

**BOARD OF WORKS**  
**FRIDAY, AUGUST 28, 2009**  
**8:00 A.M.**

Mayor James Fleck – Absent  
Clerk Treasurer Rosie Coyle – Present  
Attorney Lindsey Grossnickle – Present  
Walter Crowder – Present  
Roger Seymoure – Present

The Columbia City Board of Works met in regular session with all members except Mayor Fleck present, Walt Crowder presiding.

**MINUTES** Upon the motion of Seymoure second by Crowder to approve an overview of the August 14, 2009 meeting minutes as presented, all voted aye.

**SEWER TAP FOR HABITAT FOR HUMANITY** Kelly Cearbaugh advised after reviewing the situation further they found that the houses on the back would be hooked up the same way. He felt it would ok to let it happen.

Jeff Walker advised this was a unique situation that they would not normally make that provision but he and Kelly felt confident that the approach was one that would satisfy both parties' needs.

Kelly Cearbaugh explained on the Ellsworth Street side there was a manhole going in on the south and north side of Ellsworth and then they were going to run a 6" line to the east with a clean out. He advised he requested a manhole rather than a clean out and rather than using a 6" go to an 8" line.

Walt Crowder confirmed part of the line would be private. Carl Siler advised some of it would be private and they would create an easement. Walt questioned where it would be recorded about the tie of the lines together so the property owners know when they buy the home. Mr. Siler advised they would probably put an addendum in at closing. Rosie Coyle questioned if the City could get something in writing of what was approved. Mr. Siler advised he could send the City a letter.

Walt Crowder questioned since they would be making an exception that the ordinance did not support did they need to look at the verbiage of making the change or was there a clause already in there without having to make a change. Attorney Grossnickle advised she would have to look at the ordinance. Jeff Walker explained the ordinance states that there shall only be one service line to each dwelling. He thought it fell back on the Board of Works that they could modify the ordinance by vote for a given scenario. Attorney Grossnickle advised that was correct but felt for the record it should be specifically stated why the exception was being made.

Attorney Grossnickle requested Mr. Siler state why the exception was being made. Mr. Siler advised the main reason was because it was going to cost about \$2500 to cut into the street and another \$1000 to put a manhole in so was a cost issue. Attorney Grossnickle confirmed the line

already existed. Mr. Siler advised it did and was reasonably new and installed by a recognized installer.

Upon the motion of Seymoure second by Crowder to approve the request from Habitat for Humanity to allow 607 & 611 W. Ellsworth Street to share a sewer tap but have individual lines running to a common 6" line that go to the existing sewer, all voted aye.

Walt Crowder advised there was a second request regarding the waiver of tap fees. He confirmed we had historically done that. Rosie Coyle advised for Habitat for Humanity we have. Walt questioned which utility it would be for. Rosie advised they would have to pay for water but could waiver the sewer.

Upon the motion of Seymoure second by Crowder to approve the request for waiver of tap fees for sewer for Habitat for Humanity, all voted aye.

Mr. Siler requested the ordinance number so he could attach it to the letter he would send us.

**CERTIFICATE OF FINAL COMPLETION: NIBLOCK EXCAVATING, INC. (BLUE RIVER INTERCEPTOR SEWER)** Jeff Walker advised the Board was given a copy of the certificate of completion. He recommended the Board accept the certificate.

Walt Crowder questioned if there would still be a warranty period. Jeff advised there would. Walt questioned if there would still be contingency money. Jeff advised they would not after the pay application.

Attorney Grossnickle advised there was no date on the certificate and thought it would affect the warranty period. Jeff explained they received a completion letter for substantial and final completion but suggested going ahead and dating the certificate as of this date. He advised the certificate would go straight to IDEM showing that we approved that Niblock met the scope of their contract. Rosie Coyle advised on the signature page there was a date.

Upon the motion of Crowder second by Seymoure to accept the recommendation as presented from Jeff Walker to accept the certification for final completion for the State of Indiana that would be sent to SRF, all voted aye.

**PAY REQUEST: CORPORATE CONSTRUCTION REQUEST #31 - \$75,000** Jeff Walker explained the request was from Corporate Construction for the treatment facility project to release part of their retainage. He advised he talked with Cecil Whitaker about it specifically because they were still negotiating on the final outcome of the sludge hauling from the davit crane issue. He advised they both feel the request was acceptable because what we would be holding back of retainage would still be in excess of what they were talking. He advised it was their recommendation that the Board act favorably on the release of \$75,000 of the retainage for Corporate Construction.

Roger Seymoure questioned how much would still be retained. Jeff advised we would still have \$75,000.

Upon the motion of Seymoure second by Crowder to approve the request for payment to Corporate Construction for pay request #31 in the amount of \$75,000, all voted aye.

**PAY REQUEST: NIBLOCK EXCAVATING: #13 \$71,558.75 (INTERCEPTOR SEWER)**

Jeff Walker advised this would be for the balance of their retainage. He reported he would be meeting with Niblock this morning to schedule final seeding for next week weather permitting. He advised all required documents were on their way to him and all drawings had been reviewed by Donohue and Schneider Corporation. He recommended the Board release final retainage in the amount of \$71,558.75.

