

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

MARCH 25, 2014  
8:30 a.m.  
West Lafayette Public Library  
Elm Room

Members present were Sana G. Booker, Shawn R. Little, Bradley W. Marley, and Jonathan C. Speaker. Mayor Dennis presided.

1. APPROVAL OF MINUTES

a. March 18, 2014, Meeting

Ms. Little moved to accept the minutes of the March 18, 2014, Board of Works meeting.  
Ms. Booker seconded the motion.

The motion was adopted.

2. NEW BUSINESS

a. Engagement Letter: Legal Services/Accounting Services – IURC Rate Case – Bose McKinney & Evans LLP – Legal

City Attorney Burns requested that the Board ratify his entering into this engagement letter on behalf of the City for legal services with Bose McKinney & Evans LLP and the London Witte Group as financial advisors. He explained that there is a rate case with Indiana American Water, and as with the last time we are going to join with a group of other municipalities in Indiana to ensure the rate case is adequately proven before rates are increased.

Mayor Dennis stated that we went through this exercise a few years ago on a preliminary rate case hearing with the Indiana Utility Rate Commission (IURC). In that case we were somewhat successful in minimizing the increase that the company was intending to get for that effort. We learned from the last effort. He explained that when the water company chooses to go through a rate increase it has to be validated on their end and requires an approval process. We will be there to do what we can do minimize the impact to our community.

City Attorney Burns stated that the flat fee is \$10,000 for the services of both the law firm and the financial advisors.

Mr. Marley moved that the engagement of legal and accounting services with Bose McKinney & Evans LLC be approved. Mr. Speaker seconded the motion.

Mr. Marley asked if he knows how much was saved in the last effort.

City Attorney Burns responded that the overall impact to rate payers was in hundreds of thousands of dollars.

Mayor Dennis stated that percentage-wise, the water company wanted to go into the upper 60s and we kept them in the lower 30s. WWTU Director Henderson agreed with Mayor Dennis' numbers.

City Attorney Burns stated that it had a significant impact that time, and we have a similar group of participating municipalities this time. Everyone is interested in keeping the rates as low as possible. Residential customers in the current rate case are facing a 16.8% increase.

Mayor Dennis stated that if the motivation is the same this time as last, then their intent is to go to a single tier across the State. We hope to have the same success this time as last time.

The motion was adopted.

b. Supplement No. 1: Mid-Block Crossings – INDOT/LPA Project Coordination Contract – Engineering

Public Works Director Buck requested approval of Supplement No. 1 for an agreement with INDOT which programs additional federal funding through our Metropolitan Planning Organization (MPO) towards the mid-block crossing project. The supplement raises the maximum amount of federal funds for the project to \$315,787.00 from \$135,787.00. It is 90/10 money, so it is a good grant. Bids were opened in early March, and we have an invoice to pay our share of the local match. INDOT will enter into a contract with a contractor and it will be built this summer.

Mr. Marley moved that the Supplement No. 1 for the Mid-Block Crossings INDOT/LPA Project Coordination Contract be approved. Ms. Little seconded the motion.

The motion was adopted.

c. Grant of Easement for Utilities: Salisbury Street Improvement Project, Phase 3, Parcel 12 – Engineering

Director Buck requested approval for a Grant of Easement for Utilities for the Salisbury Street Improvement Project, Phase 3, Parcel 12. He stated that we are purchasing the easement from the property owner. He explained that this is a stripe on the east side of the old CVS site at the corner of US 52 and Salisbury Street. Construction for this project will also move forward this summer.

Mayor Dennis asked Director Buck to explain why that old CVS structure is remaining vacant.

Director Buck explained that CVS still owns the building and lease the ground from the property owner. It is more in the hands of CVS than the local property owner's hands as there is a legally binding agreement. CVS is willing to sublease the building for a profit above what they pay to own and maintain it. It makes it difficult for anyone else to financially justify going in there.

Mayor Dennis stated that it is not an uncommon practice for national franchises to do this. If a franchise can own a couple of corners of an intersection, it has an adverse impact on competition.

Ms. Booker stated that she was part of a group who spoke to CVS about renting the building and it is an expensive piece of property.

Director Buck believes there are several years left on the agreement.

Mayor Dennis explained that he often gets asked questions about that spot, particularly when we are having conversation about City Hall, development, and inheriting US 52.

Director Buck said that there was a conversation with Starbucks about the space, but they could not make the numbers work and it is a bigger space than they needed.

Clerk-Treasurer Rhodes asked the Board to approve this with a correction to the date on the front page.

Mr. Marley moved that the Salisbury Street Improvement Project, Phase 3, Parcel 12 Grant of Easement for Utilities be approved with the correction of date to the hard copy. Ms. Booker seconded the motion.

The motion was adopted.

d. Grant of Easement: Cumberland Sanitary Sewer Extension, Parcel 2 – Engineering  
Director Buck requested approval of a Grant of Easement for the Cumberland Sanitary Sewer Extension project, Parcel 2, explaining that this project is near the new US 231 and McCormick Road coming south from Cumberland Avenue. This Grant of Easement is with Richard K. Maier.

Mr. Speaker moved that the Cumberland Sanitary Sewer Extension, Parcel 2 Grant of Easement be approved. Mr. Marley seconded the motion.

The motion was adopted.

e. Grant of Easement: Cumberland Sanitary Sewer Extension, Parcel 6 – Engineering  
Director Buck requested approval of a Grant of Easement for the same project for Parcel 6 with the Purdue Research Foundation.

Ms. Booker moved that the Cumberland Sanitary Sewer Extension, Parcel 6 Grant of Easement be approved. Mr. Marley seconded the motion.

The motion was adopted.

f. Notice to Bidders: 2014 CDBG Sidewalk Replacement Project – Engineering  
Engineering Assistant Anderson requested approval for the notice to bidders for the 2014 CDBG Sidewalk Replacement Project. This work will be on 4th Street between Russell and University Streets. An eight-foot sidewalk will be installed on the south side of 4<sup>th</sup> Street with handicap ramps and new curb, and the road will be paved.

Mr. Marley moved that the notice to bidders for the 2014 CDBG Sidewalk Replacement Project be approved. Mr. Speaker seconded the motion.

The motion was adopted.

g. Claims

i.	AP Docket	\$290,877.70
ii.	AP Docket	\$1,176.27
iii.	AP Docket	\$217,120.77
iv.	PR Docket	\$371,878.22
v.	RDC Docket	\$63,110.01

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

Questions raised about individual claims by the Board were answered by IT Director Newman and Clerk-Treasurer Rhodes.

The motion was adopted.

h. Informational Items

i. Legal Budget & Expenses – Clerk-Treasurer

There were no questions or comments about the listing.

i. Other Items

► Director Buck announced that next week after the Board of Works meeting there will be a press conference to discuss in depth the construction projects coming up for this summer and beyond. Work is being done to mesh the City's construction map with Purdue's construction map.

Mayor Dennis further explained that the press conference will lay out the construction projects with the adverse impact on traffic and indicate some alternative routes, similar to what was done last year.

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.