

UTILITIES SERVICE BOARD MEETING

12/09/2019

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

Board President Roberts called the regular meeting of the Utilities Service Board to order at 5:00 p.m. The meeting was held in the Utilities Service Board room at the City of Bloomington Utilities Service Center 600 East Miller Drive, Bloomington, Indiana.

Board members present: Julie Roberts, Jim Sherman, Jason Banach, Amanda Burnham, and Jean Capler

Staff present: Vic Kelson, Laura Pettit, Holly McLaughlin, Chris Wheeler, Phil Peden, Liberty Flora, James Hall, Missy Waldon, Jane Fleig, Brandon Prince, Tom Axsom, Cindy Shaw, Nolan Hendon

AMEND AGENDA

Roberts announced two amendments to the agenda:

- 1) Approval of the Claims (III), payment addendum
- 2) Consent Agenda (IV): item a removed

MINUTES

Board Vice President Sherman moved and board member Capler seconded the motion to approve the minutes of the November 25th meeting. Motion carried, 5 ayes. (1 members absent: Ehman)

CLAIMS

Sherman moved and Capler seconded the motion to approve the standard claims as follows:

Vendor invoices submitted included \$185,223.76 from the Water Utility, \$151,103.00 from Water Construction \$611,916.19 from the Wastewater Utility, \$1,100.00 from Wastewater Sinking, and \$22,704.82 from the Stormwater Utility. Total Claims approved: **\$972,047.77. Motion carried, 5 ayes.**

Board member Burnham asked if the workers compensation invoice submitted to Hylant of Indianapolis, LLC is a standard process. It was confirmed that it is.

Sherman moved and Capler seconded the motion to approve the utility claims as follows:

Utility invoices submitted included \$54,829.74 from the Water Utility, \$3,976.90 from the Wastewater Utility, and \$0.00 from the Stormwater Utility. Total Claims approved: **\$58,806.64. Motion carried, 5 ayes.**

Sherman moved and Capler seconded the motion to approve the wire transfers, fees, and payroll in the amount of \$459,810.52. Motion carried, 5 ayes.

Sherman moved and Capler seconded the motion to approve customer refunds as follows: Refunds submitted included \$43.90 from the Water Utility, \$1,799.23 from the Wastewater Utility, \$0.00 from the Stormwater Utility, and \$0.00 from Sanitation. Total Claims approved: **\$1,843.13. Motion carried, 5 ayes.**

Sherman moved and Capler seconded the motion to approve credit card payments as follows: Invoices submitted included \$3,013.28 from the Water Utility, \$5,702.85 from the Wastewater Utility, \$55.00 from the Stormwater Utility. Total Claims approved: **\$8,771.13. Motion carried, 5 ayes.**

APPROVAL OF CONSENT AGENDA

CBU Director Kelson presented seven items recommended by staff for approval:

- Reed & Sons - **\$1,600.00** - Ch. Order No. 2 Old SR 37 Water Main Replacement
- D.E.Qualkenbush - **\$4,300.00** - Tapp Rd Booster Station Pump
- Commercial Service - **\$6,900.00** - MWTP Boiler Controllers
- Commercial Service - **\$9,175.00** - MWTP Heaters
- Crane 1 - **\$11,156.00** - MWTP Variable High Speed Drive Installation
- Xylem - **\$18,347.60** - Rebuild Pumps at Lift Station
- Utility Financial Solutions - **\$19,000.000** - Support for Water CoSS

As these weren't removed from consent agenda by the Board, agreements approved.

BID OPENING I69 UTILITY RELOCATION PROJECT

CBU Engineer Fleig opened bids for work that was not completed by INDOT, which CBU will undertake. Bids closed at 5 pm on 12/9/2019. Bids were opened in the order of the time received.

