

BOARD OF PUBLIC WORKS AND SAFETY MINUTES
December 27, 2007

The Board of Public Works and Safety of the City of West Lafayette, Indiana met in regular session in the Board of Works Room at City Hall on December 27, 2007, at 11:00 a.m. Present were Janet L. Broyles, Gilbert T. Satterly, and Mayor Mills, who presided.

Contract: 2008 Lafayette Crisis Center – Clerk-Treasurer

Clerk-Treasurer Rhodes said I submitted two contracts to the Board of Works for their consideration, as we normally do at year-end. One is for the Almost Home Humane Society contract for 2008. The other is the Lafayette Crisis Center contract for 2008. Do you wish to approve those today?

Councilor Satterly said so moved.

Ms. Broyles said do I need to make a motion?

Clerk-Treasurer Rhodes said I would suggest that you approve each one, read at least the amount into the record here. That would be helpful.

Ms. Broyles said okay, I move that we approve the agreement between the City and the Lafayette Crisis Center for the calendar year 2008 for a total amount of \$8,000, payable in 11 installments of \$667 and one installment of \$663. Motion was seconded by Mr. Satterly, and the vote was AYE.

Contract: 2008 Almost Home Humane Society – Clerk-Treasurer

Mayor Mills said is the Human Society the typical amount of money?

Clerk-Treasurer Rhodes said no, the Humane Society is greater by \$9,348 over last year's \$30,000. I understand they met with you [Mayor Mills] in October, and I don't know the outcome of that discussion.

Mayor Mills said there was no discussion on increased fees.

Clerk-Treasurer Rhodes said during the budget process, we talked briefly about the number they had presented. This is about the number they presented. It was considered in the budget. However, I emailed this to the Board and have not heard anything, so I ask today, whether you want to approve this or not?

Mayor Mills said did I get that, too, because I don't think I saw that email.

Clerk-Treasurer Rhodes said I used the standard Board of Works—

Mayor Mills said okay.

Clerk-Treasurer Rhodes said distribution. It's up to you to decide what you want to do.

Mayor Mills said that's a pretty large increase.

Clerk-Treasurer Rhodes said as I understand it, talking with the Executive Director, they would need to have some amount to continue to operate, because of their cash flow situation. So, at this point, some agreement needs to go forward, even if it is renegotiated during the year. They are perhaps under the misunderstanding that they had already conferred with you [Mayor Mills].

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Mayor Mills said well, they talked about no longer taking drop-off animals—

Councilor Satterly said owner surrendered.

Mayor Mills said that's really what the discussion was. The discussion was not about money; the discussion was about the service they were no longer going to provide.

Clerk-Treasurer Rhodes said well, this is the number that was suggested a budget time. It was taken to the Council. We did not have anything written until this time, which is pretty difficult for the Humane Society. That's the situation for you to consider.

Councilor Satterly said I recall seeing this in the newspaper, I think.

Mayor Mills said whatever. It's just a big increase.

Clerk-Treasurer Rhodes said their accounting is that this reflects expenses from 2006. They're a year in arrears, in terms of accounting for their expenses. So, in fact, you have, in their presentation, underpaid for the services you've already received in prior years, which was part of the attachment to this document.

Mayor Mills said I guess I might just recommend that, you know, it won't be us, but the next Board of Works revisit this, because we're going to have less services as a City, and they're asking for a \$9,000 increase. That's considerable change.

Mr. Satterly said so should we table this until the next Board meeting?

Mayor Mills said well, I think Judy [Clerk-Treasurer Rhodes] is suggesting they have to have some—

Clerk-Treasurer Rhodes said they need to have some cash flow to go ahead. Because of the way they set this thing up, it's been payment in arrears. The statement that was attached to the email, I believe—

City Attorney Bauman said well, if they submitted a contract with one amount— A contract requires a meeting of the minds, that is, agreement. So I'm not quite sure what you can do today, if there's not any meeting of the minds on the amount.

Mayor Mills said so we either have to approve it or—

City Attorney Bauman said or table it 'til next week. And, in fact—let's see, when are they meeting next week?

Mr. Satterly said they'll meet next Thursday, probably, because next Tuesday is New Year's Day.

