

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

DECEMBER 2, 2008

11:05 a.m.

City Hall Lower Level Conference Room

Members present were Susan K. Goldman, Bradley W. Marley, and Mayor John R. Dennis, who presided.

I. CAUCUS TO REVIEW AGENDA

There were no agenda items discussed among Board members and Department Heads.

II. APPROVAL OF MINUTES

A. November 18, 2008, Meeting

Ms. Goldman moved to accept the minutes of the November 18, 2008, Board of Works meeting. Mr. Marley seconded the motion. The motion was adopted.

III. NEW BUSINESS

A. Warranty Deeds: Salisbury Street Phase 2 Safety Improvements Project – Engineering

1. Parcel 01A: West Lafayette Community School Corporation – 0.042 acres  
Parcel 01B: West Lafayette Community School Building Association – 1.382 acres
2. Parcel 08: Ronald L. Rausch – 0.052 acres
3. Parcel 12: William H. Evans and Frances M. Evans – 0.09 acres
4. Parcel 14: David P. Goldstein and Joan R. Goldstein – 0.06 acres

City Engineer Buck presented the first four parcels to acquire land for the Salisbury Street Phase 2 Safety Improvements Project and asked for Board approval. All the parcels involved with this project are old parcels that are meets-and-bounds descriptions. They are not parts of modern platted subdivisions, where right-of-way was dedicated for Salisbury Street. The records do not indicate anywhere clearly that the City owns the right-of-way. By adverse possession, we own the street, the area in front of the curb, but the area from the curb to the back of the sidewalk belongs to the property owners. He explained that the right-of-way and appraisal firm is in the midst of the appraisal process. These are the first four parcels whose owners have accepted the offer made by the City to acquire that right-of-way. Parcels 01A and 01B are basically the same parcel, with two listed owners, the West Lafayette Community School Corporation and the Community School Building Association; Parcel 08, Ronald L. Rausch; Parcel 12, William H. Evans and Frances M. Evans; Parcel 14, David P. Goldstein and Joan R. Goldstein. The acreage includes the area under the street, as well as the area behind the curb. There are 18 parcels in total, seven of which are along Lindberg Road, from the intersection to the

West, on both the north and south side, where they were there originally and not part of a subdivision and platted right-of-way with the street. Since the City is going through this effort, these will be cleaned up at the same time.

Mr. Marley stated that he would abstain from voting on the parcels being conveyed by the West Lafayette Community School Corporation and the Community School Building Association, because he serves on the Board of Trustees for the School Corporation. Mayor Dennis duly noted that for the record.

Mayor Dennis asked if all of these parcels are at appraised value, except the School Corporation, which is a donation. Mr. Buck confirmed that.

Ms. Goldman moved that the warranty deeds be approved. Mayor Dennis seconded the motion.

Clerk-Treasurer Rhodes asked the City Attorney to explain the formal language that attributes the warranty transfers at \$10 each, because that is a very traditional-type number and may be confusing to some. City Attorney Burns responded that the long-accepted practice in any warranty deed recites a value—it used to be \$1.00—“\$10.00 and other valuable consideration.” That does not reflect the actual value that is being transferred from the City to the particular property owners. That is the appraised value. It recites \$10, but that is just a legal nicety, and there is actually an appraised value that is being paid.

Ms. Goldman asked Mr. Burns if he had reviewed the warranty deeds. His response was that he was very involved in putting them together.

The motion was adopted. Mr. Marley did not vote.

B. Change Order No. 1: Fairfield Contractors – 2008 ADA Sidewalk Spot Repair and Universal Access Ramp Project – Engineering

City Engineer Buck presented Change Order No. 1 to the 2008 ADA Sidewalk Spot Repair and Universal Access Ramp Project, which represents quantity adjustments to the asphalt and concrete used. The net amount is a \$2,716.29 deduct. He requested Board approval for the change order, which will allow him to close the contract.

Ms. Goldman moved that the change order be approved. Mr. Marley seconded the motion. The motion was adopted.

C. Contract: Greeley and Hansen – Professional Engineering Services for Yeager Road Sanitary Sewer Study – Engineering

City Engineer Buck presented the contract for capacity analysis and design work for servicing what will be Phase 3 of the Purdue Research Park, the area north of Kalberer Road, primarily west of Yeager. The City will need to provide sanitary service for that area. Greeley and Hansen will do a preliminary engineering analysis on the area, determining how best to serve it and how best to send the wastewater back to the Treatment Plant. The total not-to-exceed amount, based on estimated time, is \$59,300.

