

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

APRIL 22, 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. April 15, 2014, Meeting

Ms. Booker moved to accept the minutes of the April 15, 2014, Board of Works meeting. Mr. Marley seconded the motion.

The motion was adopted.

2. NEW BUSINESS

a. Proclamation: JCM5K Mental Health Awareness Weekend – Mayor

Mayor Dennis stated that he has had the honor to participate in the Jay Cooperider Memorial 5K run for all 6 years of the event. He read the proclamation aloud:

**CITY OF WEST LAFAYETTE
OFFICE OF THE MAYOR**

Executive Proclamation

TO ALL TO WHOM THESE PRESENT MAY COME, GREETINGS:

WHEREAS, the month of May, 2014, has been designated as “National Mental Health Awareness Month” to recognize and serve individuals with mental illness by the government of the United States of America; and

WHEREAS, mental illness is a natural part of the human experience and in no way diminishes the right of an individual to pursue self-determination, make choices, contribute to family and society and experience full in the economic, political, social, cultural and educational mainstream of American society; and

WHEREAS, family members, friends, members of the community, and professional advocates can play a central role in enhancing the lives of people with mental illness, especially when provided with necessary support services; and

WHEREAS, the goals of this city and state properly include providing individuals with mental illnesses the opportunities and support to make pursue meaningful and productive lives; contribute to their family, community, State and Nation; have interdependent friendships and relationships with others; and achieve full and healthy inclusion in society.

NOW, THEREFORE, I, John R. Dennis, Mayor of the City of West Lafayette, Indiana, do hereby proclaim the week of Monday, April 21 – Sunday, April 27, 2014, as

JCM5K MENTAL HEALTH AWARENESS WEEKEND

in the City of West Lafayette and call upon citizens of West Lafayette to observe the weekend with appropriate programs and activities; furthermore, I encourage the citizens of West Lafayette to seek counsel and input from any person or group with knowledge and expertise in matters advocating and promoting mental health.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed, the great seal of the City of West Lafayette, at the Mayor's Office, this 22nd day of April, 2014.

Zane Cooperider provided details of the run this weekend. It will start at the Cumberland Park trail kiosk just west of US 52. From there it will go to the left on Lindberg Road and return to the start. The JCM4kids Fun Run will start at 8:45 a.m. Saturday followed by the 5k run at 9:00 a.m. He stated that the Purdue men's basketball team will be there to hand out the awards for the 1k. Morgan Burke and Leroy Keyes will be there as honorary starters, along with Mayor Dennis.

Mayor Dennis stated that this is a great event for a good cause with increasing participation each year. There are a lot of kids running with their parents and dogs running with their owners. He expressed his appreciation for the effort that the Cooperider family puts into the event.

Mr. Marley noted that Mr. Cooperider is the four-time men's champion for the JCM5k.

b. Quote Acceptance and Agreement: Spring 2014 Operation Releaf – Greenvision, LLC – Development

Greenspace Administrator Shaw requested approval to accept the quote and enter into an agreement with Greenvision, LLC in the amount of \$6,408.00 for the spring 2014 Operation Releaf. There will be 28 trees planted in various locations. She noted that Greenvision did the Releaf planting last fall and did a fine job.

Ms. Little moved that the agreement with Greenvision, LLC be approved. Mr. Speaker seconded the motion.

The motion was adopted.

c. Hires: Entry-Level Firefighters – Michael Alt, Caleb Church, Curtis Shidler – Fire

Deputy Fire Chief Schutter requested approval to hire Michael Alt, Caleb Church, and Curtis Shidler as entry-level firefighters, each effective April 29, 2014, with a bi-weekly salary of \$1,823.43. He stated that they have all completed that hiring process, including their psychological and physical qualifications for the State of Indiana Pension and Disability Fund.

Mayor Dennis asked for a quick overview of the requirements for citizens who want to become firefighters.

Deputy Chief Schutter explained that upon passing a written test, there is a certified agility test which is taken through an off-site agency, and that is followed by a 1.5 mile run and a ladder climb. In response to a question from Mayor Dennis, Deputy Chief Schutter stated that 75 candidates took the written test and 64 passed.

Mr. Speaker moved that hires of the three new entry-level firefighters be approved. Ms. Booker seconded the motion.

Ms. Booker noted that there are no ladies and she asked how hard it is to get women firefighters.

Deputy Chief Schutter responded that of those coming through the process now, which is part of the seven hires allotted by the SAFER grant, there are two females still in the running. They have until April 25th to complete the agility test. Afterwards they will do the run and the ladder climb and then there will be interviews.

