

REGULAR MEETING OF THE MISHAWAKA
BOARD OF PUBLIC WORKS AND SAFETY/UTILITY BOARD
July 3, 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 26, 2012, and accept them as circulated. Mr. Watson seconded; motion carried.

Bid/Quote Openings:

Bids were opened for Milburn Area Sewer Improvements CIPP Lateral Lining, Phase I, and are summarized below:

CONTRACTOR	BASE BID
BLD Services LLC, Kenner, LA	\$1,494,340.00
LiquiForce Services, Romulus, MI	\$1,509,029.00
Performance Pipelining, Inc., Ottawa, IL	\$1,504,935.00
Young's Environmental Clean-up, Flint, MI	\$1,725,932.00

Mr. West said these bids would be taken under advisement for review and consideration by the City's consultant.

Quotes were received for three (3) emergency generators (equipment only) for Carriage Lane, Windingbrook, and South Hampton Lift Stations and are summarized below:

QUOTER	AMOUNT
Cummins CrossPoint LLC, Elkhart, IN Delivery: 49 days	\$47,510.00
Buckeye Power Sales, Ft. Wayne, IN Delivery: 60 days	\$53,125.00
Evapar, Louisville, KY Delivery: 63 days	\$63,036.00

Mr. West said these bids would be taken under advisement for review and consideration by the City's consultant.

Mayor's Comments:

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

Department Head Reports:

Fire Chief Dale Freeman requested the Board's approval to promote Shaun Clucker from his current rank of 1st Class Firefighter to the rank of Master Firefighter effective June 16, 2012. Mr. Watson moved to approve as presented. Mr. West seconded; motion carried.

Building Commissioner, Brock Hundt, Building Commissioner Brock Hundt presented the Building Department statistics for the month of June, 2012. He said permits were issued for approximately \$1.3 million in estimated construction costs.

Park Superintendent Terry Zeller submitted a request to trim or remove one tree in the right of way at 412 W. Mishawaka Avenue. The tree has been analyzed and recommended for trimming or removal by the Park Department Landscaper. Mr. Prince moved to approve as

presented and indicated if the tree is removed the stump must also be removed. Mr. Watson seconded; motion carried.

Mr. Zeller submitted a request to remove and replace one tree in the right of way at 721 W. Mishawaka Avenue. The tree has been analyzed and recommended for removal by the Park Department Landscaper. Mr. Watson moved to approve as presented. Mr. Prince seconded; motion carried.

Engineering Director Gary West presented an Escrow Agreement with HRP and Lake City Bank for Milburn Area Sewer Improvements, Division "G", and moved for its approval. Mr. Prince seconded; motion carried.

Mr. West reviewed a letter from Lawson Fisher Associates P.C., design engineer for Battell Street CSO 16 Erosion Repair. Bids were opened by the Board on September 27, 2011 and on November 15, 2011 the project was awarded to Niblock Excavating, Inc. Following review of two shop drawing submittals from Niblock, Lawson Fisher Associates indicated that critical information was not yet included and the Notice to Proceed should be withheld.

Following discussions with Lawson-Fisher Associates they recommended that the City not issue a Notice to Proceed for the project and further, the project plans, specifications, and permits should be modified to include an additional storm sewer connection to the proposed outfall, temporary steel sheet piling included as a pay item and other clarifications. With these plan modifications, amendments to the IDNR, IDEM, and U.S. Army Corps of Engineers Permits will be necessary.

In consideration of the magnitude of the plan and specification revisions, and permit considerations, we have determined it best to rebid the project. Rebidding will allow incorporation of plan revisions, expansion and modifications of the specifications and permits, and the addition of pay items to further clarify the project understanding and expectations.

Based upon the recommendation of the design engineer Lawson-Fisher Associates, Mr. West moved to terminate the contract with Niblock Excavating, Inc. per Section 15.4, page GC-41 of the General Conditions of the contract, which states: the "OWNER may, without cause and without prejudice to any other right or remedy of OWNER, elect to terminate the Agreement." Mr. Watson seconded; motion carried.

Mr. West requested the Board approve the 12-month extension of the CENTREX contract with AT&T and designate the Controller as signatory, and moved for its approval. Mr. Prince 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:

Mr. West moved to approve the request from Queen of Peace Catholic Church and School to host a three-day Parish Festival on Friday, August 24 thru Sunday, August 26, 2012 which includes tent worship, craft fair, and trivia night. Mr. Watson seconded; motion carried.

A request from Heritage Square for Noise Ordinance Waiver for an outdoor concert to be held on Friday, July 13, 2012, was taken under advisement.

Old Business:

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 continued advisement.

Mr. Prince moved to approve the request from Tilted Kilt Pub at 1032 University Drive for Noise Ordinance Waiver for a "Guest Appreciation Party" on Saturday, July 21, 2012 for DJ and live band from 5:00 p.m. to 11:00 p.m. subject to normal conditions of approval. Mr. Watson seconded; motion carried.

Mr. Watson moved to approve the request from Worldwide Pawn located at 3737 Lincolnway East to close part of Ray Street for a B100 Birthday Party Ticket Giveaway Remote Broadcast on July 26, 2012 from 4:00 p.m. to 6:00 p.m. Mr. Prince seconded with the condition that a lane be left open for emergency vehicles and they must adhere to the Sign Ordinance regulations pertaining to temporary signage.

Open Items:

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.

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