

## REGULAR SESSION MINUTES

### LOGANSPORT BOARD OF PUBLIC WORKS AND SAFETY

**Wednesday, May 26, 2021**

9:30 AM – City Council Chambers

**CALL TO ORDER:** Mayor Chris Martin called the meeting to order at 9:30 a.m.

**PLEDGE OF ALLEGIANCE:** The pledge was recited in unison.

**ROLL CALL:** Duane Ullom, Clerk-Treasurer

**PRESENT:** Jacob Pomasl, Mayor Martin, Lisa Terry

**ATTORNEY PRESENT:** Kelly Leeman

**MEDIA:** Karen Stearns and Kristi Hileman

**OTHERS PRESENT:** Mike Fincher, Bob Bernhardt, Dahrol Perry, Bryan Gleitz, Rick Bair, Randy Ulery, Jamey Harper, Janet Fawley, Shawn Heishman.

**APPROVAL OF MINUTES:** Minutes of the May 19, 2021 Meeting

Lisa acknowledged the names of the media, Karen Stearns and Kristi Hileman, are spelled incorrectly. Karen Stearns should be "Stearns."

**Motion:** to approve the Minutes from May 19, 2021 meeting with the changes presented,

**Action:** Approve, **Moved by:** Lisa Terry, **Seconded by:** Jacob Pomasl.

Motion passed unanimously.

<b>APPROVAL OF CLAIMS:</b>	\$224,733.35	Including:	Claims	\$53,171.07
			Wellness Round 1	\$107,250.00
			Resolution 2021-06	\$14,600.00
			TIF Industrial Park	\$4,500.00
			TIF Downtown	\$5,000.00
			TIF Gateway	\$65.00
			Grant Claims	\$40,147.28

**Motion:** to approve the claims as presented, **Action:** Approve, **Moved by:** Chris Martin,

**Seconded by:** Jacob Pomasl.

Motion passed unanimously.

**PUBLIC COMMENT:**

Mike Fincher, 2700 Emmitt Drive, came forward to inquire about the Memorial Home. Mayor Martin stated they have a tour coming up. He mentioned they have been in discussion with the County Council and Commissioners. They are all set up to tour the facility and go from there. Mayor Martin acknowledged, at this point, they are closer than they have ever been. Mr. Fincher stated that is good, but another day like today is not good on the inside of the building and it continues to get worse. His perception is that someone is dragging their feet. The longer the wait, the more rain gets involved, the worse it is going to be, and the more expensive it is going to be. It is nice to sit there and say we are closer than we have ever been but, in his opinion, that is not getting the job done. It may be undue pressure on this administration, but it is this administration. Mr. Fincher believes the building exemplifies the history of this community more than any other building in the County. He thinks it would be a shame not to keep it. Mr. Fincher added, the block down the street, there are out of towners planning to sink a quarter of a million dollars into a house. Lisa asked if he was referring to the Greensfelder home. Mr. Fincer concurred. He added we cannot find enough money to maintain a building that the city owns. In his opinion, it doesn't look good. He stated he appreciates the work that has been done, he's an old guy and wants things done quick. It's important and important to what we do in the future. Lisa asked what the outcome is going to be from the tour, who is going on the tour, and how does she get invited to the tour. Mayor Martin said the County and the City need to come together on a consensus on where we are at financially. They want to actually see the Memorial Home to see what it looks like on the inside. The Mayor feels this will help the discussion on what is needed to get a better idea of the impact of how much money needs to be put into it. He stated they need to at least sustain it. Mayor Martin stated the rain today is causing more damage to the building. Finding the financials to sustain it, putting a roof over it, protect it a little more, and then maybe from there do a local kind of program and to be able to take care of it fully. ADA is going to be expensive when it comes to repairing the Memorial Home. Lisa acknowledged the many grants for financial help. She said they have to get innovative on how they approach this. She would like to know who is going on the tour, how long after the tour is there going to be the sit down; right after the tour or a month after the tour? She inquired if there a timeline to this that could assist Mr. Fincher. She acknowledged the public in general ask her about it all the time. She mentioned being friends with people on the Historic Preservation Committee. They just did a walk through downtown and kind of celebrated the history of Logansport buildings that are still existing and the Memorial Home came up several times. Lisa stated Deb Purcell comes here from Indiana Landmarks and asks every time. Lisa has no answers. She would like to say "There is a committee" or "These are the go-to people" or "This is the time frame" because how do you go forward. The city attorney, Kelly, spoke up to say the public answer would be that this building is in litigation. This litigation goes back to a prior administration. There was a time when the City of Logansport owned it 100%. Then litigation got filed, bogged it down for two, three years. That litigation still continues. The court just recently, in the last two weeks, set it for a hearing in August. The public's part is, this is in the hands of the court. Kelly stated they are working toward getting it resolved. The only quick, easy answer would include a lot of money. He welcomed anyone wanting to donate it to solve the problem. There has to be bills paid, things done, and then plan. He mentioned the economic development grants require a plan for the use of the building. Lisa stated she understood that. Mr. Fincher asked if those things should be talked about now, rather than later. Deputy Mayor Pomasl