Roger Seymoure questioned if anyone looked at the numbers to make sure they add up. He pointed out that they listed the original contract amount as \$41 million. He questioned if it was critical if it was on there wrong. Jeff advised the payment was the big issue. He stated SRF does review them since it was their money but suggested it be corrected before sending it to them.

The request was tabled until the next meeting.

**CONTRACT AGREEMENT FOR JEFFREY DRIVE & HOLDEN ROAD**

**STORMWATER IMPROVEMENTS** Jeff Walker asked to table this issue until the next meeting.

**PERMISSION TO CLOSE STREETS: JUNIOR ACHIEVEMENT CAR, TRUCK & MOTORCYCLE SHOW** Rosie Coyle advised the set up would be the same as usual.

Roger Seymoure confirmed they worked with the Farmer's Market. Rosie advised they did and as far as she knew it real well this year.

Walt Crowder asked to table the issue to allow the Mayor to review the request as well.

**NEW TRUCK QUOTES (REPLACE 1998 CHEVY COMMAND VEHICLE #110)** Tom LaRue reported there were some quotes in the agenda packet for a replacement of the command vehicle. He explained he took the quotes to the CIP Committee who opted to try to use funds out of the CUM Fund. He was looking for direction from the Board to send him to City Council to get the financing approved from the CUM Fund and then return to the Board at a later date.

Roger Seymoure questioned if the truck he was going to recommend the dealership currently had. Chief LaRue did not know where the truck was located and if they did not have the truck in the bid once awarded they would have to look again.

Walt Crowder questioned how they should do this since there were bids involved to acknowledge how much to request to be transferred. Chief LaRue advised through the CIP Committee he requested \$30,000 but hoped there would be a couple thousand dollars difference just in case the bids come up different than what they were anticipating.

Upon the motion of Seymoure second by Crowder to forward this to City Council for approval of the appropriation, all voted aye.

**HANDICAPPED PARKING SPACES AT HIGH SCHOOL** Tim Davis was present to discuss the issue of teenagers using the handicapped parking spots in front of the school at dismissal time. He displayed additional signage that would show the fine and would also have CCPD on it. He advised he talked with Chief Petersen and he was ok with doing that but needed approval by the Board.

Walt Crowder advised that would be on private property and questioned if the City would have jurisdiction to approve or not. Mr. Davis stated it was mainly to deter people who are not handicapped from parking there. Attorney Grossnickle advised she would not want to put \$100 fine if that was not what the ordinance or statute says. Mr. Davis advised the school said it was fine to put up the additional signage but the issue was basically having CCPD on it.

Walt Crowder felt they all agreed and supported what was being said but needed to see where the responsibility of the City vs. private property come into play. He stated designating a fine sometimes is at the discretion of the officer. He advised if Chief Petersen was comfortable with having CCPD on the sign then he just needed legal to give their suggestion.

Attorney Grossnickle advised in looking at the local ordinance the fine was only \$5.00. She stated she did not want to put up a fine that was not pursuant to what we actually have.

Walt Crowder felt they needed to do additional homework to make sure we stay within our boundaries.

Attorney Grossnickle read the ordinance and advised the fine was not to exceed \$50. She stated if they would want to put \$50 on the sign she would be fine with that and if Chief Petersen was ok with putting CCPD on it she was fine with that too. She advised they would not necessarily be fined the \$50 because it would be at the officers' discretion.

Walt Crowder confirmed with Mr. Davis that he had been in contact with the school. Mr. Davis advised it had gone through the superintendent and principal. Walt stated they just needed to do some homework and get back with him.

Attorney Grossnickle advised she would research the state statute. She stated she could not advise the Board to put the fine for more than what was allowed.

Walt advised they would give a definite answer at the next Board of Works meeting.

Mr. Davis questioned if the high school was given permission would the other schools fall under that. Walt Crowder advised it would be outside of City limits and would have to go through the Sheriff's Department.

**STREET DEPARTMENT** Kelly Cearbaugh reported the contractors were working on the curbs in the new section of Chesapeake Landing.

**PARK DEPARTMENT** Mark Green reported they have 169 kids enrolled in JFL. He advised they have 2<sup>nd</sup> & 3<sup>rd</sup> graders playing this year. He reported the fall softball league started this last weekend.

**FIRE DEPARTMENT** Tom LaRue reported he sent in an air sample to Breathing Air Systems to get it tested.

**OUTSIDE OPERATIONS** Jeff Walker reported he received word back from SES Environmental that the sampling at the old substation site on South Chauncey Street identified additional contamination. He advised we were going to have to expand the scope as required by IDEM and EPA.

**BILLS** Upon the motion of Seymoure second by Crowder to approve the bills dated 8/29/09 in the amount of \$761,459.46, all voted aye.

Having no further business to come before the Board the meeting was adjourned.

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Walter Crowder

Attest:

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Clerk Treasurer Rosie Coyle