City Attorney Burns said that the contract is in acceptable legal form.

Mr. Marley moved that the contract with Greeley and Hansen be approved. Ms. Goldman seconded the motion.

Mr. Buck said that PRF is very interested in moving this project along, as building is continuing in Research Park Phases 1 and 2, and buildable lots are being used up. It will not be long before Phase 3 is very attractive for future building sites, and the City needs to be in a position to provide sanitary service.

Ms. Goldman asked if Greeley and Hansen do the work. Mr. Buck responded that that Greeley and Hansen would do the design work, but not the construction. A set of contract documents would be prepared for bid to contractors to install the work.

The motion was adopted.

D. Contract: Schneider – Cumberland Avenue Reconstruction Project – Engineering

City Engineer Buck stated that the Board previously reviewed Requests for Proposal on this project. He has been in negotiations with Schneider about the details and the costs of the design effort since that time. This contract is for Phase I design work, to prepare construction documents and specifications for the area from US 52 through Kent and over to Yeager Road. It will be a complete reconstruction of Cumberland Avenue. Estimated time and fee justification have been provided for each of the phases, with survey, geotechnical investigation, environmental evaluations, the roadway and roundabout engineering, stormwater, landscape, lighting, even some public involvement. Not included is anything for right-of-way engineering and acquisition. The hope is that no acquisition would be necessary, but the survey and proposed curb lines will reveal whether the road could be built within the existing right-of-way, although some temporary right-of-way easements might be necessary as construction occurs. The total amount the Board is requested to authorize is \$240,710, which will get the construction documents generated, with the intent to bid this project as early in 2009 as possible. Schneider's survey crews will begin today.

City Attorney Burns asked that the prevailing party attorney fee language be added to that contract. Mr. Buck responded that Schneider is amenable to that addition, if Mr. Burns would advise as to where in the contract the sentence could be added. Mr. Buck suggested that an item 17 could be added. Mr. Burns suggested that paragraph 6 on page 17 would be fine, or adding an item 17 would be acceptable.

Mr. Burns asked that, when the Board approves the contract, it be subject to the inclusion of the standard prevailing party attorney fee language that is used in contracts.

Mr. Marley moved that the contract with Schneider be approved. Ms. Goldman seconded the motion.

Mr. Marley asked if there has been more discussion about lighting and the Duke-owned power lines. City Engineer Buck responded that there has been nothing new, in particular to do anything different with the power lines. As a part of this project, the City will contact Duke and discuss what the lifespan is for the wooden poles, and whether something collaboratively might be done to replace the poles earlier. Mr. Buck suggested it might be difficult, since Phase 1 only goes to Yeager Road, the poles go all the way to Soldiers Home Road, and Duke will likely want to replace all the poles at one time. Mr. Buck said they have not completely given up on that project, but the poles are in an easement, and so, unless the City pays to relocate the poles, they will remain.

Ms. Goldman asked if Phase 1 included a roundabout at Yeager. City Engineer Buck answered that there are two, one at Kent, and one at Yeager. With the phasing of construction, it would be difficult to build a roundabout at Yeager as a part of Phase 1, so construction may stop just west of the intersection of Cumberland and Yeager. Mr. Buck added that east of the intersection, some lane-shifting is proposed, which would extend the limits of construction quite a bit to the east of Yeager Road.

Mayor Dennis thanked Mr. Buck for the excellent job in working with Schneider Corporation, helping them understand what the City's needs are and how best to achieve the goals of the project while keeping costs under control.

The motion was adopted.

E. Notice to Release Escrow: Atlas Excavating, Inc. – Western Sanitary Sewer Interceptor-Division II Project – WWTU

Wastewater Utility Director Henderson presented a request to reduce the retainage for Atlas Excavating to a small amount for restoration work. The amount to be retained in escrow is \$3,346.72.

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

Ms. Goldman asked Mr. Henderson if he were comfortable with the matter. Mr. Henderson said that he was.

Mr. Marley asked if the work had already been completed. Wastewater Utility Director Henderson responded that there are a couple of spots that need to be completed in the spring that were unable to be finished due to Purdue's cross country schedule in the fall.

The motion was adopted.

F. Addendum No. 2 to Contract: Butler, Fairman and Seufert, LLC – GIS, Phase 4 – WWTU

Wastewater Utility Director Henderson presented Addendum No. 2 to the contract with Butler, Fairman and Seufert [BFS] for completion of the GIS work. Mr. Michael Man and Mr. Ryan Smith of BFS were present to answer any questions.

