

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

DECEMBER 28, 2009

8:30 a.m.

City Hall Lower Level Conference Room

Members present were Sana G. Booker, Bradley W. Marley, and Mayor John R. Dennis, who presided.

1. APPROVAL OF MINUTES

a. December 21, 2009, Meeting

Ms. Booker moved to correct the minutes of the December 21, 2009, Board of Works meeting, to reflect that it was the December 14 minutes that were approved, not the October 19 meeting minutes as noted in the minutes. Mr. Marley seconded the motion. The motion was adopted.

Mr. Marley moved to approve the minutes of the December 21, 2009, Board of Works meeting, as corrected. Ms. Booker seconded the motion. The motion was adopted.

2. OLD BUSINESS

a. Contract: Cardinal Tracking - Police

Police Chief Dombkowski stated that the amount of the contract is \$1,439.10, the same amount as last year. City Attorney Burns said that he had reviewed the contract, and that the major change had to do with the jurisdiction being Indiana, not Texas.

Ms. Booker moved that the contract with Cardinal Tracking be approved. Mr. Marley seconded the motion. The motion was adopted.

3. NEW BUSINESS

a. Acceptance of Bid for 2010 City Fuel: Ceres Solutions – Street

Street Commissioner Downey reported that Ceres Solutions was the only bidder for 2010 City fuel. The City has used Ceres since 2008, and Mr. Downey was unaware that there was any problem with the fuel.

Mr. Marley moved that the bid for City Fuel for 2010 be approved. Ms. Booker seconded the motion.

Ms. Booker asked about the blank Indiana sales tax line. Mayor Dennis responded that the City is exempt from taxes on purchased items.

The motion was adopted.

b. Agreement with Stewart C. Miller & Co., Inc. for 2010 Flexible Spending Administration – Human Resources

Human Resources Director Foster asked for Board approval of the contract with Stewart C. Miller & Co., Inc. for administration of the flexible spending plans. The 2010 rate is \$5.33 per participant employee per month. Since the health savings account is the only medical plan for 2010, there are only two participants for flexible spending. The 2010 price is the same as it is currently. City Attorney Burns said that the contract was in order.

Mr. Marley moved that the agreement with Stewart C. Miller & Co. Inc. for 2010 flexible spending administration be approved. Ms. Booker seconded the motion. The motion was adopted.

c. Request for Increase in Salaries: Elizabeth Cook and Michael Thompson – Engineering

City Engineer Buck requested that the Board approve increases for Engineering Assistant Elizabeth Cook and Assistant City Engineer Michael Thompson, in recognition of their passing the Professional Engineer exam. The amount of each increase would be \$100 biweekly [not \$50 biweekly, as stated in Mr. Buck's December 22, 2009, memo]. Ms. Cook's new biweekly rate would be \$1,989.14, and Mr. Thompson's would be \$2,115.39, both effective December 19, 2009. Mr. Buck reported that these credentials give the City Engineer's Office an unprecedented level of professionalism.

Mayor Dennis added that the certification gives these two people signatory authority for operational assignments, and will make the Engineering Office more efficient.

Mr. Marley moved that the salaries of Elizabeth Cook and Michael Thompson be increased as requested by City Engineer Buck. Ms. Booker seconded the motion. The motion was adopted.

d. Contract: United Consulting – Happy Hollow Road Reconstruction [SR43 to US52] Design – Engineering

City Engineer Buck stated that Happy Hollow Road would become the City's road when the relocated US231 is completed. The City submitted its recommendation to INDOT, and United Consulting was the highest-ranked firm. Mr. Buck reported that Mr. Steve Jones from United Consulting was present to answer any questions. Mr. Buck explained that federal funds are programmed for the project, which should begin near the time the road reverts to the City. INDOT has done some minor repairs, which should last until the reconstruction occurs. Additionally, INDOT is providing approximately \$750,000 for the reconstruction. This will allow the City to maximize funding resources. The contract is not to exceed \$370,373. It does not include right-of-way work.

City Attorney Burns said that he did not see the prevailing party attorney fee language in the contract, which he suggested be inserted. He recommended that the approval of the contract be contingent upon the insertion of the standard language and INDOT's review and consent. For the record, Mr. Burns stated that the language is, "In the event litigation is commenced to enforce any term or condition of this agreement, the prevailing party shall be entitled to costs of litigation including a reasonable attorney fee."

Clerk-Treasurer Rhodes asked for clarification whether the not-to-exceed amount refers to right-of-way engineering, as well as design services in Appendix D. City Engineer Buck responded that Appendix D, paragraph 2, design services totals \$362,355. Clerk-Treasurer Rhodes restated and asked for confirmation that the not-to-exceed amount covers all of Appendix D. Mr. Jones confirmed that.

Ms. Booker moved that the contract with United Consulting for design of Happy Hollow Road Reconstruction be approved. Mr. Marley seconded the motion.

Mr. Marley asked if the prices in Appendix D were supported by bid or are estimates. City Engineer Buck answered that they are estimates, based on a number of man-hours needed for each task and certain employee classifications that will be working on the particular item. Mr. Marley asked if some of the services would be subbed. Mr. Buck responded that some of the services would be subbed, and that there is a requirement of a DBE [disadvantaged business enterprise] of 3%, and that will be shown in the documentation to INDOT. Mr. Marley asked for clarification on the source of funds. Mr. Buck answered that INDOT is adding approximately \$750,000 toward the construction costs from INDOT's federal funds. The City must match this with 20%, but this will help get more project done for the dollar, stretching local funds as well as well as putting less stress on the community, in regard to the entire transportation improvement program. \$400,000 is planned for the total engineering, 20% will be paid by West Lafayette. The City will pay all the invoices and be reimbursed by grant funds.

The motion was adopted.

e. Claims

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|--------------|----------------|
| 1. AP Docket | \$3,901,069.24 |
| 2. AP Docket | 377.82         |

Ms. Booker 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.

f. Informational Items

- i. WWTU Projects Payments Listing  
There were no questions about the listing.

g. Other Items

- i. Mayor Dennis introduced Mr. Jon Speaker and Ms. Beth Stull who will be joining the Board of Public Works and Safety in 2010. They will take their oaths at the beginning of the January 4, 2010, meeting.

- ii. Mayor Dennis showed the new signs ["West Lafayette High School 2009 Class 3A State Football Champions"] which would be placed on the "Welcome to West Lafayette" signposts. He thanked Street Commissioner Downey and Marketing and Grants Administrator Shaw for their efforts in completing this project.

iii. Parks Superintendent Payne announced that the Morton Community Center is closed this week, but that the Riverside Skating Center is open.

iv. Fire Chief Drew reminded those present that City ordinance permits lighting fireworks in celebration of the New Year from 10:00 a.m. on December 31 and 1:00 a.m. on January 1, and from 5:00 p.m. until two hours after sunset on January 1. Fireworks must be lighted on the lighter's property, not in streets.

v. Street Commissioner Downey reported that trucks were on the roads on Saturday at 1:00 a.m., and they are still on the roads. Streets are salted until the temperatures are 15 degrees F; below that, calcium is used until the temperatures reach 10 degrees below zero. After that, the mixture is not effective.

vi. Mayor Dennis announced that 2010 Board of Works meetings would be held in Council Chambers, at the large table.

#### 4. 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.