

**UTILITIES SERVICE BOARD MEETING**  
**12/02/2024**

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**CALL TO ORDER**

Board President Parmenter called the regular meeting of the Utilities Service Board to order at 5:02 p.m. The meeting took place in the Utilities Service Boardroom at the City of Bloomington Utilities Service Center, 600 East Miller Drive, Bloomington, Indiana.

**Board members present:** Megan Parmenter, Kirk White, Amanda Burnham, Jim Sherman, Molly Stewart, David Hittle

**Board members absent:** Jeff Ehman, Seth Debro

**Staff present:** Katherine Zaiger, Matt Havey, Chris Wheeler, Hector Ortiz Sanchez, James Hall, Dan Hudson, Bryan Blake, Mark Menefee, Steven Stanford, Jane Fleig, Kriste Lindberg, Kevin White, Audrey Brittingham, Elizabeth Carter, Nolan Hendon, Daniel Frank

**Guests present:** None

**PETITIONS AND COMMUNICATIONS:**

Board President Parmenter read a petitioner email received by CBU from Russell Lyons that stated the following:

"The summer rates for water have been June-Sept but were recently changed to May-Aug. My understanding is that this was done because the changing climate has increased earlier planting and filling of pools. Indeed, the climate is increasing the extent of summer weather. However, it is not only that summer weather occurs earlier; it also occurs later. It certainly has not simply shifted earlier. In particular, summer weather still occurs in Sep., but sometimes also in Oct., as it did this year with a drought. This year I used twice my normal amount of water in Oct. due to the drought. Thus, I ask you to once again change the summer rates, but now to include May-Sep., or, even better, May-Oct." Parmenter noted that this would be considered. Sherman noted that he agreed with the petitioner and questioned how this decision was made. CBU Director - Zaiger advised that what the petitioner is requesting is that the current four month period for wastewater cost averaging be extended by one month, which would have a negative impact on the overall CBU budget. Zaiger added that CBU shifted the window from June-Sept to May-August and was adjusted based on feedback from customers who were planting and filling pools earlier in the year. Sherman noted that as a ratepayer who does use water outdoors, he believes there is more use in September as opposed to May. Sherman added that given the averaging window needs to be held at a four month period, no matter where the window is moved, some people will be unhappy with the outcome. Board member Stewart requested CBU look at water consumption rates for that averaging window over the last couple of years to determine if customers have adjusted usage based on the rates. Zaiger and Havey agreed.

## **MINUTES**

***Board member Sherman moved, and Board member White seconded the motion to approve the minutes of the 11/18/2024 pending correction. Motion carried, five ayes***

## **CLAIMS**

### **Standard Invoice questions:**

Sherman noted the expenses listed in the invoices related to street sweeping routes and requested that an update be provided regarding the program. Zaiger advised that CBU will have a full plan to present towards the beginning of next year. Board member Burnham questioned if CBU had already provided a presentation regarding this topic. Zaiger confirmed but noted that the earlier presentation was focused on street sweeping, routing, and the logic behind both. The next presentation will be specifically geared toward detailing the routing. Burnham questioned two separate invoices for BBC Pump with different descriptions but for the same dollar amount and wanted to ensure there wasn't an error. CBU Assistant Director - Operations - Sanchez advised that the transactions were both for replacement pumps related to two separate lift stations, but for the same replacement pump. Parmenter noted the charges for A&M graphics for unknown pipe material service line letters and requested a brief update on this project for CBU customers. Zaiger advised that these letters were part of the lead service line inventory which required notices be sent to homeowners to notify them if the service line to their home was lead, galvanized, or unknown. Zaiger advised that around 11,000 letters were sent out with the majority of those being for unknown material, around 100 galvanized, and 4 for lead. CBU will now work through the unknown materials to determine what material was used. Parmenter questioned a transaction on page three for Hoosier Networks related to fiber damage on Spicewood Lane. CBU Assistant Director - Finance - Havey advised that while working near Spicewood, CBU crew struck a fiber line and this payment was related to repair of the strike. Parmenter questioned the status of strikes related to the ongoing fiber installation project. CBU Assistant Director - Transmission & Distribution - Hall advised that there have been few complaints recently related to the project and what damage has been done to CBU assets has been paid for by the companies that caused the issue. Havey confirmed and noted that payments are being received, though it can take some time for it to be received. Burnham questioned why CBU is paying if they have outstanding invoices for damage to CBU assets. Havey clarified that Hoosier Networks is not one of the companies that currently owes CBU for damaged assets. Parmenter noted the charges on page 7 to West Side Tractor Sales for repairs to a John Deere 710 Backhoe for \$63,000.00 and noted that the cost of a new unit is \$288,000.00. Parmenter added that the need to maintain the equipment is obvious, but questioned if this charge was related to deferred maintenance or an incident, and if it was an incident, is there insurance that would cover the cost of any portion of this expense. Hall advised that the charge was related to an incident in which the four-wheel drive locked in and caused major damage to the equipment, and CBU will receive an insurance check for \$53,000.00 to help cover a portion of the expense.

