

UTILITIES SERVICE BOARD MEETING

June 9, 2008

Utilities Service Board meetings are recorded electronically or stenographically and are available during regular business hours in the office of the Director of Utilities.

Board President Swafford called the regular meeting of the Utilities Service Board to order at 5:04 p.m. The meeting was held in the Utilities Service Board room at the City of Bloomington Utilities Department Administrative Building in Bloomington, Indiana.

Board members present: Tom Swafford, Jeff Ehman, John Whikehart, Jason Banach and ex-officio member Tim Mayer. Staff members present: Patrick Murphy, John Langley, Shawn Miya, Tom Staley, Phil Peden, Michael Horstman, John Callahan, Sarah Wilson, Mike Bengtson, Jane Fleig, Adrian Reed, Steve Cotter and Vickie Renfrow. Others present: Sarah Peele representing J.F. New, Sarah Morin representing the Herald Times and Sue Mayer.

MINUTES

Board member Banach moved and Board member Whikehart seconded the motion to approve the minutes of the May 27th meeting. Motion carried, 4 ayes, 2 members absent, (Roberts and Roman).

CLAIMS

Board member Ehman moved and Board member Banach seconded the motion to approve the claims as follows:

Claims 0890756 through 0890836 including \$452,763.46 from the Water Operations & Maintenance fund for a total of \$452,763.46 from the Water Utility; Claims 0830477 through 0830513 including \$225,194.20 from the Wastewater Operations & Maintenance fund and \$1,080.00 from the Wastewater Sinking fund for a total of \$226,274.20 from the Wastewater Utility; and a total of \$857.17 from the Wastewater/Storm water Utility. Total claims approved – \$680,194.83.

Board member Ehman said that he still believes that there should be some cost sharing with the Civil City for the payments for Environmental Field Services, Inc. He said that he will vote for the claims just to keep things operating.

Ex-officio board member Mayer asked about the progress Maddox Industrial Contractors is making on the rehabilitation of the Monroe WTP filters. Assistant Director of Engineering Bengtson said they are almost done. He said they had missed the date for substantial completion but it seems they may be finished by the date for final completion. They have all the major work done there's just some small stuff to finish off. Mr. Bengtson said that he had been very happy early on to have the USB's support to make them serious about getting back on track.

Board President Swafford asked about a claim for McAllister Machine Co. for rental of a trench roller pad foot. Superintendent of Operations Staley said that Utilities is partnering with the Department of Public Works on the Fifth and Overhill project which is water, wastewater and storm water. City street repair standards require that fill be compacted every foot. This machine was rented to do that. It gets down in the trench and is operated remotely.

Mr. Swafford also asked about a claim for an Indiana Railroad Company license for \$5,000 to bore underneath the railroad. Assistant Director of Engineering Bengtson said it's their property and they

have Utilities where they want them. Mr. Swafford said he understands that it has to be done but the expense does seem exorbitant. He feels they're taking advantage of Utilities. Mr. Bengtson said it costs a lot more than the easements. Board member Banach asked who negotiates these deals. Mr. Bengtson said there was no negotiating about it. He said that Tim Mueller is on his staff and deals with easement issues but the railroad doesn't negotiate. He said this has to do with the Sheffield lift station elimination which has been worked on for several years. Mr. Banach said he understands an easement is being acquired. That is very different from a license. An easement, in most cases, gives some kind of perpetual rights. A license might not be good for very long. Attorney Renfrow said this includes the permission to have the structure under the railroad. She said it is very much like an easement. Mr. Banach asked if something is being put in place permanently. Ms. Renfrow said that is the case. City Attorney Susan Failey was involved in these negotiations. Ms. Renfrow said Ms. Failey has extensive experience with railroads and her sense on these things is there is nothing to do but bite the bullet. Utilities Director Murphy said that Ms. Failey had said that it is unusual to have a one time payment. Usually it would be a yearly payment. Mr. Banach asked what the term of the license is. Ms. Renfrow said it is perpetual. Mr. Banach said that makes him more comfortable with it.

Motion carried, 4 ayes, 2 members absent, (Roberts and Roman).

