

REGULAR MEETING OF THE MISHAWAKA  
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD  
June 25, 2013

The regular meeting of the Board of Public Works and Safety/Utility Board was called to order by President Gary West at 10:00 a.m. All members were present. Mr. West noted that Clerk Myers was on vacation and that Mr. Prince would be taking minutes for today. Mr. Prince moved to dispense with the reading of the minutes of June 18, 2013, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid/Quote Opening:

Mr. West noted that the West Street Bid opening scheduled for today has been delayed until July 2, 2013 by addendum.

Bids were opened for the Middleboro Lift Station Upgrade for the Mishawaka Utility Wastewater Division and are summarized below:

<b>CONTRACTOR</b>	<b>QUOTE AMOUNT</b>
HRP Construction, South Bend	\$865,000.00
Grand River Construction Inc., Hudsonville, MI	\$842,800.00
Robert E. Crosby, Inc., Fort Wayne IN	\$597,700.00

Mr. West said these bids will be forwarded to the City's consultant for their review and evaluation.

Mayor's Comments:

Mayor Wood was not available. Mr. West indicated that a staff meeting would not follow today's Board meeting.

Department Head Reports:

Chief of Police Ken Witkowski presented the Department's submission of the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG). The application is in the amount of \$16,410.00 and is intended to be used for the purchase of various technological equipment. Chief Witkowski indicated that as part of the application, they are required to advise the Board of the grant application. Mr. Prince moved to acknowledge the submission of the grant application as requested. Mr. Watson seconded; motion carried.

Fire Chief Dale Freeman recommended that Firefighter Dan Rulli be promoted from his current rank of first class firefighter to that of driver/operator to fill an opening in that rank. The promotion would be effective as of June 25, 2013. Mr. Watson moved to approve the promotion as requested. Mr. Prince seconded; motion carried.

Park Superintendent Terry Zeller presented a recommendation by the City's engineering consultant Lawson-Fisher Associates regarding the quotes received for the Eberhart-Petro Drainage Improvements (Project PRK-13-001). Mr. Zeller recommended that in accordance with the consultant's recommendation, the project should be awarded to Selge Construction Company in the amount of \$71,452.20 as the lowest, most responsive, and responsible quoter. Mr. Watson moved to approve the award as requested. Mr. Prince seconded; motion carried.

City Planner Ken Prince requested the Board approve an professional services agreement with Lehman and Lehman landscape Architecture and Planning for the renovation of Central

Park. The project includes sub-consulting agreements between Lehman and Lehman and DLZ for architectural components, and Lawson-Fisher Associates for the Civil Engineering components. The agreement includes design development, utility coordination, permitting, bidding, and construction administration for the not-to-exceed amount of \$337,450.00. Mr. Prince moved approval of the agreement. Mr. Watson seconded; motion carried.

Mr. Prince requested the Board approve an professional services agreement with Earth Exploration for subsurface soils investigation for Central Park. Ten borings would be obtained for a not to exceed cost of \$6,747.50. Mr. Prince moved approval of the agreement. Mr. Watson seconded; motion carried

Engineering Director Gary West presented an Escrow Agreement with 1<sup>st</sup> Source Bank and Reith-Riley Construction for the Fairmont Area Sewer Rehabilitation project and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented change order #3 for the Union Street Traffic Signal Modernization Project, INDOT Contract T-33244, for the addition of pedestrian detours for an increase of \$5,190.34 for a revised total contract of \$1,700,602.58 and moved for its approval. Mr. Prince seconded; motion carried.

Claims:

Controller Becky Miller presented a claims docket dated June 25, 2013. Eleven dockets were included totaling \$8,777,828.02. Mr. Watson moved approval of the claims as presented. Mr. Prince seconded; motion carried.

New Business:

A request was received from Tom Chelminiak on behalf of the Brookside sub-division to close off Hummel Street between Stickler and Brook Avenue between 12 noon and 10:00 p.m. on July 20<sup>th</sup>, 2013. Mr. Watson moved approval of the request subject to the Board's normal conditions. Mr. Prince seconded; motion carried.

Mr. West presented a request for a disabled parking space for 220 East Catalpa Drive. Based on the review and recommendation of Captain Spencer of the Mishawaka Police Department, Mr. West moved approval of the request. Mr. Watson seconded; motion carried.

Mr. West presented a request for a disabled parking space for 210 East 13<sup>th</sup> Street. Based on the review and recommendation of Captain Spencer of the Mishawaka Police Department, Mr. West moved approval of the request. Mr. Watson seconded; motion carried.

Mr. West presented a request for a disabled parking space for 321 west 13<sup>th</sup> Street. Based on the review and recommendation of Captain Spencer of the Mishawaka Police Department, Mr. West moved denial of the request. Mr. Prince seconded; motion carried.

Mr. West noted that a request for a disabled parking space at 327 North State Street had been withdrawn. Mr. West moved to accept the withdrawal. Mr. Watson seconded; motion carried.

A request was received from Oliva's Bar and Restaurant located at 327 South Union Street to close the portion of Union Street in front of the restaurant for a corn and sausage roast with live entertainment on August 17th, 2013 from 3:00 p.m. to 11:00 p.m. It was noted that liquor would be served and that the tent proposed would be fenced to limit access to

those 21 years of age and over. Mr. Watson moved approval of the request, subject to the Board's normal conditions, and that the applicant review and receive the approval of the Mishawaka Fire Department relative to the proposed tent location. Mr. West seconded; motion carried.

Old Business:

A request from Montessori Academy at Edison Lakes to hold "Fall Frolic 2013" run/walk using Day Road and Windingbrook Streets on Saturday, October 12, 2013, from 9:00 a.m. to noon was discussed. It was noted that the event had occurred for multiple years without incident. Mr. Watson moved approval of the request. Mr. Prince seconded; motion carried.

A request to close Ann Street from Broadway to south alley for a neighborhood block party on Saturday, July 13, 2013 from 3:00 p.m. to 11:00 p.m., remained under advisement.

A request from NightStalkers Production to conduct a "Zombie Walk" at Kamm Island and through downtown and Beutter Park on August 10, 2013 from 3:00 p.m. to 10:00 p.m. was considered. Park Superintendent Terry Zeller indicated that he has had discussions with the group and informed them that the Parks did not have the availability or staffing for this event this year and indicated that he would discuss the merits of a possible event with the group for next year. With this information, Mr. West moved denial of the request. Mr. Watson seconded; motion carried.

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 10:50 a.m.

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

Ken Prince – Member, acting Clerk of the Board of  
Public Works and Safety/Utility Board