Mr. Ryan Smith said that they have worked in the first two phases of the project, south of US 52, locating all the sanitary and storm structures. This phase is to finish mapping the rest of the City and add the information to the database for use by Wastewater, Engineering, Development, and anyone else that needs access to that information.

Mayor Dennis added that this allows the City to make electronic searches without physically having to go out. It will save time and money.

City Attorney Burns asked if, going forward, when a new structure is built, would it be added to the database. City Engineer Buck responded that it is now part of the as-builts, so that a developer now has to supply that data electronically when a section of a subdivision is completed.

Ms. Goldman moved that the contract addendum be approved. Mr. Marley seconded the motion.

Ms. Goldman asked Mr. Smith if this would complete the project. Mr. Smith said this addendum would finish it.

The motion was adopted.

Wastewater Utility Director Henderson said that the project encompasses the service area, which also includes Green Meadows and parts of the old Regional Sewer District that are outside the City limits.

G. Salary Increases: John Hart, Shannon Hicks, and Doug Perkins – Street & Sanitation

Street Commissioner Downey requested the Board to increase the salaries of Mr. Perkins, Mr. Hart, and Mr. Hicks. He said that, after review of their performance and their safety, part of that is their attendance, also their skills and abilities. In some cases, this includes a job position change, such as Mr. Perkins, who is going to a Mechanic/ Equipment Operator from Equipment Operator/Laborer. He is helping the only mechanic in the department, and he comes from Rowe Truck Equipment, and has a lot of fabrication in his background and it's been very beneficial in keeping our salt spreaders and truck beds running. Mr. Hart started at the bottom of the salary range in Sanitation. He's now up there and doing a very satisfactory job, above satisfactory job. Mr. Hicks comes to us, he was a former employee, and he was working in the sewer collection system. He left the department to do his own private business. He has a lot of skill and background in his own business of taking care of laterals to the house, which we don't do. It's a very useful knowledge. Due to the fact of a retirement, that position was opened up. We hired somebody in, at the bottom of the list, and Mr. Hicks has performance is such that he should be the assistant supervisor. I've indicated the salary range there. Mr. Perkins is going from \$1,453 biweekly to \$1,560. Mr. Hart is going from \$1,222 biweekly to \$1,386. Mr. Hicks' salary would change from \$1,400 to \$1,560 biweekly. These are all within the salary ranges of those positions. I've reviewed this with Mayor Dennis and I've also had Ms. [Clerk-Treasurer] Rhodes overlook that. There is funds available in the

remainder of the year of '08, and we had planned for funding '09 for some changes in salary. I originally asked for five and after some discussion, we've narrowed down to the three raises. Any other questions?

Ms. Goldman asked if these are as a result of their annual review dates. Mr. Downey responded that he usually does an annual review of all employees in July and August, but this year that process is behind. Those annual reviews were done in November. Ms. Goldman asked whether the individuals had annual raises in July or August. Mr. Downey answered that they did not.

Mr. Marley moved that the increases be approved. Mayor Dennis seconded the motion.

Mr. Marley stated that Mr. Perkins would get a 7.3% increase, Mr. Hart would get a 13.4% increase, and Mr. Hicks would get an 11.4% increase, if this request is approved. He questioned whether there was a standard that would provide a level of performance with a recommended increase. Mr. Downey answered that he usually evaluates an employee's increase and whether it will bring them in line with other employees doing similar, if not less, in job performance and position. Mr. Marley asked if Mr. Hicks' position is actually changing. Mr. Downey responded that it was. Mr. Marley asked whether part of the impetus for the increase is because his [Mr. Hicks'] classification is changing. Mr. Downey said that it was. Mr. Marley questioned whether it was the case that other two individuals were receiving increases because of merit, jobs well done. Mr. Downey said Mr. Perkins is also changing positions, becoming an assistant mechanic. Most of his time is spent in the mechanical area, rather than just an operator. So he's actually getting a position change.

Ms. Goldman asked if the other two employees had reviews and not raises. Mr. Downey said that was correct.

Mayor Dennis stated that one of the things he is interested in doing in the next three years is getting a salary structure implemented for the City, because there is not one currently. There are salary ranges, but there is no methodical process for the salary structure. A consultant will do job surveys, establish parameters, create pay ranges, etc. It is a labor-intensive and expensive process, one that cannot be done at this time.

Mr. Marley expressed concern that, in business, there is an allocation for increases, and then those employees are rated, but it is within that pool that you make increases. The only reason to step outside is due to competitive forces. His concern is that the very high percentage increases eat up the funds available for other employees.

