

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
JANUARY 11, 2011**

The Board of Public Works and Safety met in regular session on Tuesday, January 11, 2011. Mayor Ditslear called the meeting to order pursuant to public notice with the following members present: Lawrence Stork and Jack Martin.

Also present were Administrative Officer Mike Hendricks, City Attorney Michael Howard, Clerk assistant Dana Fisher, department directors, interested citizens, and members of the media.

**APPROVAL OF MINUTES: DECEMBER 21, 2010**

Mr. Martin moved to approve the minutes as submitted, second Mr. Stork, three aye.

**PETITIONS OR COMMENTS BY CITIZENS WHO ARE PRESENT**

There were no petitions or comments by citizens.

**APPROVAL OF AGENDA**

Mr. Stork moved to approve the agenda as presented, second Mr. Martin, three aye.

**NEW ITEMS FOR DISCUSSION**

- #1 BOARD TO CONSIDER APPROVAL TO SELL 1991 PIERCE/DASH APPARATUS (CHIEF GILLIAM)

Chief Gilliam stated several months ago the Board approved listing the 1991 Pierce/Dash apparatus for sale with Firetech, Inc. This is the first offer we have received through this advertisement. It is in the amount of \$9,000.00. Chief Gilliam stated it is his recommendation that the Department accept this offer. We may not get many more offers. The Department did receive one other offer when it was advertised locally in the amount of \$1,500.00. The buyer will be responsible for picking the vehicle up and transporting it. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

- #2 BOARD TO CONSIDER PROMOTIONS IN THE FIRE DEPARTMENT (CHIEF GILLIAM)

Chief Gilliam stated there are two promotions for the Board's consideration. One is a new hire. Benjamin Patchett is already trained and possesses his EMT and firefighter's certification. The Department was able to provide him a much shorter recruit period. The first request is to promote Benjamin Patchett from recruit to the rank of Probationary Firefighter. The second request is to promote Firefighter Joshua Brumbaugh to the rank of Engineer. Both promotions would be effective January 24, 2011. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

- #3 BOARD TO CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT WITH WAYNE TOWNSHIP, INDIANA FOR THE PROVISION OF ADVANCE LIFE SUPPORT (ALS) SERVICES TO WAYNE TOWNSHIP (CHIEF GILLIAM)

Chief Gilliam stated the City has been in negotiations with Wayne Township for quite some time regarding their need for our assistance in providing a service that they are not certified to provide. That service is advanced life support (ALS) and EMS. Wayne Township is certified to provide basic life support, however, they do not have paramedics and cannot provide advanced life support. They have sought, and we have agreed to, provide assistance with this by providing an ALS unit, along with a paramedic. Wayne Township would respond to all ALS calls as well because they would be providing the actual transport in their ambulance. Chief Gilliam stated the way it would work is that

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we would respond to the scene, our paramedics would begin treatment, and when it was time for transport our medic would get in their ambulance for transport to the hospital. Some of the finer details of getting personnel from point A to point B are still being worked out. The terms of the agreement are 1 year/\$50,000.00 in cash and \$75,000.00 in kind. The Department will use the "in kind" contributions to lower our own budgets where we can. Mr. Stork asked how the Department knows if a call is an ALS requirement or not. Chief Gilliam responded that is determined by the dispatcher through the 911 Call Center and will be dispatched in that way. This is how all EMS responses are done. Mr. Stork asked if Wayne Township is seeking to get certified. Chief Gilliam replied they have sought to get certified. The problem is volunteers. It is difficult for them to get enough paramedics to provide 24 hour a day services. If they could fund it, they would much prefer to have their own service. That is a best case scenario. Mr. Martin asked what Wayne Township is doing now. Chief Gilliam responded since January 1<sup>st</sup>, we have been providing interim services under the terms of our mutual aid agreement. Before that, they had a private carrier. Chief Gilliam stated the average ALS run in Noblesville consumes about an hour. To serve Wayne Township, the average run would probably take about an hour and a half. This will not impact the services for the residents of the City of Noblesville. Mr. Stork asked if the private carrier provided basic life support (BLS) and ALS. Chief Gilliam replied they provided the ALS. Wayne Township can provide the BLS. Mr. Stork asked what their fee was to Wayne Township. Chief Gilliam replied it was \$200,000.00 per year. Chief Gilliam stated the typical ALS run brings in about \$650.00. We will not be doing billings on the Wayne Township runs. Mr. Martin asked what kinds of response times are we looking at. Chief Gilliam replied long. There will be a farther geographical distance, but we will be coming from stations. The Wayne Township department is volunteer and they would first have to meet at the station and then go on to the site. It will just depend on where we are dispatched. There will be occasions that we will arrive before them. Chief Gilliam stated we also had to look very carefully at the impact it would have on our service for our personnel to be out there. It would be a very limited number of personnel for a very limited amount of time. Mr. Stork stated the equipment is half by June 30<sup>th</sup> and half by December 31<sup>st</sup>. Mr. Stork asked if the Department would rather have all the funds available for a big ticket item. Chief Gilliam replied we can have them do a partial invoice. This is the only way Wayne Township can fund it. Mr. Howard stated they are using their CUM Fire Fund. It is indexed towards their tax distribution. Chief Gilliam stated there is a correction on Page 3, Paragraph 4. It states "Wayne Township shall pay Noblesville \$50,500.00...". This should be \$50,000.00. Mayor Ditslear stated this has taken a long time to get done. Noblesville is helping out its neighbors to the east. We are being compensated for it. In no way are we wanting to take over fire in Wayne Township. That has been reported and is simply not true. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#4 BOARD TO CONSIDER APPROVAL FOR AGREEMENTS WITH TRI STATE FORESTRY, INC. AND CREATIVE COMPOST, INC. FOR RECEIVING THE CITY'S COMPOSTABLE MATERIALS FOR RECYCLE AND REUSE (LEN FINCHUM)**

