

**BOARD OF WORKS  
PUBLIC SAFETY  
FRIDAY, OCTOBER 30, 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 specifically with public safety. All members were present, Mayor Fleck presiding.

**TREE BOARD GRANT APPLICATION** Eddie Beagles, Member of the Tree Board, was present to discuss the grant application. He advised they were seeking permission to apply for a matching grant through the Department of Natural Resources. He stated they would be applying for \$5,000 and they had the funds to match it in their operating budget and/or the donation fund. He explained they would be using the funds to complete the City tree scape inventory, have a Certified Arborist create a working 5 year tree management plan and also an I-Tree storm survey. Mr. Beagles explained the I-Tree storm survey would allow them to assess any damage from ice storms, tornadoes or heavy wind damage and quickly apply for reimbursement from FEMA to replace the trees that were lost.

Motion was made by Crowder to support the recommendation of the Tree Board to apply for the \$5,000 matching grant, Seymoure second the motion, all voted aye.

**COMMUNICATIONS/IS DEPARTMENT** Terry Wherry reported they had been talking quite a bit regarding the network and lack of bandwidth. He advised they had been looking at different solutions such as installing our own network, partnering with the school and working with Embarq about the possibility of dark fiber. He reported that Embarq offered to do a study on our network to determine what the best route would be. He explained after the study they determined there was a lot of traffic on the network that was unnecessary and drafted a 4 phase proposal. He stated in phase one they would put in new routers that would offer the capability to sub-net which would be an address specific to each location. He advised the equipment we have now does not do the sub-netting so were looking to replace the router at each location. He stated there was a possibility we may be able to stop at phase one as it would greatly increase what we have now as far as traffic control. He explained phase two would replace the wireless units we have now with newer Cisco models that would be 4x's faster. He quickly reviewed phase 3 and 4 of the proposal which was basically looking at the dark fiber CenturyLink had.

Terry Wherry reviewed the quotes with the Board and advised there was a pretty big price difference between the Adtran and Cisco units. He stated they were both good equipment and the only issue he saw was that the Cisco units were top of the line and was what we were using now. He was still waiting on additional information from CenturyLink on the maintenance and what it would entail. He advised they provided two Cisco quotes; one with nine units and one

with a spare unit that would be kept at City Hall so if one went down the system could be back up in a matter of hours as opposed to next business day.

Terry Wherry explained if we do phase one, CenturyLink would come back after everything was installed and do another study to see how much it has helped.

Roger Seymoure questioned if this would be in lieu of laying fiber around the City. Mayor Fleck advised it would. Walt Crowder felt with what the analysis brought back, in that it was traffic congestion, if we took care of that the speed would recover. He stated with what has been identified we could save a lot of money and stay with the wireless. He explained the reason they have talked about the Cisco versus the Adtran was because Terry's background was with the Cisco. He advised the product has proven itself for a long period of time.

Roger Seymoure questioned if the Cisco quote included a maintenance contract. Terry Wherry advised it did.

Rosie Coyle asked Terry Wherry which figures they were talking about. Terry Wherry explained if they chose to go with Cisco products it would be \$27,000. Roger Seymoure confirmed the \$11,800 was for the 3 year maintenance contract. Terry advised that was correct. Walt Crowder explained the hardware was a one-time charge. Terry added the maintenance would be an annual reoccurring charge of \$3,900. Roger Seymoure questioned if there was a need to have a spare router if we had a maintenance contract. Terry felt there was because with the maintenance contract it would be next business day. He advised if we had a spare the network could be back up within an hour or two.

Roger Seymoure questioned if the recommendation was to go with the Cisco with a spare and the 3 year maintenance contract. Terry Wherry advised it was.

Rosie reported she and Terry went through where all of the routers were going to be put. She advised it would probably need to be split between the utilities and the balance out of the unplanned projects. Mayor Fleck agreed with the utilities but preferred using the Rainy Day Funds for the balance. Rosie advised if they took it out of the Rainy Day Fund she would have to go for additional appropriations. Walt Crowder stated they would not invoice us until it was in service so it may be January before we would even get an invoice.

