

BOARD OF PUBLIC WORKS & SAFETY  
DECEMBER 18, 2009  
10:30 A.M.  
REGULAR SESSION

The Board of Public Works & Safety of the City of Warsaw met in Regular Session on Friday, December 18, 2009 at 10:30 A.M. in the Council Chambers at City Hall. Mayor Ernest B. Wiggins presided and the following persons were noted as present or absent:

**PRESENT:** Board members Charles Smith, Joseph Thallemer and Mayor Wiggins. Also present Clerk-Treasurer Elaine Call, City Attorney Michael Valentine, WWTP Utility Manager Brian Davison, Fire Chief Mike Rice, City Planner Jeremy Skinner, Park Superintendent Jon Garber, Police Chief Scott Whitaker, Police Officer Kip Shuter, Street Administrative Assistant Terri Stephens, H/R Director Jennifer Whitaker, Melissa Yoder from Housing Opportunities of Warsaw, Councilman Kyle Babcock, Stacey Page from News with Stacey Page, and Warsaw Times Union reporter Jennifer Peryam from the Times Union.

**ABSENT:** None.

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

**MINUTES –**

The minutes from the December 4, 2009 Regular Session were presented for approval. Board member Thallemer made a motion to accept the minutes as presented, seconded by Smith, motion carried by unanimous vote.

**NEW BUSINESS –**

**SHOP ADDITION/AMENDMENT TO JONES CUSTOM RENOVATION**

**AGREEMENT - #1/CEMETERY –**

Cemetery Sexton Hal Heagy presented for approval the First Amendment to the “Building Construction Agreement” with Jones Custom Renovation, LLC referred to as contractor. This amends the agreement setting forth a revised payment schedule, more specifically set forth within the agreement. Motion made by Smith to approve the agreement amendment, seconded by Mayor Wiggins, carried by unanimous vote. (Documentation attached to minutes).

**HOUSING AUTHORITY/REHAB COST REIMBURSEMENT –**

Melissa Yoder presented Request for Payment Authorization #1 for Warsaw Housing Authority to pay contractors from the City Revolving Loan Fund in the amount of \$19,374.00, more specifically set forth within the request. Admin. reimbursement will be presented at a later date. Motion made by Thallemer to approve the request for payment #1, seconded by Mayor Wiggins, carried by unanimous vote. (Documentation attached to minutes).

**ACE PEST CONTROL AGREEMENT/STREET –**

Street Administrative Assistant Terri Stephens presented for approval an agreement with Ace Pest Control, Inc. for spraying monthly for roaches. Motion made by Smith to approve the agreement, seconded by Thallemer, carried by unanimous vote. (Copy attached).

**HEARING OFFICER/L. CLIFFORD AGREEMENT –**

An agreement between the City of Warsaw and Lawrence Clifford was presented for approval. This agreement retains the services of Mr. Clifford as an independent Hearing Officer for the city’s Department of Code Enforcement. Motion made by Mayor Wiggins to approve the agreement, seconded by Smith, carried by unanimous vote.  
(Copy attached to minutes).

**ENCROACHMENT AGREEMENT/GRONINGER ENTERPRISES –**

City Planner Jeremy Skinner presented a request for approval of an “Encroachment Agreement” for Groninger Enterprises. The real estate location is 115 N. Columbia Street. There is an existing chain link fence that encroaches onto a public right-of-way, and they would like to replace it with a wrought iron fence. Motion made by Smith to approve the request, seconded by Thallemer, carried by unanimous vote.

**PARKER ST/ARGONNE RD PROJECT/CHANGE ORDER #5 & #6 –**

City Planner Jeremy Skinner submitted for approval Change Orders #5 & #6 to the construction contract with Phend & Brown by sub-contractor that was submitted by INDOT in an amount more specifically set forth within the change orders. Motion made by Smith to approve the change order, seconded by Thallemer, carried by unanimous vote. (Documentation attached to minutes).

**LCG/A & Z ENGINEERING FINAL PAYMENT –**

City Planner Jeremy Skinner requested approval to pay a bill from A & Z Engineering in the amount of \$12,875.00 for contracted services on the Market Street Study/Improvements Project, also in conjunction with the Lake City Greenway Project. This is the final payment. He reported that the study has been received and will be reviewed. Motion made by Mayor Wiggins to approve the request for payment, seconded by Thallemer, carried by unanimous vote. (Documentation attached to minutes).