The total amount consisted of base bid with three mandatory bid alternates:

Reed and Sons - Bloomington, IN - \$2,095,530.00

- \$80,900.00, \$129,000.00, \$76,000.00

Infrastructure Systems, Inc - Orleans, IN - \$3,189,662.00

- \$217,247.00, \$455,641.00, \$57,707.00

Crider and Crider- Bloomington, IN - \$2,152,475.00

- \$94,400.00, \$184,000.00, \$77,000.00

Reynolds Construction - Bloomington, IN - \$2,247,036.05

- \$174,980.00, \$182,460.00, \$25,985.00

Engineer Estimate (10% contingency):

George Lewis with GRW - \$1,814,000.00

- \$156,000.00, \$67,800.00, \$41,800.00

CBU will return to the board with a recommendation if it is found that there is a bid that is deemed to be acceptable and the contractor meets all requirements.

REQUEST APPROVAL OF RESOLUTION 2019-14

Assistant Director- Engineering Schroeder made a recommendation to the board for Mitchell & Starke to perform Blucher Poole WWTP upgrades. There were three bids; Mitchell & Starke was the lowest bidder at \$657,500.00, and the bid was deemed to be an acceptable bid by Donahue and Associates.

Sherman moved and Capler seconded the motion to approve Resolution.

Motion carried, 5 ayes.

REQUEST APPROVAL OF MOU FOR EASEMENT JORDAN RIVER CULVERT PROJECT

City Attorney Wheeler introduced a MOU for CBU to purchase a property located at 222 E. Smith Avenue. The purchase price includes the cost of demolishing an existing single unit residential rental property. The cost also includes the expenditure to construct a retaining wall, which is needed to provide the largest footprint to construct a new rental property, while giving a small amount of permanent easement for the utility. The construction of a retaining wall allows the house to be put closer to the Jordan River culvert. The goal of this project is to straighten the culvert to maximize flow and drainage from the downtown area.

Roberts suggested the summary of the contract accounts for \$120,567.00 of the \$166,067.00 of work - where will the remaining \$45,500.00 be used? Wheeler suggested this may be referencing the retaining wall. The appraisal cost of the property is very close to the total cost of the purchase (which includes demolition). Further, CBU recommends the board approve this MOU to avoid potential court costs and uncertainty associated with eminent domain.

Capler asked a question about the maintenance of the retaining wall. The MOU states the property owner shall pay to maintain the retaining wall, but what may happen if they don't? Will their negligence result in decreased water flow and drainage through the culvert? Wheeler suggested this does not assure nothing bad could happen, but it puts the responsibility and risk on the owner rather than the city.

Burnham asked if this house will be deemed historic. Wheeler suggested the owners will apply to demolish the house, and they will find out at that time. It is very unlikely.

There have not been any environmental studies conducted for this property.

Sherman moved and Capler seconded the motion to approve MOU.

Motion carried, 5 ayes.

APPROVAL OF AGREEMENT WITH BINGHAM GREENEBAUM AND DOLL

Wheeler presented an agreement with this law firm to prepare CBU for the upcoming 2020 water CoSS. Specifically, the law firm will prepare CBU to go to the IURC, market

changes to customers, and evaluate any adjustment to the wholesale contract. The cost of legal representation is anticipated to increase if the results of the water rate case are contested. Capler asked if there is a reason why CBU is choosing to contract out legal representation. Wheeler suggested this group primarily does this type of work, and will be able to provide expertise to CBU.

Sherman moved and Capler seconded the motion to approve agreement.

Motion carried, 5 ayes.

OLD BUSINESS: None.

NEW BUSINESS: None.

SUBCOMMITTEE REPORTS: Kelson mentioned that staff would like to schedule a rules and regulation meeting before the 12/19 meeting, which includes Burnham, Ehman, and Banach. The goal of this meeting is to discuss the specific amendments to CBU's rules regarding the sewer connection fee waiver, as well as the message portrayed to customers. Board member Banach suggested that the meeting be held during the next USB meeting. Board members found that there will not be a quorum for either meeting. McLauchlin will send email poll to determine best date for meetings.

STAFF REPORTS: Kelson mentioned that the 2019 employee lunch will be held at the Switchyard Park Pavilion on Wednesday, 12/11. Kelson also mentioned that Board member Frank retired because he moved out of Bloomington. Kelson thanked Frank for his commitment to CBU, especially the employees.

PETITIONS AND COMMUNICATIONS: None.

ADJOURNMENT: Sherman moved to adjourn; the meeting was adjourned at 5:28 p.m.

Julie Roberts, President

DATE