

February 6, 2023

The Board of Public Works & Safety met on Monday, February 6, 2023, at 10:00 a.m. in the Marion City Council Chambers. Present were Alex Huskey, Brian Flynn, Linda Wilk, and secretary to the board.

Motion to approve the January 17, 2023 minutes- Brian Flynn; seconded Linda Wilk. **Motion carried.**

ELECTION OF OFFICERS

Brian Flynn nominated Linda Wilk for president; seconded Alex Huskey.

Linda accepted. Nomination carried.

Alex Huskey nominated Brian Flynn for vice president; seconded Linda Wilk.

Brian accepted. Nomination carried.

MARION FIRE DEPARTMENT- HAZMAT S.O.P.

Assistant Fire Chief Eckstein: Good morning. So in front of you, you have the old Hazmat S.O.P. and then the new S.O.P. We just changed some wordage from the old to the new. Went from pumpers to engines. Um we can walk through them if you would like on the things that uh we have changed.

Linda Wilk: Probably be a good idea for the public.

Assistant Chief Eckstein: Okay, yep. On page 1 we did not have any changes. No changes on page 2. Three there is none. On page 4, under response, number 1 subsection G went from Fire Department Dispatch to Grant County Central Dispatch um since we no longer have the Marion Police Fire Dispatch it has all been centralized. Page 8 number 9 completely took out "Don't trade live ones for dead ones." Page 8 second paragraph under Marion Fire Department Hazardous Incident Level II Response "*Marion Fire Department response to a known Level II incident shall be a standard three (3) pumps, rescue dispatch. In most cases truck 4 should also be dispatched.*" Changed to "Marion Fire Department response to a known Level II incident shall be a standard three (3) engines, shift commander, ladder truck and haz-mat truck with attached trailer. Page 8 Deputy Chief changed to Assistant Chief. Page 10 sections 2 and 3 *Chief Deputy to Deputy Chief.* Page 10 under Marion Fire Department Hazardous Materials Incident Level III Response number 2 and 3 changed from Chief Deputy to Deputy Fire Chief. Page 16 under Marion Fire Department Hazardous Materials Incident Level III Response first and second paragraph changed from Marion Fire Department Dispatch Center to Grant County Central Dispatch Center.

Motion to approve the changes to the HAZ-MAT S.O.P- Alex Huskey; seconded Brian Flynn. Motion carried.

ENGINEERING DEPARTMENT- BIDS FOR DAM REMOVAL

Mike Graft: Good morning.

Board in unison: Good morning.

Mike Graft: So this is uh this is new for me now I have never removed a dam before. I have removed a few streets but not dams. So today I am going to bring forth to you folks is the

Mississinewa Dam that people are pretty familiar with. The low head dam. Um we have looked at it now for the last couple of years um so we have gotten to this point by getting permits from DNR um Army Corp Engineer, um so we are ready to move forward. The next step will be to open the bids today uh once I open them up uh I will review them so I'll take them under advisement so the next Board of Works meeting in two weeks I will bring you back my recommendation un and then at that point you probably won't see a lot happen, we'll wait to see what mother nature gives us and what the contractor feels comfortable once they get in, can get in the water to start removing the dam. Um just to give you a little background on the dam itself. So that the concrete section is called a weir. That will totally be removed it goes all the way across the water. And then there is an old gate which is a metal gate um that hasn't worked in many, many years that will be removed and then the bank will have a three to one slope tapering down into the water. Um you will see a substantial difference in the amount of water. There will be times that it will probably look like a creek as a posed to a river. Uh but then when the rains come you will probably see a river again but it will be uh, it should help with uh the environmental side of it. Fish population will probably increase as we have already been um kind of seeing in other areas that this has been done. So, I think um that there is concerns obviously um to fold from some residence that were worried about fishing and not being able to put a boat. No, you won't be able to put a boat in there unless you know we get a good rain then you could probably put one in there. Maybe kayaks or something like that. But uh for the most part um the habitat will be better. The smell will probably be better at times during the year then what we have seen. So, with that going forward again once I go through the bids um if you have got any questions you can ask them but at this point, I am going to review each packet. So, what I am going to give you just today is the individual group that is quoting, their quote and then I will check the documentation to make sure that everybody followed the rules and then I will come back to you at a later date. Okay? Fair enough? So it looks like we have one, two, three, four, five, six total bids. Which is good. So we will start off with and I am probably going to screw this up. Jutte Excavating, their quote is for \$275,000, and again I will check over the documentation. The second one is from Eads Excavating. Their bid is for \$197,875. This one there is no name on it so it must be inside. This is from Stowers \$174,900, Stowers Excavating. Alex Huskey: What was that amount again, please?

Mike Graft: \$174,900. And the next one is Flatland Resources. And the bid is in the amount of \$259,131. The next one is Dave's Excavating. It is in the amount of \$318,000. And we have one electronic submittal from and I will just spell this Sunesis and it is for \$404,340. So, again uh I will take these under advisement and bring them back to you. For those that are independents if you would like I will have a sheet uh with bid documents um and I will send it out to everybody in an email so everybody knows what, what was bid by everyone just in case you didn't get it written down. At this point thank you for your time and I will bring it back to you.

Linda Wilk: We probably need a motion take this under advisement, so if I can have a motion to take under advisement for the bids for the removal of the dam.

Motion to take under advisement the bids that were presented today for the removal of the dam- Brian Flynn; Alex Huskey.

Alex Huskey: I will second that with a question or a statement as well

Linda Wilk: Sure, yeah.

Alex Huskey: So one of the as my second I what I would love to be able to have is a little bit of a have we done any business with any of these companies before? And just in the submission when we get these back if we have done any business with them before, and if we have done

business with them before have they submitted multiple change packets on things that they have bid on in the past.

