

**UTILITIES SERVICE BOARD MEETING**  
**5/8/2023**

***Utilities Service Board meetings are available at CATSTV.net.***

**CALL TO ORDER**

Board President Burnham called the regular meeting of the Utilities Service Board to order at 5:16 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:** Amanda Burnham, Megan Parmenter, Molly Stewart, Seth Debro, Kirk White, Jeff Ehman, Jim Sherman, ex officio Scott Robinson, ex officio Jim Sims

**Board members absent:** None

**Staff present:** James Hall, Hector Ortiz-Sanchez, Matt Havey, Kat Zaiger, Phil Peden, Kevin White, Daniel Frank, Matt Dabertin, Jane Fleig

**Guests present:** None

**MINUTES**

***Board Vice President Parmenter moved, and Board member Ehman seconded the motion to approve the minutes of the April 24th. Motion carried, seven ayes.***

Ehman requested correction of the following sentence “There was some talk of a rediatil “wet trash” collection, but a program like that is difficult to run so it was not part of the study; that doesn’t mean it cannot be part of the program eventually.” Also requested Staff provide clarification on what a ‘wet trash’ program is referring to, and further information on what makes that type of program difficult to run.

***Board Vice President Parmenter moved, and Board member Debro seconded the motion to approve the minutes of the April 27th. Motion carried, seven ayes.***

**CLAIMS**

**Standard Invoices questions:** Ehman noted that the second charge for Chemtrade Chemicals Corporation on page two has a typo that needs to be corrected. Also questioned the charge to Tyler Technologies, Inc. for Citizen transparency portal. CBU Assistant Director - Finance - Havey advised that Tyler Technologies, Inc provides software services for City of Bloomington Utilities (CBU) but he was uncertain what specific portal this is referring to, but would provide the information to the Board.

***Parmenter moved, and Debro seconded the motion to approve the Standard Invoices:***

Vendor invoices included \$230,534.34 from the Water Fund, \$4,160.71 from the Water Construction Fund, \$145,380.64 from the Wastewater Fund, and \$57,233.67 from the Stormwater Fund.

***Motion carried, seven ayes. Total claims approved: \$437,309.36.***

***Parmenter moved, and Debro seconded the motion to approve the Utility Bills:***

Invoices included \$5,849.85 from the Water Fund and \$12,179.10 from the Wastewater Fund.

***Motion carried, seven ayes. Total claims approved: \$18,028.95.***

***Parmenter moved, and Debro seconded the motion to approve the Wire Transfers, Fees, and Payroll for \$517,741.87. Motion carried, seven ayes.***

**Customer Refunds questions:** Parmenter questioned if the credits to three separate construction companies were correct. Havey clarified that the first two transactions in question reflect hydrant meter rentals that require a \$2600.00 deposit. When the meter is returned, the refunds in question reflect the difference in the balance remaining at the time of the return. Burnham questioned if the refund should be recorded as 'Hydrant Meter Refund'. Havey advised that yes, that would make the transaction clearer.

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

***Refunds:*** Customer Refunds included \$486.58 from the Water Fund and \$5,967.44 from the Wastewater Fund.

***Motion carried, seven ayes. Total refunds approved: \$6,454.02.***

***Parmenter moved, and Debro seconded the motion to approve the Special Check Run:***

The Special Check Run included \$5,300.16 from the Water Fund, and \$12,086.16 from the Wastewater Fund.

***Motion carried, seven ayes. Total special check run approved: \$17,386.32.***

**CONSENT AGENDA**

CBU Assistant Director - Environmental - Zaiger presented the following items recommended by staff for approval:

- a. Industrial Air Centers, Inc., \$22,047.00, Purchase and Installation of New Air Compressor
- b. Heflin Industries, Inc., \$14,300.00, Purchase and Installation of New Air Conditioner

Ex Officio Sims questioned if the Board is provided with the contract information for items on the Consent Agenda prior to the meeting. Burnham advised that the contract and supporting documents are provided to the Board via Google Drive prior to each meeting. Parmenter also clarified that consent agenda items are handled in this way based on a dollar value of the contract.