Mayor Mills said what's your feeling?

Mr. Satterly said shall we make a motion to table?

Mayor Mills said is that what you want to do?

Ms. Broyles said yes.

Mr. Satterly said and I'll second it.

Mayor Mills said so we'll wait on this one.

Mr. Satterly said shall we vote on that motion to table?

The vote to table consideration of the Almost Home Humane Society contract was AYE.

Bid Acceptance: Cameron Fence Co., Inc. – West Lafayette Pool Safety Improvements-Phase III- Security Fence – Parks

Parks Superintendent Payne said a follow up on last week's meeting. We opened bids for fencing at the pool, and we have entered into a purchase order and contract with Cameron Fence Company, which was the lowest responsible and responsive bid. They'll begin work when they can.

Modified Revision to Personnel Manual – Human Resources

Human Resources Director Foster said earlier, on November 27, to be exact, the Board of Works approved a revision to the City personnel manual, effective January 1 of '08. At the December Council meeting, the manual was also approved with a slight variation. You may recall in Section 21, in the sick leave policy, there was a sentence that was added to define "immediate family member," and that has since been removed, keeping the existing policy in place. So I would ask that Board of Works approve the modified revision to the City personnel manual, which is identical to the approved policy that the Common Council approved at its December meeting.

Ms. Broyles said I move that we approve the amended version of the personnel manual that was also approved that the December Council meeting, the definition for "immediate family member" in the sick leave policy is removed. Motion was seconded by Mr. Satterly, and the vote was AYE.

SRF Disbursement Request No. 63 and No. 64: Atlas Excavating, Inc. – Work on Western Sanitary Sewer Interceptor-Division I and Division II – WWTU

Public Works Director Downey said I would ask the Board to approve the Mayor to sign two SRF Disbursement Requests, No. 63 is for \$3,055, and Request No. 64 is for \$508,915. They're both for Atlas Excavating on the Western Interceptor.

Mr. Satterly said I move we approve the Request No. 63 on the SRF Loan No. CS18240001, this is to Atlas Excavating, Western Sanitary Sewer Interceptor-Division I. The amount to the contractor is \$3,055. Motion was seconded by Ms. Broyles, and the vote was AYE.

Mr. Satterly said and the second one is Request No. 64, SRF Loan No. CS18240001, it's also to Atlas Excavating for the Western Sanitary Sewer Interceptor-Division II. And this is in the amount of \$458,023—

Ms. Broyles said and has a retainage of \$50,892.

Mr. Satterly said yes, retainage of \$50,892. Motion was seconded by Ms. Broyles, and the vote was AYE.

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

Public Works Director Downey said I would ask the Board to approve the release of that retainage—and it's more than \$50,800. This is the release of the retainage for Phase I of the Western Interceptor, which basically went from Northwestern and Windsor down to Cherry Lane and McCormick. Phase I is done, except for grass, and we do have a letter and we do have a bond on that section that will take care of the grass, if it doesn't come up correctly and Purdue's not satisfied. But I believe that I have addressed every concern of Jim Scott from Purdue Golf Course, and David Hodde of PRF [Director of Real Estate and Physical Facilities], and Jerry Brown who farms those sections of land. He had to do some extra cleaning, and he paid somebody to do that, spent a lot of time doing it—I have pictures—that came, he figured, to over \$1,000. He bent one of the shanks on his plow; he wasn't very happy with that. But Atlas took care of all of those bills, and I believe we have everything taken care of on Phase I.

Ms. Broyles said I move that we release the entire balance of the Western Sanitary Sewer Interceptor-Division I escrow account number 85814, including all interest earned to Atlas Excavating, Inc. Motion was seconded by Mr. Satterly, and the vote was AYE.

Easement for Construction and Maintenance of Utility Service: Blackbird Farms Apartments LP – WWTU

Public Works Director Downey said I would ask the Board to approve—which I was just handed shortly, which we've been after Blackbird Farms Subdivision to give us a small section of easement across a piece of property that, not in Phase I or II but in Phase III, we will be making the connection of the Lift Station at Blackbird and connecting it to the Western Interceptor. But Bob [City Attorney Bauman] has been very helpful, he's tried very hard to get it earlier, but couldn't, so we do have that now, and I would ask for your approval on that easement.