Motion was made by Mayor Fleck to accept the recommendation to go with Cisco with respect to the purchase of equipment and to enter into a service contract for an approximate cost of \$11,892.96 over a three year period, Seymoure second the motion, all voted aye.

**STREET CLOSING REQUEST – VETERAN'S MARATHON** Mark Green explained the route for the marathon. He advised he talked with the Fire Department and have 12 barricades coming from Three River's Barricade.

Walt Crowder questioned as the runner's exit town would the downtown streets stay closed. Mark advised the downtown streets would but Van Buren would open once the runners get past.

Chief Petersen reported they would close the streets at 7 a.m. and explained what they had in place for closing the streets.

Roger Seymoure questioned who paid for the rental of the barricades. Mark Green advised the marathon paid for it. Roger questioned if at some point the City needed to look at buying proper barricades. Rosie Coyle advised they were looking into it. Chief Petersen reported he and Kelly Cearbaugh did some preliminary figuring and came up with a need of about 14 barriers. He advised there were a lot of events that go on downtown. Rosie felt we needed to decide whether the City would provide the barriers or if it would up to the organizations to get the barriers. Roger Seymoure suggested that overtime if the City furnishes the barriers they might pay for themselves in that they could be rented out.

Motion was made by Seymoure to approve the street closing request as presented for the Veteran's Marathon on Saturday, November 14, Crowder second the motion, all voted aye.

**POLICE DEPARTMENT** Mike Petersen reported he and Terry Wherry met with the Sheriff regarding the 800 system along with Steve Skinner, Field Coordinator for the Safe-T program. He explained the Safe-T program was a government program to integrate 800 into all the communities. He advised the Field Coordinator talked about a banding issue and the P25 which was basically a network system used for the 800. He reported Motorola had a radio that was dual purpose in that it was VHF on one side and 800 on the other. He explained it had been a problem for his department in trying to maintain two systems. He advised they were currently working on a 90/10 grant.

Terry Wherry stated the 800 system definitely had its place when there were major incidents where other departments might come in to help or we would go to help. He advised they were looking to get in on some grants with the Sheriff to purchase some of the radios because they were expensive since they do both 800 and VHF. He explained the Legacy system or the VHF system was what we run on and is solid. He advised they interoperate in the county with all the departments very well. He advised we could not afford, as a City, to provide the 800 MHz for all of our departments because it was so expensive. He reported they have been able to get grants through EMA to get the equipment they have now and hoped to be able to get grant money that they could purchase these types of radios on a 90/10 basis which would make it more viable. Mike Petersen felt they had a narrow window for opportunity that with the 90/10 grant they could hit future requirements and upgrade the radios at the same time. He advised this was just for information.

Roger Seymoure questioned if at some point would they require the 800 system. Terry Wherry advised Steve Skinner told them they would never force us to go to it but if we do not move towards that system we would not get grants.

Mike Petersen reported their ammunition had increased about 400% in terms of costs. He advised they had extra monies from this year they were able to transfer and asked for consideration to use some of the unspent wages next year to meet their needs for ammunition and training since they would have an officer gone. He advised he would come back to the Board if it was needed.

Walt Crowder questioned if there was a standard weapon the officers carry. Chief Petersen advised all the officers carry a 45 so they standardized the ammunition there and then the government had given them through the DRMO program patrol rifles, M16's and M14's. He advised they traded away the M14's because the ammunition was very expensive and they did not feel they needed those in an urban environment. He stated they were at 223 and 45 ammunition and the only other ammunition they use was 9 mm for the SWAT Team.

Walt Crowder questioned how the Taser program was. Chief Petersen advised it was real good and had 4 more officers left to do. He felt with this program they might be able to phase out the pepper spray. He stated the chemical weapon works well but there was a decontamination period and was messy. He advised the guys were very comfortable with the Taser's even those who were a little leery of it. He stated they would get 3 officers done next year and then the following year would cut it down to one and then replace at least one a year for depreciation issues and upgrades. Roger Seymoure questioned if everyone who carries a Taser had to experience it as a requirement. Chief Petersen advised almost all of his guys have experienced it but it was no longer a requirement to be tased to carry a Taser.

