



## ***Board of Works Meeting – Minutes from June 12, 2023***

**Board of Works Members in Attendance:** Mayor Phil Jenkins, Wayne Scheumann, Rod Stump Jr.

**Also Present:** **City Attorney** Brian Hoffer, **Clerk-Treasurer** Jeff Knight, 13 guests (9 IP, 4 OL) and one member of the press (IP).

- Call to order: Mayor Jenkins called the meeting to order at 3:32 pm.
- Roll call: Members listed above were in attendance.
- Approval of the Minutes from May 22, 2023: Mr. Stump motioned to approve the minutes. Mr. Scheumann seconded. The minutes were approved unanimously by voice vote.
- Approval of Consent Agenda: A Consent Agenda containing items that are approvable by the various department heads was submitted. Mr. Stump motioned to approve the Consent Agenda. Mr. Scheumann seconded. The Consent Agenda was approved unanimously by voice vote.
- Petitions and Comments by Citizens: There was one sewer bill adjustment request that was not included with those items on the Consent Agenda due to further discussion being needed. Utility Superintendent Gerber told the Board that NIPSCO had done some work in the property owner's yard and then told them to water the lawn. The owner now wishes for the City to issue a bill reduction. Superintendent Gerber recommended denial of the adjustment as this was not on the recommendation of the City for the additional watering but an outside service provider. This bill should be issued to NIPSCO instead of the City. Mayor Jenkins motioned to deny the request per Superintendent Gerber's recommendation. Mr. Scheumann seconded. The request was denied unanimously by voice vote.
- There were no reports from committees, boards, or commissions.
- Unfinished Business: Mayor Jenkins showed proof of publication for bid solicitation regarding the 2023 Street Resurfacing Project. Street Superintendent Warren handled the bid opening. Phend and Brown was the sole bidder. The base bid was \$951,432 and the alternate bid was \$183,526. Mayor Jenkins motioned to take the bid under advisement and have the bid awarded at the next BOWs meeting on June 26<sup>th</sup>. Mr. Scheumann seconded. The BOWs unanimously approved receiving the bid, taking it under advisement, and awarding the bid at the next meeting. This project has a 75%/25% match.



- New Business

- Approve 2023 Visit Nappanee Friday Fest Dates and Street Closures: Street Superintendent Warren presented the request from Visit Nappanee to establish the Nappanee Friday Fest dates (6/16, 7/14, 8/11), the street closures, and other needs they may have. Visit Nappanee also provided the City with a Certificate of Insurance with the City listed as Additional Insured. Superintendent Warren asked that the parking lot closure only extend to the east edge of the American Legion entrance instead of the east edge of the EMS building. The Legion has activities on Friday evenings that need to have entrance and egress possibilities. Ms. Cami Mechling commented that she believes that Visit Nappanee and Superintendent Warren have all of the logistics worked out. Mayor Jenkins said he would like to get confirmation from the veterinary clinic that they are ok with the use of their lot during these time frames before the first event this Friday. Mr. Scheumann noted the City does not own the stage being requested. That is owned by the Apple Festival and Visit Nappanee will need their approval. Ms. Mechling said that it has been taken care of. Visit Nappanee has their permit of entertainment through the State. Permits are still required from the Excise Police and the City of Nappanee Police Department. Visit Nappanee did ask for 10 trash cans. Superintendent Warren stated that the City could not provide 10 trash cans. Ms. Mechling said they will take whatever the Parks Department can provide. Mr. Scheumann motioned to approve the facility and equipment request. Mr. Stump seconded. The request was approved unanimously by voice vote.
- Approve Noise Ordinance Variance for Power from the Past's Civil Ware Days June 9-10: Mayor Jenkins presented the request. This function has already taken place, but approval was not possible due to the timing of the request and the timing of the meetings. May was a 5 Monday month and so there were three weeks between meetings. Mayor Jenkins motioned to formally approve the request. Mr. Stump seconded. The request was approved unanimously by voice vote.
- Approve Pay App #2 – West Market Street Water Main Extension: Mr. Ryan LaReau (Commonwealth Engineers) presented the request. Pay App #2 is for \$22,780.90 and is for completion of the remaining work. Mr. Scheumann motioned to approve Pay App #2. Mayor Jenkins seconded. Pay App #2 was approved unanimously by voice vote.
- Change Order #1 – West Market Street Water Main Extension: Mr. LaReau presented the request. This CO closes out the project and is a deduct of \$1,002. Mr. Stump motioned to approve CO #1. Mr. Scheumann seconded. Change Order #1 was approved unanimously by voice vote.



