

**BOARD OF WORKS
WASTEWATER UTILITY
FRIDAY, OCTOBER 16, 2009
8:00 A.M.**

Mayor James Fleck – Present
Clerk Treasurer Rosie Coyle – Present
Attorney Marcia McNagny – Present
Walter Crowder – Present
Roger Seymoure – Present

The Columbia City Board of Works met in regular session with the wastewater utility. All members were present, Mayor Fleck presiding.

REQUEST FOR STREET CLOSING – HAUNTED JAIL Rosie Coyle advised all of the department heads signed off on the request. She stated Chief LaRue added ‘per barricade restrictions’.

Mayor Fleck explained there were concerns about both the safety of the pedestrians and the trash. He advised they wanted to upgrade what was being done to protect both them and the City.

Walt Crowder questioned if there was a timeline or a process so they would know how far ahead of time they would need to apply for the closing request. Rosie advised there was not they were just supposed to have it filled out beforehand.

Mr. Harrington stated one of the request made was that they purchase their own barricades and equipment to do this. He advised at this point he has no budget for it. He stated they were very greatly to have the police barricades and felt they were far more effective. He advised he did not mind upgrading and purchasing barricades but this year had nothing to work with. He stated if they would be allowed to use the police barricades this year they could work on something for next year. He advised they do like to have the backing of law enforcement but was under the impression they were going to pull those barricades. Mayor Fleck advised that was correct because the City was liable and did not want to be drug into a situation where we would be at risk. He stated they were informed that barricades could be rented by the day. Mr. Harrington questioned what the cost per day was. Rosie thought Captain Anspach said it was \$25 per day.

Mr. Harrington stated he was over a barrel for this year. He advised they had a decent crowd but it was down from last year and even last year was low. He stated for this year, at \$25 per day, he just would not be able to do it but could budget ahead for next year. He understood the City did not want to be responsible but he advised he did have a \$2 million policy in place. He stated he would do anything he could to make it as safe as possible but had no access to any more funds at this point. He advised he was open to any options.

Walt Crowder questioned if they were not for profit or for profit. Mr. Harrington advised they were for profit. Walt felt this was ‘the cost of doing business’ to operate a for profit entity. He

advised he wanted to be a good neighbor but had to draw the line somewhere. Mr. Harrington understood. He explained for years they operated without having the streets closed off. He stated it was something he and Chief Petersen got together on and thought it would be a good idea but did not think about the 'other side of the coin'. He advised they have had a great safety record with just a few incidents.

Walt understood but knew they took in money every night and if weighing between public safety or doing something else, public safety would have to be top of the line. He stated this would be something they could use from year to year. He felt the City had been more than fair to this point. Roger Seymoure agreed.

Attorney McNagny stated unfortunately this was a part of operating a business. She understood it put them in a bad position as far as finances but it was the City's responsibility to protect the citizens. She stated if the street was going to be closed and the Board feels the barriers need to be in place then that would be a part of the business operation.

Mr. Harrington explained the barriers were something offered to them and was never something they requested. He stated they patrolled and walked the streets but Chief Petersen was gracious enough to come along and offered to help and they accepted the help. He advised he was all for doing this but asked that instead of having to layoff some of the help he pays in order to afford the barricades could they ride out the season and plan for it next year.

Mayor Fleck stated we as a City have to protect whoever it is that comes to our City. He advised we have been very fortunate but the first incident was one too many. Mr. Harrington questioned if he was being penalized for the Old Settlers incident. Mayor Fleck advised absolutely not. Rosie thought it was because the street closing request had not been done and they were unaware the streets were going to be closed. Mr. Harrington stated if nothing else could be done and there was no way to use the barricades for the rest of the season he would do whatever he has to do.

Mayor Fleck questioned if they would rather pay for 2 policemen each night. Mr. Harrington advised they have done that before. Mayor Fleck advised it would be more than \$25 per day. Mr. Harrington stated they do hire an off duty officer for 4 hours and they did have that in their budget. He advised if the Board says they have to go and buy barricades then he has no choice. Chief Petersen advised they did have a choice and could leave the street open but did not agree with that. He stated he would prefer they find a way to get the barricades.