The motion was adopted.

d. Bid Notice: Sheraton and Fairway Knolls Lift Station Improvements – WWTU
WWTU Director Henderson requested approval to advertise for bids for the Sheraton and Fairway Knolls Lift Station Improvements. He explained that we are hoping to get some leftover State Revolving Fund (SRF) Loan Program money from the current fiscal year. The money reverts back to the federal level if the State does not spend it. The bids need to be in-hand before the loan can be closed. The City Council will need to approve a bond ordinance to move forward with the getting the SRF funds. The current interest rate for our tier and section is 2.6%. He stated that this is a good opportunity to make these improvements that are on our schedule.

Mr. Marley moved that the Sheraton and Fairway Knolls Lift Station Improvements bid notice be approved. Ms. Booker seconded the motion.

The motion was adopted.

e. 2012 SRF Loan Disbursement Request No. 39: Greeley and Hansen – North Side Regional Lift Station – WWTU

Director Henderson requested approval of the 2012 SRF Loan Disbursement Request No. 39 to Greeley and Hansen in the amount of \$19,359. He explained that this is for work including construction administration and inspection of services and response to noncompliance issues with materials being used on project. They are keeping a close eye on the contractor.

Ms. Little moved that the 2012 SRF Loan Disbursement Request No. 39 be approved. Mr. Speaker seconded the motion.

The motion was adopted.

f. 2012 SRF Loan Disbursement Request No. 40: Greeley and Hansen – North Side Regional Lift Station – WWTU

Director Henderson requested approval of the 2012 SRF Loan Disbursement Request No. 40 to Greeley and Hansen in the amount of \$5,475. This includes review of submittals.

Mr. Marley moved that the 2012 SRF Loan Disbursement Request No. 40 be approved. Mr. Speaker seconded the motion.

Clerk-Treasurer Rhodes stated that Disbursement Request No. 39 dealt with activities related to being beyond the substantial completion date of the contract while Request No. 40 has to do with regular approval of items in the contract. She asked Director Henderson to update the Board on the status of how things are working with the contractor, RL Turner, in terms of completion or need for liquidated damages.

Director Henderson stated that we are well beyond our final completion date with the contractor, and there is a progress meeting scheduled for Wednesday. There has not been as much recent activity at the site as he would like to see. There were issues with water in the wet well coming from offsite which has now been addressed with Purdue Research Foundation (PRF) and their contractor. He hopes to see RL Turner back onsite tomorrow.

Ms. Booker stated that this has been a long time. She asked if the contractor will come in front of the Board and explain the reason it has been taking so long. She asked if it is correct that we have been paying them on time.

Director Henderson confirmed that we have paid them on time for work that has been completed.

Ms. Booker noted that our checks tend to clear and stated that it bothers her that it has taken this long.

Director Henderson said that it bothers him as well and stated that he and Public Works Director Buck have met with the people at RL Turner.

Director Buck stated that there has been mention of liquidated damages at the meetings. We are getting close to the point where we will not be paying them in full each time because we will be withholding additional monies to cover any calculated liquidated damages. He stated that RL Turner has the opinion that they are being penalized and that these are not damages due to there being no users in that area. Director Buck stated that this is an argument they could fight in court if they choose, but we are moving forward on the basis that we will take these on a per-day basis in reference to the number of days that they should have been working and did not finish on time. We are drawing a hard line with them.

Ms. Booker stated that she would like them to come before the Board, and since they request that their claims be approved we should request that they attend.

Director Buck stated that the next RL Turner invoice the Board sees will probably have something on it to address some withholdings. This would be beyond the normal 10% retainage that is kept for potential items outstanding, such as punch list items.

Ms. Booker stated that she knows that RL Turner has been told that it is not okay, but believes they need to hear it from the Board as well.

City Attorney Burns stated that the next time RL Turner has a claim up may be a convenient time to invite them to meeting to speak before the payment is authorized.

Clerk-Treasurer Rhodes stated she would appreciate a report that would tie-out the expenses incurred from Greeley and Hansen beyond the substantial completion date, which are in fact additional expenses we are bearing. She would like to compare the potential liquidated damages to the amount in the escrow account to review what amount should be withheld from ongoing payments.

Director Buck said that he has created a draft of that information and will get it to Clerk-Treasurer Rhodes.

