

REGULAR MEETING OF THE MISHAWAKA
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD
June 5, 2013

The regular meeting of the Board of Public Works and Safety/Utility Board was called to order by President Gary West at 10:02 a.m. All members were present. Mr. Prince moved to dispense with the reading of the minutes of May 28, 2013, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid Openings:

Bids were opened for one (1) medium Duty Ambulance for the Fire Department and are summarized below:

BIDDER

Donley & Assoc, Indianapolis, IN
MODEL: Horton Ambulance **\$249,106.00**
DELIVERY: 210-240 days
DISCOUNT: 10%

Crossroads Ambulance, Elkhart, IN
MODEL: 2014 Freightliner M2/PL Custom Titan 170 **\$274,925.00**
DELIVERY: 200 days
DISCOUNT: 2%

Mr. West said the bids would be forwarded to the Fire Department for their review and consideration.

Bids were opened for 2013 Sidewalk and Curb Improvements and are summarized below:

BIDDER	PROJECT ONE State Prevailing Wage	PROJECT TWO Davis Bacon
L. L. Geans Construction	\$96,939.50	\$117,759.00
Northern Construction Company	\$164,850.00	\$165,025.00
Northern Indiana Construction Company	\$97,662.50	\$115,812.50
Premium Concrete	\$131,341.25	\$156,040.00
Rieth-Riley Construction Company	\$187,750.00	\$244,575.00
Selge Construction Company	\$93,243.75	\$106,766.25
Walsh & Kelly Construction Company	\$97,525.00	\$107,975.00

Mr. West said the bids would be forwarded to the Street Department for their review and consideration.

Bids were opened for diesel fuel and gasoline for Central Services and are summarized below:

BIDDER	PROFIT MARGIN DIESEL FUEL/GAL	PROFIT/MARGIN GASOLINE/GAL
RKA Petroleum	\$+.0724 per gallon	\$+.0656 per gallon
Petroleum Traders Corp.	\$+.063 per gallon	\$+.0499 per gallon
North Central Co-Op	\$+.0572 per gallon	\$+.0512 per gallon

Mr. West said the bids would be forwarded to Central Services for their review and consideration.

Mayor's Comments:

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

Department Head Reports:

Police Chief Ken Witkowski said he was proud to announce Cpl. Jeff Price as recipient of "Officer of the First Quarter." He said on January 28, 2013, Cpl. Price pulled an elderly gentleman from his car who had driven into a pond on Park Place. Cpl. Price acted in a proficient and skilled manner and no doubt, saved the man's life due to his quick action. Chief Witkowski said Cpl. Price not only showed his professionalism and compassion during this incident, but does so consistently on a day-to-day basis.

Fire Chief Dale Freeman announced that Warner John McMillen, Jr. has successfully completed the written Firefighters Aptitude Examination, the Physical Agility Test administered by the Mishawaka Firefighter Pension Board as well as the medical and psychological testing required for becoming a member of the Mishawaka Fire Department. He also recommended that he be approved for probationary employment effective June 4, 2013. Mr. Watson moved that Warner John McMillen, Jr. be approved for probationary employment effective June 4, 2013. Mr. Prince seconded; motion carried.

City Controller Becky Miller requested approval of a Courier Service Agreement with Brinks, USA, and designate the Controller as signatory. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

City Planner Ken Prince presented a Professional Service Agreement with Danch, Harner & Associates for additional services on Main Street Corridor project for an increase of \$1,525.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. Prince presented a Professional Service Agreement with Specialty Systems of South Bend for asbestos abatement at 635 E. 12th Street in the amount of \$1,235.00, and moved for its approval. Mr. Watson seconded; motion carried.

Street Commissioner Mike Watson requested the Board award the contract for roof replacement at 700 S. Union Street (Central Services Building) to Midland Engineering the lowest responsible and responsive bidder, in the amount of \$634,500.00, which includes a discount for doing both flat and fluid applied roofing, and moved for its approval. Mr. Prince seconded; motion carried.

Mr. Watson requested the Board award the contract for HVAC Equipment for 700 S. Union Street to Thornton & Associates in the amount of \$16,123.00 each for four (4) units for a total award of \$64,492.00, and moved for its approval. Mr. Prince seconded; motion carried.

