

0001

1 STATE OF INDIANA)
)SS:
2 COUNTY OF ALLEN)
3
4
5
6

7 BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN

8
9 RE: LEGISLATIVE SESSION OF
10 NOVEMBER 12, 2003
11
12
13
14

15 DATE: November 12, 2003
16

17 TIME: 10:05 a.m.
18

19 LOCATION: Room 200
Commissioners Courtroom
20 City-County Building
1 East Main Street
Fort Wayne, Indiana 46802
21
22

23 REPORTER: Alan R. Bunn
24
25

0002

1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Edwin J. Rousseau Allen County Commissioner
4 Susan Elser Allen County Commissioners'
 Office
5
6 John McGauley Allen County Public
 Information Department
7 Mary Hitchens Allen County Public
 Information Department
8
9 Michelle Wood Allen County Department
 of Planning Services
10 G. William Fishing Allen County Counsel
11 Randy Brown General Manager,
 Memorial Coliseum
12
13 Jerry Noble MSKTD & Associates
14
15 Michael Fitch Director, Allen County
 Highway Department
16 Alan R. Bunn Rolf Reporting, Inc.
17 Kevin Leninger News Sentinel
18 Dan Stockman Journal Gazette
19

20
21
22
23
24
25
0003

I N D E X

	Page
1 Presentations by:	
2	
3 Randy Brown & Jerry Noble	7-11
4	
5 G. William Fishering	12-13, 15-16
6	
7 Michael Fitch	17-22
8	
9	

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
0004

	Page
1 Agenda:	
2	
3 1. Approval of Minutes of 11/05/03	
4 Legislative Session	7
5 2. Allen County War Memorial Coliseum	7
6 Change Order #13	\$197,823.00
7 Williams Electronics, LLC	
8 Security Camera Upgrade	\$54,275.31
9 3. Approval of Contract between Allen County	
10 and the Fort Wayne - Allen County	
11 Economic Development Alliance	11
12 4. Revision to the Snow and/or Ice	
13 Notification Policy	13
14 5. Change Order - Allen County Justice Center	
15 Rosema Corporation	
16 C.O. #16	
Contract addition	\$524.00
14	
6. Change Order - Allen County Juvenile	

17		Justice Center	
18		W.A. Sheets & Sons, Inc.	15
19			
20	7.	Plat for Signature - Hickory Point	16
21	8.	Highway Department - Approve purchase	
22		of two copies of "Application Builder	
23		with ArcPad" and two "ArcPad License"	
24		Total cost \$3,204.63	16
25			
0005			
1	9.	Approve Change Order #20 for Coldwater	
2		Road project between Brooks Construction	
3		(County/State Project) -- Total increase	
4		\$3,217.50 (State 80% share = \$2,574.00;	
5		County 20% share = \$643.50	17
6	10.	Approve Change Order #4 for restoration	
7		and rehabilitation of former Nickel Plat	
8		Railroad Locomotive Engine 765, Bid	
9		Reference #68-01, between Fort Wayne	
10		Railroad Historical Society, Inc. and	
11		Allen County -- Total Increase \$30,020.00	18
12	11.	Approve and award Quotation Bid project	
13		for 2003 Concrete Pavement Repair	
14		Package #5 -- Southwest (Aboite Meadows,	
15		Plantations of Aboite, North Shores of	
16		Coventry and Abbey Place Additions),	
17		Project #03-304 to Key Concrete, Inc.	
18		Total award \$47,992.50	18
19	12.	Approve and award Bid Reference #38-03,	
20		Bituminous Patching Materials for the	
21		year 2004	19
22	13.	Approve and award Bid Reference #37-03,	
23		Liquid Bituminous Materials for the	
24		year 2004	20
25	14.	Approve Warranty Deeds for additional	
0006		right of way acquisition on the Grabill	
1		Road project from the following	
2		property owners:	
3		a) Parcel 5 - Steven and Marsha Wright	
4		b) Parcel 22 - Rosalie Davis	
5		c) Parcel 46 - Michael and Lori LeClear	20
6	15.	Approve traffic postings for	
7		the following:	21
8		a) Doyle Road, from US #30 to Dawkins	
9		Road -- Remove "NO TRUCK" posting.	

