

THE SEWER BOARD MEETING OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WAS HELD IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING ON THURSDAY, SEPTEMBER 13, 2018 AT 9:15 A.M.

PRESENT: Ed Wilkinson, member, Nathan Grimes, member, and Mayor Gahan, President.

ALSO PRESENT: April Dickey, Linda Moeller, Rob Sartell, Wes Christmas, Larry Summers and Vicki Glotzbach

CALL TO ORDER:

Mayor Gahan called the meeting to order at 9:15 a.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Grimes moved to approve the August 23, 2018 Regular Meeting Minutes, Mr. Wilkinson second, all voted in favor.

BIDS/CONTRACTS:

1. Rob Sartell re: 15th Street and E. Main Street Sewer Repair Bids

Mr. Sartell stated that this is for a 6" line that seems to be running uphill toward Market Street and then drops down so there is no way to really service it. He added that there are some other issues there that they will take care of during this project. He then presented the following bids for the sewer repair project:

AllTerrain Paving & Construction	\$185,590.00
C.C.E., Inc.	\$189,000.00

Mr. Saretell explained that C.C.E.'s bid was for \$174,000.00 +\$15,000.00 for removal of storm pipe and so it will be a little higher than AllTerrain.

Mr. Grimes stated that AllTerrain would be the low bid then.

Mr. Sartell replied yes, but he is concerned about when they can get to it. He said that if AllTerrain is awarded the project, we will probably want to set a timeframe for them to get started so if they can't meet that then we could move on to C.C.E., Inc.

Mr. Wilkinson asked if he had any discussions with C.C.E., Inc. about their availability.

Mr. Sartell stated that he hasn't had availability discussions with either yet. He said that whichever one the board approves he will start with and if they can't make it within the seven day timeframe or whatever the board decides then he will go to the next one. He added that C.C.E. should be available right now.

Mr. Wilkinson moved to approve the low bid from AllTerrain contingent upon the seven business days starting requirement, Mr. Grimes second, all voted in favor.

2. Wes Christmas re: Follow up on Basin 14 Sanitary Sewer Improvements Bids

Mr. Christmas stated that he prepared a letter recommending award to the apparent low bidder and explained that they reviewed the bids and the low bid was with Dan Cristiani

Excavating, Inc. He said that they obtained additional information required by the contract documents and reviewed the responsiveness and responsibility of the low bid and it met all requirements. He added that we have worked with them regularly in the past and have had good working experiences with them. He then recommended that the board award them the bid.

Mr. Wilkinson asked if it is the same piping supplier.

Mr. Christmas stated that there were two pre-approved piping products and he hasn't gotten submittals from anyone yet, but their bid was based on the same product that was used at St. Mary's. He added that between now and the time they go to construction, the vendor could change.

Mr. Wilkinson stated that they have plugged in a number for the cost of materials so they would eat it if this bid is accepted and there is any difference.

Mr. Christmas stated that this number is set so what they do behind the scenes with their piping vendor is kind of their business.

Mr. Wilkinson moved to approve the bid from Dan Cristiani Excavating, Inc. in the amount of \$1,598,750.00, Mr. Grimes second, all voted in favor.

Mr. Christmas stated that he will follow up with them and give them formal notice of award then he will coordinate with them on issuance of notice to proceed. He added that they are still finalizing the acquisition of property so he won't issue notice to proceed until that is finalized and they are completely okay with that.

Mr. Wilkinson asked about the comments regarding entry through StemWood versus one of the streets there.

Mr. Christmas stated the ownership of StemWood is kind of in transition at the moment but they have spoken with both the current owners and the anticipated future owners and they don't have any issues with what we are proposing. He added that being able to utilize StemWood is beneficial to everyone in the area so we will have a subsequent agreement with them to have temporary construction access.