Mr. Finchum stated these two agreements would allow the City to continue its brush and leaf pickup services for the residents at a greatly reduced cost. In meeting with the two companies, it was agreed that the City's product was valuable and would help keep their businesses going even at no charge to the City. There are no monies involved in these agreements. Mr. Finchum stated he felt they should still come before the Board since there are quite a bit of materials and the agreement with Tri State Forestry, Inc. to receive the City's brush is for 10 years. The agreement with Creative Compost, Inc. to receive the City's leaves is for 1 year. Both companies have worked with the City for a number of years. They both are well established and willing to work with the City. A third

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company, Creative Landscaping, would be willing to receive our product at a small charge if things change in the future. Mr. Finchum stated this is a savings of \$60,000.00 annually. Mr. Stork stated this is a great job. This will be a good savings for the City. Mayor Ditslear stated this is great savings and, as always, the Street Department is doing a tremendous job keeping the streets clean during inclement weather like today. Mr. Stork moved to approve as presented, second Mr. Martin, three aye.

**#5 BOARD TO CONSIDER A SECONDARY PLAT FOR  
"CUMBERLAND POINTE APARTMENTS" (ANDY WERT)**

Mr. Wert stated this plat has been a long time in coming. Cumberland Pointe Apartments were developed in 2007. They are now on their second owner. They are making efforts to clean up some things, including getting the plat recorded, right-of-way dedicated, and the entry sign taken care of. That is on the Common Council's agenda for tonight. Mr. Howard stated the first owner was difficult to deal with. The right-of-way that is dedicated by this property is still subject to the master mortgage, which is to be refunding. They need the plat before they can close, and they need to close before we get the mortgage release. Mr. Howard stated it is his recommendation that the plat be approved and recorded, but no building permits for Phase 2 issued until there is a copy of the mortgage release presented to the City. Mr. Martin moved to approve, withholding permits for Phase 2 until the mortgage is released to the City, second Mr. Stork, three aye.

**#6 BOARD TO CONSIDER ENCROACHMENT APPLICATION (STEVE  
HUNTLEY)**

Mr. Huntley stated MacInnis Construction & Design would like to start a remodeling project at the Church, Church, Hittle, and Antrim building at the corner of 9<sup>th</sup> Street and S.R. 32. This request is for the approval to close off two striped areas that are currently not used for parking for a dumpster and two work trucks. They will be replacing windows in the building and interior remodeling. The dumpster placement will save manpower and time. The total project will last approximately 4 months. When the windows are being replaced, there will be occasions that part of the sidewalk will be closed off. Mr. Huntley stated this would be similar to the same type of work done at the Visitor's Center. All insurances have been submitted and are on record. Mr. Stork asked if there would be pedestrian access at all times, even if it is limited. Mr. Huntley responded yes. Mr. Stork moved to approve as requested provided there is constant, even if limited, pedestrian access on the sidewalk, second Mr. Martin, three aye.

**#7 BOARD TO CONSIDER CHANGE ORDERS NO. 4 AND 5 FOR 141<sup>ST</sup>  
STREET AND MARILYN ROAD ROUNDABOUT (ANDREW  
RODEWALD)**

Mr. Rodewald stated Change Order No. 4 is related to the roundabout center island project at 136<sup>th</sup> Street and Marilyn Road. A 6" box curb needed to be installed before the pavers are set in the middle so traffic could not drive through the center. This was added to the contract with E & B Paving, Inc. instead of the landscaper. Change Order No. 5 consists of some modifications made to a culvert on 141<sup>st</sup> Street east of Marilyn Road. Mr. Rodewald stated they were able to do the work without adding any materials. It is all labor costs. The total for both Change Orders is \$13,173.86. Mr. Stork asked why the curb was not included in the original order. Mr. Rodewald responded the roundabout was originally constructed by the Town of Fishers. The intersection is part of the interlocal agreement and the City of Noblesville is taking care of the maintenance of the roundabout. This will help in the long term maintenance of the roundabout. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

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**#8 BOARD TO CONSIDER CHANGE ORDER NO. 1 FOR TRAFFIC  
SIGNAL AND TRAIL SIGNAGE PROJECT (ANDREW RODEWALD)**