Ms. Goldman stated that she does not want the City to have grievances filed against them, because of exceptions.

Mayor Dennis made the point that this item is up for vote, not for affirmation.

Ms. Goldman said she questioned, with Sanitation being brought under Wastewater, what restructuring and policies there might be.

Wastewater Utility Director Henderson noted that Mr. Downey had not discussed this item with him.

Mayor Dennis clarified that there are three choices: yes, no, or table. He stated that increases have been authorized within specific ranges before, but in light of what the City has experienced, there is more awareness of the challenges of salary increases. He reported that he was open to the Board's decision. When he and Mr. Downey spoke of these proposed increases, his focus had been whether the City could afford it and whether funds had been allocated. Mr. Downey stated that the money was budgeted. The Mayor's concern is the subjectivity of raises, but not just in Sanitation.

Ms. Goldman asked Clerk-Treasurer Rhodes her thoughts, from a cash standpoint. Ms. Rhodes indicated that the discussion appears to indicate that the Board would like more information. The history of how we got to this place and past practices in the Street Department might better be provided in a written form or in a conversation. Either Mr. Downey or Ms. Rhodes could supply this information.

Mr. Marley stated he thought it would be helpful to table this matter, not to single Mr. Downey out, but to obtain additional information and salient facts for the increases. This would help to support the case for the raises.

Mr. Marley made the motion to table this item until a later date. Ms. Goldman seconded the motion. The motion was adopted.

H. New Hire: Erica N. Ridge – Patrol Dispatcher – Police

Police Chief Dombkowski requested that the Board approve the hiring of Ms. Erica Ridge as a Patrol Dispatcher to fill an open position in the Dispatch Center. There are nine full-time dispatchers in the Dispatch Center, two have to be on duty at all times, on 12-hour shifts. Ms. Ridge is a recent graduate of Ball State University with a degree in teaching.

Ms. Goldman asked if this is a full-time position. Chief Dombkowski answered that she will be full-time, pending approval.

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

Mr. Marley asked if his were the entry-level rate. Chief Dombkowski responded that it is the entry or probationary rate. After one year, the permanent rate is in effect. In the Police Department, the salary ranges for civilian employees operate with an entry or probationary level and a permanent or full level. Mr. Marley asked how long a probationary period is. The Chief answered that it is one year. When a person is evaluated and ready to be at the permanent level, the Board approves that elevation.

The motion was adopted.

I. 2009 Standard Mileage Rates for Reimbursement – Clerk-Treasurer

Clerk-Treasurer Rhodes stated that the personnel policy of the City provides that the Board of Works sets the rate for personal vehicle use for business purposes. It has been the City's practice to adhere to the IRS business mileage rate, which, beginning January 1, 2009, will be \$0.55 per mile. That is a decrease from the current rate of \$0.585 per mile, so the forecast must be for lower gas prices. Typically, the Board is requested to consider this every year about this time.

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

Mr. Marley asked for the definition of "business miles." City Attorney Burns responded that it is "in the course and scope of employment." Clerk-Treasurer Rhodes added that it is for job activities, but excluding commuting from one's residence to one's primary jobsite.

The motion was adopted.

J. Amendment to Section 125 Plan Document – Human Resources

Human Resources Director Foster stated that, effective January 1, 2009, one of the City's medical plans is a Health Savings Account. The City is also offering a new supplemental benefit of AFLAC. It is necessary to amend the Section 125 Plan document to include a limited purpose provision for the Health Savings Account and the AFLAC product.

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

K. 2009 Holiday Schedule – Human Resources

Human Resources Director Foster presented the holiday schedule for 2009. This year, there is only one schedule, which combines schedule for the Street and Sanitation employees with the other City employees. There is an additional holiday in 2009, Good Friday on April 10, which employees of the City of Lafayette and Tippecanoe County are given.

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

Mr. Marley asked if the holiday schedule is on the City website. Mayor Dennis responded that we could, since adding items to the calendar for each month is possible. Human Resources Director Foster added that each department gets a copy after approval, and Clerk-Treasurer's Office incorporates it into a document that all employees receive as well.

The motion was adopted.

L. Change of Insurance Carriers and Premiums for Life, AD&D, Dependent Life, and LTD – Human Resources

Human Resources Director Foster stated that the Board had previously approved the insurance rates for 2009 for life, AD&D, dependent life, and LTD with Lafayette Life Insurance. That company exited the group life business for these products, effective December 1, 2008. She investigated other companies who offer similar products. Her recommendation is that the City approve Fort Dearborn to provide this coverage. The rates from Fort Dearborn are lower than our current rates, and the rates are guaranteed for three years. The rates are:

Life	\$0.125/\$1,000 of benefit
AD&D	\$0.020/\$1,000 of benefit
Dependent Life	\$1.07/unit
LTD	\$0.22/\$100 of covered earnings

Clerk-Treasurer Rhodes said the rates are more than a third lower, for both the employees who are purchasing dependent coverage at their cost, as well as the coverage the City pays for.

