

BOARD OF PUBLIC WORKS & SAFETY
MARCH 2, 2012
10:30 A.M.
REGULAR SESSION

The Board of Public Works & Safety of the City of Warsaw met in Regular Session on Friday, March 2, 2012 at 10:30 A.M. in the Council Chambers at City Hall. Mayor Joseph M. Thallemer presided and the following persons were noted as present or absent:

PRESENT: Board Members Charles Smith, Jeff Grose and Mayor Thallemer. Also present Clerk-Treasurer Lynne Christiansen, Attorney Adam Turner, WWTU Manager Brian Davison, Fire Territory Chief Mike Brubaker, City Planner Jeremy Skinner, Police Chief Scott Whitaker, Street Department Superintendent Lacy Francis, Heather Marshall from Lillian Enterprise, and reporter Jennifer Peryam with the Times-Union.

ABSENT: None.

The meeting was called to order by Mayor Thallemer, followed by the Pledge of Allegiance.

MINUTES-

The minutes from the February 17, 2012 Regular Session were presented for approval. Mayor Thallemer requested that under "OTHER MATTERS" VALENTINE LAW OFFICE AMENDED AGREEMENT the line "*Funds are allocated in the Council budget to support the new contract and relieve the possible strain that may occur in other budgets*" be added. Board Member Smith made a motion to accept the minutes as presented and amended, seconded by Board Member Grose, motion carried by unanimous vote.

NEW BUSINESS –

WAYNE TOWNSHIP/PARK CONTRACT –

Park Superintendent Larry Plummer Jr. presented the 2012 Wayne Township Park Contract for approval. Wayne Township agrees to pay the City \$70,000.00 and more specifically set forth within the agreement. Motion made by Mr. Grose to accept the contract, seconded by Mr. Smith, carried by unanimous vote. (Copy attached to minutes).

CENTER LAKE, PIKE LAKE, WINONA LAKE CONSERVATION ASSOCIATION CONTRACTS/PARK-

Mr. Plummer presented contracts from the Center Lake, Pike Lake, and Winona Lake Conservation Associations. The contracts state that the Park Department agrees to pay \$2,500 per year to each Association to help with nature preservation, conservation and maintenance and more specifically stated in the agreement. Mayor Thallemer wants the Board to review the agreement annually. After discussion Mr. Grose made a motion to table the contracts, seconded by Mayor Thallemer, with Mr. Smith voting Nay.

PARK CONTRACTS –

Park Recreation Director Staci Young, requested approval of following activity contracts:

1. Culture Fest:
 - a. Ballett Folkorico Sol Azteca - \$750.00
 - b. DeHurricane - \$1,000.00
 - c. An Dro - \$1,000.00
 - d. Fort Wayne Dance Collective - \$646.64
2. Friday Evening Performing Arts Series:
 - a. Kevin Piekarski - \$695.00
3. Blues & BBQ:
 - a. Intrepid Artists/Janiva Magness - \$6,000.00
4. Stagehands:
 - a. Ron Geels (3 concerts) - \$460.00
 - b. Anthony Kirck (3 concerts) - \$460.00
 - c. Trent Tillman – (2 concerts) \$240.00

Motion made by Mr. Smith to approve the contracts, seconded by Mr. Grose, carried by unanimous vote. (Documentation attached to minutes).

2012 RECREATION GUIDE/PARK-

Park Recreation Director Staci Young requested permission to engage Apollo Printing

and Graphics Center for the printing of the 2012 Recreation Guide. Between 12,000 and 12,500 guides containing between 24 to 28 pages will be printed at a cost between \$4,522.00 and \$5,524.25 based on the quantity of books and numbers of pages printed and more specifically stated in the contract. Motion made by Mr. Grose to approve the contract, seconded by Mr. Smith, carried by unanimous vote. (Copy attached).

REQUEST TO WAIVE SEWER TAP FEE/PLAN-

City Planner Jeremy Skinner presented a request from Lillian Enterprise to waive the sewer tap fee of \$1,500.00 at 829 E. Smith St. The present septic system is failing and Lillian Enterprise would like to hook on to the City's sewage system. After discussion a motion was made by Mr. Smith to deny the request, seconded by Mr. Grose, carried by unanimous vote. (Copy of letter attached)

SANDS OFFICE EQUIPMENT/COPIER MAINTENANCE AGREEMENT/ FIRE TERRITORY-

Fire Territory Chief Mike Brubaker presented for approval a copier maintenance agreement with Sands Office Equipment for \$630.00 annually for the Canon IRA C2030 copier at Station #2. During the February 17, 2012 session discussion was held allowing Sands and Ikon to gather information from all departments and quote prices for an inclusive maintenance agreement. Motion made by Mr. Smith to table the matter until a later date, seconded by Mr. Grose, carried by unanimous vote.

PARSONS TRUST AGREEMENT FOR PURCHASE OF REAL ESTATE/CEMETERY –

Cemetery Sexton Hal Heagy presented a contract to purchase 3.451 acres of land, more or less, from the Hugh R. Parsons Living Revocable Trust for \$53,750.00 and more specifically stated in the contract. The real estate abuts Cemetery property and will allow for future expansion. Motion made by Mr. Smith, approving the contract, seconded by Mr. Grose, carried by unanimous vote. (Copy attached).