Walt Crowder advised they had a recommendation by the Fire Chief and by the Assistant Police Chief of what needed to be done and felt they needed to move forward with that. He agreed with Chief Petersen in that safety has to take precedence before the door opens. Mr. Harrington agreed and asked if they could continue using the barricades they had and get through the season. He advised the barricades were under street lights, were well lit and have blinking caution lights on the barricades. He stated he was for profit but it was silly to think there was a big profit on it. He advised he was doing it for fun and spent a lot more money repairing the building and props. He stated he was just asking for help and if they could use the equipment that has been loaned to them for years it would help get through this season. Walt clarified that we had historically given the barricades. Mr. Harrington advised they were offered by Chief Petersen.

Walt Crowder felt it was all of their duties to consider public safety and if they were willing to take liability of the equipment and if something was busted they would get a bill. Mr. Harrington stated he always had. Mayor Fleck advised those barricades were not adequate under the standards to protect the City. Mr. Harrington questioned what the new barricades were. Jeff Walker explained it would be the same kind of road closure barricade seen on state highways.

Mayor Fleck stated the whole idea was not to penalize but to provide public safety. He advised at some point the City was going to have to invest in something like this for our own purposes.

Chief Petersen advised Captain Anspach did the letter and put together the best protection he could. He stated this was not the only template police exercise for street closings.

Walt Crowder pointed out the letter was received on the 9th and today was the 16th and felt they had adequate time to investigate what their investment would be. Mr. Harrington advised he thought it was going to be a 'no brainer', just put the barricades out to protect people, ride the season out and look into bigger barricades for next season otherwise he would have researched it.

Mr. Harrington apologized for everything and would do whatever the Board tells him to do within his means.

Mike Cook questioned if the police reserves would be willing to work the jail and then they could make a contribution to the reserve fund. Mr. Harrington advised they had done that before.

Walt Crowder advised he totally understood but it was a business and they were going to need to step up and take care of the recommendation that has been put forth. He stated he was not going to override the Police Captain and Fire Department.

Roger Seymoure questioned if they pass the street closing request with the recommendations was their alternative this weekend to not close the street if they could not get the signs in. Mayor Fleck advised it would be a condition for the business to stay open. Mr. Harrington advised that would not leave any choice at all and he would have to do what he has to do. Attorney McNagny explained when the police put up the barricades it is almost as if they are working with the for profit business to operate the Haunted Jail so it does draw the City into the whole thing. She felt that was what the Captain and Chief were looking at as well when setting the guidelines.

Motion was made by Seymoure to approve the street closing on the condition they meet the requirements by the Police Department, Crowder second the motion, all voted aye.

DESIGN CONSULTING – MAIN STREET & JEFFERSON STREET LIFT STATION

Jeff Walker reported they started looking at ways to fund the lift station projects. He stated he got with SRF and requested an amended PER to attach to the South Chauncey Street project but they turned down the request. He advised he continued talking with them about the virtues of the project and the Director suggested that we look at the possibility of amending the PER and attaching it to our current wastewater and interceptor sewer contract that was open with the agency. He advised we would have in excess of \$1 million left in the account after all the bills

were paid. He stated he asked Mark Jesse to put together a proposal that would be presented at next week's Board meeting for consideration. Jeff asked for the Board's blessing to move forward.

The Board agreed to move forward.

WASTEWATER DEPARTMENT Mike Cook discussed the possibility of doing the recycle station. He stated if he redid the scope and took some things out they could do in-house he felt he could get it down under \$100,000. Jeff Walker explained any use of that remaining money would require an amended PER which was what he was getting on the lift station project.

Walt Crowder questioned when they anticipated having final quotes back on the lift stations. Jeff advised they had not gone out for bid yet and hoped by the end of the year to have the design complete.

Roger Seymoure questioned if there was an opportunity, when they file, if they anticipate it being less than what was available could the project be included with it. Jeff advised since it was off site there would have to be two separate PER's.

Walt Crowder questioned if the two lift stations exceed, would they fall back to one. Jeff Walker advised they would have that option and would not have to borrow the money at all.

Mike was directed to look into it and see if it would be feasible.

Having no further business to discuss the meeting was adjourned.

Mayor James Fleck

Attest:

Clerk Treasurer Rosie Coyle