REQUEST FOR APPROVAL OF THE SCHULTE PRETREATMENT PERMIT:

Pretreatment Program Inspector Miya said this permit is for Schulte Corp. located at 1500 S. Strong Dr. Schulte manufactures and distributes ventilated wire storage goods and melamine wood storage and organization products. This facility is regulated by the Federal Pretreatment regulations for metal finishing point source category and by the City of Bloomington's Sewer Use Ordinance. The regulated process is a conveyORIZED metal wire coating line consisting of a 3 stage iron phosphate and rinse treatment system. This process discharges a total of 16,800 gallons per day. The pretreatment permit will require Schulte to sample at the continuous flow rinse tank on a monthly basis for zinc, nickel and pH. Each batch from the iron phosphating stages will be sampled and analyzed for zinc, nickel and pH. Bi-annual sampling will also be required from all 3 stages for total toxic organics, metals, cyanide, mercury and pH. A requirement for a sludge control plan which must be submitted within 90 days was also included in the permit.

Board member Banach moved and board member Ehman seconded the motion to approve the Schulte Pretreatment Permit. Motion carried, 4 ayes, 2 members absent, (Roberts and Roman).

ADMINISTRATIVE CHANGES TO THE PRETREATMENT PERMITS FOR HALL SIGNS, INDIANA METAL CRAFTS AND GENERAL ELECTRIC:

Pretreatment Program Inspector Miya told the USB that she would like to make some administrative changes to the permit for Hall Sign which was originally approved on September 20, 2004 and expires on September 20, 2009. The updates will reflect some minor changes made in the City's Sewer Use Ordinance such as title references. Sample requirements in their permit were clarified to specify that sampling is required from both the stage 4 phosphoric acid continuous flow cold rinse tank and the stage 6 & 7 chrome bath batch treatment holding tank. There is also a revised industrial reporting form for the industrial pretreatment. The table in the permit was expanded to include pH limitations, analytical methods, and detection limits. A requirement to include laboratory reports with all analytical data submitted to Utilities was also added to the permit as was a requirement for a sludge control plan within 90 days.

Indiana Metal Craft's permit was approved on November 1, 2004 and expires on November 1, 2009. Their permit was also updated to reflect the changes in the Sewer Use Ordinance. The table in the permit was expanded to include pH limitations, analytical methods, detection limits, a requirement to include laboratory reports with all analytical data submitted to Utilities and a requirement for a sludge control plan within 90 days.

Finally, General Electric's permit was approved on November 26, 2007 and expires on January 12, 2013. The table in their permit was expanded to include analytical methods, detection limits, and a requirement to include laboratory reports with all analytical data submitted to Utilities.

All 3 companies were contacted before making the permit revisions and all 3 were in agreement with them.

Board member Banach moved and board member Ehman seconded the motion to approve the administrative changes to the pretreatment permits for Hall Signs, Indiana Metal Craft and General Electric.

Board member Ehman asked if all the revisions were due to the changes to the Sewer Use Ordinance or if any of the changes were made based on their compliance with the permits. Ms. Miya said there had been no violations. Mr. Ehman asked if compliance with the new parameters for Hall Signs was for every single discharge. Ms. Miya explained that there are 2 processes that they are discharging from. One is a continuous flow rinse tank that they are required to test weekly. There is also a batch treatment for stages 6 & 7 which is the chrome bath treatment. All the waste from that goes to a holding tank where it is treated before being discharged. The batch treatment is sampled for each batch as well as bi-annually. These changes ensure that they are sampling for all the parameters they are required to for both processes.

Motion carried, 4 ayes, 2 members absent, (Roberts and Roman).

REPORT ON THE GRIFFY LAKE MANAGEMENT PLAN:

Utilities Deputy Director Langley said that he has had the pleasure of working on the Griffy Lake Management plan with Sarah Peele of J.F. New and Associates and Steve Cotter of Bloomington Parks and Recreation. He said that no action is required on the plan at this time, it will go to a sub-committee before the entire USB will be asked to approve it. Mr. Langley informed the USB that he is in the process of refining some of the cost estimates for demolition of the treatment plant if the USB chooses that option. He is requesting an environmentally friendly demolition estimate which may take awhile before it is ready.