NEW BUSINESS:

1. Mark Kessans/Greg Brewer re: Waiver for sewer easement at 3138 Arbor Ridge Lane Lot 26

Mr. Kessans stated that he would like to thank Mr. Scott Wilkinson and his crew because this is a unique situation and they have been very helpful. He explained that the subdivision is outside the city but it is on city sewers and the sewer line was relocated but not recorded so there is no map of record and they had to map it out with cameras. He stated that unbeknownst to him, there is now a city sewer on the property he purchased so he has been working with Mr. Brewer to modify the home and has been working with Scott as well to come up with a solution. He explained that there is a 10' easement between lots 25 and 26 which is on the property line but the sewer is really more on lot 25 than lot 26. He passed out a drawing of the property and reviewed it with board. He stated that the sewer line goes across his backyard and he was aware of that but assumed it went to the property line or was at least in the easement. He requested a variance from the easement situation which would bring him 1.5' closer.

Mayor Gahan asked Mr. Summers if he is aware of the situation.

Mr. Summers stated that he has not been involved in it.

Mr. Sartell explained that it is about a 2' encroachment on the easement but it doesn't give them any problems and they are okay with it but just need the board to sign off on it.

Mr. Summers stated that with this particular situation, the portion of the sewer main that isn't within the easement needs to put in an easement.

Mr. Sartell asked if it will be on the deed.

Mr. Summers replied that is what he is trying to figure out.

Mr. Kessans stated that Mr. Scott Wilkinson told him that it would be an implied easement.

Mr. Sartell stated that there are a lot of situations that pop up every now and then where these easements aren't recorded but are implied. He added that for housekeeping reasons, he would like to stipulate that it be recorded on the deed so the future owners will know where it is.

Mr. Kessans asked if he could get the exact wording to be put on the deed.

Mr. Sartell stated that it is usually a description of where the line is and how much you are going to encroach on the easement.

Mr. Grimes asked if he owns lot 26 as well.

Mr. Kessans replied yes but there is not a problem with the easement on lot 26.

Mr. Wilkinson stated that if you go in to work on a sewer problem, the damage and risk would be to the homeowner and not to us.

Mr. Sartell stated that is correct.

Mayor Gahan asked them to meet with Mr. Gibson to get some ad hoc verbiage to put in the deed.

Mr. Kessans asked what is needed so that he can go ahead and apply for the building permit.

Mr. Summers stated that the board could grant the variance contingent upon legal providing the formal language.

Mr. Grimes asked if there is an issue with the 3.5' setback on the lot.

Mr. Kessans replied no and said that setback is 0'. He also said that it is to the sewer, not the property line.

Mr. Christmas suggested that Mr. Gibson prepare an exhibit to the deed.

Mr. Summers stated that the only issue would be with actually having the description for Mr. Gibson. He also said that he will need the address so he can tell the building commissioner to check with him before giving the certificate of occupancy on it.

Mr. Grimes stated that the address is 3138 Arbor Ridge Lane.

Mr. Christmas stated that if Mr. Gibson needs assistance in getting the legal description and exhibit, let him know.

Mr. Grimes moved to approve contingent upon Mr. Kessans providing an easement and recording it, Mr. Wilkinson second, all voted in favor.

COMMUNICATIONS - PUBLIC:

Mrs. Rosalind Metzmeier, 118 N. Bohannon Lane & 2432 Bohannon Lane, passed out pictures of the problems for the board to review and stated that she lives at 118 N. Bohannon and bought 2432 Bohannon for her mother to live in and it has kind of been a nightmare. She said that she came home on September 8th and found very deep sewer water that had come up from the shower drain. She said that she was told previously to call 948-5320 so she did and spoke with Cameron and he said that the sewer system can't take this amount of water. She said that she keeps being assured that this is going to be taken care of but the sewer lines are already at capacity and there are 462 homes on this sewer line. She explained that it is a 10" line that runs across the creek to Pamela Drive. She said that it is ridiculous that she has to keep cleaning up the water. She stated that they had water in April of last year and February of this year as well as times in 2016. She was told in May of 2008 that there were going to be two new 18" sewer lines that would take care of this and that it would be finished by Thanksgiving but it did not take care of it. She talked to Billy South, Joe Ham and got to know Roger quite well through all of this. She stated that in 2012, they discovered a hole in the yard of 115 Bohannon Lane and it was big enough to hold two people. She said that it was the sewer line and Mark Watkins TVd it in May of 2015 and supposedly lost it. She said that the elderly lady that lived there was told in January of 2013 that it would be fixed within three months. She explained that she just wishes that the city would do something about this problem because she doesn't know what is going to happen with Summit Springs. She said that she checked the retention that is going in at the Salvation Army and she doesn't know if that will help or not. She also said that everyone just wants to keep building and building and that is not helping them at all. She stated that they are property owners and they pay their bills and they just keep getting swamped. She then presented a newspaper from August of 2009 that shows the house on Daisy Lane before the bridge and it still continues to flood. She said that when the contractor built her garage, he told her that she is 16' below Green Valley Road.

