

ORDINANCE COMMITTEE  
July 17, 2014

MEMBERS

Chairman Jones  
Alderman Budd  
Alderman Vota  
Alderman Burtle  
Mayor Brotherton

ALSO PRESENT

Alderman Dorchinecz  
Alderman Heberling  
Alderman Koonce  
Treasurer Nation  
HBO Officer George Calvert  
Superintendent Wiseman  
Shirley Sams

Laurie Mense  
George & Jamie Ortman  
Carol Endsley  
Annette VanHooser  
Jeffrey A. Quimby  
Dustin & Hillary Yantis  
Patty Beck  
Bernie Curvey

Chairman Jones called the meeting to order at 6:00 P.M.

Amending Section 8-5-4-I of the City Code/Sewer Use and Service

The Committee continued discussion regarding Section 8-5-4-I of the Taylorville City Code regarding the interpretation of who is responsible for the expenses, maintenance, and repair of the sewer line.

Following is a recap of those meetings.

At the May 1<sup>st</sup> Emergency Services Committee Meeting several residents were in attendance to discuss letters they received from the Street Department regarding a problem with sewer taps in the Ash and Oak Street area. They were advised at that time that this was not the Committee to discuss this problem that they needed to attend a Street & Sewer Committee Meeting. One of the residents in attendance stated there was a deadline of 30 days to respond or have their water turned off and that time is up. Alderman Walters advised he would personally notify the Street Department not to take any action at this time

Street and Sewer Superintendent Dick Wiseman had City Engineer, Joe Greene review a video of the 10 inch sanitary sewer in the alley between Oak & Ash Streets and Cherokee & Shawnee Streets. He advised that the sanitary trunk sewer is in fair to good condition and has no signs of mine subsidence. Jim Hafliger, who works for Illinois Department of Natural Resources was also contacted to inquire if he could offer any information regarding the mine subsidence issue. Nothing has been received at this time.

After a lengthy discussion this issue was forwarded to next month's Ordinance Committee Meeting. There was discussion regarding the intent of the wording in the City Code regarding who is responsible for what. Aldermen Dorchinecz and Alderman Heberling read past meeting minutes which led to more discussion on intent. The neighbors voiced their opinions stating intent is not law and they feel that if not written in black and white they shouldn't be responsible. The Committee asked that City Attorney Romano be directed to review the City Code for his interpretation.

The Committee asked that the minutes reflect what the final recommendation for a motion would have been had they taken action at this time.

Motion to recommend to the City Council to direct City Attorney Romano to prepare an Ordinance to amend the City Code to state the property owner is responsible for the expense for maintenance and repair of the sewer line up to and including the main tap. The City will assume 50% of the cost of the repairs not to exceed \$3,500.00 of the total job for a 10 foot depth excavation, based on criteria, inspection and deemed necessary. If a residence requires more than a 10 foot depth excavation these cases would be handled case by case.

The Committee told the homeowners that received a letter from the Street and Sewer Department they are not required to take action until this issue is resolved. Mr. & Mrs. Ortman advised they have already made repairs and a neighbor had their property fixed at the same time to save them money but Mr. & Mrs. Ortman are being billed for all of the excavation fee.

#### Update of 710 S. Webster Building Issue

Mr. George Calvert, Health and Building Officer, advised the Committee the actual address of the building is 710 S. Webster; it was listed as 812 S. Webster on the agenda.

Mrs. Laverne Endsley resides at 220 W. 2<sup>nd</sup> Street. She is concerned about the condition of the building next to her located at 710 S. Webster (old brick ice house located across the railroad tracks from Manners Park). She advised on April 25<sup>th</sup> a section of wall from Mr. Bernie Curvey's building fell on her property. She is concerned about bodily harm not only to herself but others as it is across the street from the park and on the 4<sup>th</sup> of July there were some girls pulling the bricks loose from the building using them to scale the building to the roof. Mr. Endsley approached the girls and informed them if they were to fall from the building the impact could kill them. Health and Building Officer George Calvert was called after the 4<sup>th</sup> of July weekend; he told the neighbors they need to talk among themselves to try to come up with a solution that would be acceptable to both parties. Mr. Curvey stated that Mrs. Endsley has a good complaint. He had hired someone to do tuck pointing on the building a week later but that person didn't start right away; he was advised by Mr. Curvey to contact the Endsley's at that time and he didn't.

Alderman Burtle advised the building was not designed for the type of roof it has; there was a picture presented which shows a large hole in the roof. The leakage has caused the rebar to give way. In his opinion the building is not safe; if not repaired or stabilized should be condemned. Alderman Budd didn't think a structural engineer would deem this building safe. Mr. Curvey advised he had some tuck pointing done and will be working on the building. Mrs. Endsley stated she wants an engineer to deem it safe.

#### HBO Updates

Mr. George Calvert, Health and Building Officer, updated the Committee of property violations and cleanups.

There was discussion regarding Section 9-1-1-E-1 of the City Code regarding building permits. This issue will be placed on next month's agenda. The City Attorney will be contacted regarding what the process is to start the condemnation process.

Motion by Alderman Burtle and seconded by Alderman Vota to adjourn. Motion carried 4-0.  
Meeting adjourned at 9:40 P.M.

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Bruce Jones, Chairman  
Ordinance Committee