

REGULAR MEETING OF THE MISHAWAKA  
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD  
August 23, 2011

The regular meeting of the Board of Public Works and Safety/Utility Board was called to order by President Gary West at 10:04 a.m. All members were present except Mr. Watson. Mr. Prince moved to dispense with the reading of the minutes of August 16, 2011, and accept them as circulated. Mr. West seconded; motion carried.

Quote Opening:

Quotes were opened for the Rose Park Restroom Facility Exterior Restoration Project and are summarized below:

<b>CONTRACTOR</b>	<b>BASE BID</b>	<b>ALTERNATE #1 WATERPROOFING</b>	<b>ALTERNATE #2 LEAD PAINT</b>	<b>TUCK POINT UNIT COST</b>
Brown and Brown	\$44,400.00	\$1,370.00	\$5,540.00	\$7.00
Ziolkowski Construction, Inc.	\$47,995.00	\$4,600.00	\$4,000.00	\$1.75
The Robert Henry Corporation	\$64,000.00	\$1,415.00	\$1,604.00	\$9.00

Mr. West said the quotes will be taken under advisement for review, evaluation, and recommendation by the City's consultant.

Mayor's Comments:

Mayor Wood indicated that a staff meeting would follow today's Board meeting.

Department Head Reports:

Staff Attorney Cory Hamel said Cpl Willie Davis' attorney, Jason Cichowicz, has requested the disciplinary hearing scheduled for August 30 be rescheduled to Tuesday, November 15, 2011 at 12:30 p.m. Mr. Prince moved to reschedule the disciplinary hearing for Cpl Willie Davis to Tuesday, November 2011, at 12:30 p.m. Mr. West seconded; motion carried.

Police Chief Ken Witkowski requested the Board promote Patrol Officers Franklin "Bo" Ennis and Joshua Mortimore to the rank of Corporal as per the Collective Bargaining Agreement between the City of Mishawaka and the Mishawaka Fraternal Order of Police; Article XVII; Section 4 – Corporal positions, effective August 26, 2011. Mr. Prince moved to approve the promotion of Patrol Officers Ennis and Mortimore to the rank of Corporal effective August 26, 2011. Mr. West seconded; motion carried.

Chief Witkowski presented specifications and requested the Board's approval to advertise to receive bids for up to six (6) patrol vehicles for the Mishawaka Police Department to be opened Tuesday, September 13, 2011. Mr. West moved to approve the request to advertise for up to six (6) patrol vehicles to be opened September 13, 2011. Mr. Prince seconded; motion carried.

Fire Chief Dale Freeman said in order to fulfill the 2011-2012 Fire Department Contract Agreement he recommends that Firefighter Douglas Victor be promoted from 1<sup>st</sup> Class Firefighter to the rank of Master Firefighter effective August 19, 2011. Mr. Prince moved to promote Douglas Victor from 1<sup>st</sup> Class Firefighter to Master Firefighter effective August 19, 2011. Mr. West seconded; motion carried.

Assistant Park Superintendent Carmen Maes submitted a request to remove one tree and stump in the right of way at 225 S. Main Street. The tree has been analyzed and

recommended for removal by the Park Department Landscaper. Mr. West moved to approve as presented. Mr. Prince seconded; motion carried.

Ms. Maes submitted a request to trim a tree in the right of way at 210 S. Race Street. The tree has been analyzed and recommended for trimming by the Park Department Landscaper. Mr. West moved to approve as presented. Mr. Prince seconded; motion carried.

City Planner Ken Prince presented a Professional Services Agreement with Troyer Group for engineering services for survey and archeological survey for Merrifield Trail Extension for the not-to-exceed amount of \$196,803.00 and moved for its approval. Mr. West seconded; motion carried.

Engineering Director Gary West presented Professional Services Agreement Supplement No. 1 from Lawson-Fisher Associates for Northwest Trunk Sewer Rehabilitation for an increase of \$32,400.00 for a new not-to-exceed amount of \$131,486.00 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented Change Order No. 3 Final for Milburn Boulevard Sewer Improvements, Division "C", from John Boettcher Sewer and Excavating for an increase of \$167,383.76 for a final contract amount of \$2,553,652.97, and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West requested the Board award the contract for Edison-Grape Intersection Improvements to Niblock Excavating, Inc., Bristol, IN, the lowest most responsive and responsible bidder, in the amount of \$177,255.15 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented a Professional Services Agreement with Greeley and Hansen LLC for survey and design of Wilson Boulevard CSO Consolidation Project in the amount of \$198,979.00 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented a Professional Services Agreement with Lawson-Fisher Associates for plans and specifications for Fourth Street and Prospect Drive CIPP for the lump sum amount of \$8,500.00 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented Professional Services Agreement Supplement No. 1 from DLZ for Edison-Grape Intersection design for an increase of \$7,000.00 for a new not-to-exceed amount of \$60,690.00 and moved for its approval. Mr. Prince seconded; motion carried.

Approval of Claims:

There were no claims to approve.

Approval of SRF Payments:

There were no applications to approve.

Public Hearing:

Mr. West opened the public hearing for a Transient Merchant's License submitted by JD's Dogs to operate a hot dog cart at the Family Video, 1315 Milburn Boulevard. James Archer, 17345 Fergus Drive, South Bend, appeared to speak on behalf of the request. Mr. Archer said Family Video invited him to have his hot dog cart at their location.

Mr. West asked Mr. Archer if Family Video was going to provide him with the means to police his area for trash. Mr. Archer said yes.

Mr. West closed the public hearing.

Mr. Prince moved to approve the Transient Merchant's License for JD's Dogs to operate a hot dog cart at the Family Video, 1315 Milburn Boulevard through November 19, 2011. Mr. West seconded; motion carried.

New Business:

A request from Family & Children's Center for closure of Spring, Front, Mill, and Ironworks for a 5K run "Race to Zero" on Sunday, September 25, 2011, was taken under advisement.

Old Business:

Mr. West moved to approve the request from the Montessori Academy at Edison Lakes to use a portion of Day Road, Park Place, and Lake George Drive for their Annual Fall Frolic on October 1, 2011 from 9:00 a.m. to noon. Mr. Prince seconded; motion carried.

Mr. West moved to approve a request received from Heritage Square to hold the "3<sup>rd</sup> Annual Taste of Heritage Square" on September 8, 2011, from 5:00 p.m. 8:30 p.m. Mr. Prince seconded; motion carried.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 10:39 a.m.

Gary West – President of the Board of  
Public Works and Safety/Utility Board

Kari Myers, Clerk of the Board of  
Public Works and Safety/Utility Board