

**January 26, 1998**

The Ellettsville, Indiana, Town Council met in regular session at 7:30 p.m., Monday, January 26, 1998. Members present were Michael Cornman, President, Geraldine McIntyre, Vice President, Donald Ashley, Patrick Stoffers and Gina Hawkins. Mr. Cornman called the meeting to order. Donald Ashley gave the prayer.

COMMENTS:

None

MINUTES AND CLAIMS:

Mike Cornman asked, is there a motion to accept the minutes and claims. Donald Ashley so moved. Geraldine McIntyre seconded. Motion passed 5-0.

OLD BUSINESS:

HIGHWAY 46 TRANSFER AGREEMENT:

Tabled Rick said to table it because we don't have a utility agreement and he talked to Mary Endwright and Matt Thomas and it probably won't be available until March.

ORDINANCE 98-1 TO AMEND SECTION 255-10 AND SECTION 255-25 (d) OF  
ELLETTSVILLE TOWN CODE CONCERNING PERSONNEL:

Mike Cornman read Ordinance 98-1 for a first reading.

Mike Cornman asked, is there a motion for submission for first reading. Gina Hawkins so moved. Geraldine McIntyre seconded.

Mike Cornman has some questions, where it says "except where expressly agreed otherwise", what would be an example? Mike Farmer said perhaps we use the utilities department to help with the fall festival and it is outside their regular work time and we agree to pay them, maybe regular time to help out. Mike Farmer said if the situation arises where we absolutely need them, okay say we want a news letter to get out to all the public because we want to make an announcement, we can't spend a lot of money because it is for the good of the public and we want the public to know about it, and we say look if you want to work, we can't pay you time and half for this but we will give you regular time.

Geraldine said don't we have something where we give one day off for someone who works for the Fall Festival? Mike Cornman said there is something like that and that is the case that he is talking about, unless otherwise expressly agreed upon, that is one we have already established. Mike Cornman said we did it in not in terms of payment, we did it in days off.

Mike Cornman said you are adding on a response person or response team or whatever to take care of emergency calls and complaints?

Mike Farmer said yes, as you read on the plan is to put everybody in the utilities department that work in the field on call for a week at a time and they will rotate the crew, 4 or 5 people. He would like everybody to be on call but at least one person they know we are guaranteed to get out there in short term to take care of an emergency problem.

Patrick Stoffers asked Mike who is the authorized responsible supervisor of utilities?

Mike Farmer said right now that is me, perhaps in the future there will be somebody else designated as a supervisor, but right now he is the responsible supervisor. Mike said or Jeff could be or in certain circumstances Rick could be.

Mike Cornman asked Mike Farmer to explain his procedure for an on call employee.

Mike Farmer said for right now what he would like to do is put all 5 employees on call a week at a time, rotate it, give them a stipend for being on call. Basically they will be first response, they will have a car phone, beeper, and they will be allowed to take a truck home for the week they are on call. That will allow them to go immediately to the job as opposed to coming in and jumping in a truck and go out. Responding to an emergency will make our response time quicker. Once they get out on a job, if it is a main break, or something they can't handle, or if they don't want a responsibility of making a decision, then they will call him. Mike explained this more to the Council.

Mike Farmer said there is a second area of plan to this and that will come in the rates and charges. There are things in the rates and charges that needs to be changed. There was more talk on this matter.

Mike Cornman said he would like to note under the Fair Labor Standards there is supposed to be a minimum call out time for anybody on call.

Mike Farmer said he looked into what PSI, City of Bloomington, gas company, and some of the other people who pay for having an on call person. What he has proposed is less than that. They do have some stipulations that the first call out goes against the money they would be paid for a week, it is kind of a break even situation. It is basically just compensating for them to be on call 24 hours a day. This means they need to be within 30 minutes of a call out, they have to carry a beeper all the time. They do give up some personal freedom just to be on call for the city. This is only for initial calls and just things that are normal and usual, what he would call nuisances calls. Any time it kicks up to the supervisor level where a decision needs to be made or a crew needs to be formed, that is when they call him.

There was more discussion.

Mike Cornman said there has been a motion and a second for first reading. Motion passed 5-0.

ORDINANCE 98-2 AN ORDINANCE TO AMEND ORDINANCE 97-16 FIXING  
OF SALARIES FOR BUDGET YEAR 1998:

Mike Cornman read Ordinance 98-2 for a first reading. Mike Cornman said this is on call pay for somebody that is on call for that week.

