

**AGENDA OF THE  
BOARD OF PUBLIC WORKS AND SAFETY  
City of Angola, Indiana  
210 N Public Square**

**Tuesday, September 6, 2022 – 6:30 p.m.**

**CALL TO ORDER BY CHAIR HICKMAN**

1. Member roll call by Clerk-Treasurer Herbert.

Hickman \_\_\_\_\_ Martin \_\_\_\_\_ Olson \_\_\_\_\_

2. Request approval of the August 1 minutes. (attachment)

**ORDER OF BUSINESS**

1. Nicholas Carpenter regarding drainage issues affecting his property at 407 Stonyridge Dr. and surrounding properties.
2. Request approval of the Stormwater Management/BMP Facilities Agreement with Steuben County Board of Commissioners for property located at 305 S. Martha Street. (attachment)
3. Request approval of the Sidewalk Maintenance Agreement with the Steuben County Board of Commissioners for 40 ft of sidewalk to be built within the Martha right-of-way. (attachment)
4. Request approval of closing a portion of South Martha St. during construction of the County Courthouse and establishment of an appropriate bond amount. (attachment)
5. Discussion regarding adding the rank of Battalion Chief within the Fire Department for the year 2023.
6. Request approval to change firefighter aptitude testing from third party to inhouse.
7. Department head reports.
8. Other business.

**NEXT MEETING**

The next meeting is Monday, October 3.

## ADJOURNMENT

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least three business days ahead of scheduled meeting. Contact the Clerk-Treasurer, 210 North Public Square, Angola, IN 46703, (260) 665-2514 extension 7353, [clerktreasurer@angolain.org](mailto:clerktreasurer@angolain.org) as soon as possible but no later than three business days before the scheduled event.

**AUGUST 1, 2022**

The regular meeting of the Board of Public Works and Safety of the City of Angola, Indiana was called to order by Chair Richard M. Hickman at 6:30 p.m. City Hall, 210 N Public Square. Members Richard M. Hickman, and David B. Martin answered roll call. Member David A. Olson was absent. Clerk-Treasurer Ryan P. Herbert recorded the minutes.

Among those present were City Attorney Kim Shoup, Assistant Chief of Police Darrin Taylor, Fire Chief Doug Call, Planning and Economic Development Director Jennifer Barclay, City Engineer Amanda Cope, Human Resources Director Sue Essman, Water Superintendent Tom Selman, Wastewater Superintendent Jeff Gaff, Park Superintendent Matt Hanna, Street Superintendent Chad Ritter, and Engineering Assistant Nick Gerber.

Also, among those present were Christine Simmons, Susan Brown, and Nicholas Carpenter.

#### APPROVAL OF MINUTES

Member Martin moved to approve the June 5, 2022 minutes. Member Hickman seconded the motion. The motion carried 2-0.

#### ORDER OF BUSINESS

Christine Simmons of 905 Pristine Ave. and Susan Brown of 903 Pristine Ave. addressed the board regarding drainage issues through their properties. Simmons explained how water collects on her property after rain before it gets to a storm drain. The water is left standing with nowhere to go standing for days effecting the lawns and leaving a place for mosquitos to hatch. Simmons explained how she has obtained a quote to repair the problem for Lawnscape and a permit to bore a 6 inch corrugated drain into the storm sewer. Discussion followed. Member Martin said that he and Member Olson had been out to view the issue at the property. City Engineer Cope said the Lawnscape plan was adequate to resolve the issue. Member Martin moved that the City reimburse Christine Simmons up to \$4,000 for the repairs based on the quote, and refund the permit fees she has paid to the City for the project. Member Hickman seconded the motion. The motion carried 2-0.

Nicholas Carpenter of 407 Stony Ridge Dr. addressed the board regarding drainage issues on her property. Mr. Carpenter explained how his and neighbors properties were effected after rain, and provided pictures. Discussion followed. Member Martin sated that the matter would need to be investigated further. No action was taken.