stated that is why they are doing the stuff with the tour. It's not the be all end all. They could say they are forming a committee but that's just another committee and sometimes committees do not get things done. Lisa acknowledged holding committees accountable to keep them from dropping the ball. Jacob acknowledged committees do not have any funding behind them so eventually it has to be the City Council and County Council. Mr. Fincher stated they have no power to make an executive decision. Jacob acknowledged they could say they are forming a committee to get people off our backs for two months but it doesn't solve the issue. The issue is going to be solved by getting City Council buy in. They have worked with the City Council to get their perspective on it. This in turn allowed them to go to the County and try to engage them as well. Jacob stated Dave Morris has gone to the County Councilmen to try to engage them on it. To this point, it has been in litigation, which includes lawyers and basically one individual from the County who is not the ultimate decision maker. Now, the City is onboard with doing what needs to be done to stabilize it and find a plan for it, they have to get the County Council onboard because they have a say in the matter too. This is the first step in getting more people engaged. It is not a formal committee, but in his opinion, it is a waste of time if stakeholders are not onboard to fund it. Mr. Fincher stated it could work if the committees have the amount of money and capabilities to write a check, and have a contractor. In his opinion a committee is not worth much. Mr. Fincher asked if there was any way to move that court date up, with understanding this deals with the judge and the court system. Kelly spoke up to say there are three lawyers, three different interest groups, one of which is private, as well as, the courts calendar. They have four different staffs, not including Kelly. He did receive a memo stating the date which have cleared staffs. The whole thing is working toward being resolved. The easy answer is this is in litigation and has been in litigation. From there they can check the docket sheet and court of appeals and the amount of time this has been going on. Kelly stated Dave Morris was at the County Council meeting last week talking with them. The County Council include 2 of 3 commissioners that are brand new. Mr. Fincher stated he does not care about them being new. They were elected to do the job regardless as to how long they have been in the position. Jacob acknowledged he does not view the new people as an excuse for taking longer, he would view them as an opportunity to engage new people in the process and get their buy-in. These are the people elected to take care of this, especially County Council being elected to deal with the funding. This is who we have to engage with and the next step in the process while waiting for the litigation. Mr. Fincher stated he plans to come back and feels this is important. Someone needs to keep blowing the whistle and it's not going to get done if someone does not keep prodding. Lisa inquired, today is the first time they have known about the August 4<sup>th</sup> date and if that has been released to the public. Kelly stated there is public record but they did not make a public announcement. Lisa stated she thinks it is good to keep the public in the loop and know that there is some progress. When you hear nothing, you think that there is no progress and she is assuming that is what Mr. Fincher is thinking. If there is forward movement, they should reveal that to the media. Lisa stated the older generation do read the newspapers. Kelly stated they still cover the court dockets. Mr. Fincher thanked everyone for their time.

#### **OLD BUSINESS:**

#### **NEW BUSINESS:**

- Contracts/Agreements

Jan Fawley

- Night Magic Displays
  - Addendum to Contract

Jan came forward. She stated this contract is about insurance. They are asking the City to verify that LMU is involved in being additionally insured and the hospital because this event takes place right there along the River Bluff Trail. The County was added as a courtesy because part of the trail is on county property or inside the county, along with the City of Logansport. They are asking for all these people to also be insured. Lisa asked if they ask for this each year. Jan stated this is the first time she has seen this addendum. Mayor Martin asked Kelly if this is general practice. Kelly stated it is appropriate to do, everybody probably has their own insurance anyway.

**Motion:** to approve the Addendum to the Contract for Night Magic Displays, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Lisa Terry.  
Motion passed unanimously.

- Certificate of Appreciation Mayor Martin
  - Bradley Shively

Mayor Martin recognized and thanked Bradley Shively for 20 years of service.

- Electric Licenses Mayor Martin
  - Nicholas Barrows
  - Joseph Shideler, d/b/a Shideler Electric Heating & Cooling
  - James Woodruff

**Motion:** to approve the three Electrical Licenses, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Jacob Pomasl.  
Motion passed unanimously.

- Fire Department Rick Bair
  - Request for Surplus Items

Chief Bair came forward. He stated these are items to add to the city auction. These items are no longer being used. Mayor Martin read through the list.

**Motion:** to approve the request for surplus items for the Logansport Fire Department, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Lisa Terry.  
Motion passed unanimously.

- Street Department Bryan Gleitz
  - Dumpster Requests
    - 1507 North Street

Bryan came forward. He stated the only place for this dumpster is on the street and they are fine with it.