Mr. Sartell stated that he has discussed some of this with her before and there is a storm line where the sink hole is and they do get inundated when it rains so he would be happy to do a lateral launch on her property.

Mayor Gahan asked if it is storm sewer.

Mr. Sartell stated that part of it is storm but the sewer is also getting inundated with big rains and it is backing up in her basement. He then asked Mrs. Metzmeier if she has a shut off valve and back flow preventer.

Mrs. Metzmeier said she has a flat thing that was there when she purchased the house in 2006.

Mr. Sartell stated that they could do a lateral launch to see what exactly is in that lateral line and to see if it is functional and come back and update the board.

Mr. Grimes asked what the address is.

Mrs. Metzmeier replied 2432 Bohannon Lane.

Mayor Gahan asked if we have any records of anything that we have done there in the past.

Mr. Sartell stated that he would check and see what he can do to help Mrs. Metzmeier out.

Mrs. Metzmeier said that they want to build more on the corner of Daisy Lane and who knows what is going to happen to them when Summit Springs is done.

COMMUNICATIONS - CITY OFFICIALS:

SEWER ADJUSTMENTS:

FINANCIAL REPORT:

Mr. Wilkinson reported that expenses are \$220,000.00 over what we average every month and payroll was a little high this month because there were three pay periods. He stated that the quarterly insurance escrow was transferred which was about \$100,000.00. He said that expenses are still running about 6% underbudget and revenue is right on stream so everything is very normal.

OLD BUSINESS:

1. Clark-Dietz re: Update

Mr. Christmas, Basin 16, Division A – he stated that it is really coming together as far as restoration work. He said that all of the backfills are complete and they are working on final grading when weather allows. He also said that they cut-in and paved a portion of the perimeter road which goes around the cemetery property but there is still some additional work to do on some segments of the roadway. He stated that they have a start-up of the pump station scheduled for next week on Monday so it is moving along and at the end of this month it should be substantially complete which means it is functional.

Basin 16, Division B – he stated that all of the sewer has been installed and has been for quite a while but they are wrapping up restoration work with a lot of paving, road restoration, sidewalk construction and curb and ramp replacement. He added that all of the base pavement is done and they will start putting final surface down on portions of the neighborhood starting on Sanderson Avenue and McDonald Avenue today and hoping to do Morton Avenue and Willard Avenue tomorrow. He said that Indiana Avenue has the most work remaining because they are doing a lot of concrete work as well as IN-AWC is finishing up the water main relocation.

2. Clark-Dietz re: Basin 14 Amendment No. 1 and Basin 16 Division A Change Order

Mr. Christmas presented a change order for Basin 16, Division A in the amount of \$283,467.91 for additional rock excavation that was necessary for the installation of the basin and work done on the installation of the perimeter road. He said that the change order also includes some drainage work that had to be done because there were a lot of underdrains that came off of the cemetery property that were unknown and they had to tie onto those and extend those out over the top of the basin and get those to the creek in the back. He also said that there were some modifications to the risers to the storage basin to allow for vehicular loads. He stated that the total amount for the change order is \$283,467.91.