Mr. Satterly said I move we approve the easement for the construction and maintenance of utility service. This is key number 170-05705-0031, Deed Reference Document Number 9005069, and this is an agreement between Blackbird Farms Apartment LP and the City of West Lafayette, Indiana. Motion was seconded by Ms. Broyles, and the vote was AYE.

Bid Acceptance: Ceres Solutions LLP – 2008 City Fuel – Street

Public Works Director Downey said the Board received fuel bids last week. It's with the same company that we presently have. We have tried, in the past—Mayor Mills has worked with Purdue, and we've tried to come to some kind of agreement to get a cheaper price, work with the schools or whoever—but the main reason we have this problem with getting only one bid is that we only have two 2,000-gallon tanks presently. If we could increase that to somewhere in the neighborhood of 15,000-gallon capacity, then we could go straight to the depot and probably get a tanker wagon price at that time. But we need at least a 15,000-gallon holding capacity, so that, you know, once we hit 5,000 gallons, we have room for 10,000. I've never investigated the cost of that at this point, so I don't know if it's worthwhile, but at this present time, we would recommend that we would recommend we accept the fuel bids.

Ms. Broyles said I move that we accept the fuel bid between the City and Ceres Solutions LLP. Motion was seconded by Mr. Satterly, and the vote was AYE.

Contract Amendment #1: Greeley and Hansen LLC – Engineering Services for Western Sanitary Sewer Interceptor Project – WWTU

Public Works Director Downey said last week I brought to the Board an extension of the contract for the Western Interceptor engineering. The original contract [dated July 27, 2004] was for \$830,038,

and I'm asking for Amendment #1 of \$89,000 to that contract, for a total of \$919,038. This is the engineering on the Western Interceptor, all the way from top to bottom, and this is an estimate of what we think it's going to take. We still don't have complete information on 231, the bypass coming around. If they don't come through with that and we have to stay at 15-foot level, then it's going to take some extra engineering, etc., and this is what we're estimating that it might take to do.

Mr. Satterly said I move we approve Amendment #1 to the agreement for professional engineering services between the City of West Lafayette, Indiana, and Greeley and Hansen for professional engineering services in connection with the Western Sanitary Sewer Interceptor Project. The original contract was \$830,038; Amendment #1, \$89,000, for an amended total of \$919,038. Motion was seconded by Ms. Broyles, and the vote was AYE.

Contract Amendment #1: Greeley and Hansen LLC – Engineering Services for Wastewater Collection System Master Plan Update – WWTU

Public Works Director Downey said I would ask the Board to approve an extended contract, Amendment #1 to the Master Plan for the Wastewater Collection System Plan. The original contract was for \$56,100; this amendment is for \$43,000, which would be total of \$99,100. We have used most of the Master Plan money up due to the State Judicial Agreement. We had to have a lot of extra information, some profiling and some data collected on flows, and some work on the language with IDEM. So we used that up and we didn't get some of the parts needed to complete that plan, and so this is to complete the plan, and to do some more flow monitoring on River Road, to ensure that we get closer to elimination of the CSOs.

Ms. Broyles said I move that we approve the modification to the agreement originally dated April 25, 2006, for additional engineering services for the Wastewater Collection System Master Plan. This is Amendment #1. The original contract was \$56,100; the amendment is \$43,000, for a new total of \$99,100. Motion was seconded by Mr. Satterly, and the vote was AYE.

Contract Amendment: HE-BFS – GIS Work – WWTU

Public Works Director Downey said I brought to you last week an extension of an agreement we have with HE-BFS. We have a seven-year plan for the GIS, to bring it up to date. We cooperate with the County on flyovers, which that will be flown over shortly again, but this is for the ground part, and taking the information from the air photos and putting it on a base plat that we can understand. This helps us in three different ways: our master plan, an inventory of our assets, this also is required by both NPDES Permits 1 and 2, your wastewater and also your stormwater. Our old GIS did not have any stormwater on it, *per se*, so this includes the stormwater, which is needed to complete our joint agreement with IDEM for our NPDES Stormwater Phase II. We're putting two sections together, Sections 2 and 4, I believe, and we're doing that due to the weather and the time of the year. That totals \$185,200. I ask for the Board's approval to move on fulfilling this needed requirement.