Walt Crowder questioned Chief Petersen if the SWAT Team was still under his control. Chief Petersen advised it was 100% under Columbia City's control. He stated they were looking at a mutual aide agreement with Northeastern SWAT that would help with training and resources. Rosie Coyle confirmed it was not our decision to make it totally Columbia City SWAT. Chief Petersen advised the Sheriff wanted to drop off and specialize his guys in other areas. He explained what the SWAT Team does. Walt Crowder questioned if they limit their services to just the City limits. Chief Petersen advised they do right now because they do not have a mutual aide agreement in place and have not had a chance to talk with the Sheriff to see if he would use our team. Walt Crowder questioned if they were ok with their budget. Chief Petersen advised they were and the only thing they were really stretched on was gaining lethal and non-lethal systems that were lost, ammunition and some training because they had to rebuild the SWAT Team. Walt Crowder advised he would never want to compromise an officer but questioned Attorney McNagny as risks increase if the City's liability insurance needed to be at a higher level. Attorney McNagny could not answer that and felt it was something that should be looked into.

**FLU POLICY** Mayor Fleck discussed the flu. He advised the current policy states that if an employee is out for more than 3 days due to an illness they need a doctor's slip to return to work but would be looking at each individual case and if it does appear to be the flu they would be lenient with that. Mike Petersen questioned if they would have to fill out FMLA papers. Rosie Coyle advised as long as it was for the flu it would be waived. Walt Crowder felt if they were suspect or off with it, it should be up to the doctor to release them. Mayor Fleck advised they were trying to work to protect both the person who is ill and the employees. Walt Crowder advised if an employee would come back to work prematurely they could get something else or have a reoccurrence because their immune system is very low. Mayor Fleck felt if an employee calls in sick we need to find out if they are in that category and if they are then they need to do additional stuff. Walt stated in some environments if an individual has 3 of the 7 symptoms they

have to go to Occupational Health before returning to work which puts the ownership to a professional rather than the individual.

Terry Wherry questioned if they were developing a procedure for when an employee calls in sick. He questioned if he has someone call in sick if he should call the employee to see why they are sick or what they have. Mayor Fleck did not think they could get too personal but felt asking if they have any of the symptoms of H1N1 was a legitimate question. Terry questioned if he should call the employee or who makes that determination from the person calling in sick. Walt Crowder suggested having a question and answer document that each manager or supervisor should have that they could go through a checklist. Mayor Fleck agreed they could get a checklist and it needed to be the responsibility of the supervisor to make sure the employee does not have it. Rosie Coyle advised she would try to come up with something.

### **JEFF ROWE – UMBAUGH & ASSOCIATES – SEWAGE RATE ADJUSTMENT**

**DISCUSSION** Jeff Rowe with Umbaugh & Associates advised he had a couple conversations with Attorney McNagny about ideas they were thinking about in terms of financing the project. Attorney McNagny advised she already had the ordinances drafted but the main issue was if there would be more than one phase. Mr. Rowe advised they also talked about the potential for utilizing storm water revenues.

Mr. Rowe stated within the next 4 – 5 months they would be looking at closing with SRF but at this point they were waiting on grant determination from OCRA. He advised the grant was being applied for in the amount of 60% of the total project costs.

Mr. Rowe reviewed the estimated project costs and funding. He reported at this point they were looking at \$7,882,000.00. He explained the assumptions for funding they assumed a small amount for land easement acquisition of \$10,000, the OCRA grant in the amount of just over \$4.7 million and the remainder would be financed through SRF, which is what they have done with the last two bond issues, for just over \$3.1 million.

Mr. Rowe reviewed the current cash position of the sewage utility. He advised as of September the utility had \$884,000.00 in cash but have fallen below what the minimum reservation requirement level should be. He advised one thing that needed to be taken into account was that there have been costs paid out for engineering up to this point and based on the estimates it was \$647,000.00. He stated the City had the option of whether to be reimbursed for those costs that have been paid. He advised it would be reimbursed through the SRF bond proceeds which would help replenish the cash balances that have been spent down. He explained taking that into account we were still short about \$226,000.00. He pointed out that we needed to start looking at replenishing those fund balances and get them back to where they need to be.

