

BOARD OF PUBLIC WORKS AND SAFETY

Regular Meeting

September 18, 2018

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, September 18, 2018, at 8:29 A.M. All members were present, and Mayor DeBaun presided.

Mr. Williams moved to approve the minutes of the previous meeting held on September 11, 2018, and Mayor DeBaun seconded. The motion was carried on a 2-0-1 voice vote, with Mr. Finkel abstaining.

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

Under old business, Plan Commission Director Bryant Niehoff talked about the bid opened last week for the Japanese Garden at the Farmer's Market location. He recommended approval of McIntire's base bid of \$42,930.00, and alternate three's bid of \$895.00 for one year of plant maintenance. Alternate bid numbers one and two were not approved today, but will be determined at a later date. Mr. Finkel moved to approve the two bids requested, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

Under new business, Pat and Bonnie Moore came forward asking permission to have a road block at the intersection of Mechanic and Harrison St. on Saturday, November 3, from 8:00 A.M. until 12:00 noon. It will be to raise money for their Toys for Tots program. They served 535 kids last year. Mr. Finkel moved to approve the request, and Mr. Williams seconded. The motion was carried on a 3-0 voice vote.

On behalf of the Shelby Co. Historical Society, Bryant Niehoff requested permission to place four signs at different locations for the Pioneer Fair on September 29 and 30, 2018. The locations were: the intersection of Miller St. and McKay Rd. SW corner near the high school; intersection of 44 and Miller Ave., NE corner; Vine St. intersection with E. Mechanic St.; and SR 44 north side, near Duke Energy. He said these are consistent with requests from past years. Mr. Williams moved to approve the request, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

On a dog bite case, Savannah Lux, 318 ½ Colescott St., came forward to say that on September 11, she opened a door to let her dog out inside a fenced in area. What she didn't realize was that a female mail carrier had stepped inside the fenced area to drop mail off. The dog bit the mail carrier on her right leg, so the dog was picked up by the Animal Shelter to be quarantined for ten days. She had only had the dog for two days and could not provide papers showing the dog had been vaccinated. Since then, Savannah said a mail box has been placed outside the fenced in area. Mayor DeBaun said he saw the dog at the Animal Shelter, and it was very friendly with him. Mr. Williams moved to release the dog in three days, and show proof to the Animal Shelter that the dog had been vaccinated by a veterinarian. Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.


Mayor DeBaun asked City Engineer Matt House to come forward to talk about a boring done under the levee on River Road by Sunset Park. It started back in April of 2017, when a request was made to bore under the levee for Comcast. Matt gave an extensive report on what has happened since the original request. Matt denied the permit and notified QC Communications with a phone call and email. Matt noted that he had stopped issuing permits in April of 2017 and informed QC Communications that permits would not be issued until the levee was repaired under the direction of an engineer with significant levee experience. Four men were asked to come forward, raising their right hands, affirming to tell the truth about the incident. Kevin Maxwell was the first to come forward, who worked for OCM. The second was Chris Kemp, vice president of QC Communications. The third was Scott Templeton, with Comcast, who said he didn't know anything about the boring being done until he was summoned to appear before the Board of Public Works and Safety. The fourth was Tom Struewing, from ATC, who has been a Geotech engineer for 38 years, and works on levees, dams, etc. The issue arose several times that work was done around the City without getting permission to do the work at those locations. It also appeared that most of these men didn't even know that this was a levee being

bored into. They hadn't visited the site, and only used GIS information. Mr. Finkel mentioned that by boring into the levee, it put many citizens on the other side of the levee at great risk, and that it was unconscionable to have been done in the first place. Mr. Struewing said he has not visited the levee, but he was asked to give his summation of what can be done within thirty days to the Board and all involved. QC Communications also admitted to performing work in the City right of way multiple times since the City stopped issuing them permits. Matt said the goal should be a 0 percent risk. Mr. Williams moved to continue this hearing until October 23, 2018, and Mr. Finkel seconded. The motion was carried on a 3-0 voice vote.

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

ATTEST:


Frank Zerr
Clerk-Treasurer


Tom DeBaun
Mayor

BOW 9-18-18