

June 12, 2014

The Board of Public Works & Safety met at 4:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and Board member Curtis attending. Board member Jeffries was not present. Others attending were Chief Beloit; Chief Dixon; St. Comm. Dieterle; Supt. Givens; Larry Haag and Andy Sucharitakul – The Lochmueller Group; Randy Stapp – Lions Club; Doug Alumbaugh; Code Enforcement Officer Springer; Terry Burnworth – Pyramid Architecture; Attorney Higgins; Pam Robinson – Mount Vernon Democrat; and Lois Gray – Posey County News.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their Special Session on May 29, and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Board member Curtis moved the reading of the minutes be waived and they be approved as presented. Seconded by Mayor Tucker, who asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

(Board member Curtis was not present at the regular meeting May 15, and therefore was unable to approve the minutes)

Mayor Tucker requested action on the claims presented.

Board member Curtis moved the claims presented be allowed for payment. Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mayor Tucker stated they will now hear the reports of the Departments.

Chief Beloit stated their color printer is down and they have been having to borrow one from other agencies. He has a price from Commonwealth Technology – he contacted Konica a couple of times, but never got a response from anyone. The Commonwealth printer is a C35P for \$995.00 and \$62.50 per quarter service agreement that covers everything except paper.

Board member Curtis asked if these use this to print pictures of accident reports, etc. ?

Chief Beloit replied yes, and it is important to get color copies in battery cases as well.

Board member Curtis stated he tried Konica but never got a response, which may indicate bad service if they even went with them. That being said, he then moved Chief Beloit be permitted to purchase the one from Commonwealth for \$995.00 and \$62.50 per quarter service agreement. Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Chief Bloat continued by stating he also got prices from Best Buy on some new digital camera equipment. He added Animal Control needs one and the three or four the police department has are all in need of repair. He stated he can get give, with cases and memory card for \$990.80.

Mayor Tucker stated it is important to have these.

Chief Bloat agreed and added again, the three or four they have are broken down.

Board member Curtis moved permission to make the purchase be given. Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried. He then asked if there were any questions ?

There were none.

Chief Dixon stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Supt. Givens stated with all the rainy weather they have had lately, they have a cave in on Locust Street. He stated they televised the line to find the issue, dug it up with the help of the Street Department, but they eventually had to hire TMI to come in and take care of it. He added they replaced 15 to 20 feet of pipe and backfilled it. He then stated they also have another cave in behind Pecan Hill Apartments. They did find asphalt in that line and it will be too big for them to fix, they will have to source it out. He stated he also thinks this would be a good place for a manhole.

Board member Curtis stated it will be a good time to put one in.

Supt. Givens continued his report by stating the VacCon truck is back from being repaired and it is doing well, though they have noticed the hydraulics are a little slow so they will call Best Equipment about that.

Supt. Givens concluded his report by stating they need to get a license plate on the pull behind jet machine. Mrs. Willis has been working with Ms. Bethel on that but he will need the city credit card to finish that up on line. There will be a \$36.00 fee.

Board member Curtis moved permission be given to use the city credit card. Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried. He then asked if there were any questions ?

There were none.

Comm. Dieterle stated he would like permission to use the city credit card and city vehicle for himself and Asst. St. Comm. Miller to go to the Street Commissioners Convention in French Lick August 18 through the August 21. He added the cost if \$150 each and hotel is \$119 per night.

Board member Curtis moved permission be given. Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried. He then asked if there were any questions ?

There were none.

Mayor Tucker stated under Legals is action on contracts for the police and fire building.

Terry Burnworth stated they have 10 packages and nine contractors. He added not all items were bid.

Board member Curtis asked if they approve this today, when will work start ?

Mr. Burnworth replied Monday.

Board member Curtis asked Attorney Higgins if they need to do anything different for the ones that were bid versus the ones that were not ?

Attorney Higgins replied no, they will still be bound by the same contract requirements.

