

BOARD OF PUBLIC WORKS AND SAFETY

April 18, 2017

Regular Meeting

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, April 18, 2017, at 8:30 A.M. All members were present, and Mayor DeBaun presided.

Mr. Williams moved to approve the minutes of the previous meeting held on April 11, 2017, and Mr. Finkel seconded. The motion was carried on a 2-0-1 voice vote, with Mayor DeBaun 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 opened and read sealed bids on owner occupied rehabilitated homes. One bidder, Complete Restoration Services, Inc., from Indianapolis, turned in three bids for the following homes, along with their amounts listed below:

2995 E. Co. Rd. 1100 S., Flat Rock	\$40,856.94
106 W. Pearl St., Waldron	\$61,809.19
208 W. South St., Shelbyville	\$58,589.75

Mr. Williams moved to take the bids under advisement, and Mr. Finkel seconded. The motion to take the bids under advisement was approved on a 3-0 voice vote.

Under new business, Police Chief Mark Weidner had a letter of retirement turned in by Officer Mike Haehl. The retirement date will be April 25. Mayor DeBaun asked about the process on hiring a replacement. Chief Weidner said he has someone he's sent through PERF already, and he is waiting to hear back. Mr. Finkel moved to approve the retirement request, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote. Mayor DeBaun said the Board wished him well in his retirement.

Mayor DeBaun opened and read sealed bids for the Evans Street project. The following companies, along with their bid amounts, are listed below:

Dave O'Mara Contractors	\$414,640.00
Milestone	\$441,000.00
Atwood Concrete	\$313,751.00

Alternate bid on concrete: \$499,821.40

City Engineer Matt House said the engineer's estimate was \$321,816.00. Mr. Williams moved to take the bids under advisement, and Mr. Finkel seconded. The motion to take the bids under advisement was approved on a 3-0 voice vote.

After letting people leave the Council Chambers if they wished, Mayor DeBaun said there would be an appeal hearing from Chad Christian on a decision that was rendered by the Shelbyville Building Commission. Deputy Planning Director, Adam Rude, talked about the Department receiving a complaint of work that was done in March by Christian Electric at 825 LaBelle Street. Being a third violation, Christian Electric was required to have a hearing in front of the Building Commission on April 12. The Building Commission fined Christian Electric a total of \$7,500.00. Plumber Lindel Smith was not required to be at the April 12 hearing, because he was not the contractor, according to Adam. City Attorney Trent Meltzer said any decisions rendered by the Building Commission can be appealed to the Board of Works. For today's hearing, Mayor DeBaun said the Board doesn't have complete information, so his anticipation is that the Board will not be rendering a decision today. In reviewing the documents, Mayor DeBaun said it appeared Lindel Smith is a key player in all of this, so he felt Lindel should be subpoenaed to appear at a future hearing. Adam was asked to start from the beginning with details and why it came to the Building Commission. He said it started when homeowner Mrs. McKinney tried reaching out to Christian Electric because she smelled sewer gas. She had no luck trying to call Christian Electric, so she reached out to the City to file a formal complaint on March 16. Adam said Lindel Smith said he went out later to check the work done by two of Christian Electric's employees, which was done before the March 16 complaint. Mrs. McKinney told Adam that

Christian Electric's employees did the work on their own, without a permit. On March 16, Chris Hext, an inspector with the City, received a phone call from Mrs. McKinney, saying she smelled a lot of sewer gas in the house. She told Chris she had been trying to call Chad Christian and he was not returning her calls, so she called J.R. Wortman Co. in Morristown, and they sent a plumber employee. When seeing the situation, he told Mrs. McKinney that he wasn't touching anything, and she needed to call the Building Department. When Chris went, he smelled sewer gas, and Mrs. McKinney showed him an invoice showing Christian Electric employees did the work. Once a "p" trap was installed later, Chris said the odor was eliminated. Chris went back to the office to start his report. Chad Christian came forward to give his version of what transpired for the 825 LaBelle Street address. When an electrical permit was pulled for the work, Chad said he contacted Lindel Smith to be sure he pulled a plumbing permit for the job because he had to do the work. Chad didn't want to take any chances of getting any fines or anything on the job. He said that's the last he heard about the job, and the only time he heard of an issue, he asked employee Monte Evans to look into the situation. Chad said his business is open 24/7 to receive phone calls, so there wasn't any way he could have missed her call. He said it's his goal to take care of any situation that arises for his customers. When Chad received notice he was to appear at the April 12 hearing, he had just gotten off vacation, and he was shocked to see the fines he was getting. Chad said he's been trying to work with Lindel to see about acquiring his company, but they're not there yet. When Chad sells a job, he subs it out to Lindel for the plumbing work. Montgomery (Monte) Evans, a Christian Electric employee since November, 2016, went to 825 LaBelle St. to give an estimate to the McKinney's, which they accepted. Monte was given instructions to open everything up so Lindel could come in to do the plumbing work, which Monte said Lindel did. The Board was confused about who really did the work because they were getting conflicting stories. Monte said Lindel told him he didn't think the job was big enough to require a plumbing permit. At that time, Monte said he wasn't going to question someone who's done this for over twenty years, and it wasn't his place to ask. Monte said he assisted Lindel with the work, as he instructed. After reviewing future hearing dates, Mayor DeBaun asked to continue this until Tuesday, May 9, and issue subpoenas to Lindel Smith and Mrs. McKinney. Mr. Finkel moved to approve moving the hearing date to May 9 at 8:30 A.M., and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

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

ATTEST:


Frank M. Zerr

Clerk-Treasurer



Thomas D. DeBaun
Mayor