

REGULAR MEETING OF THE MISHAWAKA  
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD  
June 12, 2012

The regular meeting of the Board of Public Works and Safety/Utility Board was called to order by President Gary West at 10:01 a.m. All members were present. Mr. Prince moved to dispense with the reading of the minutes of June 5, 2012, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid Opening:

Bids were opened for Milburn Area Sewer Improvements Project – Division “G” and are summarized below:

| <b>BIDDER</b>                      | <b>BID AMOUNT</b> |
|------------------------------------|-------------------|
| HRP Construction Inc.              | \$2,866,300.00    |
| John Boettcher Sewer & Excavating  | \$3,369,508.57    |
| Rieth-Riley Construction Co., Inc. | \$3,123,889.00    |
| Selge Construction Const. Co. Inc. | \$3,397,247.00    |
| Phend & Brown, Inc.                | \$3,082,815.40    |
| Walsh & Kelley, Inc.               | \$2,890,000.00    |

Mr. West said these bids would be taken under advisement for review and consideration by the Engineering Department. Engineer’s estimate for project: \$3,500,000.00.

Mayor’s Comments:

Mayor Wood indicated a staff meeting would follow today’s Board meeting.

Department Head Reports:

Fire Chief Dale Freeman requested the Board’s approval to promote Seth Goodson and Kevin Gnivecki to the rank of Driver/Operator, on a contingent basis, to fill vacancies in that rank effective June 12, 2012. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Chief Freeman requested the Board’s approval to promote Ian Jarrett from his current rank of Lieutenant to the rank of Captain, on a contingent basis, to fill a vacancy in that rank effective June 12, 2012. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Chief Freeman requested the Board’s approval to promote Jeffrey Hums from his current rank of Lieutenant to the rank of Captain, on a contingent basis, to fill a vacancy in that rank effective June 12, 2012. Mr. Prince moved to approve as presented. Mr. Watson seconded; motion carried.

Mishawaka Utilities Water Division Manager Bruno Trimboli requested the Board approve a Watermain Extension Agreement with Diversified Real Estate LLC for Twelfth Street PUD located at the southeast corner of Twelfth and Downey in the amount of \$38,113.80. Mr. Prince moved to approve as presented. Mr. Watson seconded; motion carried.

City Planner Ken Prince presented Supplementary Agreement No. 2 from Kil Architecture for Mishawaka River Center Apartments for an increase of \$43,372.25 for a new contract amount of \$367,022.25, and moved for its approval. Mr. Watson seconded; motion carried.

Engineering Director Gary West requested the Board approve Change Order No. 4 from Rieth-Riley for Contract T-33433 Dragoon Trail and Logan Improvements for an increase of \$13,749.52 for a modified contract amount of \$504,386.52 and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented a Professional Service Agreement with RW Armstrong for design services – White Topping Bremen Highway, Dragoon Trail to 500 feet south of Dragoon (City limits) for a lump sum amount of \$17,600.00 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West presented a Professional Service Agreement with RW Armstrong for design services – White Topping Main Street from Indian Ridge to University Drive for a lump sum amount of \$55,500.00 and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West presented a Professional Service Agreement with Abonmarche for design services of Bremen Highway drainage and roadway improvements for a lump sum amount of \$212,800.00 and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West requested the Board approve plans and advertise for bids for Milburn Area CIPP Lateral Lining, Phase I, to be opened July 3, 2012, and moved for its approval. Mr. Watson seconded; motion carried.

Mr. West requested the Board approve an Escrow Agreement for First Street Improvements with C & E Excavating and First State Bank of Elkhart, and moved for its approval. Mr. Prince seconded; motion carried.

#### Approval of Claims:

Mr. Prince moved to approve twelve (12) Claim Dockets for Utilities and Civil City as submitted by City Controller Yvonne Milligan for a total amount of \$3,199,026.00. Mr. Watson seconded; motion carried.

#### Approval of SRF Pay Applications:

There were no applications to approve.

#### New Business:

Mr. Watson moved to approve a request from Courtyard by Marriott to hold a live music event on their back patio at 4825 N. Main Street on Saturday, June 16, 2012, from 6:00 p.m. to 10:00 p.m. subject to normal conditions of approval for outdoor music. Mr. Prince 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, 2012. A public hearing has been set for Tuesday, June 19, 2012, at 10:00 a.m.

A request from Michiana YMCA to close various streets along Mishawaka Avenue for “3 for 3 Triathlon” bike ride on Sunday, August 26, 2012 from 8:30 a.m. to 11:00 a.m. was taken under advisement.

Mr. West moved to approve a request for Waiver of Noise Ordinance from Office Lounge at 1813 E. 12<sup>th</sup> Street for a “Hog Roast” to be held August 4, 2012, from noon to midnight with live band 6:00 p.m. to 10:00 p.m. subject to normal conditions of approval for outdoor music. Mr. Prince seconded; motion carried.

#### Old Business:

A review of Taxicab Company License Application for American Cab, 702 E. Mishawaka Avenue and determination of issuance of Certificate of Public Convenience continued under advisement.

Mr. Prince moved to approve a request for Waiver of Noise Ordinance from Office Lounge at 1813 E. 12<sup>th</sup> Street for a "Summer Fling" to be held June 16, 2012, from 6:00 p.m. to 10:00 p.m. subject to normal conditions of approval for outdoor music. Mr. Watson seconded; motion carried.

Unfinished Business:

There being no additional business brought before the Board, the meeting was adjourned at 10:31 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