

REGULAR SESSION, BOARD OF PUBLIC WORKS AND SAFETY, AUGUST 13, 2018

The Board of Public Works and Safety of Plymouth, Indiana, met in Regular Session on August 13, 2018, at 6:00 p.m. in the meeting room of the Plymouth Fire Department, 111 N. Center St., Plymouth, IN.

Mayor Senter presided for Board Members Culp, Houin, Milner and Walters. City Attorney Surrisi and Clerk-Treasurer Xaver were also present.

Board Members Houin and Walters moved and seconded to approve the minutes of the last regular session of the Board of Public Works and Safety on July 23, 2018. The motion carried.

Utility Superintendent Davidson presented the following Substantial Completion Certificate for TGB Unlimited, Inc. for the West Lake Avenue Water Main Extension. The project is complete and went very well. It was an 8" water main extension to serve areas that have already been annexed and which includes the Autumn Trace property. Bancroft was the contractor on the project which went very smoothly. It is in operation, has passed all testing and all punch list items have been completed. Davidson asked the board members to authorize the Mayor sign the Certificate of Substantial Completion on the project.

Board Members Culp and Milner moved and seconded to authorize the Mayor to sign the Certificate of Substantial Completion. The motion carried.

Fire Chief Miller requested to upstaff the fire station during the Blueberry Festival weekend.

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

Mayor Senter asked Street Superintendent Marquardt if he knew what was going on at the northwest corner of Michigan St. and Jefferson St. Marquardt informed him that it is where the fiber optic company is doing their turn to go down Jefferson St. They had to dig a hole to put a junction in so they could turn the corner to get onto Jefferson St. Marquardt stated that they had contacted him about doing the work there and he informed them that it was in the state right of way. Marquardt also said that he gave them a subcontractor so that they could have the sidewalk repaired at their expense.

Airport Manager Sheley informed the board that the end of July was the end of the Culver Military Academy Summer Camp Aviation Program. He shared the following e-mail that he received from some guests from Toledo, Ohio:

-----Original Message-----

From: Julie Kesler [<mailto:mrsjuliekesler@icloud.com>]

Sent: Friday, August 10, 2018 1:11 PM

To: [airport@plymouthin.com](mailto:airport@plymouthin.com)

Subject: Zack Davis and Bill Sheley

To whom it may concern,

I wanted to take the time to let you know that we were blown away by the customer service that we received at your airport this summer both over the phone and in person.

The multiple times I called to inquire about our visit to Plymouth I spoke with Zack Davis. He went over and above helping us figure out every detail of our trip. He was professional and so kind! I was really looking forward to meeting him in person when I arrived. It is not every day that you meet someone who takes such great pride in doing their job!

The manager Bill was there to greet us when we arrived. He was just as friendly and professional. He went out of his way to call for our rental car and assist us while we waited.

Again, I just can not say enough wonderful things about your airport and staff. I had to take the time to let you know and tell you how much we appreciate the top notch service we received. We are looking forward to returning to your airport when we visit Culver Military Academy this fall.

Sincerely,

Julie L. Kesler  
N400DR  
(419) 973-2773

City Engineer Gaul reviewed the Approvals of Stormwater Pollution Plans for Oakhill Cemetery, Park Maintenance Facility, Street Department Garage, Wastewater Department Treatment Plant Facility and Water Department – Ledyard Plant. He said most of it was just for updating the appendices on the back. There was a mark through change to the Wastewater Department Treatment Plant Facility because the underground storage tank was removed.

Board Member Houin asked what is done to train employees about the plans. Gaul stated that IDEM requires training once per year. The training has been done in the past with videos and presentations on the plan. Each superintendent handles the training differently. Updates are included in the training.

Board Members Culp and Houin moved and seconded to approve the Storm Water Pollution Prevention Plans as presented. The motion carried.

City Engineer Gaul referred to Ordinance 2018-2138, An Ordinance Regarding Various Fees for the City of Plymouth, which was adopted July 23, 2018. He said that there are several projects that had already started when the fee ordinance was adopted. He requested that those projects be allowed to pay the old rates, rather than the new rates. Following are the projects:

- Viking Paper – waive ordinance fee since they had already submitted paperwork
- Harrington Noodles – 30-day grace period to get requoted charges in since it was in process when ordinance passed

Board Members Houin and Culp moved and seconded to approve the request as presented.

The motion carried.

Gaul updated the board members on PW-18-009, the 2018 Street and Sidewalk Fall Projects. He stated that they will be receiving bids at the next meeting.

Gaul addressed the board members regarding PW-18-036, Comcast, 2160 N. Oak Rd. – Super 8 – Preliminary Discussion. Comcast did not have an agreement, did not pay their financial guarantee and essentially put the line in wherever they wanted, in this case, diagonally across the street which will cause problems for future utility placements. They did not follow the plans developed by their contractor.

City Attorney Surrisi said the state statute regarding local regulations and public utilities states that a municipality shall have the power to determine by ordinance the provisions not inconsistent with the state law upon which a public utility occupies the areas along, under, on and/or across streets/highways rather than public property within such municipalities. He is in the process of trying to draft an updated policy that is specific to underground utilities and is more detailed. He also wants to put some regulations on wireless pole structures and small cell towers. Surrisi referred to Code 96.100 regarding penalties for non-compliance and Section 10.99 regarding the general penalty provision.

Houin asked if it is possible to make the contractors reinstall the line and do it the way it should be. The answer from several in attendance was, “Yes”. Superintendent Davidson informed the board that they just had another incident on PIDCo Dr. where they bored through a 24” drainage culvert. Comcast currently has an application submitted that should be denied until the situation has been resolved.