***Sherman moved, and White seconded the motion to approve the Standard Invoices:***

Vendor invoices included \$244,111.37 from the Water Fund, \$25,227.50 from the Water

Construction Fund, \$1,240,488.09 from the Wastewater Fund, \$118,314.07 from the Stormwater Fund.

***Motion carried, five ayes. Total claims approved: \$1,628,141.03.***

***Sherman moved, and White seconded the motion to approve the Utility Bills:***

Invoices included \$7,494.09 from the Water Fund and \$74,393.03 from the Wastewater Fund.

***Motion carried, five ayes. Total claims approved: \$81,887.12.***

***Sherman moved, and White seconded the motion to approve the Wire Transfers, Fees, and Payroll for \$475,777.63. Motion carried, five ayes.***

### **Customer Refund Question**

Burnham questioned the refund for Indiana University. Havey advised that IU installed a master meter and left an older meter in place allowing water to through the master and the older meter causing a double charge for the usage. Burnham requested more description be given to help specify what area or school at IU was associated with these charges. Havey confirmed and advised that this charge was related to music school. White noted that the refund was for wastewater and questioned why that was the case since CBU does not meter wastewater. Havey advised that this is simply related to how the system handles refunds and will have to be adjusted using a journal entry and it will then apply to the water account.

***Sherman moved, and Debro seconded the motion to approve the Customer***

***Refunds:*** Customer Refunds included \$133.64 from the Water Fund, \$17.00 from the Stormwater Fund, and \$73.00 from the Wastewater Funds

***Motion carried, seven ayes. Total refunds approved: \$39,766.72***

### **CONSENT AGENDA**

Zaiger presented the following items recommended by staff for approval:

- a. Top Notch Services, LLC, \$21,200.00, Tree removal and cleanup at Winston Thomas. Service includes stump grinding and repairs to the surface of the property where needed

**Remaining items on the consent agenda were approved pending Controller approval.**

**Total approved: \$21,200.00**

### **REQUEST APPROVAL OF AGREEMENT FOR SERVICES WITH CINTAS**

Havey presented the agreement and advised that Cintas will take over providing floor mats at all CBU facilities at a reduced cost from the current vendor. White noted that he appreciated CBU using the Quantitative Purchase Agreement through the state as this usually provides substantial savings for services and he encouraged the use of these programs when possible.

