

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
SEPTEMBER 14, 2010**

The Board of Public Works and Safety met in regular session on Tuesday, September 14, 2010. Mayor Ditslear called the meeting to order pursuant to public notice with the following members present: Lawrence Stork and Jack Martin.

Also present were Clerk-Treasurer Janet Jaros, City Attorney Michael Howard, and department directors.

**APPROVAL OF MINUTES: AUGUST 24, 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. Huntley stated there was a late request on Friday for a closure for a Block Party on Logan Street to be added to the agenda. Mr. Stork stated he would also like to move Item #5 to the first item on the agenda. Mr. Martin moved to approve the agenda as amended, second Mr. Stork, three aye.

**BID OPENING FOR TRAFFIC SIGNAL & SIGNING PROJECT**

Mr. Howard stated the first bid packet is from The Hoosier Company, Inc. They have included their bid bond, financial statement, form 96, and non-collusion affidavit. The base bid is \$171,141.00.

The next bid packet is from Midwestern Electric, Inc. They have included their bid bond, form 96, non-collusion affidavit, and financial statement. The base bid is \$228,672.00.

The next bid packet is from Morpheus Construction, Inc. They have included their bid bond, form 96, non-collusion affidavit, and financial statement. The base bid is \$153,880.00.

Mr. Howard stated that appears to be all of the bids for the Traffic Signal and Signing project. Mr. Howard asked if anyone present knew of any other bids. There were none appearing. Mr. Howard recommended the bids be referred to the Engineering Department for review and recommendation for the next Board of Public Works and Safety meeting. Mr. Martin so moved, second Mr. Stork, three aye.

**NEW ITEMS FOR DISCUSSION**

#5                   BOARD TO CONSIDER TEMPORARY SIDEWALK  
ENCROACHMENT FOR FAÇADE WORK ON THE UPTOWN CAFÉ  
AT 809 CONNER STREET (STEVE HUNTLEY)

Mr. Huntley stated the Uptown Café received a Façade Grant a few weeks ago. In order to accomplish the activities under that Grant, MacInnis Construction is requesting an encroachment for 8<sup>th</sup> Street in order to set up equipment to work on the side of the building. The preliminary request is for October 15<sup>th</sup> through October 28<sup>th</sup>. It is before the Board because it is in the Downtown area. Mr. Huntley stated Mr. MacInnis is here to answer any questions the Board may have. Mr. Martin asked if foot traffic would still be able to get through on 8<sup>th</sup> Street. Mr. MacInnis replied there would still be one lane open for such traffic. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
SEPTEMBER 14, 2010, PAGE II**

**#1 BOARD TO CONSIDER PROFESSIONAL SERVICE AGREEMENT  
WITH RYAN MILLER DESIGN FOR MARKET NOBLESVILLE  
INITIATIVE (CHRISTY LANGLEY)**

Mrs. Langley stated this contract is for the proposed marketing and branding communications plan and budget for the City of Noblesville's Market Noblesville Initiative. The initiative began with the realization that the City has no cohesive public campaign when it comes to informing, serving, and marketing to existing and potential citizens, businesses, and tourists. The Department began discussions with the Administration and realized the entire City needed a cohesive design campaign, not just Economic Development. Every Department had different designs, texts, fonts, etc. that were unrecognizable to each other outside of the City Seal. The Department put out an RFP to 2 dozen different design firms within the Indianapolis area and received 12 proposals back. We narrowed it down to 4 firms for the marketing and branding initiative. Ryan Miller Design is the firm the Department decided on. They are located in Noblesville on Maple Avenue. The proposals varied in price from \$15,000.00 to \$100,000.00. Ryan Miller cooperated with the City and worked within our budget. This contract includes workshop meetings with the Market Noblesville Committee. The Committee consists of 1 representative from each City Department, the Mayor, and a Council representative. The contract also includes stakeholder interviews, analysis of the Noblesville Community Vision Citizen Survey, brand concept development, a brand marketing and communication strategy, and brand marketing and communication implementation. They will basically set the City up for the next 3-5 years, giving us a strategy guidebook in essence. The total project cost is \$35,000.00. Mr. Stork stated there is no "opt-out" for the City if we are not satisfied with the progress. Mrs. Langley stated that is correct and that could be incorporated into the agreement. Mr. Stork stated the agreement states information should be supplied to the firm in a timely manner. Mr. Stork stated that bothers him because if the information is not available, it cannot be provided in a timely manner. Mr. Howard stated it doesn't need to be provided if it doesn't exist. That terminology is not a problem. Mr. Stork moved to approve, subject to an "opt-out" for the City be added to the agreement, second Mr. Martin, three aye. Mr. Stork stated he would like to ask that reports on this contract be given back to the Board. It can be something that is just added to the packets. Mr. Stork stated the Board approves these contracts and never hears any reports or progress regarding the programs. Mrs. Langley replied she would be happy to supply the Board with periodic updates regarding this initiative.

