

City of West Lafayette, Indiana
Board of Public Works and Safety
MINUTES

January 11, 2010
8:30 a.m.
City Hall Council Chambers

Members present were Sana G. Booker, Bradley W. Marley, Jonathan C. Speaker, Elizabeth M. Stull, and Mayor John R. Dennis, who presided.

1. APPROVAL OF MINUTES

a. January 4, 2010, Meeting

Mr. Speaker moved to accept the minutes of the January 4, 2010, Board of Works meeting. Ms. Stull seconded the motion. The motion was adopted.

2. NEW BUSINESS

a. Board of Works Resolution No. BW02-10 – A Resolution Setting The Fees For Commercial Grease Haulers Delivering Waste To The Wastewater Treatment Plant – WWTU

Wastewater Utility Director Henderson explained that grease will be accepted at the fats, oils, and grease receiving station at the Wastewater Treatment Utility. The grease will be fed to the digesters and will produce significantly more methane and electricity than waste alone. The \$0.17 per gallon was derived through working with the consultants, M.D. Wessler & Associates. The nearest place to take grease is Indianapolis, where the 2009 rate was \$0.25 per gallon. That rate has increased for 2010 to near \$0.30 per gallon.

Mayor Dennis said that a lot of work has gone in to allowing Wastewater to have the proper scales and measures to make certain that weights are accurate. This is also an additional revenue stream for the Utility, which helps offset some of the costs.

Mr. Marley moved that Board of Works Resolution No. BW02-10 be approved. Mr. Speaker seconded the motion.

Mr. Marley asked how long \$0.17 would be the rate. Wastewater Utility Director Henderson answered that \$0.17 will be the rate until the Board determines to change it.

Mayor Dennis asked where Mr. Henderson thought would be the source of most deliveries. Wastewater Utility Director Henderson responded that initially a lot will come from local sources, but there have been inquiries from several places looking for more economical trips. Stories in trade journals have generated more interest. Haulers from Missouri, Illinois, and Ohio have expressed interest in fees, etc.

City Attorney Burns observed that increased gas prices would be good for our supply. Mr. Henderson confirmed that statement.

Mayor Dennis asked if accepting grease would have an adverse impact on the flow levels at the Utility. Wastewater Utility Director Henderson responded that the health of the digesters would be closely monitored.

Ms. Stull asked what the estimated annual revenue might be. Wastewater Utility Director Henderson answered that the 2010 budget shows \$250,000 as a line-item estimate. But with no experience and a guess on volumes, it is not possible to know at this time.

The motion was adopted.

b. 2010 Online Reverse Auction for Chemicals – WWTU

Wastewater Utility Director Henderson reported that last year, the Utility participated in an online reverse auction with the City of Lafayette. It was a successful effort in 2009, as prices were good and customer service was very good. In the year prior, both Lafayette and West Lafayette experienced shortcomings in customer service. He requested continuation of the City's participation in the online reverse auction in 2010.

Ms. Stull moved that the request be approved. Mr. Marley seconded the motion.

Mr. Marley asked if the City provided specifications. Wastewater Utility Director Henderson answered that volumes, percentages of active chemicals, etc. are the same at both plants, that the only difference is the volume.

The motion was adopted.

c. Release of Escrow: Bowen Engineering – Digester Renovations with Alternate Power Sources Project – WWTU

Wastewater Utility Director Henderson stated that in September 2009, the Board approved the release of escrow for Bowen Engineering. It was the intent to keep \$30,000 as retainage for the completion of the project. There was a problem with the Bank of New York, in that they did not release the amount, as there was a discrepancy in the amount available. The maintenance fees on the account were more than the interest than the account was earning, so it was slowly decrementing. This situation has not occurred in our City before. Mr. Henderson requested the Board approve the release of escrow as the balance in excess of the \$30,000.

City Attorney Burns asked if the situation occurred because the yields were so low. Mr. Marley said that when rates were higher, banks could arbitrage the funds and cover, but that is not possible now. Mr. Marley asked what rate was being paid. Clerk-Treasurer Rhodes answered that the funds are in an AIM money market account, and the interest is nearly zero, although the fees continued.

Ms. Booker moved that the release of escrow be approved as requested by Wastewater Utility Director Henderson. Mr. Speaker seconded the motion.

The motion was adopted.

d. Release of Escrow: Atlas Excavating, Inc. – Western Sanitary Sewer Interceptor – Division III – WWTU

Wastewater Utility Director Henderson asked the Board to approve the release of escrow to Atlas Excavating for the Western Sanitary Sewer Interceptor-Division III. Most of the punchlist items have been completed, and he recommended that the retainage be reduced to \$10,000.

City Attorney Burns asked if there were a similar issue with Huntington. Clerk-Treasurer Rhodes answered that there was not; it had to do with the amount of escrow that had already been released and when the accounts were debiting the fees.

City Attorney Burns questioned whether, since the interest was the contractors, would the loss be as well? Clerk-Treasurer Rhodes indicated that it was.