**Consent Agenda approved as presented. Total approved: \$36,347.00**

**REQUEST FOR APPROVAL OF FIRST AMENDMENT TO AGREEMENT WITH GREEN DRAGON LAWN CARE, INC**

CBU Assistant Director - Transmission and Distribution (T&D) - Hall presented the amendment for an additional \$3,300.00 to include string trimming of drying beds at the Monroe Water Treatment Plant that was initially left out of the agreement because grass had not been growing in that area, but has since started to grow again and needs to be maintained.

***Parmenter moved, and Debro seconded the motion to approve the amendment with Green Dragon Lawn Care, Inc. Motion carried, seven ayes.***

#### **REQUEST APPROVAL OF RESOLUTION 2023-09: BID REJECTION FOR CONDUIT INSTALLATION FOR CLEAR CREEK CULVERT PROJECT**

CBU Utilities Engineer - Fleig presented the resolution. Fleig advised that the bids that were received were over the engineering estimate of \$146,000.00. Burnham advised that the bids received were for \$170,000.00, \$481,761.58, and 463,000.00. Board member Sherman questioned why the bid for \$170,000.00 was being rejected, as bid amounts that were slightly over the engineering estimate had been accepted on previous projects. Fleig advised that this bid was placed by Reed and Sons Construction and they failed to acknowledge addendum number one and had to be considered non-responsive. Burnham questioned what methods were being explored to complete this project. Fleig advised that Hall is trying to determine if CBU could complete the work this summer, or possibly postpone the work to the fall and winter months.

***Parmenter moved, and Debro seconded the motion to approve this resolution. Motion carried, seven ayes.***

#### **REQUEST APPROVAL FOR CONSULTING SERVICES WITH COMMONWEALTH ENGINEERS, INC**

CBU Capital Project Manager - White presented the agreement for consulting services with Commonwealth Engineers, Inc. related to sewer modeling for the Dillman Interceptor and its West Branch. White advised that the cost of the Dillman project will be slightly less than the proposed agreement for the Blucher Interceptor because parts of the Dillman project will be used for another project and will lower the overall cost for each. The service will provide information about the current capacity of each network, especially during wet flow times, and help project the need for future improvements. There is undeveloped land in the West branch of the area serviced by the Dillman plant, and the study will help provide information regarding potential cost sharing. The area covered by this study will encompass Weimer Rd. to Old Highway 37. Burnham questioned the specifics of future cost sharing. White advised that the cost sharing would be with future developers. The studies will allow CBU to better advise developers on necessary capacity improvements needed for future developments and the cost of those improvements would be shared by both parties. Ehman questioned if this type of modeling was similar to what was used for the N Dunn area modeling. Assistant Director - Engineering - Peden advised that the Dunn modeling was created by CBU using numbers published by IDEM for estimated usage amounts based on the type of property and creating models from that data. The modeling proposed in both of the proposed agreements will use flowmeters to calibrate the model. Ehman questioned if the flowmeters were included in the

budgets for both agreements. Peden confirmed that the flowmeter cost is included. Ehman questioned if the area covered in the study was the undeveloped area west of Weimer Rd. and north of Woolery Mill. Peden confirmed and added that the Dillman plant services the entire west side of Bloomington, so the model could be used for any major development in that area. Ehman questioned if the model was the standard EPA SWMM model. White confirmed. Ex officio Robinson advised that a petitioner recently filed through the Planning Department for the Sudbury Farm, so this modeling will be specifically beneficial to that future development. Ehman verified that CBU will pay up front and then cost share with developers as they present their plans, similar to the North Dunn project. Peden clarified that with the North Dunn project CBU was far enough ahead that they already had engineering design and construction cost in place, but in the case of Sudbury Farm, CBU is just at the modeling stage, so there are no designs or cost estimates in place. The modeling will however provide a sense of whether CBU will be able to approve a potential developer's wasteload allocation letters for IDEM permitting and verify available capacity at the Dillman plant.