**#2 BOARD TO CONSIDER AMENDMENT TO THE 2010 HOLIDAY  
SCHEDULE FOR CIVILIAN EMPLOYEES (JANET JAROS)**

Mrs. Jaros stated in reviewing holidays for 2011, it was discovered that January 1<sup>st</sup> was on a Saturday. City procedure has been that if a holiday is on a Saturday, the Friday before is given off. If a holiday falls on a Sunday, the following Monday is given off. This would put the January 1<sup>st</sup> holiday into the 2010 Holiday Schedule. It was not on the schedule when the Board of Public Works and Safety approved the Holiday Schedule for 2010. This request is to amend the 2010 Holiday Schedule for civilian employees to include the Friday before January 1<sup>st</sup> as a holiday. The Fire Department's January 1<sup>st</sup> holiday was approved at the Meet and Confer as December 31<sup>st</sup>. The Police Department will get January 1<sup>st</sup> as a holiday and it will be on the 2011 Holiday Schedule. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
SEPTEMBER 14, 2010, PAGE III**

**#3 BOARD TO CONSIDER REVOKING APPROVAL FOR SET UP OF  
FOOD STAND ON HAMILTON COUNTY COURTHOUSE SQUARE  
(HOT DIGGITY DOG) (JANET JAROS)**

Mrs. Jaros stated the Board had previously approved Hot Diggity Dogs to operate a hot dog stand at the war memorial on the Courthouse Square. Mrs. Jaros stated it has come to her attention that they intended to operate the hot dog stand at the last First Friday event, which was also a Jazz Squared night. When the hot dog stand was approved, the Board was very specific that they would need to obtain permission from event organizers in order to set up during special events. Mrs. Jaros stated they have also not issued their certificate of insurance to the City or paid for the required permit. They did get the proper encroachment permit from the Planning Department. The hot dog stand has set up on Friday nights before. Mrs. Jaros stated that Joe Arrowood from Main Street has stated that normally, there is not competition from other vendors for Jazz Squared and operating the hot dog stand is fine during those times. That particular Friday night with the First Friday event there were paying vendors in direct competition with the hot dog stand. Mrs. Jaros stated she has put this item on the Agenda for the Board to review for compliance issues. Mr. Howard stated Jane Schuler, the owner of the hot dog stand is here and may want to address the Board. Mr. Martin asked Mrs. Jaros if they had paid the permit fee. Mrs. Jaros replied they have not paid for a permit or supplied the City with a certificate of insurance. Mrs. Schuler stated she did not know they had to pay another fee. They paid the Planning Department \$100.00 and thought that would take care of any issues in operating the hot dog stand. Mrs. Schuler stated she would pay the other fee if that is what is required. Mrs. Schuler stated they have set up during the Jazz Squared nights and for the Italian Fest. Mr. Arrowood had a problem with the hot dog stand being open for the Italian Fest, but the lady who organized the event said to stay because there were not enough vendors. The lady who organized the Italian Fest wanted the hot dog stand opened, Mr. Arrowood did not. Mrs. Schuler stated she was unaware the hot dog stand could not operate when there were other vendors for an event. Mrs. Schuler stated once the stand was approved, Mr. Arrowood stated they could be open for any event except the Street Dance. Last Friday, they suddenly decide they are going to sell hot dogs. Mrs. Schuler stated she did not know why they did not partner with her; she has all of the necessary Board of Health permits, availability to wash your hands, she has the hot dogs, chips, and sodas. Mrs. Schuler stated the people who attend Jazz Squared have come to expect the hot dog stand to be there. Mrs. Schuler stated the stand is unobtrusive, out of the way, and doesn't cause problems for any other business. We just want to sell some hot dogs. Mr. Stork asked if Jazz Squared is a Main Street event. Mr. Howard replied yes. Mrs. Schuler stated she has the required insurance, she did not know she had to provide it to someone specific. Mr. Martin stated the previous minutes doesn't say anything about paid vendors, just special events. Mayor Ditslear stated he would be inclined to leave this alone and get with Joe Arrowood and have Main Street put something in writing as to when the hot dog stand could operate. Mr. Howard stated Hot Diggity would also like to set up in front of the Government Center on Night Court nights to sell hot dogs to people coming out of court. Mr. Howard stated they would also need to talk to Mr. Dan Stevens regarding this. There was some discussion on whether there needed to be a motion. Mrs. Langley stated the only time the issue came up is when Jazz Squared coincided with a First Friday, otherwise Jazz Squared is free reign. Mr. Martin moved to approve the Hot Diggity Dog hot dog stand to operate at the war memorial and the Government Center for Night Court, second Mr. Stork, three aye.

