

REGULAR MEETING OF THE MISHAWAKA
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD
October 25, 2011

The regular meeting of the board of Public Works and Safety/Utility Board was called to order by President Gary West at 10:05 a.m. All members were present. Mr. Prince moved to dispense with the reading of the minutes of October 18, 2011, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid Openings:

There were no bid openings.

Mayor's Comments:

Mayor Wood was not available for today's meeting. Mr. West thanked all who participated in the groundbreaking ceremony for Fire Station #4. He also indicated a brief staff meeting would follow today's Board meeting.

Department Head Reports:

Staff Attorney Cory Hamel indicated the attorney for Cpl. Willie Davis has requested a continuance from the scheduled November 15, 2011 hearing date. Mr. Hamel said January 10 and January 17 were the dates provided as possible dates for rescheduling.

Tony Rose, attorney for Cpl. Davis, said the continuance was needed in order to pursue additional discovery. Mr. Hamel said he has no objections, but this is the second request for continuance. Mr. West suggested they establish a date and work toward that date and indicated the Board would take the request under advisement.

Police Chief Ken Witkowski requested the Board award the bid for vehicle accessories for up to six patrol cars to Waymire Auto Parts, the lowest most responsive, responsible quoter on all items, for a total award amount of \$14,955.91. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Interim Park Superintendent Tom Klaer submitted a request to trim two (2) trees in the right-of-way at 318 E. 12th Street. The trees have been analyzed and recommended for trimming by the Park Department Landscaper. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Mr. Klaer submitted a request to plant eight (8) fruit trees of varying types, apple, peach, apricot, plum, at 138 Edgar Street. The Board took the request under advisement.

Mr. Klaer also introduced new Park Superintendent Terry Zeller. Mr. West welcomed Mr. Zeller and thanked Mr. Klaer for his service these past few months.

Engineering Director Gary West requested the Board Mr. West indicated that the bids opened on September 27, 2011 for the reconstruction of CSO 16 have been reviewed by the City's consultant who recommended this project be awarded to Niblock Excavating, the lowest responsive, responsible bidder for the amount of \$385,824.00 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented Motorola Service Agreement for calendar year 2012 in the amount of \$54,718.92 per month, or \$651,239.24 annual amount and moved for its approval. Mr. Watson seconded; motion carried.

Approval of Claims:

There were no claims to approve.

Approval of SRF Pay Applications:

Mr. Prince moved to approve SRF - Disbursement Request #55 from Lawson-Fisher Associates for engineering services for Juday Creek Forcemain Rehabilitation in the amount of \$10,622.00. Mr. Watson seconded; motion carried.

Public Hearing:

A public hearing for a Transient Merchants License for Brown's Tree Farms was held for the purpose of selling Christmas trees at the K-Mart Plaza located at 420 W. McKinley Avenue from November 22 through December 22, 2011. No one from Brown's Tree Farms was present, and no one spoke against the license. Mr. West closed the Public Hearing. Mr. Watson moved that the Board approve the Transient Merchants License for Brown's Tree Farms for the sale of Christmas trees from November 22 through December 22, 2011 at 420 W. McKinley Avenue. Mr. Prince seconded; motion carried.

A public hearing for a Transient Merchants License for T. C. Tree Farms was held for the purpose of selling Christmas trees at 4917 Grape Road from November 24 through December 24, 2011. No one from T.C. Tree Farms was present, and no one spoke against the license. Mr. West closed the Public Hearing. Mr. Prince moved to approve the Transient Merchants License for T. C. Tree Farms for the sale of Christmas trees at 4917 Grape Road from November 24 through December 25, 2011. Mr. Watson seconded; motion carried.

New Business:

A request for disabled parking space has been received from the resident at 324 W. 13th Street. This request has been reviewed by the Mishawaka Police Department's Traffic Bureau. Upon their review, the Police Department recommends that this application be approved. Mr. West moved to approve the disabled parking request as presented. Mr. Watson seconded; motion carried

Old Business:

A request for an Exception to the Noise Control Ordinance was received from residents at 1308 Bridgeton Drive to hold a Halloween party on October 29, 2011 from 6:00 p.m. to 10:00 p.m. with live band. Police Chief Witkowski said complaints were received after their last party in July and he recommends the request be denied. Mr. Watson moved to deny the request for a party with live band on October 29, 2011. Mr. Prince seconded; motion carried.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 10:46 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