Mr. Langley introduced Sarah Peele to explain the out line of what is included in the document and the Utilities' oriented issues.

Ms. Peele said their planning team started working on this project last May and things are being wrapped up at this time. She gave a power point presentation about the findings and recommendations that is attached to these minutes.

Board member Banach said that one of the things he has been hearing the most about is the dog park issue. He said that he will have to think very carefully before agreeing to ban all people and dogs from that area. He asked how the dog park is causing erosion in an area that is upstream from it. Ms. Peele explained that the eroded area is the place that gives easiest access to the lake. Mr. Banach asked if access to the area that is eroded could be restricted while leaving the rest of the dog park available for use. Ms. Peele said the erosion would probably just move to a different area.

People will automatically gravitate to the first location they can get to. Mr. Banach suggested only allowing access to areas that won't cause erosion. Ms. Peele said that the bigger problem is that people use the dog park without their dogs being on leashes. Her understanding is that it is very hard to keep dogs out of the water when they have an opportunity to get in it. It seems best to move the park to a different location. Not disallowing dogs in the park, just requiring their owners to keep them on leashes. Mr. Banach pointed out that she was also suggesting that all people be kept out of that area. Ms. Peele said to re-vegetate that area it will be necessary to keep pretty much everything out of it. Mr. Banach said that he would not support that. Ms. Peele pointed out that it is just a small section of shore line, not the entire park. Mr. Banach asked if there is anything in the plan that could affect current land owners. He wanted to know if this plan will cause changes for people who are already living in the area. Ms. Peele said compliance with this plan will be entirely voluntary. There is nothing that can be done to force people to do all of the things that have been identified as areas that need to be addressed or fixed. Mr. Banach said it might be voluntary at this point but if the City Council makes it an ordinance or accepts the plan it could become mandatory. He asked what recommendations could possibly affect current land owners. Ms. Peele said there are some recommendations to address and tighten some zoning issues but it would be done through a review process, it would not be an immediate recommendation. Some of the watershed projects that have been recommended for investigation and potentially for implementation would be done through grant money which requires land owners to buy into it. Nothing should change at this time for any land owners in the Griffy watershed. Mr. Banach asked if the plan recommends any specific zoning changes. Ms. Peele said it does not.

Board member Banach went on to ask about the treatment plant building. He said he was glad the report addressed the historic aspect of it. That was the first thing that came to his mind since it was built in 1925 it would at a minimum be a non-contributing structure. He is astonished that it would cost \$300,000 to demolish the building. Utilities Deputy Director Langley said he thinks the final estimate will actually be higher. He said that an asbestos removal will be necessary before any demolition can begin. Sometime in the 1980's hazardous and regulated substances in that building were removed. There are a few issues there, one being that some of the flow measuring equipment from earlier times used mercury. It will be important to do a good job of capturing and removing it without spilling any. There are 2 contractors who are in the process of preparing demolition estimates. Both of the contractors pointed out that any brick that has paint on it must be placed in a special landfill or it can be left on site. If the USB decides to demolish the building they will have to decide if they want to fill the holes with the debris or have it hauled to a special landfill. Leaving the debris on site would limit future uses of the site but if the Monroe Water Treatment Plant expansion goes ahead a future possible need for this site would be more unlikely. There is a whole range of public policy issues that must still be explored. Mr. Banach said it might be best to bite the bullet and demolish the building now and move everything off site since it will only get tougher to do it later.

Ex-officio board member Mayer said that over the years there has been a lot of development around the south east, eastern and north east areas of the park. When Tamarron was built they were required to put in a sediment facility in the stream bed. He wanted to know if the planning team had looked at those to see if they are functioning and being maintained. Ms. Peele said that the pictures she had displayed of the clogged filter were Tamarron. It does not appear that they are maintaining those. Mr. Mayer wondered if there was any recourse on that to go back to the earlier commitments to get them functioning again. Board President Swafford said that he believed the Plan Department can go to the developer or the neighborhood association and require them to fix the problems since that was part of the condition for the development. Mr. Mayer said that the same would be true for Devonshire. Ms. Peele said there are recommendations to work with those two entities to correct the situation.