Mike Farmer said it is going to cost us \$55 times 52 weeks, that gives you somebody that you guarantee will respond to emergencies, 24 hours a day. There was more discussion on this matter.

Mike Cornman said this will be an absolute guarantee, which we have never had in the past. This an absolute guarantee that somebody is going to answer the call.

Mike Farmer said it is one of the goals and objectives as he was given when he first started the job. You have 3,333 metered customers, he thinks 38 now, you have 1,511 sewer customers, even though some people say the town is small. He says you have all these houses all these water services, and all these miles of water and sewer pipe. You have winter time when even a small leak can become a million dollar liability. You have people with needs and wants and it is a small price to pay to have somebody to service them at all hours of the day. He thinks most people expect it and maybe some people take it for granted it. What we deal with is important and it is a small price to pay to assure you customers and constituents that they have somebody to respond to their problems.

Mike Cornman asked Jim Davis and Steve Bartlett how many times have you guys had to try and find somebody to take care of a problem or take a police car and drive to the employees home and try to find where they are at?

Jim Davis said several times. He has even answered calls in the past with people with frozen broken water lines. He has shut the meter off himself because he couldn't get in touch with anybody on a weekend. Not so much during the evening, generally it is on the weekend.

Steve Bartlett said we have never shut anybody off, but they have had to physically go out and inspect and see what the problem was and then they would finally get in touch with George and get something done. There was more discussion on this.

Darlene Sowders said she didn't know any of the employees so she is going to make up a name. John Doe's turn to be on call this week and he decides he is going to the IU game and is not there to do it, is there a penalty?

Mike Farmer said yes, they would probably get wrote up. But on the other hand, he has already talked to his people about this to make sure they are on board and there is no problem. They can switch time, just so they know who is on call and who is not. He also told them if they want to be gone a night or they want to go to Indianapolis or what ever he can cover for them. That is never going to be a problem.

Mike Cornman said for this week you are going to restrict their movement so much. Mike Farmer said right. Mike Cornman said if we are going to do that we want to keep that service up, Fair Labor standard says we have to pay an on call period of time.

Mike Farmer said all the utilities are set up like this.  
There was more discussion.

Mike Cornman asked is there a motion for submission for first reading of Ordinance 98-2? Patrick Stoffers so moved. Donald Ashley seconded. Motion passed 5-0.

#### ADOPTION OF CONSTRUCTION SPECIFICATION FOR WATER AND SEWER:

This was presented to the Board members.

Mike Cornman asked if this is something we would want to put in Ordinance form for our Code Book? Mike Spencer said all of the other things are in Ordinance. Mike Spencer asked if there is a reference currently in the Ordinance to some certain specifications. Rick Coppock said he didn't know. Mike Spencer said what we need to do then is review the Ordinance and find out, if it isn't we need to put one in there. Mike Spencer said in order to enforce them we would have to have them in Ordinance in some fashion, either by reference or the whole thing in the Ordinance.

There was some discussion and Geraldine McIntyre wanted to table this because she hasn't read it.

Mike Cornman said we can get the research done and have Mike (Spencer) see how we want to validate this.

Mike Farmer wants to do this in a timely manor because there are parts of this system installed at recent times that is substandard. He would like to get these into and enforcement mode as soon as possible.

Mike Cornman said the Council would like to see what is yet to be in the coming months. We want to make sure we have some standardization with stable specifications verses none. They will table it and have Mike (Spencer) see how we are going to validate this.

#### UTILITY REQUEST FOR PURCHASE OF HOE-RAM ATTACHMENT FOR EXCAVATION EQUIPMENT:

Mike Farmers said they recently purchased a new back hoe. When they purchased the backhoe for the Utilities Department the went ahead and set it up so it would be able to take a hoe ram and attach it to it and be able to use it for utility work. Basically a hoe ram is a large jack hammer that is attached to the boom of the back hoe. It is used for breaking rock and pavement. Currently they have nothing like that and we are in the

middle of stone country USA. Everybody that excavates knows you have to have machines that breaks rock. You can begin something as simple as digging across the street to put in a new water line and the job can go from a normal 4 hour job to anywhere from 8 to 12 hour job, and sometimes just forget it until you bring in rented equipment to break the rock. What he proposes to buy will not handle all situations because some rock around here is just harder than rock. We do need a ram that will get us over the hump. Right now we have a jack hammer and an air compressor that has got to be 30 years old. This machine (new hoe ram) should last 7 to 15 years just depending on how much you use it, and they did size it for the machine.