**#4 BOARD TO CONSIDER TEMPORARY ENCROACHMENT FOR 20  
PARKING SPACES FOR MATTEO'S RESTAURANT FOR THE  
FERRARI FESTIVAL (STEVE HUNTLEY)**

Mr. Huntley stated this is a request to reserve 20 parking spaces on Sunday, September 19th, for a Ferrari Festival at Matteo's restaurant. They have held this event for the last few years. It is a one day event from 11:00 a.m. until 2:00 p.m. Mr. Stork

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
SEPTEMBER 14, 2010, PAGE IV**

asked why the City is charging a parking fee on a Sunday. Mr. Huntley responded that is a good point and will be dropped from the request. Mr. Stork moved to approve the request, waiving the \$10.00 parking fee and not reimbursing fees that have been paid in the past, second Mr. Martin, three aye.

**#6 BOARD TO CONSIDER GRANTING PERMISSION TO PUBLISH  
THE ADVERTISEMENT FOR BID FOR UNION CHAPEL ROAD  
LANDSCAPING PROJECT (JIM HELLMANN)**

Mr. Hellmann stated this is a request for permission to advertise for bid the Union Chapel Landscaping project. It is essentially landscaping from 166<sup>th</sup> Street to Pleasant Street. Phase 2 is at a point where they can begin doing some of the fall landscaping in that area. The bids would be opened at the next Board of Public Works and Safety meeting. Mr. Martin asked if the City's Urban Forrester has been involved in this project. Mr. Hellmann replied yes. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#7 BOARD TO CONSIDER CHANGE ORDER NO. 1 FOR 141<sup>ST</sup> STREET  
AND MARILYN ROAD ROUNDABOUT (ANDREW RODEWALD)**

Mr. Rodewald stated on the southeast corner of the intersection at 141<sup>st</sup> Street and Marilyn Road was a home and garage. The garage sits directly on the corner of the remainder of the parcel that the City did not acquire. Part of the garage is on right-of-way, the other part of the garage is directly on the line. Only the portion of the garage on the right-of-way could not be demolished, the whole structure had to be demolished. The property owner has agreed to give the City's contractor right of entry onto their property to remove the entire structure. Mr. Howard asked if this is in writing. Mr. Rodewald responded yes. It would be a useless structure if it was left intact. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#8 BOARD TO CONSIDER CHANGE ORDER NO. 1 FOR 2010 STREET  
REHABILITATION PROGRAM (ANDREW RODEWALD)**

Mr. Rodewald stated the first items are for right-of-way monuments that are in various thoroughfare roads. The majority of these are actually related to the Stimulus projects the City received funding for. A Change Order could have been done for that project, the City would have still had to pay for it. It was just as easy to go through this one and not have to go through the State process. Mr. Rodewald stated there are a total of 11. The other item is the paving of a Lift Station in Carleton Heights. The Wastewater Department asked us to pave the area while we were out there paving the streets. It was all hand work so E & B asked for additional money. Mr. Stork asked what the monuments were. Mr. Rodewald responded they are concrete squares or circles in the roadway with the metal center right-of-way markers. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#9 BOARD TO CONSIDER SANITARY SEWER AGREEMENT NO. 33-  
09-10 FOR THE REIMBURSEMENT OF COST ASSOCIATED WITH  
CONSTRUCTION OF THE MASTER PLAN SANITARY SEWER  
ASSOCIATED WITH BRIGHTON KNOLL SUBDIVISION (BRIAN  
GRAY)**

Mr. Gray stated this is a standard agreement for oversizing of the sewer. This is where the City has the developer oversize the sewer for the Master Plan and the City pays the difference of what the developer would have had to put in versus the size they actually put in. This was negotiated with the Brighton Knoll developer, Timberstone Development. This is an important piece of infrastructure to connect to property to the