REQUEST TO REPLACE TRUCK/STREET-

Street Superintendent Lacy Francis Jr. requested permission to purchase a 1997 International with 140,000 miles, to replace a 1989 Ford L9000 with 108,764 miles. The purchase price is quoted at \$16,900.00 from Selking International of Fort Wayne, IN. He also received quotes for a 1996 International at \$19,900.00 from Fox Brothers of Sanborn, Minnesota, and a 1999 International at \$19,995.00 from Melton Motor Company, Inc. of Belleville, Kansas. The 2012 Street Department budget supports the purchase. Motion made by Mr. Smith to proceed with the purchase, seconded by Mr. Grose, carried by unanimous vote. (Copy attached). Mr. Grose advised the Board that he has received a complaint about the patching that has been going on in his district and around town. He advised the Board that an excess of gravel has landed in drive-ways and on sidewalks and asked Mr. Francis why it has happened. Mr. Francis advised the Board that the Total-Patch machine used for the project had not been operated properly and the problem has been solved. He also advised the Board that the excess gravel has been cleaned up and he will follow up with any citizens who still have concerns.

CHANGE ORDER #7/CONTRACT #17/WWTU-

WWTU Manager Brian Davison presented change order #7 on Contract #17 for the Biosolids Facility Improvements. The order is for liquated damages for 119 days at \$600.00 per day as stated in Article 3.2 of the Agreement Section of the Contract with Michiana Contracting, Inc. The change order gives a credit of \$71,400.00 to the City since the Substantial Completion Date of September 9, 2011 was not met, and the actual Final Completion Date was January 9, 2012. Motion was made by Mr. Smith to approve the Change Order, seconded by Mr. Grose, carried by unanimous vote. (Copy attached).

CHANGE ORDER #2/CITY HALL RENOVATION-

City Planner Jeremy Skinner presented Change Order #2 on the Harold McComb & Son, Inc. contract for the New City Hall renovations. The Change Order is for the addition of fire rated walls, cost of replacement windows and doors, floor work, other unforeseen items found during demolition, and several deductions from the contract as well and more specifically listed in the change order. The total increase of the contract will be \$9,200.00. Motion was made by Mr. Smith approving the Change Order, seconded by Mr. Grose, carried by unanimous vote. (Copy attached).

CHANGE ORDER #3/CITY HALL RENOVATION-

City Planner Jeremy Skinner presented Change Order #3 on the Harold McComb & Son, Inc. contract for the New City Hall renovations. The Change Order is for removal of floor tile in the

lobby, installing new underlayment and removing all existing wood subfloor and pouring new concrete. Total cost of this Change Order will add \$12,540.00 to the contract, and more specifically listed in the Change Order. Motion was made by Mr. Grose approving the Change Order, seconded by Mr. Smith, carried by unanimous vote. (Copy attached).

PAY APPLICATION #2/HAROLD McCOMB & SON, INC.-

Information from Harold McComb & Son, Inc. requesting a payment of \$60,967.80 for Pay Application #2 for the City Hall renovations was presented. City Planner Jeremy Skinner gave an update of the destruction/construction for the Board and a motion was made by Mayor Thallemer to approve the payment, seconded by Mr. Grose, carried by unanimous vote. (Copy attached).

NEW HIRES/REHIRES/CHANGES –

A list setting forth a Change in Payroll request for two (2) employees in the Street Department after their six-month review was presented. Motion made by Mr. Smith approving the changes, seconded by Mr. Grose, and carried by unanimous vote. (List attached to minutes).

TRAVEL REQUESTS –

A list setting forth four (4) travel requests: DARE Officers Joe Hawn and Doug Light for the 25th annual DARE Conference; Officer Jeffrey Ticknor for Crime Scene Investigation; and Mayor Thallemer for the IACT Mayors Institute, was presented for approval. Motion made by Mr. Smith to approve the travel requests, seconded by Mr. Grose, carried by unanimous vote. (List attached to minutes).

CLAIM DOCKETS–

The following claim dockets were presented for approval.

Regular Docket - \$220,666.15

EOM Docket - \$505,126.38

Pension Dockets - \$44,980.67

Motion made by Mayor Thallemer to approve the claim dockets for payment, seconded by Mr. Smith, motion carried by unanimous vote.

OTHER MATTERS-

1. Mayor Thallemer advised that the City is sponsoring a “Rain Barrel” for the Habitat for Humanity Fundraiser, which will need to be decorated. He asked for volunteers to decorate the barrel.
2. Waste Water Treatment Utility Manager Brian Davison gave an update on the progression of the current pipe-laying project that will lead to the eventual closing of WWTU Plant #1. He also advised that cross streets along Pike Street will be closed for several days starting Monday March 5, 2012.
3. Mayor Thallemer advised that a presentation on wastewater will be given on Wednesday March 7, 2012 in Bremen.
4. Mayor Thallemer advised that Park Recreation Director Staci Young is working with the “Greenway” (Bicycle/Pedestrian Trail) Committee and they are progressing with plans to enhance the trail.

ADJOURN-

There being no further business to come before the Board by a motion duly made and seconded, the meeting was adjourned.

ATTEST:

Lynne Christiansen, Clerk-Treasurer