Member Martin moved to approve the Stormwater Management/BMP Facilities Agreement with Wenzel Real Estate Holding LLC for property located at 301 Growth Parkway. Member Hickman seconded the motion. The motion carried 2-0

## DEPARTMENT HEAD REPORTS

Economic Development and Planning Director Jennifer Barclay reported that there would be discussion regarding a possible mural on a City owned retaining wall at the next meeting.

## ADJOURNMENT

There being no further business, the meeting was considered adjourned at 6:34 p.m.

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Richard M. Hickman, Chair

Attest:

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Ryan P. Herbert, Clerk-Treasurer

**CITY OF ANGOLA**  
**STORMWATER MANAGEMENT/BMP FACILITIES AGREEMENT**

THIS AGREEMENT, made and entered into this 6th day of September, 2022  
by and between the Steuben County Board of Commissioners, hereinafter called "Owner",  
and the City of Angola Board of Public Works and Safety, hereinafter called "Board",

WITNESSETH that:

WHEREAS, the Steuben County Board of Commissioners is the Owner of certain  
real property located at 305 S. Martha Street, described as Steuben  
County Parcel Number 76-06-26-420-805.000-012, and as recorded by Document  
No. 2204-0121 in the land of records of Steuben County, Indiana, and  
hereinafter called the "Property";

WHEREAS, the Owner is proceeding to build on and develop the property; and

WHEREAS, the Site Plan/Subdivision Plan known as Steuben County Courthouse  
and shown on plans dated 07/11/2022, Revised 08/15/2022 and prepared by JPS Consulting Engineers  
and hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved  
by the City of Angola Engineering Department working under authority of the Board provides for  
detention of stormwater within the confines of the Property; and

WHEREAS, the Board and the Owners, its successors and assigns, including any  
homeowner's association, agree that the health, safety, and welfare of the residents within the  
jurisdictional area of the City of Angola, require that onsite stormwater management/BMP facilities  
be constructed and maintained on the Property; and

WHEREAS, the Board requires that onsite stormwater management/BMP facilities as shown  
on the Plan be constructed and adequately maintained by the Owner, its successors and assigns, including  
any homeowner's association.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants  
contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management/BMP facilities shall be constructed by the Owner,  
its successors and assigns, in accordance with the plans and specifications identified in or  
on the Plan.
2. The Owner, its successors and assigns, including any homeowners' association, shall  
adequately maintain all the stormwater management/BMP facilities constructed in  
accordance with the approved Plan. This includes, but is not limited to, all pipes and  
channels built to convey stormwater to the facility, as well as all structures- including

inlets, catch basins, manholes, outlet control structures, and other improvements; rip rap, detention areas above ground and buried facilities; and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that the facilities are performing their designed functions.

3. The Owner, its successors and assigns, shall inspect the stormwater management/BMP facility at a frequency recommended by the manufacturer of the stormwater structure, or, in the absence of manufacturer recommendations, shall inspect at least annually. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structure, pond areas, access roads, etc.
4. The Owner, its successors and assigns, hereby grant permission to the Board, its authorized agents and employees, to enter upon the Property and to investigate the stormwater management/BMP facilities whenever the Board deems it necessary to investigate said facilities. The purpose of investigation is to follow-up on reported deficiencies and/or to respond to citizen complaints. The Board shall provide the Owner, its successors and assigns, written notification of investigation findings and a directive to commence with repairs, if necessary.
5. In the event the Owner, its successors and assigns, fails to maintain the stormwater management/BMP facilities in good working condition acceptable to the Board, the Board may enter upon the Property and take whatever steps necessary to correct deficiencies identified during the investigation and to charge the costs of such repairs to the Owner, its successors and assigns. This provision shall not be construed to allow the Board to erect any structure of permanent nature on the land of the Owner outside of the easement for the stormwater management/BMP facilities. It is expressly understood and agreed that the Board is under no obligation to routinely maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Board.
6. The Owner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the stormwater management/BMP facilities, (including de-brushing, mowing and sediment removal) is outlined on the approved plans, the schedule will be followed.
7. In the event the Board, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, shall reimburse the Board upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the Board hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the Board and the Owner agrees to hold the Board harmless from any liability in the event the stormwater management/BMP facilities fail to operate properly.
9. This Agreement shall be recorded among the land records of Steuben County, Indiana, and shall constitute a covenant running with the land, and shall be binding on the Owner,

its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners' association.