Ms. Goldman asked if it were comparable coverage. Human Resources Director Foster answered that it is the same, with some enhancements over what we currently have.

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

M. Interlocal Agreement Dissolving the Wabash River Parkway Commission – Mayor Dennis

Mayor Dennis stated that the Wabash River Parkway Commission was created in 1988 to set priorities for the Wabash River Corridor. In 2004, the Wabash River Economic Development Corporation was established. Since there was some redundancy of purpose, Lafayette Mayor Roswarski, Tippecanoe County Commissioner Shedd, and Mayor Dennis determined to dissolve the Wabash River Parkway Commission and eliminate that duplication.

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

N. Claims

1. AP Docket	\$ 35,427.86
2. AP Docket	2,023.22
3. AP Docket	86,411.13
4. AP Docket	39,508.98
5. AP Docket	435,437.67
6. PR Docket	304,887.95
7. PR Docket	103,887.72
8. PR Docket	12,987.67

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

► Mr. Marley asked about the payment to O.W. Krohn & Associates for \$13,000.00 on behalf of the Redevelopment Commission. Clerk-Treasurer Rhodes answered that \$12,500.00 is for analysis and preparation of the annexation appeal documentation that would have been filed with the Department of Local Government Finance. The material was prepared and provided to the Council.

► Mr. Marley questioned the \$2,678.00 payment to Meyer & Associates for the Celery Bog drinking fountain. Parks Superintendent Payne responded that it is a new drinking fountain like the others along the trail, with a dog bowl on the side. Mr. Marley asked if it were next to the Nature Center. Mr. Payne answered that it will not be installed until spring, but that it will be near the Nature Center.

► Ms. Goldman asked for more information on the payment [\$6,575.50] to Symbol Arts, LLC. Police Chief Dombkowski reported that the expense was for new badges for all sworn Police officers. Three badges were lost or stolen earlier this year; one was recovered from a vehicle theft; one was never recovered; and one was found. There is an inventory and accountability issue, in that there was no way to track badges, as there were several different types in use and they were not numbered. The old badges were generic and cost \$80+ each. Each officer received three, sometimes one new one and two old ones, when they were hired. Now each officer receives two badges, one for the uniform and one for the jacket, at a cost of \$55 each. The badges are identified as West Lafayette Police Department and are numbered. The Chief has to authorize the company to make any WLPD badge. The badges have lifetime warranties.

► Ms. Goldman requested information about whether the Duke Energy payment [\$27,537.24] was a monthly bill. Wastewater Utility Director Henderson said that it was a monthly bill. Mayor Dennis asked if, when WWTU begins to capture methane, the bill would go down. Mr. Henderson said that it would.

The motion was adopted.

O. Informational Items

1. Projects Payments Listing – WWTU

Mr. Marley asked if there was a payment request to Infrastructure Systems, Inc. for \$55,218.92 for Bar Barry Lift Station. Wastewater Utility Director Henderson said he would investigate this and report back, but that it was not an SRF payment.

P. Other Items

1. Parks Superintendent Payne noted that the Riverside Skating Center opened the day after Thanksgiving. He added that Atlas Contractors would be cutting down mostly invasive, undesirable tree species in Happy Hollow Park and constructing an access road to get to the bank slide area that is undergoing rehabilitation, stabilization, and cleanup. That access road will almost entirely be the route for the Wabash Heritage Trail extension through Happy Hollow Park, so Parks will have some extra benefit out of the work that needs to be done.

2. Police Chief Dombkowski reported that all is quiet at the Police Department now, that the IU football weekend was the busiest of all the games. There is a large crowd in town for the Duke-Purdue basketball game tonight.

3. City Engineer Buck stated that Atlas Excavating would be working this week in Happy Hollow Park, trying to take advantage of the frozen ground, to avoid further problems. Some of the work will be done as direct-bill work to WWTU, some as a change order to the contract for the storm pipe. The contract was completed under estimate, and a deduct will be part of the change order.

4. Street Commissioner Downey noted that the first snow has fallen, and the Street Department is finishing leaf pickup in University Farms.

#### IV. ADJOURNMENT

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