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## Lawsuit filed against construction company over downtown Marshall project

Jessica Harker

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Ongoing construction in downtown Marshall. (Jessica Harker/ Marshall News Messenger)

Building owners in downtown Marshall have filed an insurance claim and a lawsuit against Casey Slone Construction over work being done for the City of Marshall's downtown revitalization project.

The project encompasses the 300 and 400 block of North Washington Street in Marshall and began in January 2024 after the city officially hired Casey Slone construction for the third section of the project, which encompasses the two

downtown blocks. This is the third phase of the project in downtown Marshall, with all three contracts awarded to Casey Slone.

Since the project began, building owner Larry Watts, at 303 N Washington Ave., said he has had numerous issues with the project causing damages to his building, and has filed a claim with Casey Slone's insurance company over the incidents.

Similarly, building and business owner Paige Yohn, at 304 N Washington Ave., said that she has officially filed a lawsuit against Casey Slone Construction, which included a temporary restraining order to prevent them and their representatives from working in front of her building until repairs are completed.

Casey Slone, owner of Casey Slone Construction, would not comment on potential damages done to either property.



According to City Public Works Director and Engineer Eric Powell, work began on the project around the end of January 2024 after the project was officially ordered and materials could be purchased and delivered.

The first portion of the project encompassed the removal of the current sidewalk, beginning on the west side of the 300 block of North Washington and then moving to the east side of the street.

It was during the initial removal of the sidewalk that Slone's crew discovered an old, hand-laid brick stormwater pipe beneath the east side of the 300 block, and on both sides of the 400 block as well.

Ongoing construction in downtown Marshall taking place on the 300 and 400 blocks of North Washington Avenue. (Jessica Harker/Marshall News Messenger)

Powell and Slone said that this changed the scope of the work being done, and required new material estimates as well as a

change order officially approved by the city council before work could continue in those areas.

During that time, between when work began the end of January and when the change order was approved by council on March 7, work was focused on other aspects of the project as well as on the east side of the 300 block of North Washington.

It was this work with the removal of the sidewalk initially that Yohn said caused severe damage to the foundation of her building at 304 N. Washington, located on the east side of the street.

The lawsuit against the company claims that the work being done around the second week of February caused severe damage to the building's footer as well as to the building's support. The damage done to the building and the cost to have professionals out to appraise and fix the building will cost Yohn around \$20,000 in personal funds.

Yohn said that she had more than one interaction with both city officials and representatives of Casey Slone Construction before filing the lawsuit, looking for insurance information and or an alternative route to get her building fixed and allow work downtown to continue.

"Downtown Marshall is very important to my family, and we want these buildings to last for generations to come. We support the sidewalk improvement project, but we also expect Casey Slone, as the city's hired contractor, to make these improvements with the utmost care to our historical properties. This has not been the case," Yohn said, "Property damage 'accidents' do happen, but accountability and integrity in handling these issues should have been the priority, not a continued denial of responsibility."

She said that the issues came to a head on March 7 when Slone and Yohn had an alleged discussion inside of her business downtown, during which Yohn, an employee and a business associate present in the office said that Slone became belligerent.



Both witnesses wrote in separate statements that Yohn asked Slone multiple times during the interaction if he would file an insurance claim to fix the issue, which Slone responded was not his problem, eventually telling Yohn to sue him and sue the city.



Slone denied the statement, referring to them as lies, and would not comment further on any interactions with Yohn.

Ongoing construction in downtown Marshall blocks the entry way to a number of local businesses. (jessica Harker/News Messenger Photo)

That evening, Slone Construction employees removed the temporary plywood walk boards in front of Yohn's building, which was witnessed by neighboring business employee Seth Necessary, who confirmed he saw the boards removed March 7 around 5 p.m. Yohn said that the removal of the walk boards caused employees to have to walk through an unsafe active construction zone that had been flooded with rain, which she contacted the city about the next morning on March 8 when employees returned to the business.

Yohn said she contacted attorney Josh Maness with Maness Law Firm and officially put city officials and Casey Slone construction on notice for the upcoming litigation. Maness officially filed Yohn's suit against the company on March 8.