the Steuben County Board of Commissioners

Owner

By:

Signature

Wil H Howard

Printed Name

Commissioner President

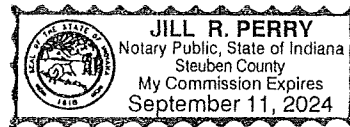
Printed Title

STATE OF Indiana )  
COUNTY OF Steuben ) SS:

Before me, a Notary Public in and for said County and State, this 29<sup>th</sup> day of August, 2022, personally appeared Wil H Howard who then and there signed and acknowledged the foregoing instrument.

Jill R. Perry  
[Notary Public's Signature]

Jill R Perry  
[Notary Public's Printed Name]



My commission number: N/A

My commission expires: 09/11/2024

Resident of Steuben County, Indiana.

City of Angola, Indiana  
Board of Public Works and Safety

\_\_\_\_\_  
Richard M. Hickman, Chair

\_\_\_\_\_  
David B. Martin, Member

\_\_\_\_\_  
David A. Olson, Member

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF STEUBEN    )

Before me, a Notary Public in and for said County and State, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared Richard M. Hickman, David B. Martin, and David A. Olson who then and there signed and acknowledged the foregoing instrument.

\_\_\_\_\_  
[Notary Public's Signature]

\_\_\_\_\_  
[Notary Public's Printed Name]

My commission number: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Resident of \_\_\_\_\_ County, \_\_\_\_\_.

*"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law Kim E. Shoup."*

Prepared by: Kim E. Shoup, Angola City Attorney



## MAINTENANCE AGREEMENT

This agreement is entered into this 22 day of August, 2022, between the City of Angola (hereinafter "City") and the Steuben County Commissioners (hereinafter "County"). The City of Angola Plan Commission has approved the development plan "Steuben County Courthouse New Construction" on August 22, 2022.

At part of the approved plans, forty (40) feet of decorative colored concrete is planned within the South Martha Street right-of-way. See Exhibit A for the site plan.

In consideration of the City's approval, the County agrees to the following:

The decorative colored concrete will be the sole responsibility of the County for all maintenance and replacement activities. The County will ensure that the decorative colored concrete meets American Disabilities Act (ADA) specifications.

Dated this 22 day of August, 2022

City of Angola

\_\_\_\_\_  
Richard M. Hickman, Mayor

Steuben County Commissioners

\_\_\_\_\_  
Will Howard, President

\_\_\_\_\_  
Ken Shelton

\_\_\_\_\_  
Lynne Leichty

Prepared by Kim E. Shoup, Angola City Attorney, 210 S. Public Square, Angola, Indiana. All social security numbers and other confidential information if any have been redacted from this document.

Kim E. Shoup #1520-76

NOVA

BID SET - BID PACKAGE #1  
STEBEN COUNTY, INDIANA  
STEBEN COUNTY COURTHOUSE  
ST CORNER OF E SOUTH ST AND S MARTHA ST  
ANGOLA, IN 46703

NO.	REVISION	DATE
1	ISSUED FOR BIDDING	08/27/2021
2	REVISION	09/15/2021

Project #: 20-750-113-1  
Designed by: CIR  
Checked by: CIR  
Title: C200



ADAM SUBITTAL



SITE LAYOUT PLAN

C200

SITE DATA

Site Name: STEBEN COUNTY COURTHOUSE  
Site Address: 100 N. 1ST ST., ANGOLA, IN 46703  
Site Owner: STEBEN COUNTY, INDIANA  
Site Contact: JEFFREY L. STEBEN, COUNTY CLERK  
Site Phone: (219) 326-1234  
Site Email: jsteben@stebencounty.in.gov