Mr. Rowe reviewed a summary of the overall estimated revenues and what the expenses of the system would be, taking into account the proposed bond issue. He advised they played it out into two scenarios; with and without storm water pledge. He explained since the projects deal with combined sewer overflow issues and also since the storm water utility was created under Title 36, which was basically under the umbrella of the sewage works, statutorily we had the ability to use storm water funds to help support debt service on the CSO projects. He stated they

were looking at annual revenue requirements totaling just under \$4 million. He advised the current revenues in place total just over \$3.4 million so were looking roughly at an additional \$550,000 that would need to be generated each year to support the proposed bonds. He advised in comparing that with the other scenario the only difference was they were assuming that storm water was sharing in the cost of the CSO projects and contributing \$292,000 per year so the overall increase required in the sewer would be an additional \$266,000. He stated in a sense they would be lower the impact on the sewer side. He advised in looking at a 4,000 gallon bill there would be an increase of \$3.63 roughly per month to the user under the scenario where they were assuming storm water if not they were looking at an increase of \$7.60 based on a 4,000 gallon bill. Walt Crowder questioned if that was what they were saying the average was. Mr. Rowe advised a typical residential bill was generally in the range of 4,000 – 5,000 gallon. He explained one of the main reasons they show 4,000 was because SRF looks at a 4,000 gallon bill to determine what we would get in terms of an interest rate. He stated the other reason they show a 4,000 gallon bill was because for grant determination, \$50 was one of the thresholds that puts you in the category of 60% grant and then you also get a lower interest rate at \$50.

Roger Seymoure questioned if that requirement assumed the OCRA grant. Mr. Rowe advised both of them assumed the OCRA grant of 60%. Roger questioned if they assume financing out of the storm water they would probably have to turn around and increase the storm water billing. He pointed out we would increase one or increase both. Mr. Rowe advised that was correct and explained under the sewage the user would be paying based upon their water usage and on storm water they were paying based on their estimated impervious area.

Walt Crowder questioned what the impact would be on the commercial side. Mr. Rowe explained it would be the same percentage which if pledging storm water revenues it would be about 8% and under the other scenario it would be closer to 16%. Mayor Fleck advised the goal was to get it below 10%.

Walt Crowder confirmed with the anticipated funding from OCRA and the storm water that the timelines had to come in first before this could move forward. Roger Seymoure stated they would have to know what the real costs were going to be before Umbaugh could tell us what the increase was going to be. Mr. Rowe explained with all the other issues they had to have the rate charges and structure in place to support the bonds before closing with SRF. He stated they could establish the rates based on the estimates or wait until the project costs were received. He explained going back to the last project they kept the rate process moving forward and adopted the rates even though they did not have project bids yet. He advised once the bids came in then they were able to determine if the rates and charges were appropriate.

Walt Crowder confirmed we could still get the engineering costs back but it would still leave us with a balance due to get the reserves back up. Mr. Rowe confirmed that was correct. Walt questioned what percentage of the engineering was done. Jeff Walker advised the design engineering was done but we would still have construction services once the project starts.

Walt Crowder felt at some point in time we should be able to stop taking money from wastewater when the cash flow was a little more stable. Mr. Rowe advised that would take place after they have bids in hand and then eventually close with SRF. Walt questioned if that was still

potentially a 6 month duration before that even occurs. Mr. Rowe explained they were waiting on the grant determination but should at least have the application in by the end of the year. Jeff Walker advised the best guess he had looked like after the first of the year they would close on the loan. Mr. Rowe questioned how long the bidding process would take. Jeff Walker thought they were looking at early spring.