Mr. Burnworth then stated package 03C – concrete system(95,100) - will go to Superior; package 07I – insulation(21,215.16) – will go to Southern Indiana Foam; package 09P – painting(25,200) – will go to Dan Belwood; package 26 – electrical(136,800) – will go to Deig Brothers. These were all bid on. The others are package 06RC – rough carpentry(100,000) – will go to TMI; 08OH – overhead doors(22,068.40) – will go to Evansville Overhead; package 09F – flooring(26,034.63) – will go to Funks; package 09D – drywall(25,000) – will go to TMI; package 22 – plumbing(36,800) – will go to Sanders; and package 23 – HVAC(99,500) – will go to Shephard. He stated the items that they received no bid on all went to local contractors.

Board member Curtis moved the nine contractors as stated above, be award the 10 packages, as stated.

Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mr. Burnworth stated there will be a pre construction meeting tomorrow morning at 9:00 am.

Mayor Tucker stated the next item under Legals is a change order and housekeeping items to finalize work at E & S Housing.

Mr. Sucharitakul stated they are at the end of this project and he has a final change order as they try to balance out at the end.

Supt. Givens questioned the retainage as Dave Campbell said they need to inspect the video tape before they do that.

Mr. Sucharitakul replied that was given to Mrs. Willis, she has all of that. Mr. Campbell said everything was good to go, but that just came through today.

Supt. Givens stated he would rather hold the retainage until he can talk with Mr. Campbell.

Mr. Haag stated he spoke with him today and he is good with everything.

Mr. Sucharitakul replied that is fine, Supt. Givens can hold it if he wants to.

Board member Curtis moved the issue the final payment, holding the retainage until Supt. Givens has a final review. Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mayor Tucker then questioned action on the Change Order No. 2.

Mr. Sucharitakul stated that is just to balance out the project.

Board member Curtis moved Board approve and Mayor sign off on the Change Order No. 2.

Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mayor Tucker stated the next item is the Waste Water Master Plan.

Mr. Sucharitakul stated the Lochmueller Group has been trying to identify some of the issues that may need to be address at the plant. They will do a hydraulic modeling and check what they currently have – check the capacity for any commercial customers that might come in, and identify conditions of the existing plant. They will prioritize the projects, develop a plan, and address their worst issues, schedule maintenance, identify everything there. They will also check manhole locations and conditions.

Board member Curtis stated this all started with the Water Utility Board doing the same thing at the water plant. Councilman Fuelling has been involved with this all along the way as well and he has met with himself, Mr. Haag and Mr. Sucharitakul to go over all of this. The Lochmueller Group has also utilized all the information that the city has already given them, which they will put into a useable format. He added he, Councilman Fuelling, and Supt. Givens will want to use this study on a regular basis, for follow up.

Attorney Higgins questioned the scope of work and added that Supt. Givens should review it and be sure it is very detailed to ensure the end product will be what he believes it should be and that it will be what he thinks he will be getting.

Supt. Givens stated he has some concerns and would rather not enter an agreement if he can not provide the information they need to produce the final product for the city.

Mr. Sucharitakul stated any information that Supt. Givens gives them is helpful.

Supt. Givens stated he would like Councilman Fuelling, Board member Curtis, The Lochmueller Group, and himself to review the contract again before they approve it.

Board member Curtis stated that would be fine, and they can do that before the next meeting. They will table any action on this for now.

Mayor Tucker stated they are now ready for the Audience and Randy Stapp is present.

Mr. Stapp stated he needs permission to put on the 4th of July fireworks, on Thursday, July 3 and the River Days fireworks, on September 13. He added he talked with Clerk-Treasurer Sitzman and he will get the required insurance in to her soon.

Mayor Tucker asked if this is being done by the Lions Club ?

Mr. Stapp replied yes, and the other is through River Days.

Board member Curtis moved permission be given, with a July 4 rain date for the July 3 show.

Seconded by Mayor Tucker, who then asked if there were any questions ?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried.