KEY NOTES

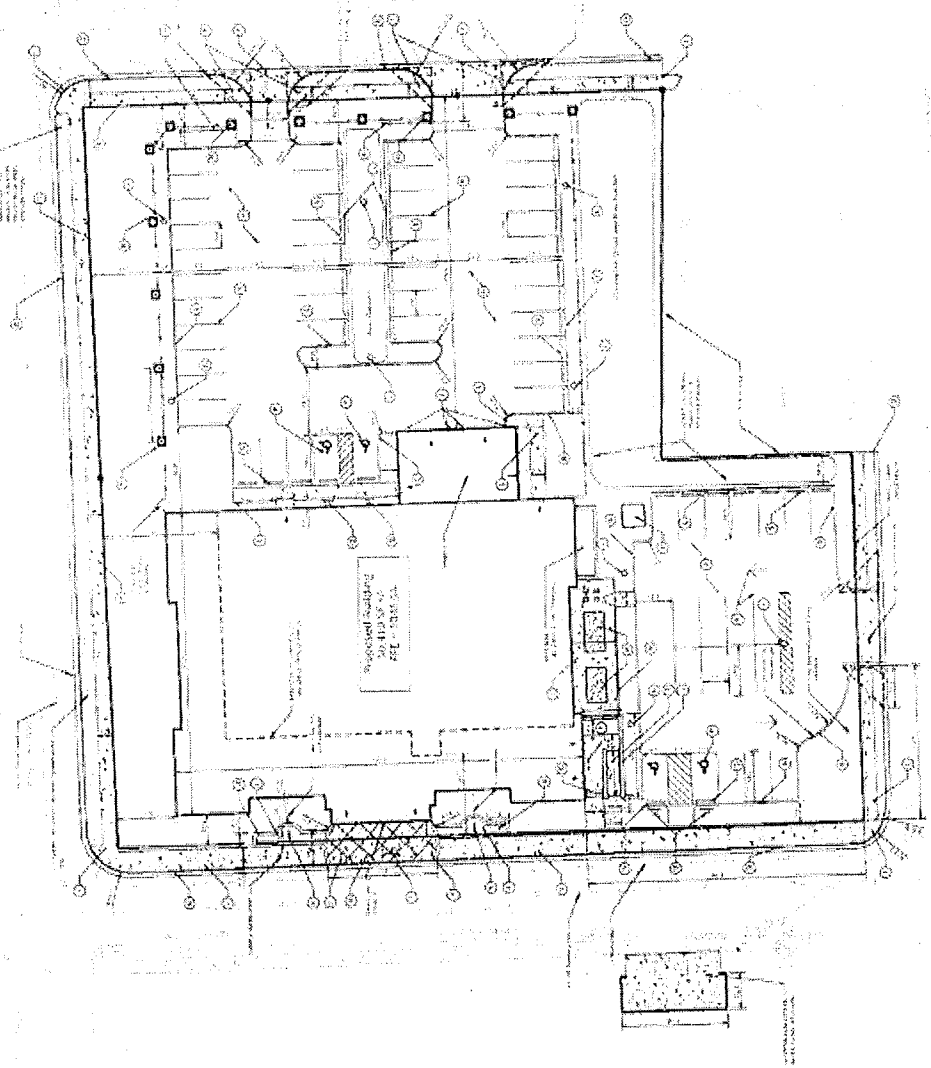
1. STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2018 EDITION, SHALL APPLY TO THIS PROJECT.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE IBC.
3. THE OWNER HAS PROVIDED ALL NECESSARY PERMITS AND APPROVALS FOR THIS PROJECT.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THIS PROJECT.
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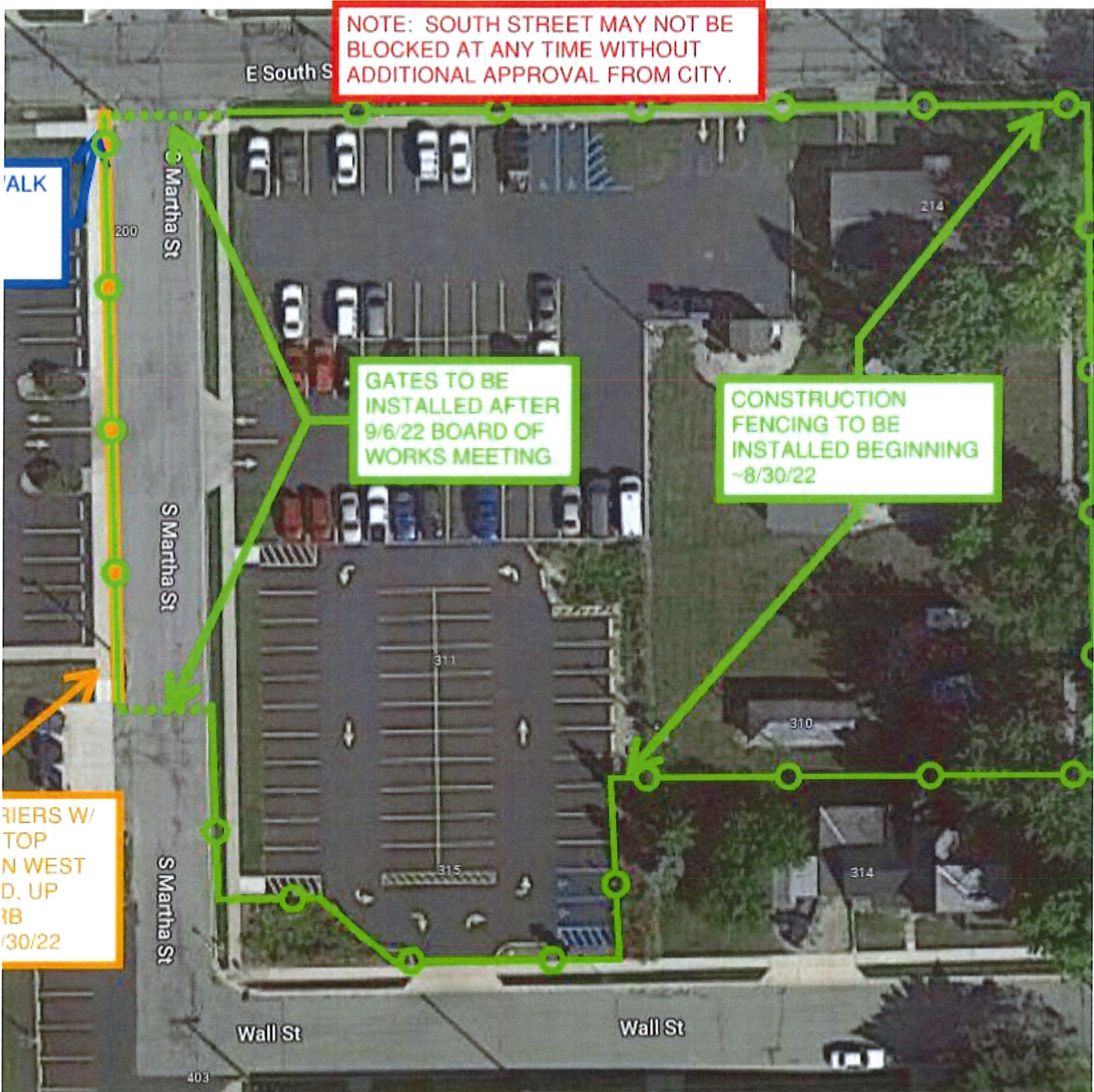
SITE PLAN NOTES

1. THE SITE PLAN SHOWS THE PROPOSED CONSTRUCTION OF THE STEBEN COUNTY COURTHOUSE.
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Call before you dig





NOTE: SOUTH STREET MAY NOT BE  
BLOCKED AT ANY TIME WITHOUT  
ADDITIONAL APPROVAL FROM CITY.

WALK

RIERS W/  
TOP  
N WEST  
D, UP  
RB  
/30/22

GATES TO BE  
INSTALLED AFTER  
9/6/22 BOARD OF  
WORKS MEETING

CONSTRUCTION  
FENCING TO BE  
INSTALLED BEGINNING  
~8/30/22

Wall St

Wall St

S Martha St

S Martha St

S Martha St

E South S