



## ***Board of Works Meeting – Minutes from September 14th, 2020***

**Board of Works Members in Attendance:** Mayor Phil Jenkins (IP), Wayne Scheumann (IP), Rod Stump (OL)

**Also Present:** **City Attorney:** Brian Hoffer (OL), **Clerk-Treasurer:** Jeff Knight (IP), 8 guests (6 OL, 2 IP), and 1 member of the press (OL).

- Call to Order: Mayor Jenkins called the meeting to order at 3:30 pm.
- Roll Call: All members were in attendance in person.
- The minutes from the August 10, 2020 meeting were submitted by Clerk-Treasurer Knight. Mr. Stump motioned they be accepted as written. Mr. Scheumann seconded. There was no further discussion regarding the minutes. The minutes were approved unanimously by voice vote.
- Petitions and Comments by Citizens:
  - Mr. Scott Tuttle and Mr. Gary Nephew (Co-Owners of Ruhe 152 Restaurant) petitioned the Board of Works in order to obtain a renewal of the memorandum from June of 2019 that allowed access to the alley in order to have outdoor seating. Included in their request was the request for variance from the original memorandum which stated a 5' clearance needed to be maintained as a pedestrian walkway to a 4' clearance. A discussion ensued with Mr. Scheumann voicing his concerns that the 4' clearance may be too cramped and whether or not the Grabers (who own the business sharing the alley) are in favor of it. Mr. Nephew did not refute the 4' clearance but did comment that he thought the Grabers had a favorable opinion. There was a question by City Attorney Hoffer as to whether a new agreement would be one year from the date of the signing or on a calendar basis. It was determined that this would be on a calendar basis. Mr. Scheumann commented that a one-year agreement would allow the City to review whether this arrangement was working or not. At that point the agreement could be reconsidered by either party.

At the conclusion of the discussion, Mr. Scheumann motioned to grant the 4' walkway in the alley subject to annual review. Ruhe 152 will have the ability to use the alley in this fashion until 12/31/20. At that point, the first review will take place. If all is functioning in an acceptable fashion, a one-year (Calendar) agreement will be signed. Mr. Stump seconded. A roll call vote took place. Mr. Scheumann and Mr. Stump voted "yes". Mayor Jenkins voted "no" due to the original agreement being 5'. The 4'



clearance and approval until the end of the year was approved by a 2-1 vote. The agreement for the remainder of 2020 will be created and presented at the next BOW meeting on September 28<sup>th</sup>.

- Reports of Committees, Board, and Commissions: There were none.
- Unfinished Business:
  - Amended Proposal for City Hall/Police for Vermillion Systems: Mayor Jenkins presented the amended proposal from Vermillion Systems regarding additional key fobs, key cards, and a printer to the proposal for the Police Department. Since this will be a centralized process used both now, and in the future, and to consider the fluctuations of seasonal help, it was determined that the additional requested items would necessary in order to work efficiently and effectively in the long run. Mr. Scheumann asked Mr. Curtis (with Vermillion) why these items were not in the original proposal. Mr. Curtis responded that these items had not been included or discussed at that time. Mr. Scheumann asked Police Chief Rulli if these added costs were wants or needs. Chief Rulli responded that they were needs based upon the intent to have this process centralized through the police department. CT Knight presented a spreadsheet that showed the extent of the new costs along with the original three proposals submitted for the security of City Hall. Included in this spreadsheet was a contingency cost of 5%. This amount was requested in order to account for any minor equipment needs or small labor changes from the original estimate that may arise during the installation process. Mayor Jenkins and CT Knight made the request that the overall package be increased to a “not-to-exceed” amount of \$70,000. The continued intent is to have all these costs absorbed by the CARES Act funding the City has been granted. Mr. Stump motioned to approve the amended proposal with costs not to exceed \$70,000. Mr. Scheumann seconded. The amended proposal was approved unanimously by voice vote.
- New Business:
  - Sewer Connection 1952 W. Market St. - Tomahawk Trail LLC (inspection fee only): Superintendent Gerber presented this request, noting that the business is adding on and will connect to their existing sewer. Superintendent Gerber requested that there only be an inspection fee for this connection. Mr. Scheumann motioned to approve the connection. Mr. Stump seconded. The connection was approved unanimously by voice vote.
- Accounts Payable Vouchers:

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City should contact the Office of the City Clerk-Treasurer as soon as possible but no later than 48 hours before the scheduled event. Contact Info: 300 West Lincoln Street, Nappanee, Indiana 46550. Telephone (574) 773-2112. Email: [jknight@nappanee.org](mailto:jknight@nappanee.org).