The motion was adopted.

g. Resolution BW-2014-1: Resolution Authorizing Sale of Surplus Real Estate – Legal City Attorney Burns stated that this resolution is for the purpose of selling a piece of real estate which is a little sliver down by Tapawingo Drive and US 26 and it is part of the right of way. It is currently in transfer from the State to the City. After that is closed, the resolution would authorize the sale of the land to the abutting landowner. There is only one abutting landowner, which is owned by Shen, LLC. This resolution would authorize a notice to be put in the newspaper as well as a certified mail notice to be sent to Shen, LLC. He stated that they are interested in the land because it would enable them to do a hotel project.

Ms. Little moved that Resolution BW-2014-1 be approved. Ms. Booker seconded the motion.

Clerk-Treasurer Rhodes advised the Board that in the claim run for today there is a claim to Royal Title Services, Inc. in the amount of \$5,571.50 for land acquisition which relates to this resolution.

Mr. Marley asked if this is a conveyance to Shen and then Shen will in turn sell to a developer.

City Attorney Burns responded that that is his understanding. He stated that as indicated in the notice, anyone else who is interested may come forward to try to buy the land as well. The reason the statute is set up for abutting land owners is that there is nobody that would have interest in it since there is only one property to which it is attached.

The motion was adopted.

h. Claims

i.	AP Docket	\$196,084.36
ii.	AP Docket	\$204,317.01
iii.	PR Docket	\$440,951.94
iv.	RDC Docket	\$71,776.71

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

There were no questions or comments about the claims.

The motion was adopted.

i. Informational Items

i. Project Payment List – WWTU

There were no questions or comments about the listing.

ii. Legal Budget & Expenses – Clerk-Treasurer

There were no questions or comments about the listing.

j. Other Items

► Street Commissioner Downey provided an update to an Indiana CLEAN Community Challenge program which the City has been participating in since 2010. The program involves using re-capped tires. Through 2013 the City, especially in the Street Department, has saved \$46,452.34 using this program. He provided photos to the Board showing a tire just before it is sent out for re-capping and a re-capped tire. He explained that a tire can be re-capped three times before it goes to the landfill. It is a significant savings in both money for purchasing tires and in landfill space. He stated that we have 25 trucks, some with 10 tires each, and each truck goes through a change of tires approximately every six months. He said that 20 years ago he would not have recommended a re-capped tire, but today he would.

Mayor Dennis stated that the technology has really improved.

► Police Chief Dombkowski reported that this is a busy week for students and the campus area. This is a Grand Prix week and as we approach the weekend barricades will go up in the Village and he hopes for a fun but safe Grant Prix. There is a Bar Coalition meeting today to put out the message and work on some issues.

Mayor Dennis stated that he recently talked to a Purdue alumnus who remembers the hundreds of arrests that used to take place during the Grand Prix and the way that the judges would hold court in auditoriums. Because our philosophy has changed over the years on how we approach Grand Prix and we have grown so much since that time, that is no longer the case.

Chief Dombkowski stated that he remembers those times. Now there are a dozen or two dozen arrests at most.

Mayor Dennis stated that we are now looking out for their safety. It has gone from having a body-count mentality or a street-sweeping mentality to making sure the students who are participating, whether legitimate or illegitimate, are looked after.

Chief Dombkowski agreed and stated that we would remiss to not mention that fact that we have partnered with a lot of organizations at Purdue and that has been a large component in the change of the culture with both the student population and with our enforcement entities.

Mayor Dennis stated that Chief Dombkowski has done a great job in bridging those gaps.

Mr. Marley asked about what role Excise has.

Chief Dombkowski responded that they play a significant role. They will have a contingent of officers here over the week. He explained that they have had a divided front for close to a decade now due to Indiana University having Grand Prix during the

same weekend. He stated that IU has a different culture and atmosphere than we do and still make hundreds of arrests, so on that divided front a lot of the resources go to Bloomington instead of West Lafayette because we do not have the same need. He stated that the schools having the event during the same week cuts down on problems because there are not as many visitors going between the two universities.

► Ms. Shaw reported that we had our first successful Record Store Day festival at the library over the weekend. It was put on by the library with some help from the City and the Purdue Independent Music Association. She stated that it was a fun and issue-free event, and she knows that the library is interested in bringing more music to the Village. She also reported that Arbor Day is this Friday and invited everyone to go clap for a tree at 10:00 at Trailhead Park while trees are planted by Purdue students, kids from Kids Us Kids, and the West Lafayette Tree Friends.

► Clerk-Treasurer Rhodes reported that today we are closing on our \$4 million sewage revenue bonds with Huntington Bank at a rate of 2.65%. She noted that it is only 5 basis points more than the subsidized SRF rate, as mentioned by Mr. Henderson. She stated that we got a great deal thanks to Huntington and it is good for the rate payers.

3. ADJOURNMENT

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