

BOARD OF PUBLIC WORKS & SAFETY  
NOVEMBER 06, 2009  
10:30 A.M.  
REGULAR SESSION

The Board of Public Works & Safety of the City of Warsaw met in Regular Session on Friday, November 06, 2009 at 10:30 A.M. in the Council Chambers at City Hall. Mayor Ernest B. Wiggins presided and the following persons were noted as present or absent:

**PRESENT:** Board members Charles Smith, Joseph Thallemer and Mayor Wiggins. Also present Clerk-Treasurer Elaine Call, City Attorney Michael Valentine, City Planner Jeremy Skinner, Superintendent of Public Works Lacy Francis, Cemetery Sexton Hal Heagy, WWTP Utility Manager Brian Davison, Fire Fighter Mike Wilson, Airport Manager David Beall, H/R Director Jennifer Whitaker, Police Chief Perry Hunter, Police Officer Kip Shuter, Police Officer Clay Layne, Reg Smith from Phend & Brown, Paul Finley from G & G Hauling & Excavating Inc., Kevin Lemler from IMI, Mike Maggart from Niblock, Councilman Kyle Babcock and Councilman Jerry Patterson, local residents Dan Smith, Mike Scott, and Steve Brown, Stacey Page, reporter with News with Stacey Page and Warsaw Times Union reporter Jennifer Peryam from the Times Union.

**ABSENT:** None.

The meeting was called to order by Mayor Wiggins, followed by the Pledge of Allegiance.

**MINUTES –**

The minutes from the October 16, 2009 Regular Session were presented for approval. Board member Thallemer made a motion to accept the minutes as presented, seconded by Smith, motion carried by unanimous vote.

**UNFINISHED BUSINESS –**

**WWTP CONTRACT #16/LAB BUILDING/CHANGE ORDER #4/GERIG-OTTENWELLER CONTRACTING –**

WWTP Utility Manager Brian Davison submitted Change Order #4 from Gerig-Ottenweller Contracting on Contract #16/Lab Building, which was tabled at the previous meeting. The change order reflects a \$4,424.00 increase. Mr. Davison reported that their paperwork was now in order. Discussion followed. Motion made by Smith to approve the change order, seconded by Thallemer, carried by unanimous vote. (Copy attached to minutes).

**NEW BUSINESS –**

**SUPPLY BIDS OPENING –**

The following bids for 2009 Supplies were opened and read aloud:

Item #1 Limestone:

1. G & G Hauling & Excavating, Inc. – Bid Bond.
2. Rock Industries, Inc. – Bid Bond.
3. K& S Trucking, Inc. – Bank Official Check.
4. Irving Materials, Inc. (IMI) – Bond

Item #2 Ready Mix Concrete:

1. Kuert Concrete, Inc. – Check.
2. Aggregate Industries – Bid Bond.

Item #3 Flowable Backfill Material:

1. Kuert Concrete, Inc. – Check.
2. Aggregate Industries – Bid Bond.

Item #4 Bituminous Material:

1. Phend & Brown, Inc. – Bid Bond.
2. Niblock Excavating, Inc. – Bid Bond.
3. Brooks Construction Company – Bid Bond

Item #5 Concrete Curbing:

1. Phend & Brown – Bid Bond.
2. Niblock Excavating, Inc. – Bid Bond.
3. Brooks Construction Company – Bid Bond

Item #6 Concrete Flatwork:

1. Phend & Brown – Bid Bond.
2. Sterling Contracting, LLC – Cashier's Check
3. Niblock Excavating – Bid Bond.

Mayor Wiggins stated all bids will be taken under advisement and awarded at the November 20, 2009 Board of Works meeting.

#### **CCAC 2010 AGREEMENT –**

An agreement with the CCAC to provide financial support for their services to the community was presented for approval. Discussion followed. Motion made by Thallemer to table this agreement to further discuss the not-for-profit companies funding with full Council, seconded by Smith, carried by unanimous vote. (Copy attached to minutes).

#### **AIRPORT PURCHASE SPRAYER –**

Airport Manager David Beall requested permission to purchase a SMART-Tote 125 Sprayer unit for improved de-icing capabilities of the runways and taxiways at a cost of \$17,010. Motion made by Smith to approve the purchase, seconded by Mayor Wiggins, carried by unanimous vote. (Copy attached to minutes).

#### **CEMETERY BUILDING ADDITION –**

Cemetery Sexton Hal Heagy requested permission to put on an extension to the Cemetery existing shop building. He presented three (3) quotes. Jones Custom Renovation LLC provided the lowest quote at \$38,299.18. Motion made by Thallemer to accept the quote provided by Jones Custom Renovation, seconded by Smith, carried by unanimous vote. (Copy attached to minutes).