**Motion:** to approve the dumpster request for 1507 North Street, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Lisa Terry.

Motion passed unanimously.

- 2131 North Street, at the curb on 22<sup>nd</sup> Street, Corner of 22<sup>nd</sup> & North

Bryan stated this property has no yard so it will be placed on 22<sup>nd</sup> Street. It will be far enough back from the stop sign so will not be any visual issues.

**Motion:** to approve the dumpster request for 2131 North Street, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Jacob Pomasl.

Motion passed unanimously.

- Application for Curb/Street Cut
  - Berry It, from northeast corner of High and Yorktown along west right-of-way of Yorktown to 504 Yorktown, then along east right-of-way of Yorktown to northeast corner of Yorktown and Market

Mayor Martin asked if this is going to take up asphalt that was just put down. Bryan stated it would not, it is all in the east but is all underground on Yorktown Road. Yorktown did not get paved. Mayor Martin acknowledged the start date as 6/1/21 and the end date as 12/1/21 listed on the application. Bryan said he spoke with Tony and does not know if it is going to take that long or if there was a time between that they are doing it. He does not think it takes that long to do something like that.

**Motion:** to approve the Application for Curb/Street Cut, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Jacob Pomasl.

Motion passed unanimously.

- Code Enforcement
  - Weekly Report

Jamey Harper

Jamey came forward. Mayor Martin read through the report. He asked Jamey to explain the weeds and mowing on the report. The first notices sent to property owners are for the previous week. The ones that are cleared would be two weeks back. When she sends out the letter, she checks the property seven days later. Last week, she checked the week before. Mayor Martin stated the first notice gives them seven days. Jamey confirmed. She stated that is for the first notice of the season. After seven days if it is not mowed, she sends it to the City and the City mows it if not mowed by the owner.

**Motion:** to approve the Code Enforcement weekly report, **Action:** Approve, **Moved by:** Chris Martin, **Seconded by:** Jacob Pomasl.  
Motion passed unanimously.

- Request for Property Clean Up
  - Mark Holmquist – 124 6<sup>th</sup> Street

Jamey read through the action log as presented. The description of the violation includes a pile of building material and machinery on the property. The first date of inspection was completed on 4/27/2021, including pictures, door hanger, and an initial letter. Additional pictures were taken on 5/21/2021. A follow up inspection was complete on 5/6/2021 and violations were unresolved. The certified letter sent on 5/6/2021 was not signed for at that time. The property is commercial and is not a rental. There has not been any contact with the owner or the occupant. Jamey said the pile of building material has been removed but the machinery is still there. Jamey said she does not know what the machine is and is able to be seen when driving down 6<sup>th</sup> Street. Mayor Martin acknowledged Wayne had talked with the gentleman before he retired and the mayor thought the machine was possibly some kind of machine press. Jamey said they looked for a phone number or email and couldn't find anything. She said she asked Rob and they looked through the information Wayne had left and could not find anything. Jamey inquired what to do with the machinery. Jacob acknowledged Holmquist is not getting the letter or hanger and not checking the property. Jamey mentioned leaving a notice about mowing and it did get mowed within the time frame. She does not know how often he visits the building or if he goes and checks the mail. Mayor Martin stated he would like to try to reach out to him again. He would like to table this until next Wednesday to make additional attempts to contact him. Mayor Martin suggested asking Rob to help with contacting the owner and/or check with the neighbors around there to see if they have any information.

**Motion:** to table the property clean-up at 124 6<sup>th</sup> Street until next Wednesday, June 2, **Action:** Tabled, **Moved by:** Chris Martin, **Seconded by:** Lisa Terry.  
Motion passed unanimously.

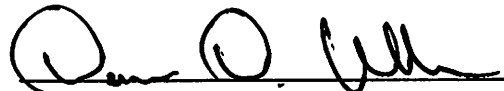
#### **BOARD MEMBER COMMENTS:**

Lisa acknowledged she is having a committee meeting tonight with hopes of it not being a waste of time. This is for animal control, animal control officer, and any kind of animal issues that we seem to be having, daily, weekly, nightly. So far, she believes she will have at least 12 citizens who have responded that may show up for the meeting. They meet at 5:00 in the City Council Chambers. A couple city councilmen acknowledged they plan to attend. Lisa has not heard from any county invitees.

#### **MISCELLANEOUS BUSINESS AND ANY MATTERS NOT ALREADY CONSIDERED INCLUDING ADA SECTION 504 COMPLIANCE OR CONCERNS:**

#### **ADJOURNMENT:**

**Motion:** to adjourn the meeting at 9:58 a.m., **Action:** Adjourn, **Moved by:** Chris Martin,  
**Seconded by:** Lisa Terry.  
Motion passed unanimously.

  
Chris Martin, Mayor  
Duane Ullom, Clerk-Treasurer

Audio and video recorded on 5/26/2021