

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
MAY 15, 2018**

The Board of Public Works and Safety met in regular session on Tuesday, May 15, 2018. Deputy Mayor Steve Cooke called the meeting to order pursuant to public notice with the following members present: Lawrence Stork and Jack Martin.

Also present were City Clerk Evelyn Lees, Deputy Clerk Jacqueline Thompson, City Attorney Michael Howard, department directors, staff, and interested citizens.

**APPROVAL OF EXECUTIVE SESSION MEMORANDUM: APRIL 24, 2018**

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

**APPROVAL OF MINUTES: APRIL 24, 2018**

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

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

There were no comments by citizens present.

**APPROVAL OF AGENDA**

Mr. Stork moved to approve the agenda with the addition of Item #20, Board to Consider Approval of Application to SERVE Noblesville for a Riverside Cemetery Project (Evelyn Lees); second Mr. Martin as amended, three aye.

**NEW ITEMS FOR DISCUSSION**

**#1 BOARD TO CONSIDER AN AGREEMENT WITH POLICY ANALYTICS, LLC FOR TIF FORECASTING AND ANALYSIS (JEFFREY SPALDING)**

Mr. Spalding stated this request is for a consulting services agreement with Policy Analytics, LLC. He stated the primary purpose of this agreement is to build a business plan for each TIF district in the City, which includes a pro forma projection of projected revenues and expenses, as well as creating GIS maps that can be used for analysis of proposals. He stated the maps can be used to see projected impacts of projects, such as heat maps to indicate specific areas of impact on taxpayers. He stated the contract is not to exceed \$12,500.00. Mr. Spalding stated this may evolve into more robust analysis services of tax policies for the City. He stated this firm operates statewide; Fishers is a client, and he worked with them when he was in Indianapolis. He stated they pioneered this type of analysis when the property tax caps went into effect. He stated they are the primary vendor for this sort of analysis; the only other source with their depth of knowledge is the State of Indiana Legislative Services Agency. He stated they are a top notch firm. Mr. Martin asked if staff will be able to update data going forward. Mr. Spalding replied initially Policy Analytics pulls data directly from the County Auditor. Mr. Stork asked if the City can terminate the contract if we are not satisfied with the results. Mr. Spalding replied, yes, we can. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#2 BOARD TO CONSIDER TRANSFER OF FUNDS FROM BUSINESS PARK TIF DISTRICT TO PAY SEWER CONNECTION FEES AND ROAD IMPACT FEES (MICHAEL HOWARD)**

Mr. Howard stated this request is a part of the incentive package for the SMC project, of which there are two components: one is a tax phase-in for real and personal property; the second is a commitment to waive or pay sanitary sewer tap on fees of \$18,749.79 and road impact fees of \$219,500.00. He stated the Administration recommends that the fees be paid from the Noblesville Business Park TIF, which is a neighboring TIF district. He stated there is more than enough cash in the TIF to pay the fees, and it is a permitted use of those funds. He stated he shared this request with the Council Finance Committee at their meeting last week, and they approved. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

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**#3                   BOARD TO CONSIDER AGREEMENT WITH OFFICE H2O FOR WATER  
COOLER RENTAL (PATTY JOHNSON)**

Ms. Johnson stated they have used water coolers at the Street Department offices since they were built; the prior company was bought out. The contract is \$62.50 per month or \$187.50 quarterly for a 60-month term, which will save \$68.50 per year. She stated this company provides water coolers in City Hall and the Public Safety Building as well. Mr. Stork moved to approve as requested subject to funding, second Mr. Martin, three aye.

**#4                   BOARD TO CONSIDER TEMPORARY CLOSURE OF THE SIDEWALK  
AND TWO (2) PARKING SPACES IN FRONT OF 813 AND 817 CONNER  
STREET (PATTY JOHNSON)**

Ms. Johnson stated this request is from MacInnis Construction to close two parking spaces as needed for placement of a dumpster during construction at these addresses. She stated the dumpster will be brought in to fill with debris, then it will be removed between May 29<sup>th</sup> and August 10<sup>th</sup>. She stated they will work with the Street Department to keep the parking spaces open when they are not needed. She stated the request is also for temporary closure of the sidewalk for façade work. She noted the timing of the façade work and sidewalk closure will be weather dependent. Mr. Stork asked how long the façade work will last.

