

CITY OF DECATUR  
BOARD OF PUBLIC WORKS & SAFETY MINUTES  
SEPTEMBER 1, 2009

The City of Decatur Board of Public Works and Safety met on Tuesday, September 1, 2009 at 6:00 p.m. at City Hall in Council Chambers. Members present were Mayor John Schultz and Board member Ken Meyer. Also present was City Attorney, Tim Baker and Clerk-Treasurer, Phyllis Whitright. Board member, Bill Karbach was absent.

The meeting was called to order by Mayor John Schultz. The Clerk-Treasurer emailed the minutes from August 18<sup>th</sup>, and also the Special meeting on August 28<sup>th</sup>. There were no corrections or amendments offered, so Meyer made a motion to approve the minutes as emailed, Schultz seconded the motion. Motion was unanimous.

Jeff Ponist from Commonwealth Engineers presented pay request #14 from Thieneman Construction for the Wastewater Treatment Plant Improvements Project for \$7,636.49, with retainage of \$401.92. Ponist has reviewed the pay request and recommends payment. Meyer made a motion to approve the pay request, Schultz seconded the motion. Motion carried. The Clerk-Treasurer will forward the pay request to the State Revolving Fund Loan Program for payment.

Ponist presented to the Board members final pay request #15 from Thieneman Construction for release of retainage in the amount of \$287,629.33. Both Ponist and Wastewater Supt., Anne Butcher approved releasing the retainage amount. Schultz made a motion to approve the final retainage amount, Meyer seconded the motion. Motion carried.

Ponist presented a letter from Thieneman Construction attached with the Consent of Surety to release final payment from their bank which holds the escrow account. The Clerk-Treasurer will forward this letter once the final escrow payment is made from the Bank of New York to this account.

The Mayor received a letter from the State Revolving Fund Loan Program who has approved Decatur's Preliminary Engineering Report (PER) Addendum #2 for rehabilitation of manholes along the St. Mary's interceptor. Meyer made a motion to make the letter a matter of record. Schultz seconded the motion. Motion carried.

Jeff Ponist from Commonwealth Engineers announced he invited five (5) contractors to bid Decatur's Manhole Rehabilitation Project, but only received two (2) bids. The bids received were from Culy Construction for \$64,350.00 and Spectra Tech for \$78,978.29. Based on the submitted price, as well as Decatur's familiarity with Culy Construction, Commonwealth recommended awarding the contract with Culy. Ponist reported there is enough money left over from the sewer projects to pay the \$64,350.00. Meyer made a motion to approve the low bid and gave permission to proceed with the project. Schultz seconded the motion. Motion carried.

Wastewater Supt., Anne Butcher informed the Board members her department has incurred expenses of over \$12,000 due to Dean Food's. The City Attorney, Tim Baker suggested a comprehensive Agreed Order. Baker would also like IDEM and a representative from Commonwealth Engineers to attend a meeting with Dean Food's. Butcher was instructed to document what Dean Food's is required to do to be

in compliance. Once Butcher has this information, then a meeting will be held with the Mayor, City Attorney, Wastewater Supt., IDEM, Commonwealth Engineers, and Dean Food's representatives.

The Mayor read a letter from Robert Ladd, Utilities Auditor who was instructed by State Board of Accounts field examiners to request permission to write off delinquent utility accounts totaling \$15,246.93 that are considered uncollectible and over five (5) years old. These delinquent accounts have been sent to the Wells County Credit Bureau for collection. Meyer made a motion to allow writing the delinquent accounts off, Schultz seconded the motion. Motion carried.

The Mayor read (2) quotes received for Sanitary & Storm Sewer Projects on North and South end of High Street. Quotes were from D. Luginbill Excavating & Trucking \$11,085.00 for North project, \$5,500.00 for South project. The other quote was from Everett Drainage & Excavating, Inc. \$16,307.25 for North project, and \$7,669.00 for South project. Meyer made a motion to accept the lowest quotes from D. Luginbill, Schultz seconded the motion. Motion carried. These projects will be paid from the Storm Water Utility fund.

Council members, Cook, Crone, Dyer, and Engle also attended the meeting.

Police Chief, Ken Ketzler presented the Contract Agreement between North Adams School District and the City of Decatur for July 1, 2009 through June 30, 2010 for the School Resource Officer. Ketzler mentioned there will be only minor changes to the agreement. The payment to the City will be \$37,000 instead of \$35,000, and the Resource Officer will be required to take vacation when school is not in session. Ketzler commented that the school is very pleased with the SRO, Kriss Affolder. Meyer made a motion for the Mayor to sign on behalf of the Board of Works members, Schultz seconded the motion. Motion carried.

Ketzler reported he has requested quotes from local vendors for a new server at the police station, but has not received any quotes at this time, but will report the results at the next Board of Works meeting.

Clerk-Treasurer, Phyllis Whitright reported with the proposed 2010 Budget being over the maximum levy, the DLGF suggested eliminating the operating balances, and reducing appropriation in the current budget, and/or re-allocating large expenditures being paid from the general fund to be paid from the cumulative or CEDIT funds. Whitright also commented due to economy, tax caps, delinquent taxpayers, the money will be tight for some time, the city will need to keep as much money in the general fund as possible. Whitright reported the COIT and CEDIT distributions for 2010 will be \$106,000 less than this year. Whitright also reminded everyone that the County Council will be reviewing the city's proposed 2010 budget on Friday, Sept. 4<sup>th</sup> at 8:00 a.m. in the County Commissioners Room, and the Public Hearing on the 2010 budget will be at the next council meeting on Sept. 15<sup>th</sup> at 7:30 p.m.

Wastewater Supt., Anne Butcher was present, so the Mayor asked the council members if they had any questions in reference to Butcher's request to increase pay for three of her employees. Butcher commented she was increasing their pay near their hire date, since she isn't anticipating any pay increases for 2010. Councilwoman Engle commented these employees have received five increases since 2007, and doesn't see changing pay without changing classifications. Councilman Cook questioned how these increases are budgeted. Butcher informed council her employees are cross trained so they can do each other's jobs. The Mayor suggested this procedure of increasing employees pay should be documented in the city's policy manual, so the department heads have direction on how to handle pay increases. The City

Attorney commented if the Board of Works members want to change these pays they can, since they are the Board for the Utilities. The Mayor said he would bring this up at the council meeting.

Street Commissioner, Jeremy Gilbert handed out information pertaining to changes to trash collection for the Board of Works and Council members to review and discuss at the next meeting.

City Attorney, Tim Baker received a letter from County Attorney, Mark Burry in reference to proposed development plans for Morningstar Farms, which states the County cannot move forward due to a special flood hazard area. It is the responsibility of the developer GKB, to file a petition with FEMA in order to have the flood maps amended prior to seeking any approval of a development plan with Adams County or the City of Decatur. Baker wanted to make this letter a matter of record, since the developer was instructed to contact the City of Decatur which may be presented at a future Decatur Plan Commission meeting. Meyer made a motion to make the letter a matter of record, Schultz seconded the motion. Motion carried.

There being no further business, Meyer made a motion for adjournment. Schultz seconded the motion. Motion carried. The meeting was adjourned at 7:28 p.m.