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
SEPTEMBER 14, 2010, PAGE V**

south that the school owns. It is located between Howe and Promise Roads. It is a critical piece of infrastructure. Mr. Stork asked if this is the actual differential cost. Mr. Gray responded it is actually a little less. The Department negotiated it down. It was a long process. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**#10 BOARD TO CONSIDER THE ACCEPTANCE OF THE BRIGHTON  
KNOLL SECTION 3 SECONDARY PLAT AND RELATED  
MAINTENANCE SURETIES (BRIAN GRAY)**

This request is for the acceptance of the Brighton Knoll, Section 3 maintenance bonds covering sanitary sewer, street asphalt, street surface, curb, and NAT master plan trail. This requests the release of the ILP bonds for sanitary sewer, storm sewer, street asphalt, street surface, curb, and NAT master plan trail. This is also a request for the acceptance of the performance bond covering the master plan sanitary sewer and the approval of the secondary plat for Brighton Knoll, Section 3. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#11 BOARD TO CONSIDER THE ACCEPTANCE OF THE SLATER  
RIDGE SECTION 1 MAINTENANCE BOND FOR STREET TREES  
(BRIAN GRAY)**

This request is for the acceptance of the maintenance surety for the street trees for Slater Ridge, Section 1 and the release of the performance bond for the same. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#12 BOARD TO CONSIDER THE ACCEPTANCE OF THE HORIZONS AT  
CUMBERLAND POINTE SECTION 4B CURB PERFORMANCE  
BOND (BRIAN GRAY)**

Mr. Gray stated this was before the Board previously with an ILP. They did not have the correct amount for the curbs. The Department had to bring this back to the Board with the corrected amount. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#13 BOARD TO CONSIDER THE ACCEPTANCE OF THE LOHAVEN  
SECTION 7 ALLEY APRON RECONSTRUCTION MAINTENANCE  
BOND (BRIAN GRAY)**

This request is for the acceptance of the maintenance surety for the alley approach aprons for Lochaven, Section 7 and the release of the performance bond for the same. Mr. Stork moved to approve as requested, second Mr. Martin, three aye.

**#15 BOARD TO CONSIDER THE AWARD OF THE WEST HAVEN  
INTER URBAN TRAIL PROJECT CONTRACT (BRIAN GRAY)**

Mr. Gray stated Grady Brothers, Inc. was the lowest responsive, responsible bidder for this project. The contract amount is \$141,344.55. There was one other bidder and that bid was much higher. The contractor has been contacted. Mr. Stork asked if the project would be done this year. Mr. Gray responded yes, a Notice to Proceed will be given to them later this morning once approved by the Board. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE  
SEPTEMBER 14, 2010, PAGE VI**

#16 BOARD TO CONSIDER CHANGE ORDER NO. 3 FOR THE  
CARRIGAN ROAD PEDESTRIAN BRIDGE PROJECT (BRIAN  
GRAY)

Mr. Gray stated this is the addition of some stone around the bents. Typically, stone is placed around flowing water. This was not included in the bid. The Department felt from an aesthetic standpoint and to hinder weeds, the stone and weed barriers should be put down. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

#14 BOARD TO CONSIDER LIMITED WARRANTY DEED FROM THE  
CITY TO THE NOBLESVILLE REDEVELOPMENT AUTHORITY  
(UNION CHAPEL ROAD PHASE 3 PROJECT) (MIKE HOWARD)

Mr. Howard stated this deed concerns the right-of-way for Union Chapel Road Phase 3, which basically begins north of the Town & Country/Union Chapel roundabout, extends north to the S.R. 32 right-of-way, and includes the extension of Pleasant Street. This project is financed through a lease agreement between the Noblesville Redevelopment Authority and the Noblesville Redevelopment Commission. In order to enter into that lease agreement, the Redevelopment Authority must have title. These parcels were acquired by the City with funds that will be reimbursed soon. The deed is before the Board for approval. At the end of the project, the right-of-way will revert to the City. Mr. Martin moved to approve as requested, second Mr. Stork, three aye.

#17 BOARD TO CONSIDER STREET CLOSURE FOR BLOCK PARTY  
(STEVE HUNTLEY)

Mr. Huntley stated last Friday, the Planning Department received a request from Casey Kenley to close Logan Street between 1294 & 1395 Logan Street on September 26<sup>th</sup> from 3:00 p.m. until 8:30 p.m. for a Block Party. It seems to be a fairly routine request. This is the same area that filming will take place for a Conner Prairie project. 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 14<sup>th</sup> day of September, 2010, Mr. Martin moved to adjourn the meeting, second Mr. Stork, three aye.

---

JOHN DITSLEAR, MAYOR

ATTEST:

---

JANET S. JAROS, CLERK-TREASURER