Heather MacInnis of MacInnis Construction, Inc. at 354 North 10<sup>th</sup> Street addressed the Board. Ms. MacInnis stated the sidewalk would need to be closed for five to seven days during demolition, then closed again when materials arrive for installation on the facade. She stated the sidewalk will be reopened when work is not in progress. Mr. Martin asked how long closure for installation will be. Ms. MacInnis replied the interior and exterior work will be done at the same time, so the closure for installation on the facade should take five to seven days. Mr. Martin moved to approve, second Mr. Stork, three aye.

Mr. Stork expressed appreciation for the petitioner's attendance to answer questions.

**#5                   BOARD TO CONSIDER TEMPORARY CLOSURE OF NORTH 9TH STREET  
BETWEEN CONNER AND LOGAN STREETS FOR THE ANNUAL ART  
FAIR ON THE SQUARE (PATTY JOHNSON)**

Ms. Johnson stated this request is to close 9<sup>th</sup> Street between Conner and Logan Streets on Saturday, August 4<sup>th</sup> from 6:00 a.m. to 5:00 p.m. for the Hamilton County Artists' Association Art Fair on the Square. She stated the Street Department would provide concrete barricades to close the street. She stated they have not yet received a copy of the approved permit from INDOT to close the turn lane on Conner Street. Mr. Stork moved to approve subject to State approval of closing the turn lane, second Mr. Martin, three aye.

**#6                   BOARD TO CONSIDER TEMPORARY CLOSURE OF THE EAST/WEST  
ALLEY BETWEEN 40 AND 50 NORTH 9TH STREET FOR OUTSIDE  
SEATING AT MATTEO'S RISTORANTE ITALIANO (PATTY JOHNSON)**

Ms. Johnson stated this request from Matteo's Ristorante Italiano is the same as last year; they would like to provide outdoor seating in the east alley on weekends from 8:00 a.m. Friday to 11:00 p.m. Sunday beginning May 18<sup>th</sup> and ending September 24<sup>th</sup>. Sean Bartosiak of Matteo's has received permission from affected business owners; there are no deliveries requiring the alley on weekends. Mr. Stork questioned the closure beginning on Friday morning.

Sean Bartosiak of Matteo's at 40 North 9<sup>th</sup> Street addressed the Board. Mr. Bartosiak confirmed that there will be no deliveries requiring that alley on Fridays. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

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- #7                BOARD TO CONSIDER TEMPORARY PARKING SPACE CLOSURES FOR  
THE ANNUAL FERRARI CLUB LUNCH AT MATTEO'S RISTORANTE  
ITALIANO (PATTY JOHNSON)

Ms. Johnson stated this request is for an annual event. She stated 25 spaces are requested to be closed on North 9<sup>th</sup> Street on Sunday, June 3<sup>rd</sup> from 10:00 a.m. to 4:00 p.m. for the annual Ferrari Club Lunch at Matteo's Ristorante Italiano. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

- #8                BOARD TO CONSIDER TEMPORARY CLOSURE OF TWO (2) PARKING  
SPACES ON LOGAN STREET FOR NICKEL PLATE ARTS CONCURRENT  
WITH ST. MICHAEL'S STRAWBERRY FESTIVAL (PATTY JOHNSON)

Ms. Johnson stated this is the second year for this request. She stated Nickel Plate Arts, Inc. requests closure of two parking spaces on Logan Street on June 15<sup>th</sup> and 16<sup>th</sup> to sell local craft wares during the Strawberry Festival. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

- #9                BOARD TO CONSIDER TEMPORARY CLOSURE OF THE ALLEY TO THE  
EAST OF 639 CONNER STREET FOR OUTSIDE SEATING AT BARLEY  
ISLAND BREWING COMPANY (PATTY JOHNSON)

Ms. Johnson stated there was a similar request to this one two years ago, but not last year. She stated Barley Island Brewing Company requests to close the north/south alley next to their building. Hours of closure would be Monday through Friday from 5:00 p.m. to close, Saturday from 11:00 a.m. to close, and Sunday from noon to close. She stated Mr. Stork requested closure of the two parking stalls next to the dining area due to safety concerns. Mr. Martin asked if the parking stalls are paid by the tenant to reserve for the Yeager Building.