- 4 b) St. Joe Road, from St. Joe/Maplecrest
5 Road to Flutter Road -- Post "25 WHEN
6 CHILDREN PRESENT" speed limit sign.
- 7 c) Mystic Crossing @ Ballymore Drive
8 Post "STOP"
- 9 d) Araglin Pointe @ Maeve Drive -- Post
10 "STOP"
- 11 e) Kildare Crossing @ Maeve Drive -- Post
12 "STOP"
- 13 f) Rothman Lane @ Lismore Lane/Kildare
14 Crossing -- Post "STOP"
- 15 g) Brittwood Court @ Shallowbrook Drive
16 Post "STOP"
- 17 h) Cherbourg Drive @ Lark Meadow/Founders
18 Way -- Post "STOP"
- 19 i) Golden Oak Drive @ Lark Meadow Run
20 Post "STOP"

- 21 16. Other Business --
- 22 17. Approval to waive the 2nd Reading on any
23 matter approved today and for which it
24 may be deemed necessary for the
25 Legislative Session of November 12, 2003 22
- 0007 18. Comments from the Public --

1 ROUSSEAU: Good morning. Welcome to the
2 Commissioner's Legislative Session on this Wednesday,
3 November the 12th. And we'll begin with standing and
4 doing the Pledge of Allegiance, and a brief moment of
5 silence.

6 (At this time, the Pledge of Allegiance
7 was recited in unison, and a moment of
8 silence was observed by all.)

9 ROUSSEAU: Thank you. First on the agenda is
10 approval of our 11/5--November the 5th Legislative
11 Session.

12 BLOOM: So move.

13 ROUSSEAU: I second it. All in favor signify by
14 saying, "Aye."

15 BLOOM: Aye.

16 ROUSSEAU: Aye. Secondly, we're considering the
17 Allen County War Memorial Coliseum Change Order #13.
18 \$197,823.00. And we have Williams Electronics, a
19 security camera upgrade for \$54,275.00.

20 BLOOM: Good morning.

21 BROWN: Good morning, folks. I'm Randy Brown,
22 General Manager of the Coliseum. With me my
23 colleague, Jerry Noble, our project architect. And
24 Jerry is with MSKTD & Associates. Just--we'll start
25 with the change order--Changer Order #13. We've got

1 about 10 items here. The majority of which--the
2 largest dollar value is the \$142,153.00 which is from
3 the parking lot expansion.

4 NOBLE: Correct.

5 BROWN: Jerry, do you want to just touch on the
6 others briefly and--

7 NOBLE: Yes. There are 12 items, and the current
8 contract amount is \$29,567,704.29. This change order
9 totals \$197,823.00 which would bring the contract
10 amount to \$29,765,527.29. There are two larger
11 items, and as Randy mentioned, one of them was the
12 much needed parking to the north. The second item is
13 adding glass railings which improve the sight lines
14 on the 600 level. It also gave us some flexibility
15 to put seating as well as aisles in that area. If
16 you were to turn to the page--the summary page that
17 looks like a grid right here, it--it shows that our
18 current percentage billed for the project is a little
19 over 98%, and with this change order here, we have
20 allocated 72.9% of the contingency.

21 ROUSSEAU: Do you have any questions?

22 BLOOM: I have no questions. I think we had
23 everything but the totals because we knew about this.
24 I'll make a motion that we approve Change Order #13,
25 and the security camera upgrade.

0009

1 ROUSSEAU: And the security cam--okay, that's--

2 BLOOM: Yes.

3 ROUSSEAU: --\$54,275.31.

4 BROWN: Just to say that that is Williams
5 Electronics. They are the lowest bid that--we
6 received two bids. They're approximately \$9,000.00
7 less than the--the next bid, so we would make a
8 recommendation that you accept the bid from Williams
9 Electronics.

10 ROUSSEAU: And since Commissioner Bloom has made the
11 proposal here, I will second that to approve both
12 items. All in favor signify by saying, "Aye."