Ms. Broyles said I move that we approve the West Lafayette GIS Phase II proposal. It will be for Sections 2 and 4 in the amount of \$185,200. Motion was seconded by Mr. Satterly, and the vote was AYE.

Information for Board: Citizen Concern about Indiana-American Water Project

Mr. Tim Volkman said I live on Grant Street, 1004 North Grant. My wife owns also a property on Meridian, 519 Meridian. We use that house as a studio/guest house. We did rent to students, but we had such poor—well, we had a lot of problems. We chose to do what we did because, you know, we're interested in the neighborhood itself. But there are only, I think, three of us in a two-

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block stretch there, owner-occupied. And we consider ours owner-occupied also. But we've noticed and noted and talked to the people who are working on the sewer, water, whatever that is—

Mayor Mills said water.

Mr. Volkman said and they've re-done, done, re-done. We asked about codes, and they said, essentially, that there were places where code is being broken, with proximity of water, sewage lines. We inquired about it, and, in essence, what they said, "We can just go to the Board of Works and that's okay then" or to that—sort of like they can do whatever they wanted to do. I was very concerned about that. We've talked to them a lot. They've done and re-done things. They've broken lines, they've—

Ms. [Beverly] Volkman said spilled sewer.

Mr. Volkman said yes, sewage water filled up one of the basements of one of the houses, had some gas problems, natural gas problems.

Mayor Mills said right.

Mr. Volkman said I don't know, I guess we're as concerned about the overseeing of this by our political sources, the City itself—

Mayor Mills said right.

Mr. Volkman said as we are about anything.

Mayor Mills said and Mr. [Public Works Director] Downey can probably talk to it. The City Engineer has also been involved. It's the Indiana-American Water Company that's replacing water lines, and they've hired a subcontractor to do that work.

Ms. Volkman said American Structurepoint.

Mayor Mills said right. So I don't know whether you want to comment, David [Public Works Director Downey] or—

Public Works Director Downey said well, the sewage that they had in the one basement on a Sunday morning or Sunday night at 12 o'clock, I was there personally, and the sewage that was there was from the homeowner. Basically what had happened is, when you slip-line a pipe, they use a mud-like substance, it's real—it's almost like sand—and it was broken lateral to the house, and that substance filled the lateral, and so it basically—the sewage system of the homeowner. And I believe I had the water superintendent down there, and that was all taken care of, and this is on Meridian. They cleaned up. He offered to send the people to a hotel or motel or—

Mayor Mills said and he put up the one household people in a hotel that night.

Mr. Volkman said right.

Public Works Director Downey said so we are watching it. I know the Engineering Department has spent many hours down there working with them, to make sure that it's done correctly. We assure every homeowner that, if things are put back, the landscaping's not done correctly, we will hold them accountable and—

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Mr. Volkman said I know I was very concerned about the code— has there been—

Public Works Director Downey said we're watching that—

Mr. Volkman said I don't know if it's 18 inches or 16 inches?

Public Works Director Downey said they can get closer to that, only on one condition, that the—

Ms. Volkman said if you sign off on it?

Public Works Director Downey said no, that the pipe has to be a certain type of pipe that can't leak. And that's only under certain conditions. They meet all codes.

Ms. Volkman said the City has regulation where they show the material that you're using—white here, pink there, blue there. They said they had no complaints; there was nothing from the City. For two months they've been doing that, and not only is it—for instance, they added a fire plug, which is fine, but I went to the fire station and they said they have not been notified that there's a new one there. They said it's just, you know, wouldn't City Hall tell you? And they laughed. They said no—when they drove the fire truck down the street—you know, my dogs like it—but everything is wrong with this communication between Indiana Water, Board of Works, and Infrastructure.

Public Works Director Downey said well there might be not enough communication between the Board of Works and the contractor—

Ms. Volkman said absolutely.