Mr. Speaker moved that the request be approved. Mr. Marley seconded the motion. The motion was adopted.

e. Contract: CheckFree Services Corporation – Electronic Remittances – WWTU

Clerk-Treasurer Rhodes indicated that the approval of this contract is another step in automating the back-end processes in the Wastewater Billing Office. CheckFree is a third-party check aggregator which works with a variety of smaller banks and provides the ability to electronically debit from their accounts to pay bills, including the utility bill. The current system is settled by batches, but it is manually entered into the Utility billing system. This is a fully automated system. This is being done without charge, and it will then be similar to the process used for online payments of parking tickets. The automated system is less costly, and there is less chance for error.

Ms. Stull moved that the request be approved. Mr. Marley seconded the motion.

City Attorney Burns mentioned that in paragraph 16, the governing law would be the State of Delaware. Clerk-Treasurer Rhodes said that would be done.

Mayor Dennis asked for a motion to accept the contract as amended. Mr. Marley moved to approve the item, subject to the change in governing law of Delaware. Mr. Speaker seconded the motion.

Mr. Marley asked for confirmation that there is no fee, that this is a free service. Clerk-Treasurer Rhodes said that there would be no charges, as the reality is that third-party aggregator services came in before many merchants such as the City had their own online payment platforms. The option was to provide a free automated upload or we would have terminated their service. It is much more efficient for them to settle electronically and eliminate paper checks.

Mr. Marley asked about the single electronic payment limit of \$1,000, whether the City has any Utility customers with bills larger than that. Clerk-Treasurer Rhodes responded that we have customers who have inadvertently attempted to pay their mortgage payment amount via Utility billing, so the \$1,000 limit is a welcome block.

The motion was adopted, subject to the change in paragraph 16 to change the governing law from the State of Georgia to the State of Delaware.

f. Contract: Wastewater Solutions, Inc. – 2010 Training – WWTU

Wastewater Utility Director Henderson reported that in all but one of the last 18 years, Brad Musick of Wastewater Solutions, Inc. has provided onsite training of Wastewater Utility staff. He requested continuation of this training for 2010 and invited the Board to attend the training.

Mr. Speaker moved that the request be approved. Ms. Stull seconded the motion. The motion was adopted.

g. Change in Position: Tonya Vanaman – WWTU Billing Office

Clerk-Treasurer Rhodes stated that the 2010 Utility budget provides for a full-time Accounting I position, which finished the reorganization of financial functions with the Clerk-Treasurer's and Utility Billing Offices combined. The compensation costs in the Billing Office will be lower than it was in 2009, because of the reorganization of personnel. Ms. Vanaman had a position split between the Street Department and the Utility Billing Office. When the Utility Billing Office was located at the Plant, it was easy to share the position. That position and the hours of the position were not sufficient for the Billing Office. The Clerk-Treasurer said that she had waited until the maternity leaves were ended, to move ahead with the next step. Rather than post the position, Ms. Vanaman had the opportunity to continue as a full-time employee with the City. The Street Department does not have a full-time receptionist/clerk position in the 2010 budget. That need may be addressed with a part-time position in the future, when the Street Department determines how many hours they need. No change in salary is requested. The effective date is December 12, 2009.

Mr. Marley moved that the request be approved. Mr. Speaker seconded the motion. The motion was adopted.

h. Request by Crown Castle to Add Additional Equipment to Tower at Street Department – Street

Street Commissioner Downey presented a request by Crown Castle to add equipment on the antenna in the leased area. There is plenty of room for more pods on their 125-foot tower on the three platforms available. The City will receive a portion of the revenue that Crown Castle gets. City Attorney Burns said the contract is acceptable.

Mr. Speaker moved that the request be approved. Ms. Stull seconded the motion.

Mr. Marley asked how much money the City might receive from this addition. City Attorney Burns answered that his recollection is that it was \$250 to \$300 per month. Clerk-Treasurer Rhodes added that this is a self-reporting enterprise, and the City does not audit those receipts. Mr. Marley asked if we could have a copy of the lease. City Attorney Burns said the City's lease is with Crown Castle, that the subleases are between the companies.

The motion was adopted.

i. Contract: C & C Excavating – Wetland Bank Stabilization – Engineering

City Engineer Buck asked the Board to ratify the contract with C & C Excavating, which was approved by acceptance of a quote in 2009. The amount is \$28,480.

Ms. Stull moved that the request be approved. Ms. Booker seconded the motion.

City Attorney Burns stated that the contract was in acceptable legal format.

The motion was adopted.

i. Change Order #1: C & C Excavating – Wetland Bank Stabilization – Engineering

City Engineer Buck stated that they encountered an unknown tile during the installation, and took the opportunity to go ahead and connect that old field tile to the storm structure that was being installed. The cost was \$717.31, which will help alleviate future problems. The work was at a lift station to the west of Wal-Mart, with a force main coming around Wal-Mart to the south and connecting to City sewers. There is also an access drive that the City maintains across the property. Stormwater had washed out a portion of the access drive and exposed the force main. The contractor did a great job.