***Sherman moved, and White seconded the motion to approve the agreement for services with Cintas. Motion carried, five ayes.***

## **REQUEST APPROVAL OF HIGHWAY UTILITY AGREEMENT FOR REIMBURSEMENT OF WATER MAIN RELOCATION FOR SR45/ARLINGTON ROAD PROJECT**

CBU Engineer - Fleig presented the agreement noting that this is related to the water main relocation project at State Road 45 and Arlington ramp project. CBU has performed a portion of the relocation, but the remaining 150' was tied into an existing line that was around 9' north of where it was located on the original plans. Fleig informed State of the issue at the time and they agreed to the change. The State later realized that there is a retaining wall as part of the project that requires tiebacks and it now interferes with the 150' that had already been relocated, along with an additional 460' is in conflict with the tiebacks and will now have to be relocated. CBU will handle the relocation in house and the estimate is around \$76,000.00, and the State will be refunding CBU for the 150' portion which will account for around \$20,600.00. Fleig noted that the design issue is unfortunate and related to difficulties related to locating that specific water main, and advised that the new line will be PVC equipped with a wire that will make it easier to locate going forward. CBU crews will start on the project in two weeks time and the work will be concluded in a day. Parmenter questioned what CBU does with the relocated materials. Fleig advised that at times the pipe is abandoned in place and at times in the city streets the pipe is left in place and potentially used as conduit for other utilities. In this specific case, the State will likely remove the pipe since it is in conflict with the tiebacks for the retaining wall. Fleig added that if the pipe is removed it can be recycled.

***Sherman moved, and White seconded the motion to approve the Highway Utility Agreement for Reimbursement. Motion carried, five ayes.***

## **REQUEST APPROVAL OF 2025 RESIDENTIAL STORMWATER GRANTS**

CBU MS4 Program Coordinator - Carter presented, noting that six grants were approved for 2024 with work expected to begin in 2025. Carter noted that one grant was brought to the USB at an earlier meeting because the recipient wanted to begin earth work in November. Carter added that the Residential Stormwater Grant (RSG) Review Committee met in September and had two members of the USB. Carter thanked those members for their time and effort and advised that six of the seven grant proposals that were received were accepted. Burnham questioned how much was budgeted for these projects in 2024. Carter advised that the amount was \$100,000.00 in 2023 and \$75,000.00 in 2024 and in both years CBU has been unable to appropriate all the funds available due to a lack of qualifying grant proposals from residents. White noted the project located on Laurel Court encompasses the installation of a perimeter drain around the building, but questioned how this was connected to the shared stormwater system. Carter advised that the owner of the condo was experiencing persistent flooding from stormwater and proposed the installation of a perimeter drain and since CBU had available funds and no other qualifying grant applicants, the committee decided to award the funds. White questioned if the project was replacing a perimeter drain and installing downspouts. Carter advised that the perimeter drain is being created. White noted that if the issue stemmed from a swale that was causing stormwater issues, that would be one thing, but given that this issue seems related to downspouts that should have been installed and run away from the property to prevent this issue, the scope of work seems on the line. Carter advised that the swale that is supposed to control the issue is in a common area and is controlled by the HOA. In this case