13 BLOOM: Aye.

14 ROUSSEAU: Aye. I declare it passed.

15 BROWN: Thank you. Have a great day.

16 BLOOM: Thank you.

17 BROWN: Thank you very much.

18 ROUSSEAU: Just--on the parking thing, just elaborate
19 on that again. We had a little snafu with the snow
20 and so forth, and there might some people who have
21 missed the fact that we have made some additional
22 parking accommodations. Just elaborate on that just
23 briefly for us.

24 BROWN: On the northeast side of the building toward
25 the marquee, we've add several hundred additional

0010

1 parking spaces. It does two things for us. It's an
2 overflow for an employee lot--

3 BLOOM: Right.

4 BROWN: --it also gives us the ability to overflow up
5 from--from our preferred parking areas, and as many
6 employees as we're able to remove from the main lot,
7 of course, that makes more spaces for our guests
8 coming in. But our total parking count now is
9 heading toward 5,000, so--

10 BLOOM: Great.
11 BROWN: --we've got a good quantity of parking
12 spaces. We are, again, increasing our snow fleet--
13 our ability to move snow in the wintertime. And the
14 other thing we've done too, so we don't have a
15 reoccurrence of the issue we had with the Home Show
16 and George Strait, is certain peak times we've
17 reviewed our booking strategy, and we're making just
18 some minor adjustments so that we hope we can avoid
19 any crunch. If we have to move snow off-site for
20 those key events, we will, and making those
21 adjustments accordingly. But the landscape on the
22 parking lot now is complete. I think if you drive
23 by, you might agree that the Coliseum looks as good
24 now as it's--I've been there 15 years. I'm really
25 proud of our look.

0011
1 BLOOM: Never looked so good, right.
2 BROWN: I think so.
3 ROUSSEAU: It's awesome. It looks awesome.
4 BROWN: We're proud of our building. Thank you very
5 much.
6 ROUSSEAU: Thank you a lot, gentlemen.
7 NOBLE: Thank you.
8 ROUSSEAU: Well, we have next an approval of the
9 contract between Allen County and Fort Wayne for the
10 Allen County Economic Development Alliance. I guess
11 I'll be carrying the ball on that. Hike. This is
12 the--Bill, I haven't looked at this particular thing.
13 We have an agreement with the Allen County Economic
14 Development Alliance, which has--the Chamber of
15 Commerce participates in that, the City of Fort
16 Wayne, and Allen County. And each of us have put a
17 minimum of about \$200,000.00--
18 BLOOM: Uh-huh (affirmative).
19 ROUSSEAU: --apiece into this, and it's one of the
20 better things that happens in the community. There
21 are not so very many people that know about it. Rob
22 Young, the Alliance head guy--president, I guess
23 maybe you could call him, has been doing a lot of
24 things to try to make the Alliance better known in
25 the community. It, nevertheless, has been very

0012
1 effective. They serve as our marketing partner for
2 the people who--local governments that's interested
3 in economic development. We kind of feel like we've
4 been pretty successful given the opportunities that
5 we've had here. So with that I would ask that we
6 place that on passage.
7 BLOOM: I will make a motion that we continue our
8 contract with the Alliance--the Allen County Economic
9 Development Alliance.
10 ROUSSEAU: I second that. All in favor signify by
11 saying, "Aye."
12 BLOOM: Aye.
13 ROUSSEAU: Aye.
14 FISHERING: Mr. Chairman?
15 ROUSSEAU: Yes.
16 FISHERING: I would like to just point out that this
17 is a fee for services arrangement.