Jeff Eaton of Barley Island Brewing Company, 639 Conner Street, addressed the Board. Mr. Eaton stated the parking stalls in question are not in use when outdoor dining is open because it is after business hours. He stated occasionally a customer parks in one of the spaces, but if this happens, the customer is asked to move their car. He stated he does not feel it is safe to have cars parked in those spaces during outdoor dining. He stated he has written permission from the owner of the Yeager Building to use the alley. Mr. Stork expressed satisfaction that his concerns were addressed without closing the parking spaces; he stated they both meant the same thing, but said it in different ways. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

- #10              BOARD TO CONSIDER CHANGE ORDER NO. 2 , ADMINISTRATION OF  
THE CSO LONG TERM CONTROL PROJECT, PHASE IV (RAY  
THOMPSON)

Mr. Thompson stated as work has continued, changes have been needed. He stated there have been a few alterations to the size of the pipe and elevations of pipes. He stated the total change order is \$29,849.50, which were for items that were reasonable and necessary. Mr. Thompson stated some minor problems outside the original scope of the project were discovered, which they corrected since they were already working there. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

- #11              BOARD TO CONSIDER SUPPLEMENTAL AGREEMENT NO. 1 TO  
AMENDMENT NO. 8 WITH HNTB FOR THE LONG TERM CONTROL  
PLAN PHASE IV AND THE PHOSPHORUS REMOVAL PROJECT  
(RAY THOMPSON)

Mr. Thompson stated the original contract called for one full-time inspector and a part-time inspector for two projects, but there have been three crews working. He stated hiring a second full-time inspector was necessary, but the hours in the contract have been used up more quickly. He stated additional hours are needed to provide for inspections. He stated the cost is not to

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exceed \$146,000.00, which is the maximum amount that could be needed. He stated he is confident the actual amount will be much less, in addition to credits that the contractor will owe the City at the end of the project. He stated this amount was to be sure there would be enough funds to cover all needed inspections for the project. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#12 BOARD TO CONSIDER APPROVAL OF THE PURCHASE OF PARCEL NO. 3 FOR A WATER MAIN EASEMENT AT FINCH CREEK PARK  
(JOHN BEERY)**

Mr. Beery stated this request is for approval to purchase land for an easement to install a water main to serve Finch Creek Park. He stated the easement is along the north side of 166<sup>th</sup> Street, west of Boden Road on the Whitcroft property. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#13 BOARD TO CONSIDER ACCEPTANCE AND APPROVAL OF RIGHT-OF-WAY SETTLEMENT FOR PARCEL NO. 3 WITH THE US POSTAL SERVICE FOR THE ROUNDABOUT AT 19th AND PLEASANT STREETS  
(JOHN BEERY)**

Mr. Beery stated this parcel has been settled and payment has been made to the Postal Service. He stated there were some minor changes made, so this is the third generation of the agreement; the changes are for Postal Service procedure and do not affect the City. He stated the Postal Service requires one final signature for their records. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#14 BOARD TO CONSIDER ACCEPTANCE AND APPROVAL OF RIGHT-OF-WAY SETTLEMENT FOR PARCEL NO. 2 FOR THE ROUNDABOUT AT CUMBERLAND ROAD AND FIELD DRIVE (JOHN BEERY)**