Mr. Mayer also pointed out that Parks & Recreation is working on an alternate dog park in that vicinity.

Board member Ehman said that some of these situations seem to be time sensitive such as the fill that IU has been pushing over the edge of a ridge into the watershed. He asked if they have been contacted yet and if they are aware that this is a problem. Ms. Peele said the J.F. New team had not contacted them. Mr. Ehman said that Griffy is one of the 2 lakes protected by the Monroe County Eco-Ordinance. IU should be contacted promptly about this situation. There should at least be some silt fencing. Board member Mayer pointed out that it is also a research area for IU.

Board member Ehman said that when the USB had gone to visit the site they had felt that it did not appear that anything could be very easily adapted to the site. How is Wolpert's (the company who inspected the building) view different than the USB's? Mr. Cotter said that some new information had come out since that visit. They had looked at the flood plain in the area and it turned out the building is on the only footprint near the dam that could be used because it is out of the flood plain. There was also an issue with a private company operating on public land. It didn't seem that would be a good solution for that property. It's just a recommendation. The USB can decide what the best use of that property is. The report really addressed the conditions of the building, whether it was structurally sound and whether parking could be put in and things like that. Board President Swafford said if the costs of remodeling the building were considered it would probably be cheaper to build a new building.

Board President Swafford said he would like to send the report to the Property & Planning Subcommittee. Mr. Henke who recently resigned from the USB had been the chair of Property & Planning, so Mr. Swafford asked board member Ehman to chair that committee. Mr. Swafford asked that a meeting of the subcommittee be scheduled in the next 2 weeks, before the next USB meeting.

OLD BUSINESS:

No old business was presented.

NEW BUSINESS:

No new business was presented.

SUBCOMMITTEE REPORTS:

Board President Swafford said that the Administrative Subcommittee, via phone calls and emails, had decided to recommend that board member Whikehart to be the new Vice President of the USB.

Board member Banach seconded the recommendation of the Administrative Subcommittee. Motion carried, 4 ayes, 2 members absent, (Roberts and Roman).

STAFF REPORTS:

Utilities Director Murphy said he wanted to brief the USB on the flooding that had occurred on the previous Friday. He explained that the T & D crews for the most part work until 3:30 so most of them were heading home or at home at the time the rain began. There were 18 staff still working at the time the event occurred. There were 2 main breaks that were being repaired at that time with a crew of 5 at each of them. There was another 7 person crew working on S.R. 48 transferring new services. There is also one person who works until 6 p.m. doing new service connections and disconnects.

Mr. Murphy said he had left work at 5 p.m. thinking things were normal. Once he started east on Hillside around to Third St. it became obvious that the event was much bigger than he had anticipated. He received a call from the Mayor about an incidence at 17th St. and Monroe where a car was submerged and the people were on top of the car. Since that time the media has reported that the dive team went out and rescued some people. Mr. Murphy asked Utilities Deputy Director Langley to meet him at Bryan Park. Trying to get there Mr. Murphy realized it was a disaster. They went back to the Service Building with Superintendent of Operations Staley where they decided in consultation with the Street Department and Public Works that the crews should be called back in. An additional 18 staffers were called in to the Service Center and the staff that was out working on the main breaks and S.R. 48 were asked to return to the Service Center. Getting them there in a timely fashion was difficult because of rush hour traffic and the amount of flooding. When the crews did get in they had 3 responsibilities. First was to determine, find and report back any problems with back ups or high water, then to try to open any storm drains if they could. Finally, once the problem areas were discovered through conversations with Public Works, BPD or Bloomington Fire Department, crews went out to mark those areas with high water signs or cones.

Superintendent of Operations Staley, Customer Relations Coordinator Johnson and Communications Operator Lawler were taking complaints, identifying areas of high water and reassuring people that they were aware of the problems but things are kind of grid locked so it could take awhile to get to them.

There was a lot of debris in the storm drains so crews were being sent out to clean them out. Utilities provided a pump to the Bloomington Fire Department whose basement had flooded. By 8:30 things had calmed down so they started to bring the crews back in. There were lift stations without power so that's what the lift station crews were focusing on.

One of the things that needed to be determined is what transpired with some of the storm water projects Utilities has been engaged in. The "Big Dig" on Kirkwood was of particular interest. ADS Environmental Services owns the flow meters and tipping buckets that are in the storm water system that allows them to measure the severity of the even. Utilities also provided ADS with photos to give them a better sense of what the event was like. What ADS reported back was that the events leading up to the major one had left the ground saturated with water. Over June 3rd and 4th there had been over 4 inches of rain. On Friday June 6th between 4:50 and 5:00 p.m. one inch of rain fell. That was equivalent to a 25 year event. Some of the improvements to the Jordan River in the Kirkwood area were sized for a 100 year event. What happened was that the collection system was overloaded. It just was not able to accommodate the volume of water going into it. The ability to accommodate it was undermined by the accumulation of debris in the storm water outlets. In general the collection system is sized for 10 year events.

Mr. Murphy pointed out that it happened at the worst time when people were out and about in their cars. If the event had happened at 2:30 it would have diminished the impact in terms of citizens moving and driving through high water and getting trapped. It would have allowed crews to more quickly identify high water spots.

The following day was mostly devoted to clean up and getting the lift stations running again.

Mr. Murphy said that in terms of direct problems with the system everything is up a running. The water and wastewater plants were not affected. One result of the event is the bridge on N. Dunn St. close to the treatment plant has been closed until it can be assessed for damage. Board President Swafford asked if it would be Utilities responsibility to repair the bridge. Mr. Murphy said he thinks it probably will up to Utilities.

Assistant Director of Engineering Bengtson said that even though the "Big Dig" was designed for a 100 year event there are still 2,500 feet of unimproved culvert that is downstream from the "Big Dig" with various sizes, shapes and slopes. The plan is to eventually complete the renovation of all of that culvert making of uniform cross sectional area and slope which is hydrolicly advantageous. Hopefully when that is done the system will handle a storm like this one more easily. The major problem is getting the water off the street and into the system. Board President Swafford pointed out that all the high water drained away quickly so the system did do its job once it stopped raining.

Board member Ehman said he understands that the downstream area between 2nd St. and Washington and on up to the Episcopal Church will be upgraded. He said he had heard a hypothesis is that it wasn't a constriction downstream in that system that was causing the back up but was a matter of water being unable to get to the system through the culvert grates. Mr. Bengtson said he thought it was a combination of the 2. The inlets are designed to take on water at a certain rate but you can't plan for all the debris that gets cleaned out of alleys and parking lots and washed into the storm drain inlets.. The T & D crew tries to keep them clean and able to take up water. Board member Mayer pointed out that all of Dunn Meadow is draining into the front of the system. Mr. Ehman asked if it might be good to put in more inlets. Mr. Bengtson said that when the work was done on the "Big Dig" many more inlets were added. There are probably more than in a usual street design.

Board member Mayer asked if the new building had any problems. Utilities Director Murphy said there were no leaks. He said the permeable pavement had worked very well. Shortly after it stopped raining it was dry with no puddles.

Capital Projects Manager Hicks gave an update on the Monroe WTP filter rehabilitation. It was substantially complete exactly 14 days late. The contractor did an excellent job. There were a few details to finish off. They re-coated the interior of the back wash storage tank. They did that work on a Saturday about 2 weeks ago. It was challenging because the contractor only had 90 hours to blast clean the interior of that tank and re-coat it. They actually completed it in about 80 hours. It's coming up on final completion with just a few punch items left. There will be 1 more payment but first there will be a change order to reconcile the allowances. There were 3 allowances. All will come back to Utilities as credits or deducts on the contract amount. Then the final pay out can be processed and the job will be closed out.

Utilities Director Murphy said he had forgotten to mention that T & D is being very pro-active about cleaning the storm drains.

PETITIONS AND COMMUNICATIONS:

There were no petitions or communications.

ADJOURNMENT:

The meeting was adjourned at 6:12 p.m.

L. Thomas Swafford, President