18 BLOOM: Yes.
19 FISHERING: They provide specific services to the
20 County in exchange for that fee, and that we have
21 been happy with the services they've performed under
22 the prior contracts.
23 ROUSSEAU: Thank you. I--not very classy the way I
24 did that.
25 FISHERING: No, but we had a fight with the State
0013
1 Board of Accounts about whether this was a grant--
2 ROUSSEAU: Yes.
3 FISHERING: --or a fee for services contract, and
4 this is clearly a fee--
5 BLOOM: A fee.
6 FISHERING: --for services contract. That's how we
7 interpret it, and they are performing the services we
8 require.
9 BLOOM: Right.
10 ROUSSEAU: State Board of Accounts would feel my
11 wrath--
12 FISHERING: Yes.
13 ROUSSEAU: --if they were to somehow misunderstand my
14 position in it, but--
15 FISHERING: Well, I know your position, but--
16 ROUSSEAU: --however, you're a lot classier than I
17 am.
18 FISHERING: --on the public record we stated we
19 understand it to be a fee for services.
20 ROUSSEAU: Thank you for striking that out.
21 FISHERING: Yes.
22 BLOOM: Certainly.
23 ROUSSEAU: Okay. We got the revision to the Snow and
24 Ice Notification Policy.
25 ELSER: Commissioner Rousseau, I have that
0014
1 information. What we have done on this is that when
2 it comes to the different entities that need to be
3 notified, we have added the Emergency Management
4 Agency Director, and the Safety and Environmental
5 Agency Director.
6 BLOOM: And I'll make a motion that we accept the
7 revision to the Snow and Ice Policy.
8 ROUSSEAU: And I second that. All in favor signify
9 by saying, "Aye."
10 BLOOM: Aye.
11 ROUSSEAU: Aye. I don't know--do we have snow and
12 ice come on here as--the other thing I'm looking for
13 is to get an ocean up close to us. If we could get
14 it a lot warmer--
15 ELSER: That would work.
16 ROUSSEAU: --but, anyhow, we'll all keep struggling
17 with that. Did we vote on that? I've forgotten.
18 ELSER: Yes.
19 ROUSSEAU: Okay. Change orders for the Allen County
20 Justice Center.
21 BLOOM: I have Change Order #16 for \$524.00 for
22 drywall repair due to some plumbing leaks, and I'll
23 make a motion we accept this.
24 ROUSSEAU: I second it. All in favor signify by
25 saying, "Aye."
0015

1 BLOOM: Aye.

2 ROUSSEAU: Aye. We've got a change order for the
3 Juvenile Justice Center with Sheets & Sons, Inc.

4 FISHERING: Commissioner Irving is absent today, and
5 asked that I fill in to make this presentation. The
6 original plans call for built-in benches in the
7 reception mezzanine area. She has met with Judge
8 Sims, and have agreed to substitute wooden benches
9 for the original design built-in benches. It results
10 in a reduction of the cost from a little more than a
11 \$100,000.00 to not to exceed 35 [\$35,000.00]. So
12 it's approximately a \$65,000.00 savings. I would
13 request your approval on that change order.

14 BLOOM: Would there be a possibility as the courts
15 vacate the courtroom in this building on the first
16 floor, that any of those wooden benches could be
17 recycled in the new facility.

18 FISHERING: I'm not sure in the short run how quickly
19 we'll be abandoning the courtroom on the first
20 floor--

21 BLOOM: Oh, I know.

22 FISHERING: --and that's what makes that difficult.

23 BLOOM: Because a lot of the furniture is going to be
24 recycled in the--

25 FISHERING: Yes. Yes.

0016

1 BLOOM: --Justice Center.

2 FISHERING: But as you'll recall, there's still some
3 ongoing discussion with the Superior Court about
4 whether this courtroom will be abandoned or not, and
5 they nee--

6 BLOOM: I don't think there is any longer. I think
7 it's--

8 FISHERING: Is that so?

9 BLOOM: --going to be abandoned, yes. I'd like to
10 make a motion to accept the lobby seating at
11 \$32,208.10.

12 ROUSSEAU: I second that. All in favor signify by
13 saying, "Aye."

14 FISHERING: Thank you very much.

15 BLOOM: Thank you.

16 ROUSSEAU: We have a signature for Hickory Point,
17 which we do that at the end of the meeting?

18 ELSER: Yes.

19 ROUSSEAU: Are we doing that now?

20 ELSER: No. We can do that at the end of the
21 meeting, yeah.

22 ROUSSEAU: End of the meeting. All right. The
23 Highway Department--approval of the purchase of two
24 copies of "Application Builder with ArcPad," and two
25 "ArcPad License."

0017

1 BLOOM: Good morning.

2 ROUSSEAU: Whatever that is. Total cost, \$3,204.63.

3 FITCH: Good morning. Mike Fitch, Executive
4 Director, Allen County Highway Department. The
5 Highway Department purchased four GPS units to locate
6 our infrastructure units or information on the GIS
7 map. This software works with the GPS units. It
8 allows us to program them so that--for example, if

9 we're going out and putting in a culvert pipe, we can
10 fill in information in this instrument--the software
11 will let us fill the information in, so we take it
12 back in the office and we download it, and
13 eliminate--essentially, eliminate paper. It'll all
14 be done electronically.