***Parmenter moved, and Debro seconded the motion to approve this amendment. Motion carried, seven ayes.***

#### **REQUEST APPROVAL FOR CONSULTING SERVICES WITH COMMONWEALTH ENGINEERS, INC**

CBU - Capital Project Manager - White presented the agreement for consulting services with Commonwealth Engineers, Inc. related to sewer modeling for the Blucher Interceptor and its North Basin.

***Parmenter moved, and Debro seconded the motion to approve this agreement. Motion carried, seven ayes.***

**OLD BUSINESS:** None

**NEW BUSINESS:** Board member White requested an update on the transition plan for the street sweeping program, specifically related to new responsibilities and liabilities that CBU is taking on. Questions to be addressed and board members requesting the information were as follows:

Will there need to be budget or personnel adjustments? (White)

What should be communicated to the public this fall regarding service? (White)

What is the official timeline for the transition? (White)

Will there be ongoing compensation from Civil City for the street sweeping services now being rendered by Utilities? (Ehman)

What street sweeping equipment will CBU be inheriting, and what condition is it in? (Burnham)

What cost will be associated with equipment replacement, operation, and maintenance? (Burnham)

**SUBCOMMITTEE REPORTS:** None

**STAFF REPORTS:** Zaiger reported that on May 5th CBU organized a Hidden River tour that was very successful and will likely become a recurring event. On Wednesday April 26th, CBU received a report of potential sewer discharge into Clear Creek at Grimes Lane, coming from a hole containing fiber conduit. Upon inspection crews discovered that a 24 sewer main that runs parallel to the creek was struck by the boring crew. Crews were able to repair the damage within 24 hours of its discovery. Zaiger wished to thank the following:

T&D Assistant Superintendent Justin White for excellent leadership throughout the response, and Engineering Field Tech Bryan Shipley for going above and beyond to provide crucial information to contractors so the main could be repaired in a timely manner. Zaiger also recognized Holly McLaughlin, Justin Meschter, Dan Klarich, Kedric Hardin, Phil Peden, Jay Ramey, Matt Wilson, Matt Dabertin, Mike Runyon, Sam Arthur, Brent Solbrig, Kenny Johnson, Ramon Ortiz-Sanchez, and Tamela Bruce-Riney. In addition, Zaiger thanked the Office of the Mayor for drafting a press release for the public, Parks and Recreation for deploying signage to advise the public to stay out of Clear Creek, and City Engineering for providing contact information for the responsible parties. Board member Sherman questioned if the damage was the result of fiber installation. Zaiger advised it was, though not related to the AEG/City fiber installation project. Sims questioned who paid for the damaged infrastructure. Zaiger advised that CBU paid for the initial repair but the cost will be reimbursed by the responsible party. Ehman questioned if the installation of the line was performed properly as the conduit was draped across Clear Creek at surface level. Peden advised that no, this was not standard practice. Board member Stewart questioned how repairs would be made. Zaiger advised that the contractor would likely re bore the hole underneath the creek. Peden advised that the damage to the bridge would be handled by the Monroe County Highway Department, and that the contractor was also requesting to possibly hang the conduit from beneath the bridge deck rather than reboring under the creek. Burnham commended CBU Staff for their work in a difficult situation, and urged staff to ensure that the responsible parties cover this and any future damages. White commented that he has seen multiple posts regarding boring companies hitting customers' sewer laterals and questioned how locating crews are marking these lines since they are made of plastic. Peden advised that the laterals are not located, but the contractors are supposed to exercise due diligence to determine the depth of the lines prior to boring. Peden advised that CBU staff has discussed this issue on multiple occasions because a major concern is that in the case of sewer lateral strikes, the contractors who performed the work will already be gone by the time the sewer backs up into customers' homes. To ensure the responsible parties pay for the damages, staff is looking for tools to customers who have issues locating the responsible contractor. The number of contractors currently working throughout Bloomington across multiple industries is compounding the issue and making it more difficult to determine what company is liable in the case of damages. Another concern is that customers often don't possess the wherewithal to follow-up on damages for themselves because they simply don't understand the system, or how to determine what company holds the permitting, or what project the crew is working for. White advised that he has seen social media posts where customers' lateral was struck and it took some time before the issue manifested itself. White proposed an addition or post to the CBU website to walk customers through the process of determining what contractor is working in their neighborhood. Sherman noted that multiple customers contact him regarding damaged lawns, with no notice of pending work, and no follow-up to repair the

