

Board of Public Works and Safety
Berne City Building, 158 W Franklin Street
8:00 am
Wednesday, February 17, 2016
Minutes

Mayor McKean-Present
Ron Dull- Present

Curtis Wurster-Present

The Board of Public Works and Safety met in council chambers along with City Attorney Dave Baumgartner and Secretary of Record Becky Sprunger and according to the posted notice.

Present: Jay Sprunger; Ben Adams, Commonwealth; City employees John Crider, Gary Nussbaum, Terry Kongar, Shannon Smitley, Kurt Dailey, and Chief Tim Taylor along with Clerk Treasurer Gwen Maller.

Mayor McKean called the meeting to order and verified a quorum.

Approval of Minutes On a motion by Ron Dull and a second by Curtis Wurster, the minutes of January 13, 2016 were unanimously approved as written. 3 yeas 0 nays.

LTCP Amendment Scope of Services Contract Ben Adams came before the board to explain the LTCP Amendment Scope of Basic Engineering Services Agreement from Commonwealth Engineering that he is recommending be undertaken by the city at a cost of \$ 99,500.00.

This project would be funded by money not used from the State Revolving Fund which the city borrowed for the WWTP/ SAGR system upgrade. Ben said that with the unused amount, plus several change orders reimbursed to the city, the total amount available should be approximately \$140,000.00. This amount will cover the cost of the engineering services for the revised LTCP and also paving the road at the waste water treatment site which Brooks Construction quoted at \$39,000.00. Both Gwen and Ben said that it is all but impossible to return unused money back to SRF and it is to our advantage to use the money for qualifying worthwhile projects.

The scope of the project would involve metering the Combined Sewer areas to quantify our wet weather flows and would include re-working the Long Term Control Plan. Commonwealth would install 7 flow meters throughout the city for data collection of wet weather flows to meet the 10 year 1 hour storm event benchmark control by IDEM

Ben stated that IDEM recommends reviewing the LTCP every five years and the city has not done this since its implementation in 2004/2005. Ben also said that with the work the city has undertaken over the years, including the South Trunkline, the North Parr Interceptor and now the WWTP improvement project, this is a good time to re-work the LTCP. This will allow a reassessment of where the collection system is in the area of compliance and projects completed so a revised LTCP can be submitted to IDEM and money spent will address any outstanding issues.

Ben said he would like to start the process as early as possible and have the flow meters installed by March/April. A Citizens Advisory Committee to be named by the Mayor will also have to be convened and will need to meet with the council for several public meetings sometime in August.

On a motion by Ron Dull and a second by Curtis Wurster, the board unanimously approved recommending the LTCP Amendment Scope of Basic Engineering Services from Commonwealth at a cost of \$ 99,500.00 to the council for their consideration at the February 22, 2016 Council meeting. 3 yeas 0 nays. Ben said he can attend the council meeting to review the project.

Request For Street Closure- Jay Sprunger asked the board to consider his request for a possible street closing on Stucky Street, Sunday, May 22nd. The First Missionary Church and the Christian Motorcyclists Association (CMA) are planning a motor cycle and rider blessing on that day. Jay reported that in conjunction with that event, there will be a demonstration by the Indiana State police on motorcycle precision driving skills. Jay said he will meet with someone from the Indiana State Police Saturday, May 21st to lay out the course. The size of the area needed might necessitate using Stucky Street from west of the first drive and ending near the entrance to the church. For safety, Jay stated that the area around the former hotel is too grassy and full of stones to be used. Jay asked if the street could be swept and if the city could provide the needed barricades and cones for the event.

Jay stated that the apartment residents could still get to their apartments using the back side of the street. Mayor McKean asked Jay to contact Justin Haines, the manager of the apartments just as a courtesy that the street may be closed.

On a motion by Curtis Wurster and a second by Ron Dull, the board unanimously approved that if needed, Stucky Street be closed for several hours on Sunday, May 22, 2016 for the First Missionary Church and CMA, and that the street be swept and the city provide the necessary cones and barricades for the event as presented. 3 yeas 0 nays.

Speed Limit on Parr Road from US 27 to County Road 000 Chief Taylor asked the board to consider recommending an ordinance to council establishing 35 MPH speed limit signs be posted on both the north and south side of Parr Road from US 27 to 000. Chief said that there are currently no speed limit signs posted on the south side of Parr Road and only a few 35 mph speed limit signs on the north side of Parr Road just east of US 27.

Dave stated that he will check with the county as it appears that the county owns part of the north side of Parr Road, but he does not see this as a problem in moving forward with the Ordinance.

On a motion by Curtis Wurster and a second by Ron Dull, the board unanimously approved directing City Attorney Baumgartner to draft an amendment to the ordinance that establishes speed limits and present it to council for their consideration. 3 yeas 0 nays.

Additional Police Officer Chief Taylor asked that the board consider hiring a seventh officer. The police force did have seven full time officers at the time Corey Sparks resigned from the department. Chief noted that because of budget constraints, the city chose not to replace him at that time. Jim Newbold, Investigator, has more cases that he has to investigate and that he spends a great deal of his time on, then still has to take normal shifts. Per Chief, a seventh officer will reduce by approximately 90% the time Jim has to spend on normal duty as he would be doing mostly investigating and preparing his cases. His hours would be more flexible to meet the demands of being called out at all hours without incurring as much overtime.

Gwen Maller stated that she hopes Jim's overtime will be reduced by between $\frac{1}{4}$ to $\frac{1}{2}$ of his normal overtime. Gwen added that there is always going to be overtime for the police force because they are a 24/7 service to the community and with holidays, vacations etc. overtime cannot be avoided, but she would like to see it more manageable.

