

REGULAR MEETING OF THE MISHAWAKA
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD
February 2, 2016

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. Prince moved to dispense with the reading of the minutes of January 26, 2016, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid Openings:

One (1) bid was received for up to eight (8) 2016 all-wheel drive patrol vehicles for the Police Department and is summarized below:

BIDDER

Jordan Motors, Inc., Mishawaka, IN		
MODEL: 2016 AWD Police Interceptor	BASE	\$25,274.00 ea.
TOTAL (BASE X 8)		\$202,112.00
TRADE IN (1) – 2007 Chevrolet Impala	-	1,300.00
TRADE IN (2) – 2007 Chevrolet Impala	-	1,300.00
TRADE IN (3) – 2007 Chevrolet Impala	-	1,300.00
TRADE IN (4) – 2007 Chevrolet Impala	-	1,300.00
TRADE IN (5) – 2007 Chevrolet Impala	-	500.00
TRADE IN (6) – 2007 Ford Taurus	-	1,800.00
TRADE IN (7) – 2010 Ford Crown Vic	-	1,900.00
TRADE IN (8) – 2010 Ford Crown Vic	-	1,900.00
TRADE IN (9) – 2010 Ford Crown Vic	-	1,900.00
BASE BID MINUS TRADE INS		\$188,912.00
Delivery: 70-85 days		
Discount: 30%		

Mr. West said this bid would be forwarded to the Police Department for their review and recommendation.

Bids were received for two (2) 2016 SUV-AWD Police patrol vehicles and are summarized below:

BIDDER

Jordan Motors, Inc., Mishawaka, IN		
MODEL: 2016 Ford Utility SUV	BASE	\$27,439.00
TOTAL (BASE X 2)		\$54,878.00
Delivery: 84-98 days		
Discount: 30%		

Gates Automotive Group, Mishawaka, IN		
MODEL: 2016 Chevrolet Tahoe PPV	BASE	\$36,981.00
TOTAL (BASE X 2)		\$73,962.00
Delivery: Approx 90 days (cannot guarantee delivery date)		
Discount: 25%		

Mr. West said these bids would be forwarded to the Police Department for their review and recommendation.

Mayor's Comments:

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

Department Head Reports:

Police Chief Ken Witkowski announced that Daniel J. Braniff has successfully completed all department testing and investigation, doctor's physical examination and approval by the Police Pension Board, and recommended he be sworn in as a Probationary Patrol Officer, effective February 2, 2016. Chief Witkowski also said Mr. Braniff comes to us as a transfer from the Elkhart Police Department. Mr. Prince moved for the approval of Recruit Braniff to be sworn in as Probationary Patrol Officer effective February 2, 2016. Mr. Watson seconded; motion carried.

Mayor Wood swore in Daniel Braniff as a Probationary Patrol Officer.

Chief Witkowski said he was proud to announce all members of the Street Crimes Unit, Lt. Brian Costa, Sgt. Eric Beckham, and Pfc. Ryan Corbett, as recipients for "Officers of the Fourth Quarter."

Chief Witkowski said the Street Crime Unit's main goal is to investigate, interrupt and arrest the City's largest and most frequent criminals. The three officers have over 49 years in combined service to the Department and have been instrumental in locating and investigating patterned and frequent criminal activity and ultimately apprehending the criminals.

Parks Department Superintendent Terry Zeller requested the Board authorize the receipt of bids for chemicals and fertilizers for Eberhart Golf Course to be opened February 23, 2016. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

City Controller Rebecca Miller presented a Professional Services Agreement with Umbaugh to provide financial advisory services for the 2015 CAFR, at an hourly rate, fees not-to-exceed \$29,000.00 and designate the Controller as signatory. Mr. Prince moved to approve as presented. Mr. Watson seconded; motion carried.

Ms. Miller presented a Professional Services Agreement with Umbaugh to provide financial advisory services for Utility portion of the 2015 CAFR, at an hourly rate, fees not-to-exceed \$14,200.00, and designate the Controller as signatory. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Board Resolution 2016-02 Authorizing the Initiation of a Process Pursuant to I.C. 36-1-11-4 to Sell Certain Real Property owned by the City and located at a Little over 800 Feet Northwest of the Intersection of Gumwood Road and Cleveland Road (S.R. 23) (Part of the Gumwood Wellfield), was taken under advisement.

Approval of Claims:

City Controller Rebecca Miller requested approval of nineteen (19) claim dockets in the amount of \$6,847,980.32. Mr. Prince moved for approval. Mr. Watson seconded; motion carried.

New Business:

Mr. West presented a request from Barak River Rock to close Grove Street between Main and Elizabeth Streets to stage a crane to set roof trusses on February 3, 2016 from 9:00 a.m. to 2:00 p.m., and moved for its approval. Mr. Watson seconded; motion carried.

