

July 23, 2015

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 member Curtis attending. Others attending were Chief Beloat; Comm. Dieterle; Supt. Givens; Chief Dixon; Bldg. Comm. Willis; Ryan Riggs; Dakota Logan; members of the Logan family; Eddie and Darlene McConnell; 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 previous meeting 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 then 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 unanimously.

Board member Jeffries arrived at the meeting.

Mayor Tucker stated before they continue with the meeting, they have the Swearing In of the newly hired firefighter, Dakota Logan.

Mr. Logan approached and was given the Oath of Office by Clerk-Treasurer Sitzman. He was then congratulated by the Board, Chief Dixon, and family.

The Logan family then left the meeting.

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 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 unanimously.

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

Chief Beloat stated when Lt. Lemberg attending a meeting a few weeks ago, he addressed the Board about additional training aids, and his putting together a training plan. He added he has a couple worked out for presentation today and is still working on another. The first one is the live taser simulation suit. The cost for the suit is \$1,598.50 and includes the suit, a training plan, and cartridges. They are simulation cartridges and can be used longer. This is from Taser International and would be a one time purchase. The second are the rubber training aids (weapons, guns, knives). The cost for that is \$823.33 and they come from various vendors. This would also be a one time purchase.

Board member Curtis asked if Lt. Lemberg is certified ?

Chief Beloat replied yes, he is a certified instructor, in taser specifically.

Board member Jeffries moved permission to proceed with the purchases be given. Seconded by Board member Curtis.

Mayor Tucker 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 unanimously.

Chief Beloat continued his report by stating several years ago they had a bicycle patrol program. They still have one of the old original bikes that has been stripped of the police decals, and they have a man interested in it. He added the department will never use it anymore and if they can supply this special needs boy with a bike, he would like to do that.

Board member Jeffries asked how old the bike is ?

Chief Beloat replied it is at least 12 years old.

Board member Curtis stated he mountain bikes and a bike that old has very little value.

Board member Jeffries moved the bike be declared surplus and that Chief Beloat be permitted to dispose of it. Seconded by Board member Curtis.

Mayor Tucker 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 unanimously.

Board member Curtis asked Chief Beloat what they do with the bikes they have recovered as stolen.

Chief Beloat replied they hold them for 30 days then release them to someone else. They also make a record of who they released them to. He concluded his report by stating he and Chief Dixon have come up with a date for the Police and Fire Station Open House – August 27 from 4:00 to 8:00 pm.

Mayor Tucker asked if there were any questions of Chief Beloat ?

There were none.

Chief Dixon stated he would like to request use of the city credit card for travel expenses, as well as use of a city vehicle, for fire school at Illinois University, September 19 thru the 20<sup>th</sup>. He added they would need a hotel for the 18<sup>th</sup> and 19<sup>th</sup> and return on the 20<sup>th</sup>. The school is free and he would like to send four men. It is an excellent school.

Board member Curtis moved permission be given. Seconded by Board member Jeffries.

Mayor Tucker 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 unanimously.

Chief Dixon stated Ryan Riggs, fire pension secretary, is here and would like to address the Board.

Mr. Riggs stated he would like permission to purchase a computer for the pension work. The one they have was purchase in 2007 or 2008. He added he has money in the budget for it and estimates is costing around \$500.00. He would also like some office software that should cost around \$200.00.

Board member Jeffries moved permission for the purchases be given, up to \$700.00. Seconded by Board member Curtis.

Mayor Tucker 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 unanimously.

Supt. Givens stated he has follow up old business from the past few meetings. He added in reference to the lift stations, he has two people look at it (Smith Road), though he has no quotes with him today. He stated from what they can tell, they will save money by using the existing wet well, and they may not have to tear the yard up as much.

Board member Curtis stated from the discussion on the repair they have in mind, it sounds good if it works. He asked that he get the quotes to the next meeting.

Supt. Givens questioned the utility service truck.



Russell's Excavating	\$ 9,800.00
Earth Services	\$ 7,300.00

Board member Jeffries moved the low quote of Earth Services be accepted, pending review of scope by Attorney Higgins and Bldg. Comm. Willis. Seconded by Board member Curtis.

Mayor Tucker 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 unanimously.

Clerk-Treasure Sitzman stated she has a heavy haul permit, submitted by Sterett Crane. She added they paid for a full year, \$150.00, but to her knowledge, nothing is scheduled at this time.

Board acknowledged receipt of the permit and consented to approval.

Mayor Tucker stated Eddie McConnell is in the Audience and would like to address the Board.

Mr. McConnell stated he is present concerning a sewer tap at their laundromat. He added he and his wife are the owners of Bubble Bank Express on Wolflin Street. Back in December of 2013 he contacted the water department about a tap fee. He got no response. ECI also contacted them and got no response. As of 2014 they had still not received a response. Elpers, the contractor, had to then postpone construction. Then in January of 2014, Supt. Gray sent notification that the line they were tapping was on old 2" cast iron line which was problematic – again, there was no mention of a fee. They then installed a storage tank and pressure pump and were thrown behind schedule. At this point, they still had no information about a tap fee. He added there was no new tap made, they used their existing water and sewer lines. He further stated no department from the water or sewer department helped them. Four months ago the sewer department contacted him saying that Supt. Givens wanted to discuss the \$2,500 tap fee. He added he thought at that point he would be sent a bill. Four months later he still has no bill and the fee has not been paid. He went to meet with Supt. Givens, but he was not in. He added he was told that the tap fee for sewer ranged between \$2500 and \$4500, depending on the square footage of the building. Again, still no bill has been received. This impending bill has put them in a financial bind. Construction has been going on since spring of 2013 and just four months ago he was told of this tap fee. He concluded by stating he feels they owe nothing.

