

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

JULY 27, 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

July 20, 2009 Meeting

Ms. Booker moved to accept the minutes of the July 20, 2009, Board of Works meeting. Mayor Dennis seconded the motion. The motion was adopted.

2. NEW BUSINESS

a. Quote Opening: Exterior Painting of Fire Station No. 1 – Development

Director of Development Poole announced that the painting of Fire Station No. 1 would be done with CDBG funds, and that the painting would help preserve the exterior wood. Clerk-Treasurer Rhodes explained that, for the record, that the quotes were solicited to be due July 24, 2009.

Clerk-Treasurer Rhodes read the quotes aloud:

<u>Quoter</u>	<u>Amount</u>
Dimensional Builders, Inc.	\$19,293.60
Atlas Building Services	12,282.00

Clerk-Treasurer Rhodes noted that, of the four contractors who were solicited, two indicated that they would not be quoting and two did respond. Director of Development Poole confirmed the statement.

Mr. Marley moved that the quotes be taken under advisement. Ms. Booker seconded the motion. The motion was adopted.

b. Contract: August Mack Environmental, Inc. – Subsurface Investigation and Analysis in Right-of-Way on Yeager Road at Cumberland Avenue – Development

Director of Development Poole requested Board approval for an \$8,784.00 contract with August Mack Environmental for analysis of subsurface area in the area of the CTS property at Cumberland and Yeager. Before road projects are begun in this vicinity, which is a known contaminated site, it is prudent to test the soil. City Attorney Burns reviewed the contract and found it in order.

Mayor Dennis stated that it is good government to discover how big the contamination ring is, and whether it is growing.

Ms. Booker moved that the contract with August Mack Environmental, Inc. be approved. Mr. Marley seconded the motion.

Mr. Marley questioned whether there was environmental due diligence done by the developer who purchased the building. Director of Development Poole answered that, when the buyers

purchased the building from CTS, they had the IDEM report, so they had knowledge that the property was contaminated when they bought the property. Mr. Marley asked if there were monitoring wells in the area. Mr. Poole said he thought there were, and that there is an active remediation ongoing on the east side of the site. Mr. Marley stated that could take years. Mr. Poole agreed, with the way the remediation is being done.

Mr. Marley asked if the City was duplicating effort that was already been completed. Mr. Poole responded that the work was not duplicating earlier efforts. The analysis and the environmental testing that was done for CTS were done on that property only. This work will be in the right-of-way, City-owned property. Mayor Dennis stated that now is the time to find out if there has been any breach of the known ring. Mr. Marley asked if the outer ring had been located. Director of Development Poole answered that the ring touches the property line, and that is why the analysis needs to be done, to assure that there is no movement across the property line into the City's right-of-way. City Engineer Buck added that it has been some time since the initial testing was done; the line was close to the Yeager Road western right-of-way line. As future projects, including a force main along the west side of Yeager Road, are planned, the City needs to ensure that there are no additional issues that CTS has to deal with. Mr. Marley asked what would happen if leaching had occurred and needs to be remediated. City Attorney Burns stated that the concern would be if the leaching got past the right-of-way, as the road would not create a concern, but if it gets to the other side, that would be an issue.

Mr. Marley asked if any other environmental engineers were investigated before August Mack Environmental was selected. Director of Development Poole answered that there were no other companies reviewed. Mr. Marley asked if it would be a good idea to check with other companies. City Engineer Buck responded that only a few borings would be checked, then drilling will continue if nothing is found. Director of Development Poole added that, if contamination were found on the first boring, the investigation would stop, unless the City wants more samples. City Engineer Buck stated that he had worked with August Mack in the past. Mr. Marley asked if there would be any benefit to use the same environmental engineer that the developer used. City Engineer Buck suggested that another firm would be more independent.

The motion was adopted.

c. Acceptance of Bid: 2010 Tandem Cab and Chassis Truck with Hook Hoist and Automatic Tarping System – Street

Street Commissioner Downey stated the bids were to replace a 1996 existing hook truck, which operates all the roll-off boxes. He recommended that the Board accept the low base bid from Wiers International of \$131,682.00, and not consider any of the optional equipment or trade-in.

Ms. Booker moved that the bid from Wiers International be accepted. Mr. Marley seconded the motion.

Mayor Dennis asked if the old truck would continue to be used. Street Commissioner Downey answered that it would be used in a modified capacity, that \$17,000.00 was not a satisfactory trade-in, as the tires alone are worth \$3,000.00.