Board Members Houin and Walters moved and seconded to deny the current application submitted by Comcast until the situation has been resolved. The motion carried.

Board Members Houin and Culp moved and seconded to fine Comcast, QC Communications and any other contractors involved \$2,500/day from August 13, 2018 until the situation is rectified. The motion carried.

City Engineer Gaul addressed the board members regarding PW 18-040, Century Link/Valmont, 1545 PIDCo Dr. – work in right of way. United Telephone Company of Indiana (CentruyLink) – ElectriCom is requesting the City of Plymouth Board of Public Works and Safety for permission to perform work in the City’s Right of Way. This agreement includes a financial guarantee of \$5,000.00.

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

City Engineer Gaul presented Change Order #1 from Pavement Solutions, Inc. which will reduce the contract by \$16,349.76, bringing the total to \$112,276.10 for PW 17-085, Surface Treatment Spring 2018. He stated that because of the deterioration of Bayless Street and the street profile, ADA standards could not be met. Hence the curb ramps at Webster and Bayless were omitted and will be completed in the fall projects.

Board Members Houin and Culp moved and seconded to approve Change Order #1 with Pavement Solutions, Inc. in the amount of \$-16,349.76, bringing the contract total from \$128,625.86 to \$112,276.10. Motion carried.

Gaul presented a request from Comcast PW-18-042 for work in the city's right of way at 885 E. Jefferson – Casey's. They would like to install an underground communication line. This agreement includes a financial guarantee of \$5,000.00.

Board Members Walters and Milner moved and seconded to approve PW-18-042 as presented. The motion carried.

Clerk-Treasurer Xaver presented the following request:

Please put a NO PARKING SIGN on the South side of Crimson Lane, a cul-de-sac. My address is 331 Crimson Lane. When cars are parked on the south side it is difficult for the school bus & the mail to be delivered. Also a handicapped child to be picked up. S/Joan Walter, Resident, 331 Crimson Lane, 574-248-1311.

Mrs. Walter was present to discuss the request and answer questions. It was requested that the entire south side from Hillcrest to the cul-de-sac have no parking. Street Superintendent Marquardt is to notify all parties at the cul-de-sac so that they have an opportunity to speak at the next meeting.

Clerk-Treasurer Xaver presented the following request:

We would like to have our bill be paid in payments over the next 12 months. Also we would like to dispute the sewage on the bill as this was caused by a pipe burst and not all the water was used as sewage as it went into the ground. S/Matthew & Elisa Holstein, Owner, 217 Gilmore St., 574-780-2026.

Mr. & Mrs. Holstein were present to discuss the request and answer any questions. Superintendent Davidson said the Holstein's could contact him so that they can investigate the leak for a sewer credit, then make payments at the Clerk-Treasurer's Office.

Clerk-Treasurer Xaver read the following request:

Request placement of crane in front of the Marshall Co. Historical Museum on Wednesday, Aug. 22, 2018 from 0800-1200 to place a vertical ladder. S/Heath Bowman, Bowman's Tin Shop, 574-936-3234.

Board Members Culp and Milner moved and seconded to approve the request. The motion carried.

Board Members Walters and Milner moved and seconded to allow the payroll for August 15, 2018 and the claims for August 13, 2018 as entered in Claim Register #2018. The motion carried.

Board Members Walters and Milner moved and seconded to accept the following communications:

- Fire Department – Departmental Activity Report – July, 2018

The motion carried.

There being no further business to discuss, Members Walters and Milner moved and seconded to adjourn the meeting. The motion carried and the meeting was declared adjourned at 6:57 p.m.

---

Jeanine M. Xaver, IAMC, CMC  
Clerk-Treasurer

APPROVED:

---

Mark Senter, Mayor

The following requests were forwarded to the proper committee to act upon:

07/10/2018 – First United Methodist Church at 400 N. Michigan would like a tree planted in front of the church between the sidewalk and the street. S/Jeff Mills per Trustees, 400 N. Michigan St., 574-936-2943.

07/20/2018 – 2 very large trees in between sidewalk and road. Partially dead. Need them removed to prevent further damage to property. S/Travis Smith, 241 Elliott Ave., Plymouth IN, 574-767-0874.

07/24/2018 – Tree on west side in tree line is dying. This is the second tree (of 4) that were replaced several years ago that has died. We would like to have the tree removed & replaced. We are unsure what is causing trees to die (another one was cut down last summer for similar reason – concern it has something to do with sink hole which has developed 2 different times at corner of property. S/Angela C. Drury, 1001 Ferndale Street, 574-780-2188.

07/24/2018 – Tree was removed last summer from tree line to west of house (on Kingston & Ferndale corner side) due to death of tree. Would like to have tree replaced (we thought it was to be replaced last fall). S/Angela C. Drury, 1001 Ferndale Street, 574-780-2188.

07/25/2018 – Lots of dead limbs needing cutting. Tree in front of house. S/Barbara Holem, Owner, 1537 Kenwood Ave., 574-966-7041.

08/01/2018 – Dead limbs in north tree located at 319 Brook Ave. S/Arlen Dreibelbis

08/03/2018 – The tree located between curb and sidewalk in front of 1012 N. Michigan St., Plymouth IN 46563 has crushed my sewer line. The sewer line is directly below the tree. The tree needs removed to repair. Documentation can be provided by Roto-Rooter. S/John Dowell, 1012 N. Michigan St., 574-952-0668.

08/09/2018 – Trim 2 trees at 207 Alexander St. Remove or trim east older tree. Trim west tree up from street. S/Bruce Gerhart, 207 Alexander St., 936-8417.