15 BLOOM: And I'm familiar with this, and I'll make a
16 motion that we accept this total of \$3,204.63.

17 ROUSSEAU: I second that. All in favor signify by
18 saying, "Aye." Aye.

19 BLOOM: Aye.

20 ROUSSEAU: Declare it passed. We have Change Order
21 #20 for Coldwater project between Brooks
22 Construction, and it is a County/State project.
23 Total increase, \$3,217.50. And the State share is
24 \$2,574.00 of that previously mentioned amount. The
25 County share is \$643.50.

0018

1 BLOOM: So move.

2 ROUSSEAU: I second it. All in favor signify by
3 saying, "Aye."

4 BLOOM: Aye.

5 ROUSSEAU: Aye. Delcare it passed. We have an
6 approval of Change Order #4 for the restoration and
7 rehabilitation of the former Nickel Plate Railroad
8 Locomotive Engine 765 between Fort Wayne Railroad
9 Historical Society and Allen County, and the total
10 increase is \$30,020.00. And this falls into the
11 "pass through" category for us. We're just helping
12 with the project. You might explain it.

13 FITCH: Yes. Of this \$30,020.00, 80% of that is paid
14 by--through Federal Highway. The other 20% is paid
15 for through the Fort Wayne Historical Society.

16 ROUSSEAU: All right.

17 BLOOM: I'll make a motion that we accept the
18 increase of \$30,020.00.

19 ROUSSEAU: I second it. All in favor signify by
20 saying, "Aye."

21 BLOOM: Aye.

22 ROUSSEAU: Aye. Declare it passed. Approval and
23 award Bid project for 2003 Concrete Pavement Repair
24 Package #5, which is Southwest in Aboite Meadows,
25 Plantations of Aboite, North Shores of Coventry, and

0019

1 Abbey Place--and project 03-304 to Key Concrete, Inc.
2 Total award, \$47,992.50.

3 BLOOM: I don't have the--we took bids and this was
4 the low bid. I didn't see the paperwork here.

5 FITCH: There were six--

6 ROUSSEAU: This isn't it.

7 FITCH: --six bidders.

8 ELSER: I don't have that either.

9 FITCH: Key Concrete was the low bid. The engineer's
10 estimate was \$62,794.00. Key Concrete's bid of
11 \$47,992.50 was low, and we recommend approval.

12 BLOOM: So move.

13 ROUSSEAU: Second it. All in favor signify by
14 saying, "Aye."

15 BLOOM: Aye.

16 ROUSSEAU: Aye. Delclare it passed. Approval of Bid
17 Reference 38-03, Bituminous Patching Materials for

18 the year 2004.
19 FITCH: We received quotes from seven suppliers. API
20 Construction, Corp., Benchmark Construction, Brooks
21 Construction, Wayne Asphalt and Construction, Niblick
22 Excavating, E & B Paving, and Phend & Brown. We
23 accepted all of the bids. What we do is as we need
24 the product we purchase it from the low bid. If that
25 supplier does not have it on supply, we can go to the

0020
1 next low bid. That's why we accept all--all quotes.

2 BLOOM: And I'll make a motion that we accept these
3 quotes.

4 ROUSSEAU: I second it. All in favor signify by
5 saying, "Aye."

6 BLOOM: Aye.

7 ROUSSEAU: Aye. We have another Bid Award of
8 Reference 37-03, Liquid Bituminous Materials for the
9 year 2004.

10 FITCH: We received quotes from four vendors. Koch
11 Materials Company, Pierceton Trucking Company,
12 Marathon Ashland Petroleum Company, and
13 Bit-Mat Products. We recommend accepting quotes from
14 these four companies.