The motion was adopted.

d. Contract Amendment: Crown Castle South LLC – Add Equipment to Tower – Street

City Attorney Burns explained that Crown Castle has had the lease on the property at the Street Department for a long time, paying an annual ground lease and remittances of 50% of any rents the company gets from leases on the tower. The proposal is for Board approval of a third provider on the tower. This matter is separate from an ongoing matter of how Crown Castle has paid the City in the past, which will be dealt with separately. Clerk-Treasurer Rhodes concurred. Street Commissioner Downey added that there is no increase in the size of the lot or the space, just an additional antenna.

Mayor Dennis asked for confirmation that maintenance is the company's responsibility. Mr. Downey assured that the City does not provide tower maintenance.

Ms. Booker moved that the amendment to the contract with Crown Castle South LLC be approved. Mr. Marley seconded the motion. The motion was adopted.

e. Maintenance Contract: Wycom/Hiram Hash & Sons, Inc. – Check Signer – Clerk-Treasurer

Clerk-Treasurer Rhodes requested Board approval for the annual maintenance fee of \$321.30 for the check signer. There has been no increase since 2005.

Ms. Booker moved that the Wycom maintenance contract be approved. Mr. Marley seconded the motion. The motion was adopted.

f. Contract: The Resource Development Group LLC – Customer Service Training – WWTU

Wastewater Utility Director Henderson explained that there is a need for more customer service training with the billing office staff. He is offering the opportunity for Clerk-Treasurer's staff and the Police Department to participate in this training. Mr. Jerry Hogan of Resource Development Group would provide the training.

Mayor Dennis stated that customer service training is necessary in a service-oriented organization such as local government.

Ms. Booker moved that the contract with The Resource Development Group LLC be approved. Mr. Marley seconded the motion.

Mr. Marley asked about the cost of the training. Wastewater Utility Director Henderson answered that, in addition to the mileage, the cost is \$5,000.00 for up to 10 participants, with the per person rate lower if more people attend. There are four sessions with a workbook, audio CDs, and some out-of-class assignments. Mr. Henderson affirmed that the training is both enjoyable and useful.

Mr. Marley asked if the cost is from the Wastewater budget. Mr. Henderson confirmed that it would be paid from that source.

The motion was adopted.

g. New Hire: Richard Walker – Code Enforcement Supervisor – Police

Police Chief Dombkowski requested that the Board hire Rick Walker as Code Enforcement Supervisor. Mr. Walker has been an administrator at the Tippecanoe County Sheriff's Office and will retire as a Lieutenant. In West Lafayette, he will oversee parking, animal control, and nuisance and over-occupancy issues. The start date will be Friday, July 31, 2009, at a biweekly rate of \$1,812.49. Chief Dombkowski stated that he feels fortunate to have a person

with Mr. Walker's experience with multi-agency coordination and consensus-building joining the Department. Mayor Dennis added that Mr. Walker cares about the community and understands that quality of life issues and appearance are important matters in West Lafayette.

Ms. Booker moved that the request to hire Richard Walker as Code Enforcement Supervisor be approved. Mr. Marley seconded the motion. The motion was adopted.

h. Claims

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| i. AP Docket | \$ | 240.00 |
| ii. AP Docket | | 24.00 |
| iii. AP Docket | | 461,723.26 |

Mr. Marley moved that the claims be approved. Ms. Booker seconded the motion.

► Ms. Booker asked about the \$35,700.00 payment in lieu of taxes from Wastewater. Clerk-Treasurer Rhodes answered that this amount is the monthly disbursement that the Utility makes as recognition that, if it were a private entity, it would have a tax bill owed to the City. The amount is an approximation, and is very typical of the relationship between a municipal utility and city government across the State.

► Ms. Booker questioned the \$25.00 disbursement to Concerns of Police Survivors. Police Chief Dombkowski responded that Concerns of Police Survivors is a national organization that supports families of officers that are killed in the line of duty. Patrol Officer First Class Nancee Hetrick sits on a Statewide board. She responds in the cases of officers killed in the line of duty anywhere in the State. Officer Hetrick is well known nationally in this organization, and the Department membership demonstrates support for this work.

► Ms. Booker asked for clarification of HNTB, which received \$6,472.57 for Happy Hollow design. City Engineer Buck said HNTB is a consulting engineering firm formerly known as Howard, Needles, Tammen & Bergendoff. The firm is overseeing the Happy Hollow Park seeding and grading work, to finalize the slope repair.

► Ms. Booker wanted to know more about the \$1,000.00 unappropriated refund expenditure to Innovatech Development LLC. City Engineer Buck clarified that this is a refund of a \$1,000.00 overpayment of fines assessed related to the CTS site. The fine was \$10,000.00.

