

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, JUNE 22, 2020

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session on June 22, 2020. The meeting was held in the Council Chambers, on the second floor of the city building, 124 N. Michigan St., Plymouth, Indiana.

Mayor Mark Senter called the meeting to order at 6:00 p.m. Senter presided for Board Members Duane Culp, Jeff Houin, Shiloh Milner and Bill Walters. City Attorney Sean Surrisi and Clerk-Treasurer Jeanine Xaver were also present.

Members Culp and Milner moved and seconded to approve the minutes of the last regular session of the Board of Public Works and Safety on June 8, 2020. The motion carried.

Utility Superintendent Davidson notified the board there are still ongoing negotiations for the guaranteed savings contract for the Digester Renovation Project. He asked that this discussion remain tabled.

Davidson presented two requests for sewer services: 6412 State Road 17 and 10589 Michigan Road. He said both properties are near the city limits but they are one property outside the limits and would therefore eliminate a contiguous boundary situation and annexation.





Davidson noted that these two properties are uniquely situated in that both water and sewer services run in front of the houses, so it is reasonable to provide services. He feels that in these situations, both water and sewer services should be connected because if only sewer services are allowed, there is no way to shut off service for non-payment. Davidson explained that in the past, the city would require annexation prior to utility service connection, however it could be challenging for these property owners to get their contiguous neighbor to agree to annexation if they do not require city utility services at this time. He noted that on a Marshall County level, residents close to the city limits are being encouraged to hook into city services when their well and/or septic systems fail. He said utility users outside the city limits do pay 14.9% higher rates than those inside the city limits.

Board Member Houin asked for clarification on the city's definition of "contiguous". Davidson and City Attorney Surrisi both stated that the property must have a certain percentage of

their parcel abutted to the city limits. In these situations, only one side of the parcel is bordering the city limits and therefore do not have enough percentage to qualify as contiguous.

Davidson added that he is not promoting this approval for every property to be allowed connection, but in certain situations, especially these two cases where lines already exist and are adjacent to their property, it makes sense from a financial and environmental perspective to grant this access. He does not believe this should be a blanket policy; each request would need to be reviewed by the city on a case-by-case basis.

Houin asked if the city requires that these property owners agree to annex into the city in the future should the neighboring property between them and the city annex. Davidson said we have had agreements in place in the past from property owners stating that they could not remonstrate against future annexations if they connected to city services and he feels those agreements are reasonable.

Walters asked if there are other houses in these two neighborhoods that are currently receiving city services. Davidson said there is a house on Meadow Drive that has sewer service, as well as Wesleyan Church, which is further south beyond this neighborhood.

Board Members Houin and Walters moved and seconded to grant the request for both properties, 10589 Michigan Road and 6412 State Road 17, to connect to city water and sewer services, provided they pay associated connection fees and sign agreements drafted by City Attorney Surrisi indicating that they will not remonstrate against any future annexations into the City of Plymouth. The motion carried.

Davidson notified the board that the Centennial Crossing Sewer Extension project has been advertised and the bid opening will be July 13th.

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Building Commissioner Keith Hammonds requested the board's affirmation of the demolition of 701 Lake Avenue. The state required notification has been sent to the property owner and advertised in the Pilot Newspaper.

Board Members Culp and Walters moved and seconded to affirm the demolition of 701 Lake Avenue. The motion carried.

Street Superintendent Jim Marquardt received a sidewalk request from Imelda Salazar for 1117 W LaPorte Street. The request form says, "Please see pictures." There were pictures of the driveway attached to the request. Marquardt said he looked at the sidewalks and about 95% of the sidewalks are in good shape. This area would likely not be on the ADA plan for quite a few years. The bad area is the driveway, seemingly from years of driving over the concrete and normal wear and tear. He will notify Ms. Salazar that it is the property owner's responsibility to fix the driveway.

Marquardt notified the board that he spoke with Pavement Solutions, who will be conducting the crack sealing project. It was decided that this project will pick back up in September once the hot weather has passed.

