

MINUTES

THE BOARD OF PUBLIC WORKS AND SAFETY

September 04, 2012

THE REGULAR MEETING OF THE CHARLESTOWN BOARD OF PUBLIC WORKS AND SAFETY FOR THE CITY OF CHARLESTOWN WAS HELD ON TUESDAY, SEPTEMBER 04, 2012 AT 9:00 A.M. AT CITY HALL WITH MAYOR BOB HALL PRESIDING.

Board members present were Mr. George Roberts and Mr. David Flowe. Also present were Clerk Treasurer Donna Coomer and City Attorney Mike Gillenwater.

Minutes

Mr. George Roberts made a motion to approve the Minutes from August 20 and August 28, 2012, seconded by David Flowe. Approved 3-0.

Claims

Mr. David Flowe made a motion to approve the Claims, seconded by Mr. George Roberts. Approved 3-0.

Payroll Allowance Docket

Mr. David Flowe made a motion to approve the Payroll Allowance Docket from August 19 through September 01, 2012, seconded by Mr. George Roberts. Approved 3-0.

Building Commissioners Report

Mr. Robert Caldwell
8912 Farmington Way

Edgewood Properties

Director of Planning & Zoning Tony Jackson said that Mr. Caldwell wants to make 1929 Edgewood into a storage place. Tony said the property is not zoned to be used as storage. Mayor Hall told Mr. Caldwell he would have to go before the Planning and Zoning Board for a variance, then before the Council. Mr. Caldwell said that 1939 Edgewood has been demolished. Mr. Caldwell said the structure at 1949 Edgewood is repairable and as soon as his finances let him he will repair the house.

312 Hampton

Director of Planning & Zoning Tony Jackson said Juan Guitierrez owns the property. The City has cut the grass since 2009 and there are other code violations.

Mr. Matthew Trainor
Wooden & McLaughlin
211 North Pennsylvania Ave.
Indianapolis IN 46204-4208
(317) 860-5349

Mr. Matthew Trainor an attorney with Wooden & McLaughlin is representing Select Portfolio Servicing concerning this property. Mr. Trainor said they only have an interest in the collateral on this property and do not own it. City Attorney Mike Gillenwater said Select Portfolio may not have any responsibility on this property; but if the City takes action on this property, the fines imposed will be placed as liens. When sold at a Sheriff's sale these liens and fines would have priority and be satisfied first. Mr. Trainor said that his client is aware of the fines and violations and believes the property is not valued enough to correct those code violations. Mayor Hall asked Mr. Trainor if the property is in foreclosure and he said "no." Mayor Hall asked Tony what is the condition of the property? Tony said it is missing the HVAC system, the roof on the back is falling in and from what he can see through the windows, it looks as though the inside ceiling has water damage. City Attorney Mike Gillenwater told Tony to get an Inspection Warrant from the Judge so he can inspect the inside of the property. Mayor Hall told Mr. Trainor the only action we will be taking today is to get an Inspection Warrant to value the property.

Charlestown Plaza-1101 Market Street (old JAY-C Food Store)

Director of Planning & Zoning Tony Jackson said Jessie Ballew has cleaned it up and is putting a front façade on the building.

157 Fourth Street

157 Fourth Street structure has been removed and property cleaned up. Mayor Hall told Mike Perry to calculate the cost of us taking down the structure so we can place a lien.

310 Marshall

Director of Planning & Zoning Tony Jackson gave City Attorney Mike Gillenwater the paperwork on this property. City Attorney Mike Gillenwater said we have an \$84,900.00 judgment against this property and he is filing today.

209 Lowell

James Worley the property owner is deceased. The house has fire damage. City Attorney Mike Gillenwater said a fine has to be imposed before he can file for a judgment on the property. Mayor Hall asked the Board to levy a lien against the property for \$5,475.00.

Mr. David Flowe made a motion to levy a lien of \$5,475.00 on the property located at 209 Lowell, seconded by Mr. George Roberts. Approved 3-0.

City Attorney Mike Gillenwater said he wants to put the properties at 209 Lowell and 315 Highland in the same court and ask for a Sheriff's sale. Mayor Hall said we still have the same problem with whoever buys the property. City Attorney said, "yes" but they buy it knowing the problems. City Attorney Mike Gillenwater said an adjoining landowner might be interested in the property.

315 Highland

Danny and Tina Heil are the property owners. Mr. Heil is deceased and the property is in foreclosure. Mayor Hall asked the Board to levy a lien against the property for \$6,000.00

Mr. George Roberts made a motion to levy a lien of \$6,000.00 on the property located at 315 Highland, seconded by Mr. David Flowe. Approved 3-0.

Mayor Hall said we would reduce these properties 209 Lowell and 315 Highland to judgments and move forward on the collection process.

Mr. David Flowe made a motion to reduce these properties to judgments, seconded by Mayor Bob Hall. Approved 3-0.

101 Crestview Court

City Attorney Mike Gillenwater said he spoke with Alan Applegate who represents the county and owns this property. They want to know if the City of Charlestown would be interested in taking possession of the property. Mr. Gillenwater said Director Tony Jackson told him the property does have value. Mayor Hall told Mr. Gillenwater to have the county transfer the property to the City.

Mayor Hall asked Tony how many of these properties the city owns? Tony said we own four lots. Mayor Hall said we should look at disposing of these properties.

360 Madison

City Attorney Mike Gillenwater said he thought the judgment had been filed, but Judy was waiting on something and he will file it today. Mayor Hall asked when we could sell the property and Mike said he is asking the judge to let us sell it right away and we are looking at 45 to 60 days.

Public Comment –None

Equipment List

Utility Director Mike Perry will use list to calculate the cost for equipment and man-hours that the city will use to invoice work performed.

Mr. David Flowe made a motion to accept the rates for equipment and man-hours the city will use to invoice for work performed, seconded by Mr. George Roberts. Approved 3-0.

2005 Taurus

Mayor Hall asked the Board to approve the 2005 Taurus be used as a trade-in on a new vehicle.

Mr. David Flowe made a motion to approve the 2005 Taurus to be used as a trade-in on the purchase of a new vehicle, seconded by Mr. George Roberts. Approved 3-0.

Next Meeting

The next scheduled Board of Public Works meeting will be Monday, September 17, 2012 at 9:00 A.M

Adjournment

Mr. David Flowe made a motion to adjourn, seconded by Mr. George Roberts. Approved 3-0.




Mayor, G. Robert Hall

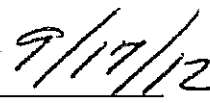


Date

Attest:



Clerk Treasurer, Donna Coomer



Date