Mayor Tucker asked if anyone else in the Audience wished to address the Board ?

Doug Alumbaugh approached and stated he has several rental properties in town and the city broke is fence to cut the grass at one of those properties. He added he is upset about that and the \$207 bill he received from the city for the mowing. The city broke his fence to cut his grass, he was sent the bill, but he cut the grass. Again, he added, he has multiple properties and it is hard to keep up with all of the grass. Two years ago, the city cut the lock off his fence to get in and mow grass in his privacy

fence – which was clearly marked as NO TRESSPASSING. He wants to know how the city can do to get in to his yard to cut the grass, on private property ?

Mayor Tucker asked when?

Mr. Alumbaugh replied a few weeks ago. He added he believes this could be construed as breaking and entering. He then stated it is also aggravating.

Comm. Dieterle stated the street department did not take a mower in his back yard, they took a weed eater and the fence was already damaged.

CEO Springer stated she does have pictures of that as well, and the city can go in a fenced yard to mow.

Mr. Alumbaugh stated he believes they would need a warrant for that. He added he had also just fixed that fence before this happened. He stated the neighbors call on that yard constantly.

CEO Springer replied because it is constantly in violation. She added there was no lock on the fence to break.

Mr. Alumbaugh replied they pulled it open from the bottom. But they did cut the lock off of the privacy fence – that sounds like breaking and entering and they should need a warrant.

CEO Springer replied the city does not need a warrant to cut the grass.

Mayor Tucker stated they are here today to see if procedures were followed. St. Comm. Dieterle sent men down to mow and it looks like there are statements from them attached to the paperwork. He then stated they are not addressing what happened two years ago, but rather the protest to the \$207.00 bill.

Mr. Alumbaugh again stated he has multiple properties around town and he keeps them high and tight. This is the first time they have seen him up here. He asked the street department for an adjustment and he didn't get one.

Comm. Dieterle stated the minimum bill is \$100 then there are fines and legal fees.

Mr. Alumbaugh stated he got the outside cut but inside the fence was tall.

Mayor Tucker stated the last thing the city wants to do is be in the weed mowing business that is why the fees are set so high, to discourage that. Also, these fees are set by ordinance.

Board member Curtis stated the fees also include if someone would get injured while clearing up these lots.

CEO Springer added the street department also cut the front yard.

Mr. Alumbaugh replied the front was not in violation, the inside fenced area was in violation. There was a lot of damage done and for that, he hates to be overcharged.

CEO Springer replied all charges were minimum charges on top of the set fees. She added Mr. Alumbaugh also had 11 days to mow instead of five. He also signed all three certified letters.

Mayor Tucker stated by ordinance, everything was done right and there are also statements from the street department workers.

Mr. Alumbaugh stated the guys he talked to from the street said they didn't mow it.

CEO Springer stated Asst. Comm. Miller didn't remember but the others did.

Mr. Alumbaugh stated sounds like a miscommunication.

Mayor Tucker asked if Mr. Alumbaugh had anything else to add ?

Mr. Alumbaugh replied not a word and added he is done.

Board member Curtis stated he does not see where the Board can make the adjustment when the guidelines were followed.

Mr. Alumbaugh stated he wouldn't mind if it was a fair price. He doesn't overcharge anyone so he can sleep at night. He added his taxes keep going up as well. He stated he is not saying he won't pay the bill, but there are people out there that can't pay the bill.

CEO Springer added she works with those folks too. She will find someone to mow for them so the city doesn't have to do it.

Board member Curtis moved the Board deny the request to adjust the billing. Seconded by Mayor Tucker, who then stated he appreciates Mr. Alumbaugh coming forward and the city wishes they didn't have to do this type of thing. The city does not want to be in the lawn mowing business. Mr. Alumbaugh thanked the Board for their time, thanked them for listening, and left the meeting.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Curtis moved the meeting be adjourned. Seconded by Mayor Tucker, who then stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer