



BOARD OF PUBLIC WORKS AND SAFETY MEETING MINUTES

CITY HALL CHAMBERS

WEDNESDAY, AUGUST 5, 2015

9:30 A.M

Present: Mayor Vanlandingham, Board member Dee Byerly, Board member Greg Metz and City Attorney Doug Lehman.

Department Heads present: Wendy Frazier, Todd Titus, John Stephens, Fire Chief Robert Mullett, Police Chief Larry Schnepf, Scott Richardson, and Rick Price.

Council members: Doug Konkle, Joan Haag and Boo Salb

MINUTES

Greg Metz moved to approve the Minutes of the meeting of July 15, 2015 as were presented. Dee Byerly seconded the motion, motion carried.

CITY CLAIMS-SEWAGE CLAIMS

Dee Byerly moved to pay the City Claims and Sewage Claims as they were presented and signed. Greg Metz seconded the motion, motion carried.

OLD BUSINESS

None

NEW BUSINESS

1. Resolution No. 8, 2015-Authorizing Special Spraying for Mosquitos and accompanying Agreement.

At this point, Attorney Lehman recommended to the Board, to amend the Agenda to change item 3, from "Open bids for Brown Trucking" to read "Open quotes for Brown Trucking" because we are anticipating the project will not be such that we have to do the bids, we can do it by quotes.

Dee Byerly moved to change the agenda as suggested by our attorney. Mayor Vanlandingham seconded the motion, motion carried.

Attorney Lehman further stated that the reason is when the auditor goes through the Minutes to see what we've done and when they see "bids", then they want to see advertising. Well if it's really not a bid but a quote, we haven't done all that and they know if it says "quotes", we don't have to go through that process. They (auditors) just have to make sure the amounts were within the limits.

The meeting continued with "New Business" and item number 1.

Scott Richardson occasionally gets calls from people who want him, when out spraying for mosquitos, to spray their back yard, etc. Occasionally, there will be some type of community event where spraying might make sense and if it's not a major expense to the City, it makes sense to go ahead for some of those special events to do that. This sets a policy. The policy requires it to be an event opened to the public. If the spraying requires a "special trip", and not being done within the usual scheduling for spraying, there will be a fee. The fee will vary depending if it's part of the scheduled or a part of a special trip and it's necessary to register beforehand to know what the event is and where the spraying has to be. The fee is \$50 if the spraying occurs while the City is already in the neighborhood or \$150 if it's at a time other than when the City is spraying in the area. A release of liability will be required to be signed as well and do certain posting of signs so the public will know that it's been sprayed. What precipitated this was a request by Honeywell for the "Jazz on the Lawn". They are a 501(c) (3) organization, which is another limitation we are putting on it. It has to be a 501(c) (3) or an educational or governmental type of function and it was thought that was an appropriate thing to spray for.

Greg Metz asked if the fees (\$50) cover the costs. Scott said yes if it's on their daily route. If it's a special trip and I have to call in some guys, it's bumped up and the \$150 will cover the costs.

Dee Byerly feels it should be a \$100 minimum. He also asked what category of license and Scott replied it's category 8.

Greg Metz has no problem keeping the fees within our costs and as long as it's a 501(c) (3). Dee asked Scott the cost on his spray. (Did not hear answer)

It was suggested to table the issue to discuss the fee structure further.

Mayor Vanlandingham moved to table the Resolution. Dee Byerly seconded the motion, motion carried.

2. Cass and Carroll Streets emergency repair.

Doug stated we discussed a few minutes ago, the difference between bids and quotes. We've been given an estimate by our engineer that this project is going to cost us in the neighborhood of 1.7 million dollars. It is a Public Works project. Under State statute, we are required to come up with specifications, advertise for taking bids and then take bids. Of course, we didn't do any of that and the reason we didn't do any of that is because we had an emergency situation. The statute authorizes you to NOT go through that process if there is an emergency. But we need action from the Board to declare it an emergency and before the Board can declare it an emergency, the Board needs to make some determinations as to facts that would justify declaring it as an emergency so that it will be clear when they do when the Board of Accounts does its next audit, that we didn't use this as an excuse to avoid the bidding process. We have done this one other time in the last 12 years I can recall, and that's when the Bronte building had a wall that was ready to fall over onto Water Street or Factory Street. We declared an emergency and hired people right away.

I have talked with Rick and he is prepared to provide some information to us as to why this was an emergency and exactly what was the problem. We have a letter from Keith Bryant, our engineer,

discussing the issue and I think you need to consider that also before making your determination as to whether or not it was an emergency that justified not waiting to go through the process of getting specs and doing bids, which would add a minimum of four weeks or more to the process.