Mr. Grimes stated that he wished we would have known that the cemetery road was going to be extra.

Mr. Christmas stated that we knew that upfront because it was part of the negotiation for acquiring the property and this is just formally adding it. He said that he failed to mention that the change order also changes the contract time because of the additional work so the adjusted substantial completion date is September 20th which will be the date that they are to have the system online and functioning. He said that the final completion date was adjusted to November 3rd but he doesn't see it going all the way to November 3rd.

Mr. Wilkinson asked if the final cost of \$4,263,467.91 will include all of the final landscaping.

Mr. Christmas stated that it will include everything that was originally bid which was grading and seeding, the wall around the lift station, etc. He said if there are any additional shrubs or bushes to be planted around the fencing, they are not included but that would be a relatively minor item.

Mr. Wilkinson stated that there is no way to really know what will be needed until the wall is up.

Mr. Wilkinson moved to approve the Change Order in the amount of \$283,467.91, Mr. Grimes second, all voted in favor.

Mr. Christmas also presented a Professional Services Agreement Amendment Number 1 for additional design, geotechnical investigation, permitting, property acquisition and construction services. He explained that this includes all of the ongoing projects including Basin 16, Division B, Basin 7 and Basin 14. He said that the first item is related to Basin 14 because the location was shifted and that required some additional design work, geotechnical work and permitting. He said that the other items included are to cover the additional time for the construction that's going on at Basin 16, Divisions A & B and because of the extension of time, they will need some additional compensation to have staff available to provide construction services as well.

Mr. Wilkinson stated that the purchase price for the new site still needs to be determined.

Mr. Christmas stated that is correct and explained that the process is underway and once they have a final appraisal that they are comfortable with, an offer will be made.

Mr. Wilkinson asked if there are any other subcontractor issues that are open besides this purchase.

Mr. Christmas replied no, not regarding personal property. He stated that the personal property and the temporary construction access easement will need to be finalized as well but there should be no issues. He said that today, with the award of the contract, we are ready to move forward because we have permits in hand from the Corp of Engineers as well as IDEM so we are good there.

Mr. Wilkinson moved to approve Amendment No. 1 in the amount of \$49,400.00, Mr. Grimes second, all voted in favor.

UTILITY REPORT:

CLAIMS:

Mrs. Moeller presented the following claims for the period of 08/23/18 to 09/12/18 in the amount of \$1,086,803.83:

Vendor Name	Amount
POSTMASTER	25,000.00
OFFICE SUPPLY COMPANY, INC	158.99
OFFICE SUPPLY COMPANY, INC	35.90
L&D MAILMASTERS, INC.	904.34
L&D MAILMASTERS, INC.	749.20
L&D MAILMASTERS, INC.	221.40
L&D MAILMASTERS, INC.	2,496.50
CROWN SERVICES INC	600.00
CROWN SERVICES INC	600.00
CROWN SERVICES INC	577.50
MARTINEZ, TRACY	4,040.90
STAASHELM, PAUL J.	12.10

Total 35,396.83

ACE HARDWARE	14.76
ACE HARDWARE	8.99
ACE HARDWARE	110.74
ACE HARDWARE	107.96
ACE HARDWARE	43.77

ACE HARDWARE	10.89
ACE HARDWARE	17.99
ACE HARDWARE	44.98
ACE HARDWARE	8.99
ACE HARDWARE	32.97
ACE HARDWARE	17.45
ACE HARDWARE	6.98
ACE HARDWARE	9.00
ACE HARDWARE	86.72
ACE HARDWARE	19.94
ACE HARDWARE	64.96
ACE HARDWARE	39.98
ACE HARDWARE	31.18
NEWS AND TRIBUNE	4.27
AMERICAN TRAILER SALES	100.00
BLACK DIAMOND	65.00
BLACK DIAMOND	45.00
FED EX	38.29
MURPHY ELEVATOR COMPANY, INC.	154.16
RENTAL MART, INC.	13.79
CLARKE MOSQUITO CONTROL	12,835.00
CLARKE MOSQUITO CONTROL	464.11