The issue was brought to court on March 25, during which time the judge extended and original 14-day restraining order to halt work outside the front of Yohn's building to 45 days, requiring work to be complete on the structure before the downtown project can continue in that location.

"The buck stops with Slone Construction," Manness said, "It's their mistake to fix. Their lawyer has already told us they plan on blaming their subcontractors. We'll see where the evidence leads to. The city leaders should certainly remember this next time a project is put out for bids."

Watts said that his issues began in February with the flooding of his building caused by a massive rain storm, with mud and debris filling his finished basement which he said came from the large hole in the sidewalk made by construction work, which he referred to as negligent.



Ongoing construction in downtown Marshall blocks the entry way to a number of local businesses. (jessica Harker/News Messenger Photo)

Watts contacted Powell at the time of the incident through email, setting up a meeting with the engineer for an in-person conversation, with Powell more recently stating he did not recall the issues surrounding the flooding of Watts' property in February.

However, Watts said he immediately notified Powell and Casey Slone Construction of the incident.

Watts later noted Casey Slone Construction placed Ultratech "Ultra-Filter Socks" instead of some type of water barrier in the area where water entered the building, which he said caused him to request permission to place his own water barriers to protect from additional damages. The ultratech filter socks are designed to allow water to flow through them while blocking debris.

Watts said that placement of sandbags and the creation of his own waterproofing successfully halted the flooding he saw in February, including during the more severe massive rainstorm experienced on April 7 in Marshall. Even with heavier rains since February, Watts said he has not experienced the same issue since he performed the work himself.

Slone said he was not made aware of the flooding incident at the time or presently. Both Powell and Slone stated that unfortunately, with construction work, water will flow to the lowest point, and that the team and the city cannot control the weather and would themselves, prefer clear, sunny days to continue to get work done.

“At the time I really did not want to make a fuss, I know how projects like this work and I know stuff like this can happen, so if the flooding was the only issue I would have probably left it alone,” Watts said. “They put you in a corner, no one wants to make waves, but the situation continues to happen.”

However, when work on the west side of the block kicked back up after the change order was approved in March 2024 and Slone’s crews began the instillation of the new stormwater pipe, Watts said that crews accidentally broke a sewer drain line in front of his building.

Watt’s building at 303 N. Washington houses not only a ground-floor business, but three tenants upstairs at the property. He said that the broken sewer line caused all water draining from the upstairs tenants to flood into the downstairs toilet and into the lobby, causing a mess of sewage and water to flood into the building.

“I have owned this building for 20 years and have had no issues at all with the pipes or plumbing, so I was shocked when something like this happened,” Watts said.

Watts said after initiating his own investigation with a drain camera and telling Powell what was happening with the broken pipe on city property, he was still offered no assistance until he dug a hole in front of his building and installed a clean out for city crews to inspect.

Watts said he was then forced to hire his own plumbers, who confirmed that the pipe was broken on city property. At this point, Watts inquired through email where the city wanted him to send the invoices for the needed repairs as the tenants had not been able to utilize the plumbing for several days. It was then that Watts said city crews came to excavate the dirt and replace the broken sewer line.



Ongoing construction in downtown Marshall blocks the entry way to a number of local businesses. (jessica Harker/News Messenger Photo)

Powell said that city crews were dispatched once the break was confirmed and were able to repair the pipe.

“I want to commend the City Sewer employee Mike Hill, who supervised the repairs to the broken sewer pipe. He was refreshingly knowledgeable, professional and had a great team he worked with to complete the task,” Watts said.

It was then that Watts began to request insurance information for Casey Slone’s construction company from city officials, eventually receiving the information and officially filing a claim with the company for damages.

“As I’m sure you know, I didn’t want to be involved with radio, newspaper or any other outspoken means; however, they continue to put you in a corner, no one wants to make waves, but their questionable behavior won’t stop, and unnecessary damages continue to happen,” Watts said, “Couple this with watching the mistreatment of some of my neighbors, and I realized it would only be for selfish reasons that I wouldn’t say something.”

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### Jessica Harker

City Reporter

Jessica Harker has been the city reporter with the Marshall News Messenger since 2019.