Mr. Beery stated this was the final parcel for the roundabout at Cumberland Road and Field Drive. He stated the parcel changed ownership and the offer had to be renegotiated. He stated the new owner settled for the previous offer with conditions: four tenants were using the barn on the property for storage, so the City will pay the cost to move their belongings. The payments ranged from approximately \$125.00 to \$300.00. He stated the owner will be allowed to salvage the barn if he would like; if the barn is not salvaged before construction begins, it will be taken down as a part of the project. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#15 BOARD TO CONSIDER CONTRACT AMENDMENT WITH AMERICAN STRUCTUREPOINT INC. FOR THE PREPARATION OF THE CITY'S SANITARY SEWER MASTER PLAN (JOHN BEERY)**

Mr. Beery stated the Wastewater Utility and engineering staff have been working to update the Sanitary Sewer Master Plan for the City. He stated it has been determined that there are several areas that will require more analysis outside the scope of the original contract. He stated this amendment will allow for additional work not to exceed \$55,500.00. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#16 BOARD TO CONSIDER CHANGE ORDER NO. 1 FOR THE MIDLAND TRACE TRAIL BETWEEN HAZEL DELL ROAD AND WILLOWVIEW ROAD WITH INDOT/3D COMPANY (EN-180-19/DES1600819)  
(JIM HELLMANN)**

Mr. Hellman stated last August the Board approved a contract with INDOT for this project. He stated INDOT let the project and awarded the contract to 3D Paving. He stated this change order is to replace 30 inch clay pipes with concrete pipes so that they will withstand construction traffic. He stated federal funds will be used to pay 80 percent of the change order for \$29,539.14. Mr. Stork asked if this amount is the total cost or the City's share. Mr. Hellmann replied it is the

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total cost; the City's share will be 20 percent of this amount. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#17 BOARD TO CONSIDER AWARD OF CONTRACT FOR 2018 STREET  
REHABILITATION – CONTRACT II (EN-293-02) (ANDREW RODEWALD)**

Mr. Rodewald stated bids for this project were opened at the April 24<sup>th</sup> meeting. He stated E&B Paving, Inc. was found to be the lowest responsive, responsible bidder at \$2,600,052.00. He stated the contract will include base bid and all seven alternate bids. He stated E&B Paving has submitted all required documents. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#18 BOARD TO CONSIDER ILP BONDS FOR FLAGSTONE RIDGE, SECTION 1  
(BRIAN GRAY)**

Mr. Gray stated this is an ILP bond for a project that just started. This request is for acceptance of the performance bonds association with the ILP covering erosion control and right-of-way improvements for Flagstone Ridge, Section 1. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#19 BOARD TO CONSIDER THE ILP BOND AND THE RIGHT-OF-WAY  
AGREEMENT FOR iTOWN CHURCH (BRIAN GRAY)**

Mr. Gray stated this project is being built in Fishers, but Noblesville owns the right-of-way. He stated this is an agreement with the church concerning right-of-way improvements and expectations near 136<sup>th</sup> Street and Brooks School Road. He stated the church has signed agreements concerning right-of-way acquisitions and posted a bond. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#20 BOARD TO CONSIDER APPROVAL OF APPLICATION TO SERVE  
NOBLESVILLE FOR A RIVERSIDE CEMETERY PROJECT  
(EVELYN LEES)**

Ms. Lees stated last year the City applied to be a SERVE Noblesville project to clean headstones at Riverside Cemetery. She stated the project was a great success. She stated as GIS staff has been mapping the cemetery, over 50 fallen headstones have been unearthed, and the Street Department does not have the time and manpower to reset the stones any time soon. She stated she found that the deadline to apply to SERVE Noblesville had passed, but she asked and was told that they would like to do the project. She asked for permission from the Board to apply to SERVE Noblesville as a project for June 27<sup>th</sup> through June 29<sup>th</sup>. She stated she plans to follow the same protocol that was used last year, with signed liability waivers for volunteers that will hold the City harmless. 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 15<sup>th</sup> day of May, 2018, Mr. Martin moved to adjourn the meeting, second Mr. Stork, three aye.

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JOHN DITSLEAR, MAYOR

ATTEST:

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EVELYN L. LEES, CLERK