damage. Sherman questioned if there is a requirement that contractors give notice to customers prior to starting work. Burnham noted that many of the issues the board had mentioned so far fall outside the scope of CBU responsibility to solve, and that CBU's efforts to inform the public should be focused on utilities adjacent issues. Peden advised that the area most impacted is the T&D Division which has to respond to damage caused by directional boring crews causing an emergency response, which includes mobilizing and demobilizing assets and possible overtime pay to employees, with no good way of recouping all of those expenses. The concern for CBU is that the contractors don't care if they hit infrastructure because they know that CBU will handle the damages if they strike a water main at a minimal expense to the contractor. Passing more of the actual cost for these repairs onto the contractors would incentivize them to perform more due diligence prior to boring. Parmenter questioned if there would be an opportunity to contact other types of utilities, i.e. natural gas companies, to see how they are handling these types of issues. Along with this, CBU could provide the City with information on the types of issues being commonly reported so that they could provide a resource for the general public. Sims commented that CBU and City Legal should discuss this issue and determine the best course forward. Burnham questioned when the AEG portion of the work being done in Bloomington would be finished. Hall advised that there is a bi-weekly meeting with all related City and CBU supervisory staff and a bi-weekly meeting with AEG and other utilities to discuss issues that are occurring in the field. During those meetings, 2025 is the planned end date, though it is unclear if that date is referring to the start or end of 2025. Burnham asked if reimbursement for damages is a topic of conversation during these meetings. Hall confirmed that reimbursement is a major topic and that the CBU has reached out multiple times to determine what subcontractor was responsible for specific damage so that CBU can be reimbursed. Ehman questioned if the many companies that are operating have to report where they are working and where they have been. Peden advised that AEG has provided their own GIS mapping of their current project that shows where lines will be installed, and if so, is there any way to get this GIS information out to the public to help customers more easily identify who is working in their area. Hall advised that they received the GIS information at the start of the project and CBU is finding that what was initially planned is not matching what is happening on the ground, so that wouldn't be the most accurate resource. Ehman suggested requesting updated maps from contractors to show areas where they have completed work and are planning to go next, and then posting those maps on a public facing site. Burnham noted that the City should be responsible for creating the websites with mapping information and CBU should simply be linking to that information. Hall was uncertain if those resources already exist, but would look into it. Peden noted that it's not just AEG working in the area and there are many companies who rushed into Bloomington ahead of AEG who weren't always paying attention to where their lines were going. Hall advised that AEG's contractors have been better about working with CBU to avoid damaging infrastructure.

Zaiger welcomed Adam Hutslar, Blake McClintic, Samuel Gillespie, MacKenzie Godsey, Foster Tiller, Ximena Martinez to CBU. Zaiger recognized the following Staff achievements:

- Kalei Bollinger and Jason Lasher were recognized for receiving their Wastewater Operator Class I Certification
- Paul Edwards, Bradley Elkins, and Perry Lagenour for earning their DSL Certification

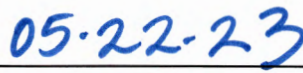
- 14 staff members received their Adult First Aid/CPR/AED Certifications

Parmenter wished to thank the staff for completing installation of the second monitor in the Boardroom. Burnham wished to thank staff for distributing a letter in her neighborhood outlining an upcoming project and providing contact information to customers with questions or concerns regarding the project.

**PETITIONS AND COMMUNICATIONS:** None

**ADJOURNMENT:** Burnham adjourned the meeting at 5:52 pm.

  
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Amanda Burnham, President

  
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Date