- 2020 Water Operating APV's totaling \$332,663.31: Mr. Stump motioned to approve the submitted APV's. Mr. Scheumann seconded. The APV's were approved unanimously by voice vote.
- 2020 WWTP Operating APV's totaling \$62,326.93: Mr. Stump motioned to approve the submitted APV's. Mr. Scheumann seconded. The APV's were approved unanimously by voice vote.
- Reports by City Officers:
  - EMS Director: Nothing to report.
  - Fire Chief: Chief Lehman commented on the Blue Knight's Ride to Remember that came through town yesterday. He's received inquiries as to why the Ladder Truck was not out flying the flag as it has historically. Chief Lehman stated the Ladder Truck is currently out of service having work done.  
  
Chief Lehman also presented an Excavating and Public Right of Way Permit request. This is located at 325 N. Elm Street. The work has already been completed due to the last BOW meeting taking place three weeks ago. The customer was out of internet service. All appears to be ok. Mayor Jenkins motioned to approve the request. Mr. Scheumann seconded. The request was approved unanimously by voice vote.
  - Police Chief – Nothing to report
  - Street Department: Superintendent Warren made several requests of the BOW as follows:
    - Main Street Roasters: A request was made to close the sidewalk and parking spaces in order to have work done on Monday, September 21<sup>st</sup>. The Frame and Awning work will be done on the Roastery directly across from Key Bank and should last for approximately 4 hours. The closures are requested from 6 am until noon. Mayor Jenkins asked if it would be beneficial to allow the closures from 6 am until 5 pm with contact to be made by Main Street Roasters once the work is completed in order to have the blockades removed. Alicia with Main Street Roasters responded that they will operate accordingly. Mayor Jenkins motioned to approve the request. Mr. Stump seconded. The request was approved unanimously by voice vote.
    - Change Order #1 for the Banner Pole Project: This request is for an upgrade in the powder coating (cost of \$335) and a 45-day completion date extension to October 9<sup>th</sup>. Mr. Scheumann motioned to approve the request. Mr. Stump seconded. The change order was approved unanimously by voice vote.
    - Along with the change order request, Superintendent Warren asked for permission to work with R. Yoder Construction for parking space closures. A 24-hour notice will be required. Mayor Jenkins motioned to approve granting permission to Superintendent Warren. Mr. Stump seconded. Permission was unanimously granted by a voice vote.

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- Bike Path Brick Paver Project: This project started today. Superintendent Warren commented that R. Yoder Construction is using the Chamber parking lot as a staging area September 14<sup>th</sup> through the 18<sup>th</sup>. In the days ahead they are asking to use some parking spaces along Rosenberger as a staging area September 21<sup>st</sup> through the 25<sup>th</sup>. Mayor Jenkins motioned to approve the request to use the designated spaces as staging areas for the project. Mr. Scheumann seconded. The request was approved unanimously by voice vote.
  - The final request from Superintendent Warren was to have permission to work with R. Yoder Construction as it pertains to work being completed on 253 W. Market Street. There will be times when the alley needs to be closed temporarily. Mr. Stump motioned to give Superintendent Warren permission to work with R. Yoder and close the alley as deemed necessary. Mr. Scheumann seconded. Permission was granted unanimously by voice vote.
- Park Superintendent – Nothing to report.
  - Water/WWTP: Nothing to report.
  - Clerk-Treasurer: Nothing to report.
  - Mayor: Nothing to report.

With no further business to discuss, Mr. Stump motioned that the meeting be adjourned. Mr. Scheumann seconded. Adjournment was agreed to by voice vote and the meeting was adjourned at 4:27 pm.

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Phil Jenkins, Mayor

Attest: \_\_\_\_\_  
Jeff Knight, Clerk of Board of Works