#### **STREET PURCHASE VIBRATORY ROLLER –**

Street Superintendent Lacy Francis requested permission to purchase a Vibratory Roller from Southeastern Equipment at a cost of \$32,000. He provided two (2) quotes and Southeastern Equipment was higher by \$300; however with the stock parts at the Street Department fitting with the roller from Southeastern it makes Southeastern the best buy. Motion made by Smith to approve the purchase as recommended, seconded by Thallemer, carried by unanimous vote. (Quotes attached to minutes).

#### **3M GRANT/STREET SIGN UPGRADES –**

Street Superintendent Lacy Francis requested permission to apply for a grant through 3M for street sign upgrades. The cost of the upgrades is \$22,281.60. The grant would provide a credit of \$2,467 toward the purchase of the signs. Motion made by Thallemer to approve the application for the grant, seconded by Smith, carried by unanimous vote. (Letter of request attached to minutes).

#### **WARSAW COMMUNITY SCHOOLS-ICE MELTING MATERIALS**

Street Superintendent Lacy Francis presented to the Board for approval from Warsaw Community Schools a Memorandum of Understanding Agreement for Ice Melting Materials. This agreement is a joint agreement between the City of Warsaw and Warsaw Community Schools for the sole purpose of jointly purchasing ice melting material. Motion made by Mayor Wiggins to approve the agreement, seconded by Smith, carried by unanimous vote. (Memorandum of Understanding attached to minutes).

#### **PARKER ST/ARGONNE RD PROJECT/CHANGE ORDER #4 –**

City Planner Jeremy Skinner submitted for approval Change Order #4 to the construction contract with Phend & Brown by sub-contractor, that was submitted by INDOT in the amount of a deduct of \$3,525, more specifically set forth within the change order. Motion made by Thallemer to approve the change order, seconded by Smith, carried by unanimous vote. (Documentation attached to minutes).

#### **ARGONNE RD/PARKER ST. CONSTRUCTION/1<sup>ST</sup> DRAW - INDOT –**

City Planner Jeremy Skinner submitted for approval the 2<sup>nd</sup>, 3<sup>rd</sup>, & 4<sup>th</sup> Draws to INDOT on the (Preliminary) – (RW) – (Const) Engineering costs on the Argonne Rd/Parker St. Project. The draw total \$68,900.51. Motion made by Smith to approve the submission of the draw, seconded by Thallemer, carried by unanimous vote. (Copy attached to minutes).

**IN LIEU OF ANNEXATION/SHADOW LAKES ESTATES –**

City Planner Jeremy Skinner presented an In Lieu of Annexation agreement between the City of Warsaw and Michael L. Scott. Mr. Scott is the owners of the property located in Shadow Lakes Estates and he is requesting sewer services. The agreement needs revisions to show a payment plan based on an amount equal to 50% of the property taxes he would pay to the City if he were annexed. Motion made by Smith to approve the In Lieu of Annexation with the Attorney making the payment changes to the agreement, seconded by Mayor Wiggins, carried by unanimous vote. (Copy attached to minutes.)

**ATTORNEY CONTRACT RATE INCREASES/PLEW SHADLEY–**

The law firm of Plews Shadley Racher & Braun representing the City in connection with a variety of matters arising from the operation of the City's wastewater treatment plant submitted new hourly rates for approval. Motion made by Mayor Wiggins to approve the new rates, seconded by Smith, carried by unanimous vote. (Copies attached to minutes).

**NEW HIRES/REHIRES/CHANGES –**

Human Resource Director Jennifer Whitaker provided for approval one (1) new hire for leaf season at the Street Department – Cory Greene. She presented 6 months increase for Jeff Helfers employee at the Cemetery and Police Officer Robert Long shift change to Days. She also requested approval of two (2) new hires for the Police Department – Lewis Fuller and Ryan Moore. Discussion was held with regards to hiring Police Officer who live outside the county or adjoining county. Indiana Law allows for the City to hire from the county or adjoining county. Motion made by Mayor Wiggins to approve the new hires and changes, seconded by Thallemer, carried by unanimous vote. (List attached to minutes).

**POLICE OFFICER KLAEHN RESIGNATION –**

Human Resource Director Jennifer Whitaker reported that the City received a letter of resignation from Police Officer Joseph R. Klaehn that needed acceptance from the Board. Motion made by Thallemer to accept his resignation, seconded by Mayor Wiggins, carried by unanimous vote. (Copy attached to minutes).

**SPECIAL CLAIMS –**

Clerk's office submitted a listing of special claims for approval of payment totaling \$92,457.06. Motion was made by Smith to approve the claims for payment, seconded by Mayor Wiggins, motion carried by unanimous vote. (List attached to minutes).

**CLAIM DOCKET–**

The following claim docket was presented for approval.

Regular Docket - \$170,908.15.

EOM Docket - \$9,260,172.11.

Pension Docket - \$49,454.61.

Motion made by Thallemer to approve all claims for payment, seconded by Mayor Wiggins, motion carried by unanimous vote.

**ADJOURN –**

There being no further business to come before the Board by a motion duly made and seconded, the meeting was adjourned.

**ATTEST:**

**Elaine Call, Clerk-Treasurer**