**KEMRAD AGREEMENT –**

The Police Department presented a contract for 2010 with Kemrad for lump sum fee of \$5,400 for assisting the City with traffic control and working with the Police for other needs. Motion made by Smith to approve the contract, seconded by Thallemer, carried by unanimous vote. (Documentation attached to minutes).

**2010 AGREEMENT/ PRO AIR/FIRE & POLICE –**

Pro Air, Inc. agreement for the Fire Department and Police Department was presented for approval. This is servicing equipment for both departments. The combined agreement resulted in a savings to the City. Motion made by Mayor Wiggins to approve the agreement, seconded by Smith, carried by unanimous vote. (Copy attached).

**FIRE DEPARTMENT CONTRACT/CUMMINS CROSSPOINT, LLC –**

The Fire Department submitted for approval a contract with Cummins Crosspoint, LLC for maintenance of generators at each station at the yearly cost of \$1,656.32. Motion made by Smith to approve the contract, seconded by Thallemer, carried by unanimous vote. (Copy attached).

**N.E.W. INC/FIRE DEPARTMENT MAINTENANCE HEATING & COOLING –**

An agreement with N.E.W., Inc. for maintenance of heating and cooling units at the Warsaw Fire Department was presented for approval; cost not to exceed \$900, more specifically set forth within the agreement. Motion made by Mayor Wiggins to approve the agreement, seconded by Thallemer, carried by unanimous vote. (Copy of contract worksheet attached).

**IKON COPIER LEASE PURCHASE/MAINTENANCE AGREEMENT –**

Park Superintendent Jon Garber presented for approval a contract with IKON for lease purchase of a new Ricoh Copier and maintenance agreement. The lease payment is \$278 per month. He explained that IKON will bring the machine for a trial run with final decision to be made by December 31, 2009. Motion made by Smith to approve the contract contingent upon Jon determining that he is satisfied with the copier, seconded by Thallemer, carried by unanimous vote. (Copy of contract worksheet attached to minutes).

**LAKE CITY BANK AGREEMENT ON CHECKING ACCOUNT –**

Clerk-Treasurer Call presented an agreement with Lake City Bank for the option of choosing an account structure on the current checking account #5673. Two (2) options were presented, more specifically set forth within the agreement. Motion was made by Thallemer to choose Option #1, seconded by Mayor Wiggins, carried by a vote of two (2) Ayes, with Charles Smith abstaining. (Copy of agreement attached to minutes).

**FRED HEADY AGREEMENT –**

An agreement with Fred Heady was presented for approval. Mr. Heady was employed by the City as a police officer and was injured in the line of duty. Since his injury the City has provided supplemental income in conjunction with his disability pay from the state pension fund. This agreement terminates on the 55<sup>th</sup> birthday of Fred Heady which will occur on August 30, 2010. Motion made by Mayor Wiggins to approve the agreement, seconded by Smith, carried by unanimous vote. (Copy attached to minutes).

**NEW HIRES/REHIRES/CHANGES –**

Human Resource Director Jennifer Whitaker presented for approval lists of seven (7) payroll changes as follows:

- (1) Connie Dawson – Recording Secretary/EDC Board.
- (2) Warren Tatter - Board member-Cemetery Board.
- (3) John Sadler – Park Board.
- (4) Bruce Woodward – BZA Board.
- (5) Jay Rigdon – Aviation Board.
- (6) Timothy Dombrosky – 6 month increase-B/P.
- (7) Rob Barker – firefighter pay. (Resigned as Division Chief/Training Officer).

Motion made by Smith to approve the employee changes, seconded by Thallemer, carried by unanimous vote. (List attached to minutes).

**TRAVEL REQUESTS –**

A list setting forth six (6) travel requests: Christopher Anderson & Jonathan Rice – Police, and Larry Plummer, Bart Hanft, Chris Holsclaw, and Shaun Gardner - Park. Motion made by Thallemer to approve all travel requests, seconded by Smith, carried by unanimous vote. (Info. attached to minutes).

**SPECIAL CLAIMS –**

Clerk's office submitted a listing of special claims for the City and a listing of claims for the Fire Territory for approval of payment. The Fire Territory special claims total \$3,468.35. The rest of the City claims total \$2,089,088.92. Motion was made by Smith to approve the claims for payment, seconded by Mayor Wiggins, motion carried by unanimous vote. (List attached to minutes).

**CLAIM DOCKETS–**

The following claim dockets were presented for approval.

Regular Docket - \$975,421.60.

Motion made by Mayor Wiggins to approve all claims for payment, seconded by Thallemer, motion carried by unanimous vote.

**ADJOURN –**

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

**ATTEST:**

**Elaine Call, Clerk-Treasurer**