



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

City-County Building Room 200 · 1 East Main Street · Fort Wayne, IN 46802

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NELSON PETERS LINDA K. BLOOM THERESE BROWN

MINUTES

Commissioners' Legislative Session

10:00 a.m. Friday, June 10, 2011

Commissioners' Courtroom - City-County Building

Commissioners Present: Nelson Peters and Linda Bloom
Commissioners Absent: Therese Brown

Others Present:	Chris Cloud	Commissioners Office
	Mike Green	Commissioners Office
	Bill Fishing	County Attorney
	Randy Brown	Coliseum
	Gene Langwell	Coliseum
	Mark Pope	Coliseum Board President
	Jerry Noble	MSKTD
	Bill Hartman	Highway Director
	Mike Eckert	Highway
	Scott Harrold	DPS
	Nikki Liter	DPS
	Vivian Sade	Journal Gazette

Commissioner Peters called the meeting to order at 10:07AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the expedited Arena Structural repair on behalf of Memorial Coliseum.** Randy Brown, General Manager of Memorial Coliseum, Bill Fishing, County Attorney, Jerry Noble, Project Architect-MSKTD, Mark Pope-President of Coliseum Board and Gene Langwell appeared regarding this request. Randy Brown stated they talked about this at the last Board of Trustees meeting and gave a pretty detailed update of the concrete cracks that they have in the Arena cantilevers which have been repaired. He stated he wanted to stress that the Arena is safe – there is no question about that. This is, as much as anything, a maintenance related item that we are addressing. Every 5 years we do an evaluation of the structure. A contractor is brought in from Detroit. They have medallions that are place at key locations around the structure and they are using lasers to measure. Ultimately, that test and those results have the observation of cracking and got us where we are today. Bill Fishing stated that where we are today is a time crunch. If you read through the resolution you will find that basically the problem is that we only have about a 4 month window where the building is not being utilized significantly where we can go in and do these repairs. Unfortunately, we didn't get the report about the repairs until it was too late to go through the standard bidding process. It is not wise to let the structure stay in disrepair until next summer which would be the next available time to do this repair. Mr. Fishing recommends that under 36112 the Commissioners make the finding that an emergency exists and that you waive the public bidding of this particular repair. In order to do that he would tell them that the Coliseum Board solicited quotes from Weigand Construction Company and C L Schust who are two companies in the area that are qualified to do the work. We have a response from Weigand declining the opportunity to bid the project. We do have a written quote from C L Schust willing to do the project at \$1,911,940. This is a not to exceed number. This is actually a cost plus type of contract. He stated we have some reason to believe that it will be less than that number but we all know how that goes. The only thing that is slightly unique to this resolution is that the Commissioners would authorize the entering into a contract with C L Schust and Company, Inc. and/or a modification of their existing contract. They are on the roof doing the roofing at the moment. You would do that through a typical change order. Normally a change order is limited to 20%

of the original cost. However, Mr. Fishing stated, he thinks we can safely say that this was not anticipated at the time the Schust contract was awarded. Mr. Fishing stated he does feel comfortable doing it through a change order but he drafted this resolution to authorize both ways of approaching it. Commissioner Bloom asked where the money would be coming from for these repairs. Randy Brown answered that they do have funds on hand through the Professional Sports and Convention Development Fund. They have approximately \$800,000 that was allocated to the roof replacement so a portion of that. The fund is sitting right now with a fund balance through the end of April of \$4,051,470. So we do have available funds on hand. Commissioner Bloom asked if we would be short on other projects we now know we need to do out there because of this emergency. Randy Brown answered that it would push the timing of those projects back. Specifically, we were accumulating dollars for the 2014 Expo expansion project. That will very likely be pushed back. Commissioner Peters asked if there was an ability to recoup any of the dollars in anyway shape or form. Mr. Fishing replied there might be. Randy Brown stated our focus right now is to get the fix completed as quickly as possible and then as we work through the process we will review where to go from there. Commissioner Peters asked when the anticipated completion date was. Randy Brown stated September 20. There are two events that they have to work around. The key is we do have the carrying capacity of the roof and this is not safety issue. This is a long term maintenance issue. Commissioner Bloom made a motion to approve the resolution declaring that an emergency exists and waiving the public bidding for this particular structural repair of the Arena on behalf of Memorial Coliseum. Commissioner Peters seconded the motion. Motion carried 2-0.

2. **Bid award for Arena Upper Masking System on behalf of Memorial Coliseum.** Randy Brown, General Manager and Brian Christie, VP of Operations presented this item. Brian stated that they put out for bid the masking system for their 600 level as well as their north end to size down their facility when needed. There were 8 vendors who picked up the necessary documents and materials to submit bids but they only received two bids back. He stated the one they would like to accept is really the only one that meets the specs sent out and that is from Performance Rigging out of Tippman Ohio. They are the vendor that is replacing one of the curtain systems so we are very familiar with their operation. We have evaluated their system and it is by far the better of the two bids we received. This is for a total contract amount of \$322,505. Commissioner Bloom made a motion to accept the Bid award for Arena Upper Masking System on behalf of Memorial Coliseum. Commissioner Peters seconded the motion. Motion carried 2-0.
3. **Water and Sewer Agreements with City Utilities regarding the reimbursement of infrastructure costs associated with the Greatbatch project. DEFERRED**
4. **Other Business:**

Warranty Deed for Parcel at Homewood Suites- Ellison Road. Bill Hartman and Mike Eckert presented this item. Mike Eckert stated that this is a right of way we have been working on for a number of years with that development at Ellison and 24W. There were some issues but it is finally resolved and we have signatures. This will be one of the final things needed to release the final certificate of occupancy for the new 6 story hotel. Commissioner Bloom made a motion to accept the right of way on Ellison Road for the new hotel being built. Commissioner Peters seconded the motion. Motion carried 2-0.
5. **Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of June 10, 2011.** Commissioner Bloom made a motion to approve waiving the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of June 10, 2011. Commissioner Peters seconded the motion. Motion carried 2-0.
6. **Comments from the Public.**
7. **Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:26 a.m.

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