Mr. Rowe reviewed the storm water side in terms of what the estimated impact would be. He advised it was very preliminary. He stated the cash position as of the end of September was around \$787,000.00 which was a pretty healthy balance. He reviewed the revenues and expenses for 2008 and compared it with the 2009 budget. He advised they calculated what the current bill was compared to what the proposed bill might be. He explained they took into account the 2009 budget and also built in the share of the cost for the CSO project which was \$292,000.00. He advised if storm water does contribute we would be looking at a total revenue requirement of \$750,000.00 and the current revenues were around \$450,000.00 leaving a shortfall of about \$294,000.00. Walt Crowder questioned how many years the \$292,000.00 would be required. Mr. Rowe advised it would be 20 years.

Walt Crowder questioned if they were asking for both of them to be increased at the same time. Mr. Rowe advised that was correct. He explained if the storm water utility was going to contribute to the CSO project that was primarily what the increase was for on the storm water side. Jeff Walker explained anytime our community has a wastewater project it automatically impacts the storm water. He advised all along we have been paying strictly out of wastewater funds but now that we have a mechanism in place part of that responsibility should fall on the storm water utility.

Mayor Fleck felt the impact could be mitigated somewhat if they would stair step the rate like they did the first time. Mr. Rowe stated they could move forward now in a single step raising it to the \$50 or could consider doing a two step approach bumping it up a couple dollars to ½ way and then have a final phase that would be approximately 4 – 5 months down the road. He advised it would have to be in place before closing with SRF. Rosie Coyle stated it was up to the Board on how they wanted to do it but advised it did cost a lot to change the computer programs. Walt Crowder advised he understood but the consideration was the people who have to pay the bill.

Mayor Fleck stated in his opinion, even though it would cost us administratively, the impact on the residents in terms of their budgets would be less effective if we would stair step it. He advised we were faced with two Federal mandates plus an electric utility that was subject to significant impacts due to the cap and trade bill.

Rosie Coyle advised we had to do something with sewage because we could not continue to operate in the red. She wondered if we could do the sewage and maybe do the storm water in intervals. Mr. Rowe advised we absolutely could. He stated there was flexibility within storm water because we had a good cash balance and the other thing was we would not be paying debt service until late 2010. He advised they could look at phasing the storm water utility in as one option but would have to show, in order to close on the bonds, that we would have sufficient revenues to support the bonds. He stated with the sewage cash position the way it was it was

becoming pretty important to do something and not just because of the project but to start building those funds back up. He explained that was one thing SRF looks at real closely and if we were not meeting those requirements they would require us to do it.

Rosie Coyle questioned if they did not do anything with storm water if it would be sufficient to prove we had enough revenue for SRF. Mr. Rowe advised if we were still assuming a contribution from storm water we would still need to show the \$262,000 revenue being used to support the bond issue. Walt Crowder thought the rates in place now would support that during the transition. Mr. Rowe advised the current rates were sufficient to meet the 2009 budget but not the additional contribution of \$262,000. He advised we had cash on hand to help buy us some time but SRF would want to know that the rates in place would support the obligations.

Roger Seymoure questioned if they could stair step both the sewage and storm water increase. Mr. Rowe explained the sewage increase would be limited because once we close with SRF the rate had to be in place so were only looking at a 4 – 5 month period. He thought with the storm water they had a little more flexibility to stretch that out.

Walt Crowder confirmed stair stepping the sewage rate was not really an added value at this time based upon time duration. Mr. Rowe advised given that we only had a 4 – 5 month period he was not sure how much of a benefit from a financial standpoint it would be. Mayor Fleck stated as Rosie said if we would just implement the sewage alone then we would have taken care of that side and then have some play in the storm water. Mr. Rowe advised we would have to have the rates in place but we could look at setting the rate effective June 1<sup>st</sup> or January 1, 2010 for the storm water. He stated we would be establishing the rate just not putting it into effect.

Mr. Rowe reviewed test year results with the Board. He advised they were looking at some of the costs actually going down.

Mayor Fleck felt the approach was the correct approach in terms of working with the rate payers. He advised it would also allow them to predict the impact on their budget. He stated when they started the engineering for this project they projected that phase 2 would have about a \$16 - \$17 per month increase on the wastewater fee but have been able to adjust that down to less than \$8.

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

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Mayor James Fleck

Attest:

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Clerk Treasurer Rosie Coyle

