

REGULAR MEETING OF THE MISHAWAKA  
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD  
June 22, 2010

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 June 15, 2010, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid Openings:

Bids were opened for Lincolnway (SR 933) Water Relocation, City Project No. MUW-10-001, and are summarized below:

<u>COMPANY</u>	<u>BASE BID</u>
John Boettcher Sewer & Excavating	\$285,908.40
Selge Construction	\$277,517.00
Haskins Underground Inc.	\$347,656.25
H&G Underground Utilities, LLC	\$257,057.57
Niblock Excavating, Inc.	\$223,357.70
HRP Construction Inc.	\$446,000.00
Atlas Excavating	\$270,788.00

Mr. West indicated the bids will be taken under advisement for review, evaluation, and recommendation by the Water Department.

Mayor's Comments:

The Mayor indicated a brief staff meeting would follow today's meeting. He also reminded everyone of this weekend's Summerfest Activities. Events start at 8:00pm on Friday at Kamm Island with a production of the Wedding Singer. On Saturday, there is a free concert with the tribute band, Face to Face followed by fireworks. The Mayor also expressed his appreciation to all City employees who contributed on the clean-up from Friday's storms.

Department Head Reports:

Fire Chief Dale Freeman recommended the promotion of Firefighter Shaun Clucker to the rank of First Class Firefighter effective June 16, 2010. Mr. Watson moved to approve. Mr. Prince seconded; motion carried.

Park Superintendent Mike Faulkner presented a request of the 2010 Summerfest Committee to temporarily close Front Street from Main Street to Hill Street, Mill Street from First Street to Front Street, and Ironworks Drive from Spring Street to Mill Street on Saturday June 26<sup>th</sup>, 2010. The streets are proposed to be closed from just before the 8:00 am 5K Riverwalk Run start time and will remain closed for approximately one hour during the duration of the event. Mr. Prince moved to approve the request. Mr. Watson seconded; motion carried.

Park Superintendent Mike Faulkner presented a request from 2420 East Third Street to remove a red maple tree from the tree lawn in front of the home. Mr. Watson moved to approve. Mr. Prince seconded; motion carried.

Park Superintendent Mike Faulkner presented a request from 527 Calhoun Street East Third Street to plant an Oak Tree in the tree lawn in front of the home. Mr. Watson moved to approve. Mr. Prince seconded; motion carried.

City Planner Ken Prince presented a Guaranteed Energy Savings Performance Contract for the Utility Board's consideration. The contract is with Energy Systems Group LLC with offices located in Indianapolis, Indiana in an amount of \$1,585,252.00. The contract is a series of energy efficiency improvements to 19 buildings both for the civil city and Mishawaka Utilities. Two weeks earlier, the Utility Board and Mishawaka Common Council adopted resolutions authorizing the Utility Board to enter into the contract. Once the improvements are implemented, they are estimated to save the City and Mishawaka Utilities \$1,675,871.00 over the next thirteen years. Mr. Prince moved for its approval. Mr. Watson seconded; motion carried.

Engineering Director Gary West indicated that the bids opened for the Main Street Phase III project, have been reviewed by the City's consultant who recommended this project be awarded to Reith-Riley Construction, the lowest responsive, responsible bidder for \$2,354,712.78 and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented supplement #1 to the professional services agreement the City has with Lawson-Fisher Associates for services related to the Holy Cross Parkway Lift Station project. The supplement includes numerous design tasks and will increase the contract \$213,996.27 to bring a new not to exceed amount of the agreement to \$560,006.27. Mr. West moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented Change Order #2 from John Boettcher Sewer and Excavating for the Milburn Boulevard Area Sewer Improvements Division "C" adding \$147,194.99 to the contract bringing a new not to exceed amount for the contract to \$2,386,269.21. Mr. West moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented Change Order #1 from Selge Construction, for Milburn Boulevard Area Sewer Improvements, Divisions "F" for an increase of \$150,725.59 for a new contract amount of \$2,912,265.56 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West indicated that following the Engineering Departments review of bids on the 2010 Curb and Sidewalk Program, he recommended this project be awarded to Selge Construction, the lowest responsive, responsible bidder based on the estimated quantities and moved for its approval. Mr. Watson seconded; motion carried.

Approval of Claims:

There were no claims to approve.

Approval of SRF Pay Applications:

There were no applications to approve.

New Business:

A request from Edward and Jennifer Montgomery to block the 500 block of west Ninth Street (between Wells and West Street) for a "Third Annual Block Party" on Saturday, July 3, 2010 between the hours of 12:00 noon and 10:00 pm. The Board noted that in the invitation to neighbors, a sentence included "bring your own fireworks". The Board noted that the City does not support or condone the use of fireworks for events within the public right-of-way. Chief Freeman also noted that if the residents choose to set off fireworks, they must be "Indiana Legal" fireworks. Noting that the above referenced concern on fireworks be included in the letter of approval, Mr. Watson moved to approve. Mr. Prince seconded; motion carried.

A request from Cross Bars Ministries to block the Dead end portion of 12<sup>th</sup> Street between Dodge Avenue and Union Street on Saturday August 7<sup>th</sup> from 11:00am to 6:00pm for a community fun and health fair. The event requires a waiver of the noise ordinance to allow outside music to be played between 2:00pm and 6:00pm. Mr. Prince moved to approve. Mr. Watson seconded; motion carried.

Old Business:

A request to close various downtown streets around Beutter Park on Saturday, June 26, 2010, from 6:00 a.m. to 11:30 p.m. for SummerFest was approved as requested by Park Superintendent Faulkner as noted above.

A request from Mr. Paul Gurson of Yakety-Yak Café to block Center Street between Fourth Street and the alley to the south for a "Summer Street Party" at 701 W. Fourth Street on Saturday, July 24, 2010 between the hours of 2:00 pm and 10:00 pm. The request also included a waiver of the noise ordinance to allow for outside music. Chief Witkowski indicated that he had spoken to the owner about neighborhood concerns and felt that he could recommend in favor of the request at this time. Mr. Watson moved to approve. Mr. Prince seconded; motion carried.

A request from residents to close Anchor Court from Anchor Drive to Sail Drive on July 3, 2010 from 6:00 p.m. to 12:00 p.m. for a block party. Chief Witkowski indicated that the Police Department had reviewed the request at this time. Noting that although fireworks were not mentioned in the request, similar language to the Ninth Street Block Party approved earlier should be included in the letter of approval, Mr. Watson moved to approve. Mr. Prince seconded; motion carried.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 10:45 a.m.

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

Ken Prince Member, on behalf of Kari Myers Clerk of the Board of  
Public Works and Safety/Utility Board