Mike Cornman asked Rick Coppock of the 3 sewer line replacements that have occurred already, how often would that piece of equipment used. Rick said it was used on every job. Mike Cornman said it is part of our plan to have our people do more of the work instead of hiring it done, so we would need something like this to get started. Mike Farmer said right, but it will caution you that this is a small modest machine that will get us through a lot of day to day situations, but it is not a machine that will do everything that will need to be done in the future.

Mike Farmer said he took a couple quotes and the size of machine that he is looking at is anywhere from about eleven five to fifteen thousand dollars.

Rick Coppock said one example of what happened on the sewer line replacement projects was that a lot of the pipe was laid without any bedding and if they came to a---where rock was sticking up , they just went over the top of it because it was all 4 foot joints. Then what would happen the rock would break the pipe right there. That is a lot they encountered to keep the grade straight on the pipe. Another thing that happened, where they sit the man holes they didn't bed the manholes enough, and you get some breakage in the pipe.

Mike Cornman asked Mike Farmer if he had all the quotes he is going to get? Mike Farmer said yes he thinks so, he can get a third one if they want, he only has two, both quotes are real competitive because they want to sell us the machine.

Mike Cornman said the request would be for permission for purchase of a hoe-ram attachment at your discretion of which one is the best buy, or do we want to set a limit or what are you asking for exactly?

Mike Farmer said you mean money wise? Mike Cornman said yes.

Mike Farmer said the quote right now that he is looking at, the best quote is \$11,975 or something like that. He wants him to come down a couple hundred dollars, but it is going to be in the \$12,000 or less range.

Mike Cornman said we can entertain a motion for grant permission for the utilities to purchase a hoe-ram attachment for excavation equipment. He has no doubt that you don't need the equipment, a lot of the Council members said we could do the work ourselves. This would go on the new backhoe we just got.

Gina Hawkins made the motion we give Mike permission to purchase this hoe-ram attachment. Geraldine McIntyre seconded. Motion passed 3-2, nays were Don and Pat. (latter in the meeting Don wanted his vote change to a yes Motion passed now 4-1.)

#### UTILITY REQUEST FOR PURCHASE OF TRENCH SHORING SAFETY:

Mike Farmer said right now any time anyone excavates more than 5 feet deep that have to insure a properly shored or sloped trench to work in, if you don't you are liable for the safety of your employees. As a competent person trained in trench shoring safety, there is only 2 ways to insure safety and that is to use shoring equipment which basically is a device that has paddles and hydraulic cylinders and when you open up a ditch you install those paddles and the hydraulic, you pump them out and it pushes against the 2 sides of

the trench and insures that there is not a cave in. Mike Farmer discussed this with the Council.

Mike Farmer said he is looking a complete system for around twelve five to thirteen five and that would be about 8 to 10 paddles, 4 pieces of-----, 2 pumps, and a shoring box. The shoring box itself is about \$5,000 and a trailer to pull it on, is just a self contained unit. There was more discussion on this

Mike Cornman said he would entertain for a motion for permission for the utility request for trench shoring equipment. Donald Ashley so moved. Geraldine McIntyre seconded. Motion passed 5-0.

PATRICKSBURG BEAN BLOSSOM WATER CORPORATION-MIKE SPENCER:

Mike Spencer said he thinks they need to discuss the issue of Patricksburg Bean Blossom Water Corporation at least in general nature so we can get some direction on how you want us to pursue it. He knows Mike, Rick and he meet last week and discussed it. Based upon those discussions have gone and done some work to get ready to research and decide what options we have available to us. He also contacted the Council in Indianapolis to assist us in this manner if in fact we need to go before the IURC or the Indianapolis ----- agencies up there. He doesn't know what your knowledge is of the situation or what the boards position is on this particular issue. As you know the Patricksburg Bean Blossom is considering providing service west of town in an area that is more appropriately served by us.

Mike Cornman said it is in the best interest of the Town of Ellettsville to pursue the matter of our continued solvency of our water system. He wants to make sure that is preserved. Mike Cornman asked if that was the feeling of the Council. The reply was yes. Mike said the Council wants to go ahead with this, that is correct.

Mike Spencer said that is what he needed to know.

AREA 10-MIKE SPENCER:

Mike Spencer said he is meeting tomorrow with Skip Harold on the Area 10 building that we were involved in. There is still a dispute out there between general contractor and sub contractor and we withheld moneys to cover that dispute. As of this date it has not been resolved and he thinks this is a last ditch effort to try and resolve that. The dispute is between the sub contractor and the general contractor, we just simply have the money. Under Indiana law, since we have received notice the sub contractor feels they have not been properly paid------. We can not pay that money out until there is some sort of resolution. It may mean if they can not resolve this tomorrow they may initiate litigation, which we would be brought into.

