

SWEETSER TOWN COUNCIL
Special Meeting Minutes
February 3, 2015

I. Call to Order

The special meeting of the Sweetser Town Council was called to order at 6:00 p.m. on February 3, 2015, at the Sweetser Town Hall by Council President Travis LeMaster.

II. Roll Call of Board Members Present:

Rich Gamble - absent, Chuck Draine, Chuck Briede, Travis LeMaster, Steve Kelley

The Pledge of Allegiance was led by Travis LeMaster. Prayer was given by Chuck Draine.

III. Special Business

Zachrich Construction Change Order # 4

Travis LeMaster explained that the town received a letter from the SRF that Change Order # 3 was approved. Jim Frazell provided the council with a handout regarding the current change order request, a summary of the available funds for the treatment plant project and a copy of the correspondence between Triad Associates and attorney Joe Rompala and Zachrich Construction relating to Zachrich's request for an extension of time. Jim re-emphasized that his advice to the town is to do nothing with Zachrich's extension request. Jim explained that being silent does not waive the town's right to liquidated damages as outlined in the construction contract. Jim stated that it might be advisable for the town's attorney to send a letter to Zachrich Construction explaining that the town intends to enforce the right to liquidated damages. Jim explained that Zachrich is in violation of the contract and that the damages can be taken out of the retainage at the end of the project.

Jim Frazell explained the change order and provided two areal pictures of the affected area, the first one showing the current conditions and the second one showing the conditions at the time the project was bid. Jim stated that the installation of fiber optic lines by Sweetser Telephone Co. last summer has altered the way the sewer line must be installed. To avoid the fiber optic lines the sewer line must be moved from the east side of C.R. 400 W. to the west side of the road and it must be installed using a boring technique to avoid disturbing the existing power poles and natural gas lines. Jim explained to the council that he recommends this change in installation with the main reason for his recommendation being that it would help to expedite the completion of the treatment plant. Discussion was held and questions were asked regarding the additional cost and the fairness of the price. Chuck Briede asked Jim if he anticipates any other possible expenses prior to the completion of the treatment plant. Jim stated that he does not foresee any other costs. The need for possible clear (storm) water removal was discussed.

Steve Kelley made a motion to accept change order #4 for the boring installation of the waste water line in the amount of \$28,296.01. Chuck Draine seconded the motion.

Roll Call:

Rich Gamble – Absent
Chuck Draine – Aye
Chuck Briede – Aye
Travis LeMaster – Aye
Steve Kelley – Aye

Waste Water Treatment Plant Updates

Devin Cole advised the town council and Jim Frazell regarding the activities of the contractor at the site over the last few weeks.

Attorney Kim Rogers asked if the town should notify Zachrich that they are past the completion date. Jim Frazell recommended that if a letter is sent that it be very brief and only address the town's awareness that the completion date has not been met by the construction company.

Jim Frazell stated that he will notify Zachrich tomorrow morning that the council approved the change order.

Conflict of Interest Forms

Kim Rogers had Travis LeMaster and Chuck Briede sign conflict of interest forms for the current year.

Annexation

Travis LeMaster explained that Doug Kingseed (a resident on Magers Drive) contacted him and has asked of the residents of Magers Drive might meet with the town council to discuss the proposed annexation.

SRF Pay Applications

The Clerk presented a bill from Triad Associates for the council's approval for submission to the SRF for payment. Chuck Briede made a motion to approve the bill from Triad Associates in the amount of \$68,650.00, invoice number 201115D-11, for submission to the SRF for payment. Steve Kelley seconded the motion.

Roll Call:

Rich Gamble – Absent
Chuck Draine – Aye
Chuck Briede – Aye
Travis LeMaster – Aye
Steve Kelley – Aye

Storm water

The issue of storm water infiltration into the sanitary sewer was discussed. The increased flow in the sewer indicates an infiltration problem. Devin Cole discussed the sump pumps and advised the council that all the homes that stated they do have a sump pump have been checked and they are in compliance. The questionnaires that were returned stating they do not have a sump pump still need to be checked. Discussion was held regarding the tile that is in disrepair in Burge Ditch and that the county needs to make those repairs. Devin advised that the council should ask the county to repair the tiles in the drain. Devin also requested that the town waste water lines be scoped with a camera to look for damage and storm water infiltration. Devin explained that mapping of the system using GPS can be done at the time the scoping is done thereby making locating the lines more accurate. High storm water infiltration into the sewer lines can cause problems with waste water treatment at the new plant. Discussion was also held regarding the storm water board implementing a fee for the town's waste water customers to begin building a fund which would be used to repair and maintain the existing storm water lines. Chuck Draine stated that the board felt they should wait until the treatment plant is operational before implementing another fee. Discussion was held regarding the process of implementing the fee and the options available. Jim Frazell advised the council that some communities have their storm water fee collected by the county in which they reside and that the fees are collected with the spring and fall taxes. Jim advised that grant money can be used for mapping the sewer lines should the town qualify for any grant money when the income survey is complete.

Discussion was held regarding the waste water treatment billing from Marion Utilities and Jim Frazell stated he wants to look into how the fees are computed. Jim asked for the compliance sampling

results sent to the town by Marion Utilities for the last year. Chuck Briede will contact Pam Kirkland to get those reports.

Devin Cole stated that he believes the worst infiltration is happening in the area of town that is south of State Road 18 and east of Main Street. Travis LeMaster asked Jim Frazell and Devin Cole to look into estimates for having the entire town's waste water lines scoped.

Devin Cole reported that he met with Kevin from the Alliance of Indiana Rural Water regarding the supplies he will need in the lab at the treatment plant. Kevin gave Devin an equipment list and estimated the cost at between \$27,000.00 and \$32,000.00. Devin stated there is already an account established with Hach to purchase supplies for the plant and they provide initial training in the use of the equipment. Devin has also priced office furniture at Peerless Printing and explained that a U-shaped desk, filing cabinets, a 5 tier bookshelf and three chairs will cost \$5,300.00. The price reflects a 40% discount with a 10 year warranty. Devin also priced 9 chairs for the conference room at a cost of \$2,700.00. Jim Frazell suggested that the town might be able to purchase office furniture at a much lower price and asked Devin to provide him with the price list. Devin also advised the council that the plant needs two computers, a telephone and an all-in-one printer/copier/scanner/fax. Devin estimates outfitting the office area at less than \$10,000.00. Steve Kelley made a motion to authorize Devin to purchase lab equipment for up to \$32,000.00 once funding arrangements have been made. Chuck Draine seconded the motion.

Roll Call:

Rich Gamble – Absent
Chuck Draine – Aye
Chuck Briede – Aye
Travis LeMaster – Aye
Steve Kelley – Aye

Parks Department

Steve Kelley spoke regarding the George Kilmer Trust. Mr. Kilmer willed money to the Parks Department. The town received a statement showing the amount remaining in the trust. Steve explained that town may get money when Mr. Kilmer's wife is deceased. The town will receive a statement on the trust each year.

Adjournment

Chuck Briede made a motion to adjourn the meeting. Chuck Draine seconded the motion.

Meeting adjourned by unanimous consent at 7:45 pm.

Minutes submitted by: Eileen D. LeMaster, Clerk/Treasurer

Travis J. LeMaster
Steve Kelley

Chuck D. Briede
Chuck K. Draine
Patrick P. Soble