported she had a copy of the letter that was sent but not sure of the date of letter. Commissioner Niblick reported they sent a letter to the property of 502 N. Main Street, also letter was sent to P.O. Box 128, Tipton, which is what the County records show for Mr. Byal. The letter dated 5-14-19 with postage date of 5-15-19 and both were returned. Community Service Officer Alley posted the letter on the property. Niblick

reported he didn't have a good address for Byal. Mr. Byal reported he gave the Planning Commission a Kokomo P.O. Box. The Box 128 referring to a closed box for a long time, that his brother and him had. Mayor Havens asked about the P.O. Box for his taxes. Mr. Byal reported the P.O. Box 886, Kokomo, IN 46903 is a good address. Mayor Havens asked the question if the bills are not paid a lien can be levied. You are an attorney and he is not, so it relies on the lienholder doesn't it to release a lien until a later date. They can leave it in place which could prompt further litigation. Mr. Byal stated it could be adjudicated by a higher court. Mayor Havens stated you need to get the weeds killed. Three applications a season with a good applicator. Mayor Havens asked if Mr. Byal if he was unable to do that. Mr. Byal reported he tried to call a landscaper, but no one returned my call. Clerk-Treasurer Clark reported she received pictures on the way it looks today. Mr. Byal reported it probably needs to be cut today. Mayor Havens reported we won't resolve this today, but we don't want to carry on to 2020. Table this at least 30 days to visit with our Counsel. Commissioner Niblick asked if the correct address is P.O. Box 886, Kokomo, IN 46903. Councilman Curnutt stated to send certified letter to correct then he won't be appearing. Councilman Curnutt made a motion to table this after 30 days from today, seconded by Mayor Havens, with all in favor. Commissioner Niblick reported when the vegetation gets over eight inches a letter is sent certified mail to property owner and drop off at property. Mr. Byal reported he would cut it this week. Mr. Byal reported you want to beautify the City but the alley behind house there is used furniture and the City has not picked it up. Public Works Manager Terry asked Mr. Byal for his address. Mr. Byal stated his address is 525 E. Jefferson Street.

Cemetery: Foreman Tomlinson reported there were four burials, three cremations and three lot sales.

Park: Foreman Tomlinson reported the erosion repair done by Jason Henderson's office has been completed on the creek bank by the basketball courts, they are still working on the boat ramp, but it looks nice. She also reported more work will be done at the pickle ball courts starting in two weeks. Tomlinson reported July 13th the Steve Trent band will be playing in the Park from 7 p.m. to 9:30 p.m.

Planning Department – Enforcement Division: Commissioner Niblick handed out copies of the reports. Mayor Havens asked Niblick his overall take on the season. Niblick reported a wet season, we have been enforcing for four to five years, the process is the same, but we are improving on coordinating between the Planning Dept., Public Works Manager and Foreman Tomlinson. He also reported the new system we are using to keep track of the grass violations. With it being wet our office is understanding and sympathetic to the weather. Niblick reported the violations are not new ones they are ones from the past. He also reported Lynlie Adair left his office for a new job about a week ago, so Judy Coker is moving into her position as Code Enforcer and Administrative Assistant. We are in the process of hiring a part-time assistant. Niblick reported we have 20 open cases, they are not only grass but unsafe buildings, we continue to take complaints and we are trying to prioritize them. Mayor Havens told Judy Coker, welcome aboard. He also gave an

example of enforcement with the Police Dept work. Niblick gave a report on the permits. He also reported the jail is continuing through the end of year, Star Bank is down and the safe is going to come down this week. The Senior Housing project is going on. Mayor Havens reported in the aggregate, the Clark Station, Swifty Station, Carter's old school building, and Star demolitions and now building a bank. Also, we demoed the old root beer building and a new Senior Housing is being built. Niblick reported the signs effort is on our part to address the signs that are obsolete. Mayor Havens reported we need a strong ordinance on that as well.

Street: Public Works Manager Terry reported the Splash Pad Project is going lightning speed the last few weeks. They are in the process of pouring concrete half on Tuesday and half on Wednesday. They should finish touches the next two weeks. It should open to the public before August 1st. He also reported he is working on the application process of the Community Crossing Grant. There are four applications and the first is 75 % complete, he hopes to submit by Wednesday all four of them but before the August 2nd deadline.

Mr. VanBibber reported he had three short things. He advised one year ago he complained about 304 W. Adams needing to be condemned and there has been a structural complaint made and no conclusion yet. The Health Dept. addressed the dead animals, but it is worse than a year ago. He asked if the property was on the radar of the Health Dept. VanBibber reported he spoke with Lindsay Ogden, Health Dept., about the weeds, trash and it being unsafe building. He also reported there is a 50-gallon blue barrel on the west side of property. VanBibber reported the Health Dept. sent a letter to her, maybe the Board of Health and the Planning Commission can piggyback on the case. Mayor Havens reported to communicate between Commissioner Niblick, Health Dept. - Brian Shortridge and yourself to see if something can be resolved. VanBibber reported the Health Dept. removed the animals last year but the obligation of the occupancy permit without any inspection wasn't done. He also reported his wife and himself are very happy with the work CSO Alley has done. Mayor Havens reported he is impressed with the work Alley does for the City.

Councilman Chandler reported he wanted to give the Council an update on the animal control. The Elwood BOW unanimously approved the work agreement between the City of Tipton and them to go retroactively back to July 1st. He also reported Kelly Bolan will get that to us for approval at the next board meeting. There was great willingness to help long-term and short-term. Councilman Chandler reported he had a citizen complain about the way the gas company done a temporary repair at 318 Mound Street and not a full repair. He also reported he has noticed an increase in traffic on Court Street and with it being one-way he felt we need additional signage.

Public Works Manager Terry reported regarding the heavy trash behind Byal property on Jefferson Street. The people who put out the heavy trash, they need to call the Street Dept. office to get it picked up. This needs to be the person who owns the property to call

in, in case it might be a prize possession in the pile. Councilman Curnutt asked what number they should call. Terry reported 765-675-3331.

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

Submitted by Tamera Clark, Clerk-Treasurer.



Tamera Clark, Clerk-Treasurer



President, Board of Public Works and Safety