

BOARD OF WORKS MEETING  
SEPTEMBER 8, 2009  
TIME: 5:00 P.M.

PRESENT: Mayor Gary Herbert, Steve Simmonds and Herb Hunter.

Pledge of Allegiance was recited.

All board members were present for roll call.

Minutes were approved, motion by Herb Hunter and seconded by Steve Simmonds. All ayes. So passed.

Leslie Thackery representing Gilliland-Howe Funeral Home came before the Board requesting to have North Broadway Street closed off one block, from West North Street to West Central Avenue for their 2009 Children's Health and Safety Fair to be held October 3<sup>rd</sup> from 10:00 A.M. to 2:00 P.M. Last year they had over 300 parents and children to come and participate and they have had many more participants to show interest in the fair for this year. They have over 20 to date so far.

The street department will provide the barricades and the Gilliland-Howe staff will put them up and take them down.

**Motion by Steve Simmonds and seconded by Herb Hunter to approve the one block street closing of North Broadway for the Children's Health and Safety Fair, October 3<sup>rd</sup>. Ayes Steve Simmonds, Herb Hunter and Gary Herbert. Nays none. So passed.**

Steve Cobbs consultant for the Keramida Company, Inc. will be working on the soil contamination cleanup at the Giddings Cleaners site on Lincoln Street. He has been in contact with the State of Indiana Environmental Management. They will put up temporary fencing, sheeting and shoring, remove the contaminated soil and haul off. The contamination is approximately 20 ft. deep.

They are requesting the closing of Barachel Lane from the East of CVS entrance to Lincoln Street from October 5<sup>th</sup> till November 6<sup>th</sup>. They will notify any businesses and residents. They are working with O'Mara to take down the Giddings Cleaners building as well.

**Motion by Herb Hunter and seconded by Steve Simmonds to approve the closing portion of Barachel Lane from Oct. 5<sup>th</sup> till Nov. 6<sup>th</sup> for the removal of contaminated soil and tearing down of building. Ayes Herb Hunter, Steve Simmonds and Gary Herbert. Nays none. So passed.**

Steve Teverbaugh came before the Board representing the Tree City Fall Festival to be held September 18<sup>th</sup> – September 20<sup>th</sup>. He is requesting the street closing of Broadway from Washington to Main Street, this is the West Side of the Square and the inside parking section of the South Side of the Square.

**Motion by Herb Hunter and seconded by Steve Simmonds to approve the street closing for the Fall Festival Sept. 17<sup>th</sup> – Sept. 20<sup>th</sup>. Ayes Herb Hunter, Steve Simmonds and Gary Herbert. Nays none. So passed.**

Attorney Chris Tebbe representing the Home Owners Association of CrownPointe came before the Board with a proposed Deed of Dedication for the CrownPointe sub-division and the proposal requesting the City to take over all streets, road rights-of-way, sanitary sewers, storm sewers and water. There are 40 units that have been transferred to the homeowners.

The Mayor stated that he went out and drove the area and it is narrow and not built according to City code. He stated that no one would surely want their mail boxes and driveways covered by trying to remove snow and there is no place to move the snow to.

Homeowner Bob Navarra stated that each resident would take care of their own driveway for snow. They are in the City and pay City taxes and they would just like to have all the City services.

Fire Chief Scott Chasteen spoke about the narrow streets and fire safety. He stated that the developer was asked to build according to the City's code and the developer chose not to. The City needs to be careful as to not set a precedent. It would make it so all developers could build however they would want to.

Street Superintendent Mark Klosterkemper stated that he has a real problem because the subdivision was built as substandard and would make a huge liability to the City. The City has a problem now with the storm sewers; it floods other property and an inlet that was put in sets too high. They would

have to go back and redo the streets and make this subdivision to the City's specs. The mailboxes all sit too close to the street.

The developer chose for this subdivision to be private and did not build to the City's specifications and code even though he was asked to. He said it would remain private.

Kathy Reynolds stated it would have to have an easement.

Wastewater lines are ran in the streets and water lines on the side.

Water Superintendent Rick Denney has no problem with the water lines.

Chris Tebbe feels they could come up with language to exclude the street lights and snow removal.

Several property owners were present and stated they were not made aware that the subdivision was made substandard and not to the City's specification Codes before they bought.

City Attorney Tim Coriden stated he would talk with attorney Chris Tebbe.

**Motion by Herb Hunter and seconded by Steve Simmonds to table this request. Ayes Herb Hunter, Steve Simmonds and Gary Herbert. Nays none. So passed.**

**Motion by Herb Hunter and seconded by Steve Simmonds to approve hiring the Donan Engineering co. for the electrical study at the police dept. at \$140 an hour, figuring eight hours max. Ayes Herb Hunter, Steve Simmonds and Gary Herbert. Nays none. So passed.**

Police Chief wasn't ready with all the information on police cars purchases and will bring that next month.

**Motion by Steve Simmonds and seconded by Herb Hunter to approve moving Wayne Davis to first class patrolman after completing his one – year probationary status last week and Justin Wells will complete his one-year probationary status next week and then will be moved to first class patrolman. Ayes Steve Simmonds, Herb Hunter and Gary Herbert. Nays none. So passed.**

Water Office Manager Donna Lecher handed out July financials and reviewed them for the Board.

Darren Burkhardt of HNTB gave a status report update on current projects. Change order #7 was presented for approval in the amount of \$72,950 for the installation and automation of VLR knife gate valves at the Wastewater Treatment Facility Improvements.

**Motion by Steve Simmonds and seconded by Herb Hunter to approve the change order #7. Ayes Steve Simmonds, Herb Hunter and Gary Herbert. Nays none. So passed.**

City Attorney Tim Coriden explained on the water easements, he received a proposal last Friday and everything is getting closer to being in place. There is more than one client involved and that takes a little more time.

Dee Knueven had sent a letter to the Mayor, Board of Works and Clerk-Treasurer about the workman comp insurance renewal and how it was acted upon. She would like the letter to be addressed and included in a Board of Works meeting.

City Attorney Tim Coriden stated the mentioning of the letter could be a part of the Board of Works meeting, but the language of the letter does not need to be included.

**Motion by Herb Hunter and seconded by Steve Simmonds to approve getting rid of the old paper shredder that is not working, the Mayor's secretary has. Ayes Herb Hunter, Steve Simmonds and Gary Herbert. Nays none. So passed.**

Meeting adjourned at 6:10 P.M.

PRESIDING OFFICER \_\_\_\_\_

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ATTEST:

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Clerk-Treasurer