City Engineer Gaul provided an update on PW-19-008, 2019 Street and Sidewalk Fall Projects. He reviewed the close-out change order, which would finalize this project and allow Rieth-Riley to apply for receipt of their retainage. Rieth-Riley has signed off on this change order.

DATE: June 22, 2020

CHANGE ORDER NO.: 1

CONTRACT: PW-19-008
2019 STREET & SIDEWALK FALL PROJECTS

CONTRACT DATE: October 10, 2019

PROJECTS:**STREET PROJECTS:**

PW-19-012 WILLIAM: S MICHIGAN TO LIBERTY
 PW-19-013 THIRD: LAKE TO JEFFERSON
 PW-19-014 WASHINGTON: THIRD TO PLUM

DEPARTMENTAL PROJECTS:

PW-19-025 PARK: CHUCK GLAUB DRIVE OVERLAY
 PW-19-026 PARK: BECKNELL DRIVE OVERLAY
 PW-19-027 PARK: HORSE BARN ENTRANCES - PAVE

Unit Price Undistributed Undercut & Backfill

PW-19-041 SPECIAL UNIT PRICE FOR UNDERCUT & BACKFILL

DESCRIPTION OF CHANGE & AMOUNTS

See Change Order Project Summary – Page 1

STREET PROJECTS:

Contract Amount	\$ 394,401.00
Change Addition	\$ 6,579.02
Final Amount	\$ 400,980.02

PW-19-012 WILLIAM: S MICHIGAN TO LIBERTY + \$ 6,457.40
 In general: change from sidewalk retaining wall removal
 & replacement and ensuing excavation & backfill
 Resulting in a net ADDITION
 See Project Summary – Page 2

PW-19-013 THIRD: LAKE TO JEFFERSON - \$ 99.72
 In general changes were noted throughout the project
 Resulting in a net DEDUCTION
 See Project Summary – Page 3

PW-19-014 WASHINGTON: THIRD TO PLUM + \$ 221.34
 In general changes were noted throughout the project
 Resulting in a net ADDITION
 See Project Summary – Page 4

DEPARTMENTAL PROJECTS:

Contract Amount	\$ 61,013.00
Change Deduct	\$ 9,723.74
Final Amount	\$ 51,289.26

PW-19-025 PARK: CHUCK GLAUB DRIVE OVERLAY + \$ 2,598.58
 In general; change from Surface Milling and Tack Coat
 deletion and HMA Surface overrun.
 Resulting in a net ADDITION
 See Project Summary – Page 5

PW-19-026 PARK: BECKNELL DRIVE OVERLAY - \$ 2,939.88
 In general: change from Surface Milling and Tack Coat
 deletion
 Resulting in a net DEDUCTION
 See Project Summary – Page 6

PW-19-027 PARK: HORSE BARN ENTRANCES – PAVE - \$ 9,382.44
 In general; change from Excavation Milling, Subgrade Compaction,
 HMA Intermediate, and Tack Coat deletion
 Resulting in a net DEDUCTION
 See Project Summary – Page 7

Unit Price Undistributed Undercut & Backfill

Contract Amount	\$	12,400.00
Change Deduct	\$	12,400.00
Final Amount	\$	0.00

PW-19-041 SPECIAL UNIT PRICE FOR UNDERCUT & BACKFILL

Because of good subgrade conditions these items were not needed. See Project Summary – Page 8	-\$	12,400.00	✓
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TOTAL CHANGE:

ADDITIONAL TIME REQUIRED:	0 Day
<u>DEDUCT IN COMPENSATION:</u>	-\$ 15,544.72
	15,544.72

SUMMARY:

ORIGINAL CONTRACT AMOUNT:	\$	467,814.00
PREVIOUS CHANGE ORDERS:	\$	0.00
PREVIOUS CONTRACT AMOUNT:	\$	467,814.00
CHANGE ORDER AMOUNT:	-\$	15,544.72
NEW CONTRACT AMOUNT:	\$	452,269.28

PERCENT ADD/DEDUCT THIS CHANGE ORDER:	- 3.3
PERCENT ADD DEDUCT TOTAL:	- 3.3

Board Members Houin and Walters moved and seconded to approve change order #1 for PW-19-008, 2019 Street & Sidewalk Fall Projects for a deduct amount of \$15,544.72. The motion carried.

