

## BOARD OF PUBLIC WORKS AND SAFETY

Regular Meeting

November 19, 2013

The regular meeting of the Board of Public Works and Safety of the City of Shelbyville, Indiana, was held in the Common Council Chambers of City Hall on Tuesday, November 19, 2013, at 8:30 A.M. All members were present, and Mayor DeBaun presided.

Mr. Finkel moved to approve the minutes of the previous meeting held on November 12, 2013, and Mayor DeBaun seconded. The motion was carried on a 2-0-1 voice vote, with Mr. Williams abstaining.

Mr. Williams moved to approve the claims as presented, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

Mayor DeBaun wanted to change the agenda by doing new business first, and old business last because there were three cases to be heard. Police Chief Keith England has made a request to put on the record any company that wishes to participate in the towing rotation for public safety. The company is to submit an application to the Chief, and list their qualifications as well. They will be reviewed for consideration.

Under old business, Mayor DeBaun said the first case involved property at 1520 Canterbury Drive. Elizabeth Bolton and Granddaughter Leslie Dennis appeared to answer questions, and they both live at 1520 Canterbury Drive. Mayor DeBaun said they were ordered to appear because of trash and debris in their yard. Mrs. Dennis said almost everything had been removed from the yard, except for the trailer, and a stack of shingles. There were bags of clothes in the trailer under the tarp. She said her husband was in an accident and is now at the Heritage House, and she has five children also living there. Mayor DeBaun told Plan Commission Director Dann Bird, and Enforcement Officer Troy Merrick that he would like to continue this until next week, and give them an opportunity for re-inspection. If they find that the property was cleaned up to their satisfaction, the family will not have to appear. The couple was to meet with Dann and Troy before next Tuesday, and if there were things that still needed to be taken care of, they will be pointed out to them to take care of it. Mr. Finkel moved to continue this until next week, and Mr. Williams seconded. There being no further discussion, the motion was carried on a 3-0 voice vote.

Mayor DeBaun asked if Sharrie Lucas was present for her hearing on 432 Tailholt Lane, in Riley Village. She was present, so Mayor DeBaun asked her about the ownership of the property. She said the home was under her brother's name, then when he passed away, it went under her and her Mom, but she passed away in May, and papers haven't been changed into her name yet. Sharrie said she cleaned the property this past Sunday. When asked about her intentions with the property, she said she wanted to fix it up, and then sell it. She said the only thing left was the frame for the trampoline in the back yard, and she hoped to mow the yard within the next two weeks. Since Thursday is trash pickup day, Mayor DeBaun wanted Dann and Troy to inspect the property this Friday to see the condition of the property, and if everything is okay, she will not have to appear next Tuesday. If it's not satisfactory to them, she will have to appear again. Mr. Williams moved to continue this until next Tuesday, and Mr. Finkel seconded. There being no further discussion, the motion was carried on a 3-0 voice vote.

The third hearing concerned the property located at 2407 Valley Court, in the Overlook Addition. Lee Boyd, the contractor, and Brady Claxton, the homeowner, were present. Dann Bird was asked to come forward to give an overview as to why they were here today. He said the Board was given a timeline of activities that led to this hearing. It started last October of 2012, when Mr. Boyd obtained a building permit to build a porch for Mr. Claxton. He had also wired lighting, ceiling fans and screen motors without an electrical permit and without him being registered as an electrical contractor with the City of Shelbyville. It wasn't found out until later, that electrical work had been done, and it has never been uncovered since then to see if the work was done properly. Two Building Commission meetings were held in September and October of this year where Mr. Boyd was to appear, and he didn't attend either meeting. Their Board fined him \$300.00, and it was his contention that where he does work in Johnson County, an electrical license and permit aren't needed, and he didn't realize it was needed here either. Mr. Claxton said Mr. Boyd has done work with the Claxton families for several years, so he completely trusts

the work he has done. Mr. Boyd filed an appeal on having to pay the \$300.00 fine, although he has recently obtained a licensed electrical contractor to pull an electrical permit. He has not opened the electrical work for inspection, which he says would be practically impossible to do without causing work to be done all over. Also, Mr. Claxton doesn't want the roof to be opened up, and he's willing to accept an affidavit from Mr. Boyd that if anything happens to his property because of illegal wiring, the City of Shelbyville will not be held liable. On top of the \$300.00 fine, \$50.00 per day is to be assessed until the fine is paid. Mr. Finkel said he felt it was important to have some inspection, for instance checking under the ceiling fans, and checking the connections there. Mayor DeBaun said he felt the consensus on the City's side was to drop the can lights, the trim rings, they want access to the motors, the panel, and Fire Chief Tony Logan has offered the use of their Thermo Cam to see what can be seen at that point. He said he'd like to take that step first before ordering Mr. Boyd to tear the ceiling out, or dismantle the roof. It was felt that once the appeal was filed, the \$50.00 fine per day fee was suspended. Mayor DeBaun said he would like to continue this to allow inspections to take place under conditions that the Building Department deems fit, then they can dictate the testing that needs to be done, who's doing the work, when, and where. Mr. Finkel felt that Chris Hext, with the Building Commission, should determine what is and isn't accessible. Mr. Finkel moved to approve the requests, which includes a licensed electrician to remove the lights, and Mr. Williams seconded. Mr. Boyd and Mr. Claxton said they were clear on the direction this was headed. The motion was carried on a 3-0 voice vote.

Mayor DeBaun reminded everyone about the Christmas Parade being held downtown this Friday, he asked everyone to support the merchants, and Mr. Finkel said a concert would be held at the Strand at 6:00 P.M.

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

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Thomas D. DeBaun  
Mayor

ATTEST:

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Frank M. Zerr  
Clerk-Treasurer