Supt. Givens stated if the contractor tried to contact the water department, that isn't sewer, they are two different entities. He asked if Mr. McConnell contacted him through email ?

Mr. McConnell replied yes.

Supt. Givens stated he does not recall any email. He added they talked, and there was no sewer tap paid. All contractors include that in their cost. No one called or emailed him, not once.

Mr. McConnell stated he thought Supt. Givens would send him a bill and it has been two years and four months, and he still does not have a bill. The building has been there since December of 2014.

Supt. Givens stated tap fees and procedures are set by city ordinance. There is a difference between a residential tap and commercial tap. The commercial tap is based on the square footage of the building. He has talked with the City Attorney about this, and State Board of Accounts says that if he is aware of a tap and no tap fee being paid, he has to notify the owner that it is owed.

Mr. McConnell stated so Supt. Givens does in fact, communicate with the water department ?

Supt. Givens replied yes, but sometimes communication doesn't always work. He then stated the Board of Works can credit him \$1200 on the bill.

Board member Jeffries asked if Mr. McConnell tapped the city water and sewer ?

Mr. McConnell replied yes.

Board member Jeffries asked if the pressurization tank was due to pressure in the area ?

Mr. McConnell replied yes. He then stated the water department had a 5/8" meter on the site. They (McConnell) put in a 100 gallon tank.

Board member Jeffries stated in other words, on the outset of construction, the tap was not budgeted, they get up and going, the bill pops up, they are now in operation....it is hard to come up with money. He assume that is part of the problem.

Mr. McConnell replied yes. But not all of the problem. He stated they should have known the fee up front, therefore, it was no accounted for.

Board member Curtis stated, to be sure he is clear, there was no fee on the water side.

Mr. McConnell replied that is correct.

Board member Jeffries stated \$2500 is the minimum commercial sewer tap. He stated they are using the service, there should be a fee, but he wondered if instead of putting them in a bind, could the Board say they could pay the fee in installments ?

Mr. McConnell asked what exactly a tap in means ?

Supt. Givens replied the lateral from their property going to the city main trunk.

Mr. McConnell state Supt. Givens and his department did not do that.

Supt. Givens stated to tap they would have to hire a certified plumber.

Mr. McConnell stated the line was already on his property.

Supt. Givens replied a home tap is different than a business.

Mr. McConnell stated it was the same line from when their mobile home was on the site.

Board member Jeffries stated it isn't a cross connection. He stated they utilized the existing plumbing.

Board member Curtis stated it was not another tap, it was to an existing line. He added State Board of Accounts says they can credit the \$1200 for the existing line. The problem lies in that it was a change in use from residential to commercial. That would leave a balance of \$1300. If allowable by the State. He stated they need to check with Attorney Higgins on that, but the State says we have to charge the fee, then the city has to charge the fee. Again, it was due to a change in use.

Mr. McConnell stated he can understand that, but two years and eight months, and no bill.

Mayor tucker stated he thought some time back the Board had agreed to have a form printed up on the procedures and fees for tapping. He checked with Supt. Gray and he said he didn't have anything like that. If that is the case, one needs to be done.

Board member Curtis stated the City dropped the ball here somewhere. The City needs to check its' procedures.

Supt. Givens stated he would have generated an invoice had he known. He added the ordinance is public record. He stated he also thought no building permit could be issued until the tap fess were all paid.

Board member Curtis stated State Board of Account would require the City to collect \$1300 at least.

Mr. McConnell asked what if this hadn't come to light until ten years down the road ? The City would be telling him he still owed that ? If it slipped by.

Board member Curtis replied yes. Is it right ? No. And it isn't nice. He stated he understands Mr. McConnell's concern and upset.

Mr. McConnell stated he understands what Board member Curtis is saying.

Board member Curtis stated if they can do installments, he would be happy to do that.

Mr. McConnell stated he wants a bill. Regardless of what the Board decides.

Board member Curtis stated the Board needs to check on what they can do, and then go forward and see what Mr. McConnell owes, any credits...

Board member Jeffries stated the Board understands the frustration.

Board member Curtis stated mistakes happened and the Board needs to take a look at the whole process.

Mayor Tucker stated Mr. McConnell's laundromat is the most well organized, put together new business he has seen. He certainly did his homework and got all of his ducks in a row. He added he

has no doubt this would have been paid had he known. He then stated he is pointing fingers at Supt. Gray or Supt. Givens.

Board member Jeffries stated he does not doubt due diligence by Mr. McConnell.

Mayor Tucker stated they need to check into this and then get back with Mr. McConnell.

Board member Curtis stated a week should do it, but whatever the outcome, he wants to see something in writing.

Mr. McConnell thanked the Board.

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 asked Comm. Dieterle if the American Legion will need Walnut Street blocked on Saturday for their drawing ?

Comm. Dieterle replied that may not be a bad idea.

Board member Curtis moved Walnut Street be blocked from E. 2<sup>nd</sup> Street to the alley at 5/3 Bank, until there is a winner at the Legion. Seconded by Board member Jeffries.

Mayor Tucker 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 unanimously.

Mayor Tucker stated on Saturday, July 25 at 10:00 am there will be a ceremony at the riverfront honoring Korean War Veterans who made the ultimate sacrifice. There will be a monument put up and will be a great service. He invited all to attend. He then stated if there was no further business, he entertains a motion to adjourn.

Board member Jeffries moved the meeting be adjourned. Seconded by Board member Curtis.

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

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John Tucker  
Mayor

ATTEST:

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Cristi L. Sitzman  
Clerk-Treasurer