Mr. Speaker moved that the request be approved. Mr. Marley seconded the motion. The motion was adopted.

j. Change Order #3: Fairfield Contractors -Salisbury Street Safety Improvements Phase II Project – Engineering

City Engineer Buck requested Board approval for Change Order #3 with Fairfield Contractors for the Salisbury Street Phase II Project. This is the final contract modification of \$26,835.59, bringing the final contracted adjusted amount to \$1,331,007.65. This change order balances the quantities that were used in the field, versus what was planned.

Mr. Marley moved that the request be approved. Ms. Stull seconded the motion.

Mayor Dennis asked if this would close out the project. City Engineer Buck said that it would.

Mr. Marley asked if the net change order is within the parameters normally acceptable. Mr. Buck said that it was about 6% of the entire project, which also included the small change order associated with Burtfield.

The motion was adopted.

k. Payment Certificate No. 13: Fairfield Contractors – Salisbury Street Safety Improvements Phase II Project – Engineering

City Engineer Buck asked the Board to approve the final payment certificate, which includes the final retainage that has been withheld. The amount is \$165,582.84.

Mr. Speaker moved that the request be approved. Ms. Stull seconded the motion. The motion was adopted.

Clerk-Treasurer Rhodes stated that this payment would appear in a claim run next week.

Mayor Dennis thanked City Engineer Buck for his work on the project.

I. Contract: August Mack Environmental – Environmental Consulting Services at Yeager Road and Cumberland – Development

Director of Development Poole requested approval of the contract with August Mack Environmental as the results of the tests are returned.

Mayor Dennis clarified that there was an environmental issue in the area of Yeager Road and Cumberland, with the potential for seepage in to the neighborhood across Yeager Road. The City initiated borings on its own and discovered some environmental challenges. August Mack Environmental will help the City explain the situation to IDEM, so that the matter can be resolved promptly.

Mr. Marley moved that the request be approved. Ms. Stull seconded the motion.

Mr. Marley asked if the company would counsel the City on next steps. Director of Development Poole answered that they would do that, also helping to interpret analyses that are returned from testing.

City Attorney Burns stated that the contract is in acceptable legal format.

Mr. Marley asked if there were any financial bond that CTS has, to ensure adequate cleanup of the site. Director of Development Poole stated that he did not know. When Mr. Rubin and his group purchased the CTS building, CTS was and still is responsible for environmental cleanup of it.

Mr. Marley asked if this delays construction. Mayor Dennis answered that there were certain areas that would not be touched. City Engineer Buck added that the levels in the areas where road construction will occur are below the action level for construction.

The motion was adopted.

m. Contract: Indiana University Department of Pharmacology & Toxicology – 2010 Evidentiary Breath Test Instrument Maintenance Program – Police

Police Chief Dombkowski asked for Board approval for the maintenance of evidentiary status of the breath test instrument. The \$650.00 cost is the same as in 2009.

Mr. Speaker moved that the request be approved. Ms. Stull seconded the motion. The motion was adopted.

n. Elevation in Rank: 2nd Class Patrolman Adam Miller to 1st Class – Police

Police Chief Dombkowski asked the Board to approve the elevation in rank of Adam Miller to Officer 1st Class. With the shift differential, Officer Miller's new biweekly rate will be \$1,967.28, effective January 7, 2010.

Mayor Dennis stated that elevations are based on time in grade, successfully passing ratings, and appropriate certifications.

Ms. Stull moved that the request be approved. Ms. Booker seconded the motion. The motion was adopted.

o. Claims

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| 1. AP Docket | \$686,045.28 |
| 2. PR Docket | 324,718.18 |

Mr. Speaker moved that the claims be approved. Mr. Marley seconded the motion.

Questions raised about individual claims by the Board were answered by department heads and Clerk-Treasurer Rhodes.

The motion was adopted.

p. Informational Items

i. Projects Payments Listing - Engineering

There were no questions or comments on the listing.

q. Other Items

i. Mayor Dennis announced that the next Board of Works meeting will be Wednesday, January 20, at 8:30 a.m. due to a City holiday on Monday, January 18.

ii. Street Commissioner Downey stated that the five-inch snow has been dealt with, using 1,200 tons of salt and lots of overtime.

iii. Fire Chief Drew said that the Department had two fires on Sunday, one in the morning off Happy Hollow Road, and the other in a large dumpster near campus Sunday night.

iv. Councilor Hunt stated that the Pay As You Throw effort is progressing. There will be another meeting on Wednesday, January 13, to discuss the draft document, and a public hearing next week. The document will be submitted for final vote at the March meeting.

3. **ADJOURNMENT**

There being no further business to come before the Board, Mr. Marley moved that the meeting be adjourned, and Mayor Dennis adjourned the meeting.