City Engineer Gaul requested the board's approval to award the contract for PW-19-037, which is the Redevelopment Commission's Pioneer Drive Reconstruction Project. Bids were received at the last Redevelopment Commission meeting. The lowest responsive and responsible bidder when looking at the overall cost of the project including the alternate bid, is Walsh & Kelly, Inc. with a bid of \$629,515.75. Gaul also requested a waiver of the informality of the bid document submission criteria, as Walsh & Kelly, Inc. forgot to submit the "Doing Business with Iran" documentation. The city does have one on file for other projects that have been done over the last several years. Walsh & Kelly did submit a copy after they were notified that it was missing from their bid. Gaul recommended approval to award the contract to Walsh and Kelly for \$629,515.75,

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pending execution of a Memorandum Of Understanding with Marshall County for doing work on a county road.

Board Members Walters and Culp moved and seconded to waive documentation informality and award the contract to the lowest responsive and responsible bidder, Walsh & Kelly, Inc., for the base bid and alternate bid totaling \$629,515.75, pending Memorandum Of Understanding from Marshall County. The motion carried.

Clerk-Treasurer Xaver presented the following request:

Request to close approximately 1 block of Beerenbrook Street on both the north and south sides of Jefferson Street for Cars and Coffee event from 6:00am to 11:00 am. Hosted at the restored mobile gas station owned by Calvin Bailey. Dates: July 4, 2020, August 1, 2020, and September 5, 2020. S/ John Montgomery, 10548 King Road, 574-780-6885.

Mr. Montgomery was present to discuss his request. He said this is the same request that has been made in the past. They will have security officers on hand to help direct traffic across Jefferson Street. He said last year, each event was very well attended. Donations were collected at the events and amounted to about \$1,000, which was donated to the Marshall County Neighborhood Center.

Board Members Milner and Walters moved and seconded to approve the request as presented. The motion carried.

Mayor Senter introduced Pat Knight, who requested the board's permission to allow the nonprofit group, Songbirds of Northern Indiana, to set up a fundraising, self-contained elephant ear food stand in the parking lot at Water and Washington Streets. They would like to operate one weekend a month, Thursday through Saturday, with hours of operation from 10 am – 6 pm except on Saturdays. They would likely open earlier on Saturdays to try and catch some of the folks attending the Farmer's Market. She said the food truck will be moved from that location in between events.

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Board Members Walters and Houin moved and seconded to approve the request as presented. The motion carried.

Clerk-Treasurer Xaver noted that included in the claims for this evening is a progress payment to BakerTilly for their work through May 31, 2020 on the city's comprehensive financial plan. The total for that claim is \$10,670.00.

Board Members Milner and Walters moved and seconded to allow the payroll for June 30, 2020 and the claims for June 22, 2020, as entered in Claim Register #2020. The motion carried.

Board Members Houin and Culp moved and seconded to accept the following communications that were received in the board's packets:

- May 2020 Water and Wastewater Reports

There being no further business, Board Members Walters and Senter moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 6:34 p.m.

Jeanine M. Xaver, IAMC, CMC
Clerk-Treasurer

APPROVED:

Mark Senter
Mayor

The following requests have been submitted to the proper committee to act:

6/10/2020 – Tree Request: There are 2 trees in the front yard by the road. There are dead limbs at the top of the trees. I have only 2 trees there on the property they need to be cut or trim off. Thank you, reason is so the dead limbs don't fall down on the cars parked under the trees. S/ Ron Music, homeowner, 814 W Adams Street, 574-767-0982

6/10/2020 – Tree Request: There is a tree in a city alley that leans toward my pole building that I am concerned about. It leans toward the building and with high winds I am afraid it will be on the building. S/ Barbara Kirby, owner, 312 Gilmore Street, 574-936-2853

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6/10/2020 – Tree Request: Old tree limbs hanging over side drive on west side of my house at 1223 Lake Ave. The tree is very old and is over power and my house & garage. S/ Charles Taylor, owner, 1223 Lake Ave, 574-454-2038