QUILL	152.20
QUILL	179.90
QUILL	70.17
QUILL	55.59
QUILL	106.96
QUILL	64.98
QUILL	159.99
CINTAS #302	48.97
CINTAS #302	213.44
CINTAS #302	48.97
CINTAS #302	213.44
CINTAS #302	213.44
HMB PROFESSIONAL ENGINEERS	16,150.00
HMB PROFESSIONAL ENGINEERS	5,000.00
GORDON FOOD SERVICE,INC.	44.97
EARTH FIRST	138.68
EARTH FIRST	69.01
EARTH FIRST	141.16
AMERICAN WATER	1,650.00
BYRNE'S GARAGE INC.	506.74
BYRNE'S GARAGE INC.	95.00
BYRNE'S GARAGE INC.	41.15

JOHN JONES GM CITY / CORYDON	48,112.00
J.R. HOE & SONS INC.	2,100.00
USA BLUE BOOK	239.01
USA BLUE BOOK	715.03
RODEFER MOSS & CO., PLLC	1,375.00
C.C.E., INC.	2,800.00
METRO ANSWERING SERVICE	78.60
EYE-TRONICS	1,650.00
EYE-TRONICS	350.00
EYE-TRONICS	5,344.98
EYE-TRONICS	1,078.76
EYE-TRONICS	207.95
EYE-TRONICS	1,301.21
OFFICE DEPOT	63.34
OFFICE DEPOT	353.45
OFFICE DEPOT	39.99
OFFICE DEPOT	83.87
OFFICE DEPOT	9.99
OFFICE DEPOT	33.24
OFFICE DEPOT	138.59
HOME DEPOT	2.10
HOME DEPOT	77.63

HOME DEPOT	70.94
HOME DEPOT	(159.43)
HOME DEPOT	199.00
HOME DEPOT	89.04
HOME DEPOT	348.97
HOME DEPOT	329.00
HOME DEPOT	49.41
HOME DEPOT	65.96
AIRGAS-MID AMERICA	136.33
HACH COMPANY	328.74
HACH COMPANY	72.98
ENVIRONMENTAL LABORATORIES INC	30.00
ENVIRONMENTAL RESOURCE ASSOCIA	133.89
MEINERS MEDICAL,FIRE & SAFETY	277.00
MEINERS MEDICAL,FIRE & SAFETY	138.50
MEINERS MEDICAL,FIRE & SAFETY	159.77
MEINERS MEDICAL,FIRE & SAFETY	330.00
SARTELL, ROBERT	428.22
SARTELL, ROBERT	7.62
SARTELL, ROBERT	19.80
SARTELL, ROBERT	60.00
SARTELL, ROBERT	110.00

SARTELL, ROBERT	147.00
BIG G SUPPLY	139.00
ELEMENT MATERIALS TECHNOLOGY	14.40
ELEMENT MATERIALS TECHNOLOGY	14.40
ELEMENT MATERIALS TECHNOLOGY	23.80
IWEA-INDIANA WATER ENV ASSOC.	330.00
NAPA OF NEW ALBANY	11.09
NAPA OF NEW ALBANY	32.37
SAERTEX MULTICOM LP	30,157.90
SAERTEX MULTICOM LP	15,078.95
SOURCE 1 ENVIRONMENTAL, LLC	5,400.00
TEAM EJP JEFFERSONVILLE	(184.30)
TEAM EJP JEFFERSONVILLE	74.94
TEAM EJP JEFFERSONVILLE	115.80
GOTTA GO INC.	729.00
GOTTA GO INC.	2,187.00
ALLTERRAIN PAVING & CONSTRUCT	875.00
ALLTERRAIN PAVING & CONSTRUCT	1,133.13
ALLTERRAIN PAVING & CONSTRUCT	3,118.50
ALLTERRAIN PAVING & CONSTRUCT	3,802.50
SCHWALM USA LLC	3,250.00
COOK, MICHAEL	271.69