Chief stated that Jim will still have some weekend shifts, but with a seventh officer, Jim will be able to devote 32 hours a week to his role as investigator. The new officer would be hired in January of 2017 and Chief said with the lengthy application process, he would like to begin screening applicants three to four months prior to the start of 2017.

On a motion by Ron Dull and a second by Curtis Wurster, the board unanimously approved having Chief Taylor bring his request for a seventh officer to the council on February 22, 2016, for council consideration. 3 years 0 days.

Request to Purchase Line Locator John Crider asked the board to consider allowing him to purchase a new radio detection line locator, model RD7100, from C & S Solutions at a cost of \$ 5,321.95 which will replace their outdated 7 year old unit. John reported that they have been very pleased with the company and would like to remain their customer. John said that there is no trade in value in the old locator, so he would like to use it as a backup. The water department is getting more and more calls from Indiana Underground for locates, and the sewer department could also use the equipment, but would not need it more than once or twice a year.

John stated that C&S will also provide as much free training as needed and they have a 24/7 response service if there are any equipment problems. C&S will also provide a loaner if the new equipment has to be pulled out of service for repair. Gwen reported that the money will come out of the water department budget and the approval to purchase the unit falls under the approved purchasing policy.

On a motion by Curtis Wurster and a second by Ron Dull, the board unanimously approved the purchase of a line locator as presented from C&S Solutions at a cost of \$ 5,321.95. 3 years-0 days

Request to Wash North Water Tower: John Crider presented the board with a request to have the exterior of the north water tower near Berne Street steam cleaned from bottom to top by H2O Towers, Saline Michigan. The tower is already showing some signs of mold, and this is more of a preventative maintenance item. The tower that was recently painted by the Fire Department had a fungicide in the paint. This tower does not, but when washing the tower, H2O Towers will also treat the entire painted exterior with a fungicide wherever there is dirt/grime/mold. John said he has been in contact with Decatur's water department and they are also looking at using the same company and if both Decatur and Berne go together, there will be a cost savings.

If Decatur does not join Berne, the cost to us is \$ 4,600. If this is done jointly, the cost to Berne will be \$4,000.

On a motion by Ron Dull and a second by Curtis Wurster, the board unanimously approved having H2O Towers clean the North Water tower at a cost of \$ 4,000 if Decatur participates, or at a cost of \$ 4,600 if they do not join Berne. 3 years-0 days

Procedures for Contested High Water Bills John Crider reviewed a sheet of procedures he prepared and would like implemented to deal with utility users when they think their water bill is too high as follows:

1. Go to house and check for any visible leaks, (stools, water softeners, outside spigots, ext.)
2. If no leaks are found The City will data log the meter, if applicable, if meter cannot be data logged change the meter out to a new data log meter.

3. If no leaks or high usage are found after data logging and water usage is still in question by the customer meter can be taken out to be tested by an independent testing company. If the meter comes back and is accurate within tolerance customer will assume the bill for testing. If the meter comes back out of specs and out of tolerance The City of Berne will assume the cost of testing and give credit on the amount (percentage) that the meter is off.

John reported that the current cost of testing a meter is \$45.00 plus shipping and handling. If the utility owner is requesting the test, they will assume the cost of shipping and handling if the meter is within tolerance. If the meter is not operating properly, they will be reimbursed the cost of shipping and handling and a form of compensation will have to be determined for incorrect high water reads.

Gwen said that her office has encountered a number angry customers who either come in or call on the phone and argue with her or Katie to the point of their feeling bullied or worse. She would like the ordinance to spell out more clearly what the policies and procedures are so the utility office can hand the unhappy customer the ordinance and know that policies are clearly spelled out and can be enforced. Gwen gave an example of charging a customer to pull a meter at their request with nothing in an ordinance that backs that up the charges. Also there is nothing in an ordinance that offers a clarification of the minimum charge for shut off procedures. Gwen added that now more than ever, they get challenged to prove fees, collection of fees, etc. If adopted, a clearly defined ordinance would also go on the city website for another avenue of information for our customers.

On a motion by Curtis Wurster and a second by Ron Dull, the board unanimously approved directing City Attorney Baumgartner to draft an ordinance addressing the concerns expressed in this meeting and with John's suggested procedures for council consideration. 3 yeas-0 nays

Title VI Requirements Discussion was held on a recently received email to ADA Coordinator Becky Sprunger on the need for sub recipients of federal funds needing to be compliant with Title VI and ADA requirements. By the email, the City of Berne is not in compliance with Title VI. Shannon contacted DLZ for a quote for services since they were familiar with the regulatory guidelines with our Safe Routes to School project. DLZ confirmed that this could jeopardize future federal funding as well as possible penalties for noncompliance and money already received. Shannon received an email from Miguel Trevino, DLZ outlining possible fees and services to bring Berne in to Title VI compliance with a deadline of March 2, 2016 for at least a response.

Mr. Trevino assured Shannon in the email that other communities and a number of their ADA Clients are seeking guidance on what needs to be done to in their Title VI Plans, so this is not unique to Berne. Mr. Trevino also felt that INDOT might have been a bit late in contacting communities of their situation.

After further discussion and based on DLZ's fee scale, Ron Dull made a motion to approve contracting DLZ as presented for the Title VI compliance plan with a not-to-exceed fee of \$ 7,900. Curtis Wurster made the second and the motion was unanimously approved. 3 Yeas-0 nays

Other Dave noted that the misunderstanding of the 3 acres of farm land the city owns at the Public Safety Facility has been resolved and the people farming the ground now have signed a contract so the city will be paid for the cash crop.

With nothing further to come before the board and on a motion by Ron and a second by Mayor McKean, the meeting was adjourned.