

**BOARD OF WORKS
TUESDAY, DECEMBER 17, 2020
1:00 PM**

Mayor Ryan Daniel – Present
Clerk Treasurer Rosie Coyle – Present
Attorney Marcia McNagny – Present
Walter Crowder – Present
Nicole Penrod – Present

The Columbia City Board of Works met in regular session with all members present, Mayor Daniel presiding.

MINUTES Mayor Daniel noted a couple minor changes to the minutes. Motion was made by Mayor Daniel to approve an overview of the November 24, 2020 with changes, Nicole Penrod seconded the motion, all voted aye.

EMPLOYEE DISCIPLINARY DECISION Motion was made by Nicole Penrod to uphold the 30 day suspension without pay to begin December 18, 2020, Walt Crowder seconded the motion.

Mayor Daniel noted one thing that came to light was that we needed more clear guidelines, specifically on the procedure pre-discipline.

Upon the motion, all voted aye.

PLAT APPROVAL: DEER RIVER ESTATES Mayor Daniel confirmed with Walt Crowder the plat has gone through Planning and Building and Plan Commission for primary approval. Walt Crowder advised it had.

Motion was made Mayor Daniel to approve the Deer River Estates plat as presented, Nicole Penrod seconded the motion, all voted aye.

CHANGE ORDER #4 – R. E. CROSBY Mayor Daniel noted we were past the substantial completion date of our LTCP. He advised there were a lot of different things that occurred which created a delay. Mike Cook explained Crosby was asking for an additional 70 days due to COVID, the accident and soil issues at site #16. He shared they thought 70 days was excessive so negotiated and countered with 45 days but Crosby did not like that and wanted the 70 days. He noted USDA Rural Development needed new dates, times and construction schedule for Laura to approve pay requests for them. He advised Crosby essentially came back and negotiated because they had a \$1.2 million pay request on the table that Laura would not sign nor would he until there was some type of deal. He shared it was agreed to a 55 day extension. He noted after the 55 days Crosby would pay for our inspection services, which essentially is liquidated damages at \$1,000 per day.

Mayor Daniel explained in the contract it discusses after the substantial completion date it was \$1,000 per day of effectively liquidated damages. He noted when they looked at it the biggest

damage on the City's side was paying for our inspector to be on site so when negotiating, it created a good opportunity for us to go back and create a partnership and this is where they landed. He felt from the City's standpoint they felt good about this number and time extension.

Wat Crowder questioned if this would be part of the contract or would it be deducted from any unpaid balance. Mayor Daniel and Mike Cook were unsure. Attorney McNagny advised the preference would be a deduction so we would not be waiting to be paid. Mayor Daniel advised they would try for that. He also noted we still have a contingency account that if for some reason items were not paid for we would hold that contingency and be reimbursed by that.

Nicole Penrod questioned if we would still pay the request Crosby has. Mayor Daniel explained R.E. Crosby has already signed off on the amendment and was waiting on the City to sign. He shared we have preliminary approval from USDA and essentially OCRA so effectively that would reopen our timeline; the 55 days started the day after substantial completion was supposed to occur in November so we are in that timeframe already.

Motion was made by Nicole Penrod to approve Change Order #4 as presented, Walt Crowder seconded the motion, all voted aye.

PAY REQUEST #11- R.E. CROSBY \$12,532.00 Mike Cook explained this was for the control panel installed at the 350 E. lift station which was part of the SDI force main project that we left open to spend down some of our funds leftover from SRF. He advised this would be final payment to Crosby for this station. H recommended approval of the pay request.

Motion was made by Mayor Daniel to approve the contractor's application for payment #18130-11 in the amount of \$12,532.00 as presented, Nicole Penrod seconded the motion, all voted aye.

PAY REQUEST #14 R.E. CROSBY \$1,210,951.51 Mike Cook explained this was for the LTCP that was being held until Rural Development received an updated construction schedule and change order with the new substantial and final completion dates. He advised since the change order was approved we could go ahead with approving pay request #14.

Motion was made by Mayor Daniel to approve pay request #14 for pay application #19119-14 in the amount of \$1,210,951.51, Nicole Penrod seconded the motion, all voted aye.

Attorney McNagny felt it would be good to have the Board of Works authorize the Mayor or Mike Cook proceed with supporting the decision to have as a deduction, going back to prior discussion. Motion was made by Nicole Penrod to give Mayor Daniel or Mike Cook the ability to negotiate to have the money going along with the 55 day extension be as a deduct rather than a bill, Walt Crowder seconded the motion, all voted aye.

VECTOR TRUCK DISCUSSION Mike Shoda explained they purchased the Vac truck 4-5 years ago to prove they needed one. He advised his department was not the only department to use it; electric uses it and it serves as a back to the street department. He advised it was getting old and was time to replace it. He shared there was a new law coming down from IDEM that says you cannot shut a line down without putting a boil water advisory out. He noted with the

new trucks they can pump water on and off at the same time to keep the line active. He asked permission to go out and seek prices. He shared the Vac truck they currently have is a 1999 and if they get a new one the plan was to have it for 25 years. Mayor Daniel confirmed the current Vac was used when it was purchased. Mike Shoda advised it was. Walt Crowder questioned if the costs could be shared between departments. Mike Shoda advised there should be cost sharing between water and storm water. Walt Crowder advised he had no objections, Nicole Penrod agreed.

Shawn Lickey advised he and Mike Shoda have worked on this for a while because it was something both of their departments use. He shared he has offered to help with maintenance costs, etc. if necessary. He mentioned he would be replacing their boring machine in the near future and their thought was he could offer a piece of equipment that could also be used for water lines. He shared they thought it could be a fair trade where the water department could use the boring machine and the electric department could use the Vac truck.

REQUEST FOR EMPLOYEE – COMMUNICATIONS Scott Leatherman advised during the budget process he was approved for an additional full time employee for 2021. He requested permission to hire a second full time person after the first of the year since they were currently in the hiring process to fill a vacancy.

Mayor Daniel confirmed they believed there was more than one quality candidate that could be selected. Scott Leatherman advised there were at least two candidates and expects to have another couple after interviews were complete.

Walt Crowder confirmed these would be full time employees. Mayor Daniel advised they would be. Walt Crowder questioned about part time employees. Scott Leatherman explained Hunter Larue was currently filling in part time. He shared in the budget discussions it was decided to replace part time with a full time position. He was not even sure there was still a part time position for 2021. Mayor Daniel noted a lot of this had to do with the fact that it was really challenging to get interest from individuals to be on call and have such a flexible schedule.

Board of Works approved moving forward with the hiring for one new position. Scott Leatherman confirmed they would be hiring to replace Meghann Hill who left and then the new 2021 position that was authorized to begin in January.

UNDERGROUND STORAGE TANKS Shawn Lickey explained IDEM has some new standards to meet regarding underground storage tanks. He advised he has talked with a couple different companies regarding help in keeping things up to code. He shared he would be bringing quotes to the next meeting and were looking at \$10,000 - \$15,000 per year.

FINDINGS OF FACT – DISCIPLINARY ACTION Attorney McNagny asked the Board of Works to request that she prepare the findings of fact concerning the disciplinary action and be read into the record at the next meeting.

Motion was made by Mayor Daniel to have Attorney McNagny prepare findings of facts regarding the disciplinary matter addressed at the beginning of the meeting, be presented and read into record at the next meeting, Nicole Penrod seconded the motion, all voted aye.

BILLS AND PAYROLL Motion was made by Nicole Penrod to pay all bills dated 11/24/2020 in the amount of \$788,660.68, Mayor Daniel seconded the motion, all voted aye.

Motion was made by Nicole Penrod to pay the accounts payable voucher dated 11/29/2020 in the amount of \$2,708.57, Walt Crowder seconded the motion, all voted aye.

Motion was made by Nicole Penrod to pay accounts payable vouchers dated 12/08/2020 in the amount of \$1,561,557.87, Walt Crowder seconded the motion, all voted aye.

Motion was made by Nicole Penrod to pay all pay types except overtime in the amount of \$221,932.46 plus overtime pay of \$5,739.62 dated 12/11/2020, Mayor Daniel seconded the motion, all voted aye.

Motion was made by Nicole Penrod to pay all pay types except overtime specifically for Wellness Pay dated 12/11/2020 in the amount of \$37,237.00, Walt Crowder seconded the motion, all voted aye.

Motion was made by Nicole Penrod to pay all pay types except overtime specifically for Public Safety Hazard Pay dated 12/11/2020 in the amount of \$41,400.00, Mayor Daniel seconded the motion, all voted aye.

Motion was made by Nicole Penrod to pay all bills as presented dated 12/17/2020 in the amount of \$873,219.68, Walt Crowder seconded the motion, all voted aye.

Having no further business to discuss the meeting was adjourned.

Mayor Ryan Daniel

Attest:

Clerk Treasurer Rosie Coyle