A request from Mishawaka Flea Market, 423 E. 4th Street, to hold an outside flea market in the parking lot every weekend, weather permitting, was taken under advisement.

The meeting was recessed at 10:30 a.m. until such time as the public hearing on Board Resolution 2016-02 is held in Council Chambers at 11:00 a.m.

The Board of Public Works and Safety/Utility Board reconvened at 11:00 a.m. in the Council Chambers and President Gary West called the Public Hearing to order.

City Planner Ken Prince presented Board Resolution 2016-02 Authorizing the Initiation of a Process Pursuant to I.C. 36-1-11-4 to Sell Certain Real Property owned by the City and located at a Little over 800 Feet Northwest of the Intersection of Gumwood Road and Cleveland Road (S.R. 23) (Part of the Gumwood Wellfield).

Mr. Prince said as background, the Gumwood Wellfield was established decades ago in then unincorporated St. Joseph County and has served the City well until 2008 when higher levels of manganese in the ground water was found. After reviewing potential treatment options for the manganese, the extreme costs of treatment based on infrastructure needs and availability of land, provided direction that the long-term solution would be to replace the wellfield as the City grew and the functional obsolescence of the Gumwood wellfield warranted the replacement.

Since that time, the Water Division has installed a water pumping station off of Fir Road north of Day as part of the distribution system that relies primarily on the Division Street and Eberhart Petro wellfields for the City's water source.

Mr. Prince said right now, the City continues to investigate options on a wellfield replacement. Long term, we think it will take approximately ten years to acquire property, build the necessary infrastructure, and close the Gumwood Wellfield in its entirety.

In 2015, the City was approached by the Developer of the Grandview Planned Unit Development, the property that surrounds the wellfield to the south and east, and inquired if all the wellfield property was essential and if Mishawaka Utilities had an interest in selling particularly the southern area of the property. This prompted the City to investigate the request, specifically if there was available space and if the sale of that space would have any adverse impacts on the wellfield, and most importantly, if there was a potential benefit to the City to sell at this time.

Dave Majewski reviewed the wellfield relative to the requirements of the Indiana Department of Environmental Management and it was noted that the south 320 feet of the property was devoid of any well infrastructure and that was the maximum that could potentially be sold based on a minimum 100' setback requirement. This meant that 5.75 acres of the over 23 acre wellfield could be disposed of if desired.

Mr. Prince said once it was determined that there was potential property available, the City Legal Department was asked to review and identify the potential disposal process.

First, to determine value, two independent certified appraisers had to appraise the property. In this case, we had the appraisers provide a value per square foot based on the underlying Planned Unit Development zoning of the Wellfield when it was brought into the City in 2015. Knowing the Grandview PUD was adjacent to the wellfield and the only planned access to the site would occur through the Grandview PUD, two ranges of uses were established for the wellfield.

The north half of the property was reflective of the north half of Grandview (residential and senior/assisted living); the south half, mixed use new urban commercial (very similar to Heritage Square). The north half appraised value- \$4.10 sq ft; the south half- \$4.875 sq ft

Since the excess property is located on the south side, the higher value was used. This placed the current assessed value of the property at \$1,221,041.25, thus prompting the question, is the property worth selling now at this value, or should it be held . As indicated by Mayor Wood, the value is high given the position of the property, and that there could be merit, knowing that the Grandview PUD has essentially inflated land values of commercial property in the area.

Mr. Prince briefly outlined the public disposal process:

- Mayor appoints BPWS to hold Public Meeting for recommendation on disposal
- Notice of Public Meeting is published (IC 5-3-1)
- BPWS holds Public Meeting and adopts resolution recommending for or against
- Common Council receives Mayor's recommendation through the BPWS and adopts a resolution approving or rejecting the sale
- If the Common Council approves the resolution, the City will be required to retain an auctioneer
- Notice of Auction is published (IC 5-3-1)
- Prepare a purchase agreement
- Hold Auction, start bidding at minimum offering price- if a successful bid is received- collect earnest money, sign Purchase Agreement
- Close the transaction

Mr. Watson asked Mr. Prince what is the timetable. Mr. Prince said there is no specific timetable, but the developer has interest in moving forward. He did say the developer was shocked at the appraisals, but it's up to them if they want to bid on it.

Mr. West asked if there has been any discussion if we support the sale and Council also gives their support and no one shows up to bid. Is it set aside or do we go thru the process again. Mr. Prince said the Redevelopment Commission can sell the property as they have a different set of rules, or the property could be set aside.

Mr. West closed the Public Hearing.

Mr. West moved to approve Board Resolution 2016-02. Mr. Watson seconded; motion carried. Mr. Prince abstained from voting.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 11:15 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