Mr. Rodewald stated there is a full breakdown of all of the items for this Change Order in each Board member's packet. There are a half dozen locations where signs were installed and additional work that needed to be done to two signals that were activated under this project. The grand total of this Change Order is \$12,114.50. Mr. Stork asked why the poles had to be moved. Mr. Rodewald stated these were out at Bergen and Tegler Boulevards. Mr. Beery responded it was more of a conduit move. The signal was originally put in in 2004. The wires were originally put in at that time so the mast arms could be installed later. New wires could not be pulled through the existing conduit, which had to be done with the way we wanted the signal wired. New conduit and hand pulls had to be installed. We also ended up running pedestrian push buttons on the poles in anticipation of pedestrian traffic going to concerts. There were 8 additional wires that were never originally planned for to go through the conduit. Additional boring needed to be done for the new conduit. Mr. Stork stated this is real picky, but we are being charged incorrectly on some of these items. There is 1 operator and 2 laborers on their labor rate, but we are being charged fringe benefits for 1 laborer and 2 operators. This is an overcharge. Mr. Stork stated we are being undercharged on FICA. These don't amount to much, but it should be looked at and corrected. Mr. Rodewald stated they will look at it and get it corrected. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#9 BOARD TO CONSIDER THE SECONDARY PLAT AND RELATED  
SURETIES FOR THE MEADOWS OF SHELBOURNE AT DEER  
PATH SECTION 9A (BRIAN GRAY)**

Mr. Gray stated this is a standard secondary plat for the continuing Pulte Development on Boden Road. This section is actually the new entrance off of Boden Road. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#10 BOARD TO CONSIDER ACCEPTANCE OF LIMITED WARRANTY  
DEED AND QUIT CLAIM DEED (TEGLER/OLIO ROAD) (MIKE  
HOWARD)**

Mr. Howard stated a few weeks ago, the Board authorized the purchase of a strip of ground along Tegler Boulevard, just west of Olio Road. This purchase allows for development of a large, 15 acre piece of property in that area. The City is in talks with the landowner of the larger parcel to purchase this strip of land. Mr. Howard stated this piece of ground is needed to bring development interest into play. This is the acceptance of the deeds which resulted from the original purchase authorization. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#11 BOARD TO CONSIDER CONTRACT FOR DESIGN SERVICES FOR  
THE EXTENSION OF BODEN AND BROOKS SCHOOL ROADS  
BETWEEN CAMPUS PARKWAY AND 136<sup>TH</sup> STREET (JOHN  
BEERY)**

Mr. Beery stated this is a contract for design services for a new road to connect Boden Road at Campus Parkway to 136<sup>th</sup> Street and Brooks School Road. Mr. Beery stated there is a picture in the packets that represents that alignment. At this time, we are looking at completing the survey, doing a preliminary alignment, and then enter into negotiations for land acquisitions once we have a good idea what the route is going to look like and what the preliminary design is. Mr. Stork asked if the extension of 141<sup>st</sup> Street will be of that much benefit. Mr. Beery replied eventually. That is not included as a part of this project. As part of the Thoroughfare Plan, it is planned for 141<sup>st</sup> Street to extend past the Marilyn Ridge subdivision, over Sand Creek, and tie into the northern

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most roundabout that will be built as a part of this project. Some type of storm sewer work may have to be done in advance of that as a part of this project to get storm sewer service for this road job. Due to the costs of the bridge and no clear definition or availability of funding for the 141<sup>st</sup> Street extension, there is no time frame on that project. There is some economic development related activity associated with this project. As part of the swap for right-of-way for the project, a majority of this land was traded for some other City land that is in the flood plain. There were some commercial and zoning trades done in that deal. It is envisioned that as a part of that agreement, if the City has plans available and there is immediate interest for development on some of those parcels the City could do something similar to what is being done out at Union Chapel Road and Promise Road. The alignment could get done at about the same time they are developing the site. We want plans on file so we are ready to go. The parcel could go quickly if the City is in a position to do its part. Mr. Beery stated it is also the final piece of the puzzle for the north/south traffic out there. Mr. Stork asked if the Board is just approving funds for the survey. Mr. Beery replied the Board would be approving funds for all of it, with only notice to proceed for survey. Mr. Howard stated there is funding in the Town Center TIF for this part of it. As far as construction, there has been an appeal out there regarding taxes and such so it is very unlikely there would be construction this year unless there was a big development ready to go that the City could rely on that revenue stream in the future. It is good planning to have it and be ready to go. The economy probably is not ready to explode anytime soon, but there still may be some demand for uses that may be adaptable to that zoning. Most of the S shaped right-of-way was part of the agreement. The right-of-way is just on the southern part. Mr. Beery stated we have done some alignment shifts to try and avoid some of the houses in there. The estimate is 8 parcels, there may be less. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**ADJOURNMENT**

There being no further business before the Board of Public Works and Safety this 11<sup>th</sup> day of January, 2011, Mr. Martin moved to adjourn the meeting, second Mr. Stork, three aye.

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JOHN DITSLEAR, MAYOR

ATTEST:

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JANET S. JAROS, CLERK-TREASURER