- Approve Pay App #4 – West Industrial Storm Drainage Improvements: Mr. Jeff Shaffer (Abonmarche Engineering) presented the request. This pay application is for some pipe and restoration work completed by Beer and Slabaugh for the Nappanee West Industrial Park project. The amount of the pay app is \$42,452.18. There are still a couple of other open items. The project should be wrapped up soon. Mayor Jenkins motioned to approve pay app #4. Mr. Scheumann seconded. Pay App #4 for Beer and Slabaugh was approved unanimously by voice vote.
- Approve Oakland Trail Amendment #4 – Troyer Group: Mr. Mike Reese (Troyer Group) presented the amendment. Substantial Completion was scheduled for September 19, 2022. Due to contractor delays, the construction schedule was extended by about seven months. This created additional work. The amendment is for \$8,960 less \$875 Troyer Group agreed to cover for the trees that needed to be moved at South Park bringing the total to \$8,085. This will be covered by the liquidated damages charged to R. Yoder Construction and not be an out-of-pocket expense for the City. Mr. Scheumann motioned to approve the amendment. Mr. Stump seconded. Oakland Trail Amendment #4 was approved unanimously by voice vote.
- Approve Alley Closure Request – Landmark Construction: City Planning Superintendent Nunemaker presented the request. This alley closure is related to the demolition of the apartment above what used to be the Pretty Cakery downtown. The dates of the closure are from 6/19/23 through 6/28/23 during the hours of 8:00 am through 4:30 pm. A Certificate of Insurance was provided to the City, but it references a written agreement between the certificate holder and the insured. City Attorney Hoffer thought this request could easily be approved subject to the written agreement between the City and Landmark requiring the receipt of the certificate of insurance. Mayor Jenkins motioned to approve the request subject to the written agreement between the City and Landmark requiring the certificate of insurance. Mr. Stump seconded. The request was approved unanimously by voice vote.
- Woodview Drive Change Order #1: Mr. Evan Laviolette (First Group) presented this request. This is a deduct of \$274,855 due to the ability to use intermediate road closures instead of one-way traffic. This is primarily due to material delivery times. Temporary road widening and other items will no longer be necessary. Mayor Jenkins noted that this CO begins with the City and will also need to be approved by INDOT as well. CT Knight asked if the savings would be shared based upon the percentage breakdown of the project between INDOT and the City. Superintendent Warren said yes, the City will recognize a 20% savings of the



\$274,855 total reduction. Mr. Stump motioned to approve Change Order #1. Mr. Scheumann seconded. Change Order #1 was approved unanimously by voice vote.

- Approve 2023 July 4<sup>th</sup> Parade Route and Road Closures: Mayor Jenkins presented the memo and request for route and street closures for the July 4<sup>th</sup> parade. Mr. Stump motioned to approve the parade route and street closures. Mr. Scheumann seconded. The route and street closures for the 2023 July 4<sup>th</sup> parade were approved unanimously by voice vote.
- Approve Water Department Hiring Part-Time Summer Help: Utility Superintendent Gerber presented the request to hire Gabriel Schrock for part-time summer help, beginning tomorrow (6/13), at a rate of \$11.50/hour. Mayor Jenkins motioned to approve the request. Mr. Stump seconded. The request to hire Gabriel Schrock as part-time summer help was approved unanimously by voice vote.
- Approval of Accounts Payable Vouchers:
  - Mr. Stump motioned to approve the 2023 Water APV's Totaling \$248,352.75 and 2023 WWTP APV's Totaling \$294,573.99. Mr. Scheumann seconded. The APV's were approved unanimously by voice vote. CT Knight told the Board that the APV's were higher than normal due to the first of two payment-lieu-of-taxes being issued back to the City from both the Water and WWTP facilities.
- There were no Reports of City Officers.

Adjournment: With no further business to discuss, Mayor Jenkins motioned that the meeting be adjourned. Mr. Scheumann seconded. Adjournment was agreed to by voice vote and the meeting was adjourned at 4:07 pm.

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Phil Jenkins, Mayor

Attest: \_\_\_\_\_  
Jeff Knight, Clerk of Board of Works