Rick Price stated that he was first notified by residents that there was a sinkhole in the street. Upon investigation, we found out just how serious it was. There's three categories that require an emergency. We are required to meet one of those categories; we've meet all three. Doug asked who's categories are these? Rick answered he is working specifically with IDEM (Indiana Department of Environmental Management), which controls and regulates the operation our whole wastewater system. Rick stated the first one is "danger". It poses an immediate danger, threat to the residents of the City. The second one is "by-pass". That is sending raw wastewater to the river. That's not allowed and a violation of the Clean Water Act and our NPDS permit. Anytime we violate our NPDS permit, we have to follow certain protocol. Doug asked what was the danger. Rick answered that the danger was cars travelling, human health and just the fact of loss of services to the City. Generators are set up and once we have established service back to the residents, we have to keep that. Doug confirmed that Rick indicated we had broken sewer lines and sewage was being discharged into the environment rather than through the system. The locations of the cave-ins were almost adjacent to the plant. It affected pretty much the entire system on the North side because everything feeds into the plant through those two streets. We have three main lines that feed in from the East side of the City. We have one main line that feeds in from the West. When we were affected by the East side of town, all three lines, at some point, were severed or collapsed. At one point, we had complete loss of service for the East side of town.

Setting the pumps back up has provided service back to all the residents. Through the course of that, the plant also collected a lot of mud, trash, rock and debris coming into the treatment plant and that was the main reason for sending raw wastewater to the river. That has since stopped. Doug asked if this was reported to IDEM and as a requirement by our permit. Rick stated yes; IDEM has made three visits throughout all of this. He's following their guidance 100% and on top of that, they (IDEM) said the decisions and operations of the department have been consistent.

Doug asked Rick had we gone through the bidding process if he knew how long it might have taken for bids and gotten contractors. Rick said time wise that was not an option.

Doug asked Scott Richardson, Street Department Superintendent, if he could shed any light on the affect these sinkholes has had on the flow of traffic. When this all developed, we were working on Columbus Street so they shut down that work and reopened Columbus. Some more cavernous spots in the asphalt were discovered and have not fallen in yet, but are dangerous. Having Cass and Carroll closed, does that create a substantial traffic problem getting traffic from the South to the North side of town? Scott responded "yes".

Assuming Smith Street is okay, all the South side traffic would be coming along Stitt Street and trying to turn on to Wabash & Miami streets, at an intersection which I would personally say is not a particularly good intersection.

Rick stated no one knows how far the cavities are under the blacktop. Another sinkhole has appeared because there's a cavity under the blacktop and doing the best we can under the circumstances to repair all these. There's no guarantee when we're done that it's 100%-just doing

the best we can. Does the current level of the river, play into any of this? Yes. The fact that we are 100-150 feet from the river, we're digging 4 feet below the river. At his last check, we were 1-1/2 feet above flood stage. As we worked through the construction process, we dug down and our main is about 8.5-9 feet deep. At 5 feet we hit the ground water level. We tried and tried and have not gotten below that. We dug deeper but the hole is just getting wider. That's why we had to proceed to shut down the contractors and other avenues, to dewater the holes. Water is being pumped out and it's working. Doug asked if some of the expense involved is because there were planned renovations to that system to occur in a couple of years from now that because you have everything opened up, you're doing it at this time? Yes. The long-term control plan was to install additional storm lines on Cass Street. Since we have Cass Street dug up, looking at the long-term control plan and speaking with our engineers, we decided to go ahead and proceed with a part of that. Rick said we are not going to complete all that section that was submitted to IDEM, but it does not make sense to repair this line or replace this line and come back in 1-2 years and have to do construction to the blacktop. I can't emphasize how important it is to stay on schedule with the long-term control plan. We submitted that plan and we submitted a schedule to it too. That is what allows us to have CSO or overflow events to the river legally. We're showing IDEM that the City of Wabash is taking steps to eliminate CSOs. Through the elimination process, we are allowed, through a period of time, to have CSO events. At some point in time, sometime in the future that will all cease.

Attorney Lehman stated that a Motion is needed to find that based on the evidence you've heard today, that there was an emergency that justified NOT going through the bidding process but rather hiring contractors immediately to get them through to stop the flow of sewage into the environment and to make repairs to the sewer system and the roadways. Greg Metz stated "so moved". Mayor Vanlandingham seconded the motion, motion carried.

3. Open quotes for Brown Trucking demolition.

Attorney Lehman opened quotes from two contractors:

1. Brainard Excavating, LLC-\$15,325.00, allowance for landfill fees- \$25,000.00
2. CAT Excavating, Inc. \$35,000.00, allowance for landfill fees \$25,000.00

Attorney Lehman asked John Stephens to comment on the landfill fees. The allowance is to keep everyone on the same playing field. He spoke with folks from the landfill and we will be receiving more of a significant discount than we are already getting and what we are going to do with every load we take to the landfill, will get documented; right now we get tickets. It was a nightmare when three (houses that were demolished) went at the same time.

Doug asked John if the \$25,000 was an estimate he told the bidders they should all use as the landfill fee costs. The City actually pays those landfill fees and it could be more or less than \$25,000.

Greg Metz moved to award the demolition of the Brown Trucking building to Brainard Excavating for \$15,325.00 plus the landfill. Mayor Vanlandingham seconded the motion, motion carried.