Public Works Director Downey said but there's lots of communication between the Engineering Department and the Wastewater Department and the Water Company.

Mayor Mills said we have people out there all the time working with the subcontractor.

Ms. Volkman said Ms. Cook [Engineering Department] comes out. I think you came out when [Council President] Ann Hunt asked you to come out. And there's no penalty for them going on for two months—

Public Works Director Downey said no, they have a length of contract, and it's usually longer than two months.

Ms. Volkman said they don't care about it is what I'm saying. It's not substantial. There's such a lack of communication here.

Public Works Director Downey said we'll try to improve it.

Ms. Volkman said two months, you know—

Public Works Director Downey said that was 104 Grant and which?

Mr. Volkman said and 519 Meridian. Our house on Grant Street isn't—we're about a block and half away—

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City Attorney Bauman said it's not 104, it's 1004—

Mr. Volkman said 1004.

Public Works Director Downey said we'll see what we can do.

Ms. Volkman said we shouldn't have to call you to come when the water's off, the gas is broken, the sewer's spilling—and Indiana Water said they didn't have to tell you where the connections for the sewer is. That's another part. So everything is operating on its own. There's such a lack of communication.

Public Works Director Downey said I'm sorry you feel that way, but I know the Engineering Department has been keeping tabs on—

Ms. Volkman said and Ms. Cook finds it very difficult to work with those men down there.

Mayor Mills said all right.

Ms. Volkman said and it is a criticism.

Item Tabled from December 18, 2007: Credit Balance Account Write Off – WWTU

Public Works Director Downey said I brought to the Board two issues last week, to write off the delinquent accounts and also credit balance. Do you want to continue those on, or do you wish to—

Clerk-Treasurer Rhodes said they approved the write-off of the delinquent accounts.

Public Works Director Downey said I must have missed that. I'm sorry.

Mr. Satterly said yes, the only one we tabled—

Clerk-Treasurer Rhodes said the other one was tabled.

Mr. Satterly said the one tabled was the credits, until a policy can be determined.

Public Works Director Downey said thank you. That's all I have.

Information for Board and Public: Swearing in of New Firefighters – Fire

Fire Chief Drew said following this morning's Board of Works meeting, there's a swearing-in ceremony for the three firefighters [Justin Taylor, Jon VanNess, Kyle Glover] who were approved at the last Board of Works meeting. I know several of the family members are gathered across the hall there.

Information for Board and Public: Economic Development Commission Meeting January 7 – Development

Director of Development Andrew said I'd like to announce that the 7th of January at 12 noon, the West Lafayette Economic Development Commission will meet to hear a request for tax abatement on PRF's PTC2, which is 105,000 square-foot incubator facility. The abatement will include \$14.5 million in improvements, annual salaries would be \$12.3 million, and it'll be 275 employees when completed.

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Recommendation from Director of Development – KCB TIF District Expansion – Development

Director of Development Andrew said I'd also like to make recommendation to get in the minutes that somebody consider amending the KCB TIF District to include phases of Part 3 of the Research Park, because I think there's some things moving along in there.

Claims

Mayor Mills moved to approve the claims as submitted in eight dockets in the following amounts:

Payroll	\$12,094.26
Accounts Payable	\$712,931.29
Accounts Payable	\$87,302.83
Accounts Payable	\$5,193.01
Accounts Payable	\$400,567.09
Accounts Payable	\$3,345.97
Accounts Payable	\$31,653.06
Payroll	\$312,246.79

Motion was seconded by Ms. Broyles, and the vote was AYE.

Minutes

Mr. Satterly said I move we approve the minutes of the Board of Public Works and Safety meeting of December 18, 2007, as distributed. Motion was seconded by Ms. Broyles, and the vote was AYE.

Recognition of Outgoing Members – Mayor

Mayor Mills said I have one other thing. I would just like to recognize the service of Janet Broyles and Gil Satterly during these last four years on the Board of Works. It's a big responsibility. It's a time-consuming responsibility every week to meet and help us conduct the City business. Thank you both very much. It's very, very much appreciated.

Adjournment

There being no further business at this time, Ms. Broyles moved for adjournment. Motion was seconded by Mr. Satterly, and the vote was AYE.