

CITY OF DECATUR  
BOARD OF PUBLIC WORKS & SAFETY MINUTES  
JULY 7, 2009

The City of Decatur Board of Public Works and Safety met on Tuesday, July 7, 2009 at 6:00 p.m. at City Hall in Council Chambers. Members present were Mayor John Schultz and Board members Bill Karbach and Ken Meyer. Also present was City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright.

The meeting was called to order by Mayor John Schultz. The Clerk-Treasurer emailed the minutes from June 16th. There were no corrections or amendments offered, so Meyer made a motion to approve the minutes as emailed, Karbach seconded the motion. Motion was unanimous.

The Clerk-Treasurer received payment request No. 7 for Division "B" – LTCP Phase II Sanitary Sewer Separation for Dave's Excavating, Inc. in the amount of \$203,680.00 and also payment No. 8 – Final Retainage for \$76,578.90 from Ben Adams of Commonwealth Engineers, Inc. who has reviewed these claims for accuracy and recommends payment. Karbach made a motion to approve the two (2) payments. Meyer seconded the motion. Motion carried. The Clerk-Treasurer will forward payment request No. 7 to SRF for payment, and will release the retainage amount once payment is received from SRF.

Jeff Ponist of Commonwealth Engineers, Inc. presented to the board members Change Order #1F for Division "B" LTCP Phase II Sanitary Sewer Separation, Contractor Dave's Excavating, Inc. with a decrease of \$35,429.00 for quantities not used. The total cost of this project is \$1,531,578.00. Karbach made a motion to approve change order #1F and for the mayor to sign the change order on behalf of the Board of Works members. Meyer seconded the motion. Motion carried.

Ponist also presented to the Board of Works members a Certificate of Substantial Completion for Division "B" LTCP Phase II Sanitary Sewer Separation, Contractor Dave's Excavating, Inc. project date of completion as of June 15, 2009. Meyer made a motion to approve the certificate, and for the mayor to sign the certificate on behalf of the Board of Works members. Karbach seconded the motion. Motion carried.

Ponist handed out a cost summary report as of July 2009 for the Wastewater SRF Projects showing original amounts budgeted and the projected final costs, with the amount left over from these projects could be used to fund additional sewer projects.

Ponist submitted a Certificate of Substantial Completion for Division "C" Sanitary Sewer Rehabilitation – Lift Station Improvements project, Contractor Fleming Excavating, Inc. project date of completion as of April 30, 2009. Meyer made a motion to approve the certificate, and for the mayor to sign the certificate on behalf of the Board of Works members. Karbach seconded the motion. Motion was unanimous.

Ponist submitted payment request #12 for Division A-Wastewater Treatment Plant Improvements project to Thieneman Construction, Inc. in the amount of \$111,946.04, with a retainage amount of \$5,891.90. This project is 97.73% complete. Karbach made a motion to approve payment #12, Meyer seconded the motion. Motion carried.

Ponist also submitted three (3) invoices for engineering services for Commonwealth Engineers, Inc. for the period of June 1, 2009 to June 30, 2009 totaling \$24,655.00. Meyer made a motion to approve all three invoices, Karbach seconded the motion. Motion carried.

On May 29, 2009 the City of Decatur paid off the land contract with Gale and Donna Nidlinger for 61.66 acres on County Road 450 North which was purchased in March 2003 for Industrial Park Phase III.

Meyer made a motion to make the recorded Warranty Deed a matter of record. Karbach seconded the motion. Motion carried.

The council members attended the Board of Works meeting.

Tom Lahmon representing the committee for the Comprehensive Plan reported four (4) firms were interviewed and recommends Wightman Petrie, Inc. from Elkhart, Indiana to do the Comprehensive Plan for the City of Decatur. Meyer made a motion to recommend to council their approval to hire Wightman Petrie. Karbach seconded the motion. Motion carried.

Ron and Tom Darling owners of the fitness center on Winchester Street would like to make an offer to the City to sell the fitness center building to the city for a Police station. Darling's are proposing to defer payment for two (2) years, and then setup a payment schedule after the end of two years. The building is 8,000 sq. ft., 1,400 sq. ft. upstairs, which the garage is large enough to store all police vehicles inside. The Darling's are asking \$350,000 to \$400,000.00. Deputy Police Chief, Greg Cook remarked the current police station is 2,100 sq. ft. The City Attorney commented council members would need to pass a resolution if interested in purchasing the property, and then two (2) appraisals will need to be done, and the amount the city could offer would be the average of the two appraisals. The Mayor suggested the council members to look at the building if interested, but council members would need to look at other buildings that are also available. No decision was made at this time.

The Mayor was approached about vacating the alley on 4<sup>th</sup> Street between Madison and Monroe Street for St. Joseph School. By consensus, not a good idea to vacate the alley at this time until the construction of the gym is completed to see what type of traffic hazard this would cause.

The Mayor suggested holding a special meeting to discuss the 2010 budget, and consider raising fees for trash pickup, moving fire hydrant rental fee from the city's tax rate to the utility bill, also discussing purchasing Decatur Dollars for employees and having the annual City Christmas Party, and continuing longevity pay. It was decided to hold a Special Council Meeting on Tuesday, July 14<sup>th</sup> at 6:00 p.m. at City Hall in Council Chambers.

The Mayor reported there is no local ordinance to operate a golf cart, so we must go by the State Law, which Deputy Police Chief, Greg Cook commented the State mandates no golf carts can run on state highways, unless the city sets an ordinance, but what the State law does require is a valid Driver's license. Jack Tussing and his wife Ruth were present to make known that his wife is handicap and cannot get a driver's license. Randy Colclasure questioned whether utility vehicles were included in this new law. Cook informed him that a utility vehicle is not considered a golf cart. More discussion will take place at the council meeting.

Board member, Bill Karbach reported Les Marckel was invited by the Cross Creek Association for a presentation on sprinklers and smoke detectors when it was brought up about parking in the cul-de-sac that fire trucks cannot make complete turns when vehicles park in cul-de-sac. Karbach commented that he and the Fire Chief both agreed there's no need at this time for an ordinance for no parking, but this may be something to consider for future developments. The Mayor remarked this is a problem for school buses too. No action was taken at this time.

There being no further business, Karbach made a motion for adjournment. Meyer seconded the motion. Motion carried. The meeting was adjourned at 7:20 p.m.