

**MINUTES OF MEETING
BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MONTICELLO
April 15, 2019**

The regular meeting of the Board of Public Works and Safety, of the City of Monticello, Indiana was held on Monday April 15, 2019 at 5:30 p.m. The meeting was called to order by Mayor Ken Houston and was opened with the Pledge of Allegiance.

Roll call, by Clerk Treasurer Jim Mann, was answered by Mayor Ken Houston and Board Members Grace Oilar & Andy Harmon. City Attorney George Loy was also present.

A motion was made by Board Member Andy Harmon, seconded by Grace Oilar to approve the minutes of the Regular Meeting of March 18, 2019. All ayes, motion carried.

ADDITIONS OR DELETIONS TO THE AGENDA-None

OLD BUSINESS

- 1. Street Department-Award Bid for New Dump Truck**-Mayor Houston outlined the bids as follows: Wiers International for \$79,700.00 and WA Jones for \$59,872.00 which totals \$139,572.00. Grace Oilar made a motion to approve the bids as presented. Andy Harmon seconded the motion. All ayes, motion carried.

NEW BUSINESS

- 1. East Ohio Street-Consideration of City Council's Plan**-Mayor Houston indicated the Council's plan was attached to the wall along with the City plan. He also confirmed with the Board members that they had copies of letters from Phil Vogel and Jerry & Jean Phelps which are to be noted for the record. He asked if anyone wished to speak regarding this matter. Dan Oldenkamp referred to the letter from the Phelps' and confirmed he would be willing to provide the required property from the Council plan at no charge to the City. Mike Rupel wanted to clarify for the record that he did not say "everyone should give up equal amounts of property" nor has he "retained an attorney". He said he has spoken with several attorneys. Grace Oilar made a motion to approve the Council plan for East Ohio Street as presented by the committee. Due to a lack of a second for the motion the matter did not move forward.

- 2. Consideration of Contract with NewFocusHR-Update Policy Manual-Clerk**
Treasurer Jim Mann outlined the actions taken by himself, Doug Pepple and Mayor Houston to interview NewFocusHR and Waggoner, Irwin and Scheele for the purpose of updating the City's Policy Manual. Jim indicated the recommendation is to update the policy manual at this time and to use NewFocusHR. The cost is \$4,500.00 with an annual update of \$125.00. Mayor Houston made a motion to approve the contract with NewFocusHR and have the City Attorney review the contract for approval for the next Board of Works meeting scheduled for May 20, 2019. Andy Harmon seconded the motion. All ayes, motion carried.
- 3. Wastewater-Commonwealth-Approval of Invoice 43551**-Andy Harmon made a motion to approve the invoice as presented in the amount of \$7,474.40. Grace Oilar seconded the motion. All ayes, motion carried.
- 4. Wastewater-Commonwealth Engineering Invoices 43552 and 43553**-Wastewater Superintendent Adam Downey reported these invoices are for field survey work and preliminary design. Grace Oilar made a motion to approve Invoices 43552 (\$26,700.00) and 43553 (\$21,839.04) as presented. Andy Harmon seconded the motion. All ayes, motion carried.
- 5. Wastewater-Commonwealth Engineering-Approval of Invoice 43657**-Adam Downey reported the invoice is for \$18,000.00 with the RCA Neighborhood Dual Utility Study and will be paid from OCRA funding. Andy Harmon made a motion to approve the invoice as presented. Grace Oilar seconded the motion. All ayes, motion carried.
- 6. Utility Adjustments**-Grace Oilar made a motion to approve the adjustments in the amount of \$11,470.41. Andy Harmon seconded the motion. All ayes, motion carried. Rod Pool said the adjustments were high due to weather problems.

MISCELLANEOUS AND ALL OTHER MATTERS-Grace Oilar commented about the East Ohio Street discussion and asked "Where do we go from here?" Mike Mannion said (about the vote) "your pushing this on someone else" and "shame on you". Mayor Houston said he did not feel he was being "too unreasonable" about the plan consideration. Fred Henney voiced a concern about the liability (who is) if and when an accident would occur at the curve. City Attorney George Loy indicated that liability is determined on a case by case basis. George also pointed out that the City Council is the fiscal and legislative body and the Board of Works is the contractual body, so the Council's recommendation of a plan is not binding. George indicated the decision on East Ohio is in his opinion largely an engineering one. Fred Henney then stated he would like to see a proactive approach on dealing with the safety issue with the curve. Board Member Andy Harmon indicated he has recently spoken with Joe Rogers of the Area Plan Commission and Jason Miller (City Engineer) about both plans. Andy said that both plans solve the challenges of the curve, but the City plan creates a safety issue at Whitaker's house. Andy further stated that the greater insurance liability is not with the curve, but with Whitaker's property due to the garage. He also stated that the liability would further exist if the Board of Works would vote to adopt the Council plan and then an accident would occur involving Whitaker's property. Andy also indicated he feels something positive can be done because the

Rupel's have indicated their willingness to work with the neighbors and the City to improve the safety issue. Andy pointed out that he does not want to trade one safety issue for another. Mayor Houston asked why the Council plan had to shift to the left and impact the Whitaker property. Ralph Widmer indicated he did not feel the distance from the road to Whitaker's garage is no different than other situations that presently exist around the City. Ralph also said the shifting of the road towards Whitaker's property was to avoid issues with multiple wells and septic systems. Ralph further stated that Mr. Whitaker signed off on the Council plan. Julie Oldenkamp said that she would like to see the corner be safe. Teresa Widmer asked the members of the Board of Works to drive down through East Ohio Street and see it for themselves. Chris Thayer echoed the same comments regarding safety issues that have been previously raised. Grace Oilar stated that she really feels some positive things will get done.

There being no further business, meeting adjourned at 6:16 p.m.

James D Mann
Clerk Treasurer
City of Monticello