15 BLOOM: I'll make a motion we accept the quotes.

16 ROUSSEAU: I second it. All in favor signify by
17 saying, "Aye."

18 BLOOM: Aye.

19 ROUSSEAU: Aye. Approve Warranty Deeds for
20 additional right of way acquisition on the Grabill
21 Road project from the following property owners--

22 BLOOM: You can just read the parcels.

23 ROUSSEAU: Do what?

24 BLOOM: Read the parcels.

25 ROUSSEAU: Yeah. Parcel 5 which is Steven and Marsha
0021

1 Wright. "B," Parcel 22, Rosalie Davis, and Parcel
2 46, Michael and Lori LeClear.

3 BLOOM: So move.

4 ROUSSEAU: Second it. All in favor signify by
5 saying, "Aye."

6 BLOOM: Aye.

7 ROUSSEAU: Aye. We have to approve posting changes
8 for the following: Doyle Road, US 30 to Dawkins
9 Road, remove "NO TRUCK" posting. St. Joe Road, from
10 St. Joe/Maplecrest Road to Flutter Road, post "25
11 WHEN CHILDREN--25 mile per hour I would guess--WHEN
12 CHILDREN PRESENT" speed limit signs. Mystic Crossing
13 @ Ballymore Drive, post "STOP." Araglin--

14 BLOOM: Pointe, yeah.

15 ROUSSEAU: --Pointe is what it looks like--Maevae,
16 M-A-E-V-E--Maevae Drive, post "STOP." Kildare
17 Crossing @ Maevae Drive, post "STOP." Rothman Lane @
18 Lismore Lane/Kildare Crossing, post "STOP."
19 Brittwood Court @ Shallowbrook Drive, post "STOP."
20 Cherbourg Drive @ Lark Meadow/Founders Way, post
21 "STOP." Golden Oak Drive to Lark Meadow Lane, post
22 "STOP."

23 BLOOM: I'll make--

24 FITCH: Before you approve this, I'd like to defer
25 item B till next week. There's some information that

0022

1 came up. I'd like to reconsider that.
2 ROUSSEAU: That's the St. Joe Road one?
3 FITCH: Yes, the post--
4 ROUSSEAU: All right, so we--
5 FITCH: --"25 WHILE CHILDREN PRESENT."
6 BLOOM: I'll make a motion--
7 ROUSSEAU: --A through I with the exception of B.
8 FITCH: Okay.
9 BLOOM: And I'll make that motion.
10 ROUSSEAU: I'll second that. All in favor signify by
11 saying, "Aye."
12 BLOOM: Aye.
13 ROUSSEAU: Aye. Do we have any other business?
14 ELSER: I have no other business.
15 BLOOM: Do you have anything else, Mike?
16 FITCH: That's all I have.
17 BLOOM: Thank you.
18 FITCH: Thank you very much. Have a good day.
19 BLOOM: I'll make a motion for approval to waive the
20 2nd Reading on any matter approved today for which it
21 may be deemed necessary for the Legislative Session
22 of November 12th.
23 ROUSSEAU: I second that. All in favor signify by
24 saying, "Aye."
25 BLOOM: Aye.

0023

1 ROUSSEAU: Aye. Are there any Comments from the
2 Public? (No response.) There being none, we will
3 adjourn the meeting. Thank you.
4 BLOOM: Thank you.

(Adjourned 10:30 a.m.)

* * *

0024

1 1 STATE OF INDIANA)
) SS:
2 2 COUNTY OF ALLEN)
3 3
4 4 REPORTER'S CERTIFICATE
5 5 I, Alan R. Bunn, a Notary Public in and for
6 6 the State of Indiana, County of Allen, do hereby
7 7 certify that the above and foregoing is a true and

8 8 accurate transcript of the Board of Commissioners of
9 9 the County of Allen, Legislative Session, held before
10 10 me on November 12, 2003 in the Allen County
11 11 Commissioner's Courtroom, Room 200, City-County
12 12 Building, 1 East Main Street, Fort Wayne, Allen
13 13 County, Indiana; that I am not related to, employed
14 14 by or interested in any of the parties to this cause
15 15 of action.

16 16 IN WITNESS WHEREOF, I have hereto affixed my
17 17 hand and seal this 17th day of November, 2003.

18 18
19 19

Alan R. Bunn, Notary Public
Residing in Allen County, Indiana

20 20
21 21

My Commission Expires:
22 22 October 23, 2010

23
24
25