► Ms. Booker asked about payments from WWTU operating funds to NETECH Corporation (\$4,162.45), NORLAB, Inc. (\$204.60), and Northern Safety Co., Inc. (\$316.34). Wastewater Utility Director Henderson answered that the NETECH payment was to upgrade network equipment at the Plant, which would permit WWTU to participate in the new phone system. He stated that the NORLAB cost was for tracing dye for checking flows in the sewer system, and the Northern Safety expense was for special hard hats for upcoming events.

► Mr. Marley questioned the credit card fees for June. Clerk-Treasurer Rhodes responded that these fees were charging various funds for the cost of transactions related to revenue that went to those funds. Mr. Marley asked if the cost is about \$2,200.00 per month. Ms. Rhodes answered that the cost is lower than that, that there have been a series of transactions that have been charged and reversed. The greatest cost is the discount fees, which are 1.9% for the City. There are certain gateway fees that are different for Parks transactions, eGov transactions versus the counter transactions. Ms. Rhodes stated that

they are not yet to the point where they have two full months of data for comparison, but that she would report to the Board when information is available.

► Mr. Marley asked about payment of \$3,203.55 to DLZ Indiana, LLC for Work Orders #1, #2, and #4. Wastewater Utility Director Henderson answered that these are tasks for stormwater-related items.

The motion to approve the claims was adopted.

i. Items for Information Only

i. Quote Acceptance: NFPA-Compliant Self-Contained Breathing Apparatus Equipment – Fire

Fire Chief Drew stated that the two quotes had been reviewed and the equipment tested. Scott was the apparent low price, so Scott was selected, with Municipal Emergency Services (MES) as the vendor.

Ms. Booker asked if the 45-minute or 30-minute bottles were selected. Chief Drew responded that the 45-minute items were selected.

Upon recommendation from City Attorney Burns, the decision to accept the quote was deferred until the details and costs are available.

ii. WWTU Projects Payments Listing

There were no questions or comments on the listing.

iii. Request for Quote: Wabash Commons Erosion Control and Site Clean-up – Engineering

City Engineer Buck announced that the Engineering Department will send information to 10 interested contractors to provide a time and materials hourly rate quote information for grading work and installing fence around the Wabash Commons Commercial Subdivision, the former K-Mart site. There is a pre-quote meeting on Thursday, and quotes will be due no later than Friday noon. Mr. Buck stated that he would bring back results at next week's Board of Works meeting.

Mayor Dennis stated that there has been significant concern expressed about the site, and the City must deal with the safety issues and the appearance of the site.

Police Chief Dombkowski asked if the cleanup includes fencing. City Engineer Buck answered that two prices would be requested, one for replacement of snow fence and another for a 6-foot chain-link fence.

Mr. Buck said that there has been some contact with Mr. Swiss, developer of the site. The plan is to provide Mr. Swiss copies of the quotes, and he has the option to take those and deal with the cleanup, but the City will do so if Mr. Swiss chooses not to. Mayor Dennis thanked Mr. Buck for his good work on this project.

j. Other Items

i. Street Commissioner Downey reported that work continues on the sewer at Cherry Lane and Northwestern. They hope to be completed by August 10, before school starts.

ii. City Engineer Buck stated that the crosswalks on Russell, Northwestern, and Grant Streets are being installed now. The West Lafayette Street Department is doing the work.

iii. Wastewater Utility Director Henderson noted that work on the digester project continues to wind down, with the SCADA (supervisory control and data acquisition) system for the plant and for the lift stations. They are working through the punch list with Wessler & Associates. Change Order No. 2, the final change order will be presented at the next Board of Works meeting. There will be a test load of grease brought into the Plant mid-week, for the grease receiving station.

City Attorney Burns asked if Wastewater Utility Director Henderson would bring the fee structure to the Board for approval. Mr. Henderson answered that he would.

iv. Police Chief Dombkowski reported that the Neighborhood Resource Team will begin on Friday, Rick Walker's first day. On Monday, August 3, responsibilities for code enforcement will officially be moved from Development, and Curt Cunningham [Nuisance and Housing Inspector] will officially start his duties as Over-occupancy/Nuisance Enforcement Officer. There will be a kick-off to neighborhoods and landlords.

v. Director of Development Poole mentioned that the Strategic Plan update process will begin on Thursday.

vi. Clerk-Treasurer Rhodes noted that the Wastewater Utility has a new secure, weather-resistant drop-box in the City Hall parking lot, thanks to the Wastewater Department employees who installed it.

vii. Mayor Dennis thanked Seth Conley of TV-18 for his service to the community. Mr. Conley is leaving TV-18 to teach television and communications at Goshen College.

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.