REQUEST TO RELEASE RETAINAGE FOR THE SEWER PROJECT-COPPOCK:

Rick Coppock said earlier today Gary Miller talked with Mike (Cornman) and then he called him. Probably for the last month Reynolds has been in discussions with R.W. Armstrong about releasing some of their retainage for the sewer project and the treatment plant project. Currently there is \$398,035.77 in their retainage account. Gary has done an estimated value of the work remaining which comes out to be \$68,550 and you can retain 200 percent of that which is just 2 times that which gives you \$137,100. If you look on the last page of his letter he calculates the amount of retainage due Reynolds Inc. in which he deducts all the amount out that we currently have outstanding. The is \$10,000 for Division A, which is the interceptor sewer line. Which amounts to seeding and sodding areas, fix up some dirt where they took out the lift station, they couldn't

quite get done because of weather, it will have to be taken care of in the spring. Division B there is a long list of different items. Division C is the access road, they still need to put a fence up along the property they purchased from Bill Figg. When they subtract all those out you end up with the amount that is due Reynolds, \$234,735.77. That would leave \$163,300 plus the interest in the Retainage Account. That is what the request is to release that amount to Reynolds Inc.

Mike Cornman asked Rick if he reviewed this, and you concur with this? Rick said right, he has reviewed this and also reviewed the original submittal and cut this amount down to what we are going to release it was an increase, there is more than enough funds to complete those few items that they have left.

Mike Cornman asked if Gary received this information from Reynolds, Carl Arvin? Rick said Gary discussed this with Carl, but he actually calculated the dollar amounts. There was more discussion.

Mike Cornman said he recommends to the Council for approval for the releasing of retainage money to Reynolds Inc., \$234,735.77, is there a motion. Gina Hawkins so moved. Donald Ashley seconded. Motion passed 4-1, Geraldine McIntyre voted nay.

#### DISCUSS CHANGE ORDERS-RICK COPPOCK:

Rick Coppock informed the Council that they are still going to have one more change order possible two, but those will be deducts. When R.W. Armstrong negotiate their increase on their contract there was some money to be paid to them, part of that is to be reimbursed deduct from the -----for the oxidation ditch redesign, Gary is supposed to be drafting that up. A large part of this outstanding work is some training, there is like 196 hours of training on different computer systems. They are going to sit down and discuss with Jeff, Reynolds and R.W. Armstrong what training we may need or may not need. Since they have been running the plant for several months they have decided they don't need several parts of that. There may be a deduct coming back from the contractor on that.

#### SUPERVISORS:

#### UTILITY DEPARTMENT:

Mike Farmer reported his activities to the Council. Some of the things they are working on is they have implemented a Citizens Action Report. A call will come in from dirty water, check a leak by my house, ect. What ever comes in is logged and who ever goes out writes down the comments and once he gets it he will call the customer and report what they found. They are working on Oak Street. There is a 2 inch water main that runs along Oak from Sales up to Walnut and then down to Association. It runs parallel to a 6 inch main that was put in some years after that. The 2 inch main is probable 60 to 80 years old. They are eliminating it, there are a few houses that are still on it, so they are transferring services. They are transferring them to the new main. There was more discussion on this.

#### WATER TOWER:

Mike Farmer said they are working on the water tower. They have a problem with the hatch, it was leaking. The people that are installing it sent some people to work on it and they couldn't get it fixed. They are going to bring some people in to fix it.

#### UNACCOUNTABLE WATER

Mike Farmer said they are working on unaccountable water. They have found several incidents where we have broken meters that are not registering the water. They have several buildings and establishments in town that do not even have a meter. They are going to rectify that. There was more discussion on this.

Mike Farmer thanked Jim Ragle and his staff they have been helping them the last 2 weeks. They have been helping them do all kinds of different things. Some time we are short handed in Utilities and they have been picking up the slack and making sure we get everything done.

ADJOURNMENT:

Gina Hawkins made the motion to adjourn. Patrick Stoffers seconded. Motion passed 5-0.

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Michael D. Cornman  
President

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D. Geraldine McIntyre  
Vice President

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Donald Ashley

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Patrick Stoffers

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Gina M. Hawkins

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Diana K. Evans  
Clerk-Treasurer