

REGULAR MEETING OF THE MISHAWAKA
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD
December 13, 2011

The regular meeting of the Board of Public Works and Safety/Utility Board was called to order by President Gary West at 10:03 a.m. All members were present. Mr. Prince moved to dispense with the reading of the minutes of December 6, 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 Board meeting.

Department Head Reports:

Fire Chief Dale Freeman announced that Kevin Maes had 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 December 13, 2011. Mr. Watson moved that Kevin Maes be approved for probationary employment effective December 13, 2011. Mr. Prince seconded; motion carried.

Deputy Mayor Gary West swore in Kevin Maes as Probationary Firefighter for the Mishawaka Fire Department effective December 13, 2011.

Chief Freeman requested the Board approve Resolution 2011-09 approving Standard Operating Guidelines for Mishawaka Fire Department. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Police Chief Ken Witkowski announced that the recipients of "Officers of the Third Quarter" are Detective Lt. Doug Grow, Sgt. Cindy Reed, and Cpl. Brian Costa. Chief Witkowski said on July 25, 2011, while conducting surveillance in an apartment complex parking lot, Sgt. Cindy Reed observed a vehicle with a male driver enter the lot and the driver was acting suspiciously. Sgt. Reed ran the plate number and it came back as "False and Fictitious." Sgt. Reed initiated a traffic stop and the driver refused to stop which prompted Sgt. Reed to contact dispatch. At one point, the vehicle stopped long enough so a female and small child could exit the vehicle and then proceeded to flee again. Cpl. Costa soon joined in the pursuit. The driver was blocked from going in any direction and Cpl. Costa proceeded to chase after the suspect after he fled from his vehicle.

While attempting to flee, he suspect pulled out a semi-automatic handgun and pointed it at Cpl. Costa; which while running past a group of children playing outside. Detective Lt. Grow joined in the chase and he forced the suspect to the ground where he was taken into custody with the assistance of Cpl. Costa. While searching the suspect, 53 grams of marijuana were discovered and it was also found that the suspect had two prior charges for Possession of a Weapon without a License and Possession of a Weapon within 1,000 ft of a school.

Chief Witkowski said these officers were put in a dangerous and precarious situation with the subject brandishing a weapon, however, because of their professional way of handling the situation; it ended on a positive note. Their actions on this particular day bring great credit upon themselves and reflect highly upon the Mishawaka Police Department.

Mishawaka Utilities General Manager Jim Schrader presented Utility Board Resolution 2011-02 for approving the budget for the financial needs of the Mishawaka Utilities for the calendar year 2012 and requested the Board's approval. Based on Mr. Schrader's recommendation, Mr. Watson moved for the approval of Utility Board Resolution 2011-02. Mr. Prince seconded; motion carried.

Mr. Schrader presented Utility Board Resolution 2011-03 for approving and confirming the schedule of compensation for certain employees of the Mishawaka Utilities for 2012. Mr. Watson moved to approve Utility Board Resolution 2011-03 based on Mr. Schrader's recommendation. Mr. Prince seconded; motion carried.

Mr. Schrader also presented Utility Board Resolution 2011-04 for approving and confirming the schedule of compensation for certain employees of the Mishawaka Utilities and the Sewer Maintenance Department for 2012 and requested the Board's approval. Based on Mr. Schrader's recommendation, Mr. Watson moved for the approval of Utility Board Resolution 2011-04. Mr. Prince seconded; motion carried.

Staff Attorney Cory Hamel said a settlement had been reached in the disciplinary matter with Mishawaka Police Officer Cpl. Willie Davis and the hearing scheduled today has been cancelled.

City Planner Ken Prince presented Professional Service Agreement Supplement No. 1 with Lawson-Fisher Associates for surveying services for Central Park Development for an additional \$9,450.00 for a new not-to-exceed amount of \$21,950.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. Prince requested the Board award the contract for the demolition and removal of 611 E. Broadway Street to Grade-Rite Excavating, the lowest most responsive, responsible quoter, in the amount of \$11,450.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. Prince presented Professional Service Agreement Supplement No. 1 with DLZ for value engineering services for Mishawaka River Center Apartments for an increase of \$5,190.00 for a new not-to-exceed amount of \$15,190.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. Prince presented the Board with two (2) Quit Claim Deeds with Bayer Corporation. He said they will resolve an error in the property survey. Mr. Prince said the first deeds a strip of property from Bayer to the City and the second deeds a strip of property from the City to Bayer, and moved for their approval. Mr. Watson seconded; motion carried.

Engineering Director Gary West presented the Board with a three-year agreement with Motorola for software support services for \$132,752.00 in year one, \$139,392.00 in year two, and \$146,361.00 in year three, for a three year total of \$418,505.00, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented a "Concurrence for Temporary Use of City or County Streets or Roads for the Detouring of Traffic from a State Highway" for the Lincolnway East, Race to Union, Sewer repairs and moved for its approval. Mr. Prince seconded; motion carried.

Approval of Claims:

Mr. Prince moved to approve thirteen (13) Claim Dockets for Utilities and Civil City as submitted by City Controller Yvonne Milligan for a total amount of \$7,234,533.47. Mr. Watson seconded; motion carried.

Approval of SRF Payments:

There were no applications to approve.

New Business:

There was no new business.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 10:35 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