Engineering Director Gary West on behalf of Wastewater Division Manager Karl Kopec requested the Board approve plans and authorize the receipt of bids for Middleboro Lift Station Upgrade to be opened on June 25, 2013, and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented Professional Service Agreement Supplement No. 1 from Lawson-Fisher Associates for additional construction services on 2012 Various CIPP Sewer Rehab, for an

increase of \$31,900.00 for a new not-to-exceed amount of \$44,720.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented a Professional Service Agreement with Lawson-Fisher Associates for design and construction services for Fairmount Area Rehab for the not-to-exceed amount of \$70,350.00, and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West requested the Board approve plans and authorize the receipt of bids for West Street Storm Sewer, Phase II (LWW -6th St) to be opened June 25, 2013, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West requested the Board award the contract for Milburn Area CIPP Lateral Lining, Phase II, to BLD Pipelining, the second lowest most responsible and responsive bidder, in the amount of \$1,841,875.00, and moved for its approval. Mr. West indicated the low bidder, Performance Pipelining, withdrew their bid. Mr. Prince seconded; motion carried.

Mr. West requested the Board award the contract for Fairmount Area Rehabilitation Project Division "A", "B", and Alternate #1 to Rieth-Riley Construction, the lowest most responsible and responsive bidder, in the amount of \$651,896.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented a Professional Service Agreement with DLZ for construction engineering services for Church Street Phase I for the not-to-exceed amount of \$767,035.00, and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented an Escrow Agreement with Rieth-Riley and 1st Source Bank for Church Street Phase I, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented Professional Service Agreement Supplement No. 1 from Abonmarche Consultants for Bremen Highway Improvements, investigation and repair of weeping pavement, for an increase of \$62,000.00 for a new not-to-exceed amount of \$274,800.00, and moved for its approval. Mr. Prince seconded; motion carried.

Approval of Claims:

There were no claims to approve.

Approval of SRF Pay Applications:

There were no applications to approve.

Public Hearings:

Mr. West opened the public hearing for a Transient Merchants License submitted by TNT Fireworks/Harris Prairie Church of Christ to sell Indiana legal fireworks at 5020 Grape Road (Meijer) from June 25, 2013 to July 6, 2013, and TNT Fireworks/Apostolic Pentecostal to sell Indiana legal fireworks at 3610 Bremen Highway (Meijer) also from June 25, 2013 to July 6, 2013. Charles Friese, P. O. Box 177, Mendon, MI, was in attendance to speak on behalf of the application. He said they plan to sell fireworks from a tent in the Meijer parking lots as they have for the past two years. He said someone would be at the site at all times to secure the merchandise and the hours would be 9-9 daily.

Mr. West asked Chief Freeman if the Fire Department was aware of the request. Chief Freeman said the Fire Marshall has reviewed and approved the request. He said they will check it out once the operation is set up.

Mr. West closed the Public Hearing.

Mr. Prince moved to approve the Transient Merchants License for TNT Fireworks/Harris Prairie Church of Christ to sell fireworks at 5020 Grape Road and TNT Fireworks/Apostolic Pentecostal to sell fireworks at 3610 Bremen Highway from June 25 to July 6, 2013. Mr. Watson seconded; motion carried.

Mr. West said a request for a Transient Merchants License has been received from Sweet Corn Charlie Produce LLC to sell fruit and vegetables at the northeast corner of Hickory and Edison from June 1 thru September 30, 2013. A public hearing has been set for Tuesday, June 11, 2013, at 10:00 a.m.

New Business:

A request from Martin's Supermarket for "Roof Sit 2013" at Martin's Heritage Square from June 17, 2013 through June 21, 2013, with various activities to be held in tents in their parking lot. Mr. West moved to approve "Roof Sit 2013" at Martin's Heritage Square from June 17 to 21, and Waiver of Noise Ordinance for outside music subject to normal conditions of approval. Mr. Watson seconded; motion carried.

Mr. Prince moved to approve a request from Office Lounge, 1813 E. 12th Street, for outside band on June 22, June 29, July 13, July 27, July 29, August 2, August 3, August 24, and September 7, 2013, from 7:00 p.m. to 11:00 p.m. Mr. Watson seconded; motion carried.

Old Business:

A request for Race to Save Lives on Saturday, November 9, 2013, beginning and ending at St. Joseph Regional Medical Center continued under advisement.

A request from First United Methodist Church to block off their parking lot on Wednesday, July 31, 2013, for a community outreach picnic continued under advisement.

A request for Notice of Recognition of Encroachment submitted by Bethel College for installation of a directional sign on Lowell Avenue continued under advisement.

Administrative approval of Second Hand Store License Renewal received from Julie's Used Appliances, 2302 Lincolnway West, continued under advisement due to previous building and zoning deficiencies identified on the property.

A request submitted by ASAP Towing Services for Towing Services Contract continued under advisement.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 11:04 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