HEALTH & SAFETY SCIENCES LLC	285.00
HERITAGE PETROLEUM, LLC	56.00
NETWORKFLEET INC	175.50
MSC #30157 ENVIRONMENTAL PROD	127.89
VALVOLINE, LLC	72.21
502 EQUIPMENT	2,100.00
AWP, INC	325.00
AWP, INC	650.00
DAN CRISTIANI EXCAVATING CO.	176,420.92
DAN CRISTIANI ESCROW ACCT	9,285.31

Total 365,363.11

INDIANA AMERICAN WATER	23.63
INDIANA AMERICAN WATER	44.67
INDIANA AMERICAN WATER	22.79
INDIANA AMERICAN WATER	44.67
INDIANA AMERICAN WATER	3,078.64
GIBSON LAW OFFICE, LLC	865.38
SILVER CREEK WATER	9.47

SILVER CREEK WATER	9.47
SILVER CREEK WATER	9.47
SILVER CREEK WATER	7.92
SILVER CREEK WATER	9.47
SILVER CREEK WATER	9.47
SILVER CREEK WATER	9.47
SILVER CREEK WATER	9.47
VECTREN ENERGY DELIVERY	48.63
VECTREN ENERGY DELIVERY	17.00
VECTREN ENERGY DELIVERY	17.20
VECTREN ENERGY DELIVERY	93.00
VECTREN ENERGY DELIVERY	17.00
VECTREN ENERGY DELIVERY	46.00
VECTREN ENERGY DELIVERY	46.93
AT&T	542.01
AT&T	416.79
DUKE ENERGY	16.90
DUKE ENERGY	2,463.62
DUKE ENERGY	53,022.17
DUKE ENERGY	266.91
DUKE ENERGY	484.86
DUKE ENERGY	480.65

DUKE ENERGY	11.95
DUKE ENERGY	22.94
DUKE ENERGY	12.75
DUKE ENERGY	74.85
CARD SERVICES	11.40
CARD SERVICES	123.23
CARD SERVICES	185.35
NEOPOST	87.42
INDIANA AMERICAN WATER	22.79
INDIANA AMERICAN WATER	22.79
INDIANA AMERICAN WATER	44.67
INDIANA AMERICAN WATER	44.67
INDIANA AMERICAN WATER	48.02
INDIANA AMERICAN WATER	263.60
INDIANA AMERICAN WATER	88.46
NEW ALBANY MUNICIPAL UTILITIES	4.17
NEW ALBANY MUNICIPAL UTILITIES	4.17
NEW ALBANY MUNICIPAL UTILITIES	4.17
NEW ALBANY MUNICIPAL UTILITIES	4.17
GIBSON LAW OFFICE, LLC	865.38
CITY OF NEW ALBANY	70,000.00
CITY OF NEW ALBANY	7,000.00

CITY OF NEW ALBANY	25,000.00
CDW GOVERNMENT INC.	358.14
VERIZON WIRELESS	2,171.96
AT&T	657.18
DUKE ENERGY	24.27
DUKE ENERGY	50.89
DUKE ENERGY	122.37
DUKE ENERGY	1,051.20
DUKE ENERGY	83.60
DUKE ENERGY	689.98
SECURITY PROS, LLC	62.00
CARROLL. RONNIE	118.00
CARROLL. RONNIE	50.00
GIBSON LAW OFFICE, LLC	865.38
STORMWATER\DRAINAGE FUND	51,955.39
BANK OF NEW YORK TRUST CO.	461,058.00
DUVALL, MAT	35.16
PIETI, MICHAEL	21.70
WILKINSON, RHONDA	5.05
SHOPE, TERRY	583.01

Total 686,043.89

Grand Total 1,086,803.83

Mr. Grimes moved to approve the above claims, Mr. Wilkinson second, all voted in favor.

ADJOURN:

There being no further business before the board, the meeting adjourned at 10:05 a.m.

Mayor Gahan, President

Vicki Glotzbach, City Clerk