the homeowner does not have the ability to correct the swale issue which is something that the grant committee took into account. Carter added that the HOA did receive a permit from the Planning Department in the past but it is unclear if the work has taken place to address the issue. White questioned if this grant will help solve a larger issue and noted that that should be the ultimate goal of the program. Carter advised that CBU does not have a program that addresses larger scale stormwater issues at this time, adding that with the exception of one grant, all of the grants are addressing single residence issues. Carter noted that when the program initially started there were a lot of multi-residence applications, but that has dwindled in subsequent years and now projects are single-family focused, which may influence the evolution of the program going forward. Parmenter questioned if the HOA could have approached CBU for the grant. Carter explained that the program stipulates that projects must be related to single-family, owner occupied residences, so HOA's would not meet the requirement. Carter added that this is being considered for possible changes to the program. Parmenter noted that she resides in an HOA, and if the HOA applied for the grant on behalf of the owner, that should be a scenario that qualifies. Carter noted that the 2023 grants include one where four properties in an HOA shared a swale that ran through private property and it was awarded because it was not the HOA's responsibility to maintain it. Once the property is the HOA's responsibility to maintain, it is a slippery slope that opens the program up to businesses and other users that don't fall in the original intended scope of the program. Sherman questioned the project at 1101 S Madison, noting that his daughter previously lived at the property and adding that at that time the water was pooling in the street, and the City recently fixed that. Sherman questioned in fixing the water in the street, did the City create an issue in the residents yard. Carter advised that based on the narrative from the applicant, that may be the case. The property is currently dealing with three to four inches of standing water in the yard and driveway for over 72 hours after a rain event and is seeking to build a rain garden to help absorb the water. Sherman noted that if the City moved the problem, the City should be responsible for correcting it rather than a grant from CBU and work from the resident. White agreed that it seems to be a Public Works issue. Burnham noted that after reviewing the projects listed that the residences are in a clumped area on the south side of Bloomington, and wanted to comment publicly that CBU has reached out through multiple channels to get applicants from a broader area, and simply hasn't received applications. Carter noted that the criteria were updated from the previous year to factor in considerations such as equity, so CBU is not picking and choosing applicants, but rather is simply not receiving enough applications to award all the appropriated funds for the last two years of the program despite outreach efforts. Burnham advised that she is in a service sorority that has scholarship opportunities for students and despite outreach efforts, they may only get six applicants, adding that sometimes people simply don't want to take the time to apply for programs such as this. Parmenter thanked Carter and the RSG Committee for their time and efforts.

***Sherman moved, and White seconded the motion to approve the 2025 Residential Stormwater Grants. Motion carried, five ayes.***

**REQUEST APPROVAL OF AMENDMENT TO 2024 SALARY ORDINANCE 23-25 FOR APPOINTED OFFICERS, NON-UNION, AND AFSCME EMPLOYEES**

Assistant City Attorney - Brittingham noted that she represents the City Human Resources Department and presented the amendment. Brittingham advised that all that is required is a vote for approval, adding that the memo states that the \$500.00 arose out of negotiations with AFSCME and the City, but what occurred was that Fire and Police were able to renegotiate their contracts last year. In response the City wished to reach out to AFSCME since their contract was not renegotiated and provided a \$500.00 bonus. The collective bargaining agreement was not reopened or amended. This is a request from the administration that AFSCME employees receive a one time \$500.00 bonus. Per Indiana Code the USB has to approve any changes to employee pay. White questioned if this was payable in the 2024 budget and what was the total expected expense to the CBU. Havey advised that this was not in the budget as CBU was unaware of this agreement, but the funds are available. Burnham questioned if the City of Bloomington specifically made this arrangement with AFSCME employees. Brittingham clarified that the City of Bloomington wants to provide all AFSCME employees with a \$500.00 bonus. Some AFSCME employees work for CBU, and some are in other departments. CBU will only be responsible for the AFSCME employees that work within the department. Other departments with AFSCME employees - Department of Public Works for example - will be responsible for their AFSCME employees. Burnham questioned if it is anticipated that a similar arrangement will be made next year. Brittingham was unsure and advised that she would direct that question to the Office of the Mayor and report back to Zaiger. Burnham expressed the need for that information for both budgeting and to ensure CBU can inform its employees if they are asked the same question. Parmenter questioned when employees would likely see this payment. Brittingham advised that it would likely be seen on either the final payment of the year, or the first payment of next year, depending on the controller and when the pay periods fall. Burnham questioned if this was a taxable bonus. Brittingham confirmed, but noted that it would not affect overtime calculations.

***Sherman moved, and White seconded the motion to approve the amendment to the 2024 Salary Ordinance 23-25, five ayes.***


**OLD BUSINESS:** None

**NEW BUSINESS:** None

**SUBCOMMITTEE REPORT:** None

**STAFF REPORTS:** Zaiger noted the annual CBU Holiday Luncheon would take place on Wednesday, December 4th and invited all USB members to attend.

**ADJOURNMENT:** Parmenter adjourned the meeting at 5:40 pm

  
Megan Parmenter, President

12/16/24  
Date