Mike Graft: As far as change orders, once they get it?

Alex Huskey: Yes.

Mike Graft: So, I mean again as I told you the first time, I have never bid a, bid a dam before

Alex Huskey: Any projects.

Mike Graft: But so but to answer the question though we do require um um a bid form 96 that has history in there that allows us to call reference to see if they, the people that did a dam and we asked them for that kind of information so that, that's in the packets.

Alex Huskey: Yes, I think you know this board has been under the scrutiny for a lot of things and I think in order to do our due diligence...

Mike Graft: No, I agree. I don't want to be change ordered to death either but what I can tell you that is different than road when you are dealing with something like this there are a lot of unknowns. We don't know what might be underneath and we are even at one point we had discussion with the bidders, there may be another dam further upstream that we may have to deal with. Uh so when we did our engineers estimate uh we were in the close to the \$600,000 range so just looking at these even if there are we are more than covered.

Alex Huskey: Yeah, I just think this board needs to have that information available for just in case.

Mike Graft: Yep, no I agree. Again new to me but we try to do our due diligence up front so that so that when we get into that that part of the phase when we start asking uh these folks for questions we can reach out to other groups that they have dealt with or done work with before so. Dr. Jerry Sweeten uh has done a lot of this work so he is familiar with the majority of these folks. So I will rely on Dr. Sweeten as well.

Linda Wilk: So you will be coming with a recommendation in two weeks?

Mike Graft: Yes.

Linda Wilk: That give you adequate time?

Mike Graft: Oh yeah. I mean it will give me plenty of time to review what I have got to review and I will sit down with Dr. Sweeten and uh we will definitely have a good answer for you. And again, I will not be offended if we have those questions come next, you know did we, did we check on this or what's the common change orders, or things like that so. Yep.

Linda Wilk: Okay. Alright. So there was a motion and a second but we have not voted. **Motion carried.**

BUILDING DEPARTMENT

Jerry Foustnight: Whitney Gilbert is my executive secretary. She actually does the uh information that is supplied to you. We have run into in the past where I have uh been ill or out of the office or different circumstances uh where we have had to postpone maybe a structure that we would like to bring before you. So, what I would like to do is I would like to have Whitney start presenting some of these to you if I am not available so we can continue to move forward. Uh Whitney again she is very familiar with it because she is the one that does all the facts sheets and all of that for you. So, uh having said that uh I, I am very comfortable with her proceeding with these structure demo requests so uh at this time I will let Whitney uh inform you as to what we did. Thank you.

Whitney Gilbert: Hello. Good morning. Um I think you guys have the facts and findings. It is pretty short on this one. We sent out the notice it got received or it was received. Um title work

we got that back, we sent the Board of Works notices out um those were received. Um never heard anything from anybody. We did not have any contact so we went ahead and scheduled. Um there is not much more than that. There has been no contact with the property owner or anything of that nature so.

Linda Wilk: And it looks like there's a significant amount of taxes due.

Whitney Gilbert: Yeah, and it did go and I checked with April from the county um because it was flagged sold at tax sale. Um so I double checked with that. She said that that person does not have possession of the property yet. They are still in that waiting period so he doesn't have any claims to the property yet. So

Linda Wilk: So how does that work if he gets claims to the property before it is demolished?

Whitney Gilbert: Um typically in the past is what we have done is if somebody takes possession of it after everything has been recorded and everything's been done on our side of it um what was the last property we just did. We ended up sending a notice to the new owner cause it had changed hands after everything was recorded

Linda Wilk: Right, I remember that.

Whitney Gilbert: Yeah, so we sent notice to the property owner and let them know this has a demolition order and then I think they have communicated with Jerry a couple of times since then but the demo order stood but we sent notice to them and let them know that.

Linda Wilk: And they understood they were responsible for all of the fees.

Whitney Gilbert: I believe so. Yeah. I don't know that they were happy about it but they did request some information and we got it to them and

Linda Wilk: Yeah. I just you know as long as they know that's their responsibility.

Whitney Gilbert: Right.

Jerry Foustnight: And Whitney's very, very good at as soon as we take and you affirm the order on a demo she does the demo we get it recorded immediately over at the recorder's office. Then that way if an individual would buy a piece of property and didn't do a title search or anything to see the liens then it would be on them also.

Whitney Gilbert: We do record the notice of the meeting um obviously prior to the meeting and we also record the decision. The paper of the decision is recorded.

Linda Wilk: (inaudible) Even though it is a public hearing, I don't see anyone in the public here.

Whitney Gilbert: Yeah, I don't think we received any phone calls, letters or anything like that.

Linda Wilk: If there are no questions I would be ready for a motion.

Motion to approve the demolition of 543 E. Swayzee St- Brian Flynn; seconded Alex Huskey.

Motion carried.

BOARD OF WORKS RULES AND REGULATION MANUAL

Linda Wilk: We had since Cindy and Janice are both gone and Janice being new I feel like we need to table that until at least they are present so if there is any questions that they have or any feedback they want to give. They can do that. So. I will not be at the next meeting but as long as they are I think we can still proceed without myself. Um at this time public comment.

PUBLIC COMMENT

No public comment.

PAYMENT OF THE BILLS- FEBRUARY 6, 2023

Motion to approve the payment of the bills in the amount of \$1,980,124.06 for voucher numbers 137, 1164, 1165, 50437-50640, 23-15341 and 23-53252 for February 6, 2023- Alex Huskey; seconded Brian Flynn.

Motion carried.

Motion to adjourn- Alex Huskey; seconded Brian Flynn

Meeting adjourned.

Alex Huskey- President
Board of Public Works & Safety

ATTEST:

Aisha Richard- Secretary
Board of Public Works & Safety