

**UTILITY COMMITTEE**  
**January 8, 2020 9:00 a.m. Newburgh Town Hall**

Present: Carol Schaefer, Steve Shoemaker, Christy Powell, Susan Helms, Leon Key, Drew Flamion and Chris Wischer. Others in attendance: Bill Bivens, Dr. Hussain, Jeremy Mattingly, Jordan and Jeremy Aigner, Jim Morley, and Glen Meritt.

Utility Committee member Carol Schaefer called the meeting to order at 9:05 AM with a quorum present.

**Consent Agenda**

Monthly Tracking Report, Inspection Status Report, Sewer Repairs Report, Tap Report, Financial Report, Monthly Sewer Adjustment and approval of December 4, 2019 minutes.

Motion: Christy Powell moved to approve the consent agenda.

Motion seconded: Leon Key

Discussion: 425 taps were sold in 2019 totaling \$851,774.30.

Motion passed unanimously.

**Petitions and Comments from Citizens Present**

**9:15 am – Bill Bivens – Accu Surveying & Engineering – Pebble Creek**

Bill Bivens, Accu Surveying engineer, and Dr. Mohammad Hussain, owner of the Pebble Creek Planned Unit Development, attended the meeting. Revised plans were submitted depicting duplexes on Lots 48 through 60. Mr. Bivens requested a variance to use Double Wye connections from the existing 6" lateral located in the center of the restrictive public utility easement (RPUE) for each duplex condo and between each lot. A clean out will be needed for each wye with the clean out stubbed to the surface. Mr. Bivens will post a bond for the wye construction. Mr. Key suggested the committee approve the request pending engineering review and approval.

Motion: Leon Key moved to recommend to council to approve the waiver for the installation of a clean out with two (2) Wyes in the Pebble Creek #2 Planned Unit Development (PUD); a wye connection shall be provided between lots with one section of pipe stubbed out of each and marked appropriately for future use; cleanout shall also be provided for each wye and the cleanout will be stubbed to the surface and left extended above grade until final grade can be established; the concrete slab and casting for each cleanout will be completed when the final grade is established. The waiver will be granted pending engineering review and approval.

Motion seconded: Susan Helms

Discussion: Accu Surveying & Engineering will post a bond for the project.

Motion passed unanimously.

**Committee Discussion Items**

**Wastewater Treatment Facility Superintendent, Leon Key**

**1. Request for a recommendation to Council for the repair of Lift Station #3, Pump #1, at a cost of \$26,450.45 plus freight by Straeffler Pump & Supply, Inc.**

Mr. Key stated Lift Station #3, Pump #1, located at the plant, requires repair at a cost of \$26,450.45 plus freight. Straeffler Pump & Supply will complete the repairs. The purchase price of a new pump is over \$100,00.00.

Motion: Christy Powell moved to recommend to Council to approve the request to repair Lift station #3, Pump #1, at a cost of \$26,450.45 plus freight by Straeffler Pump & Supply, Inc.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

## **2. Discussion concerning our participation in Indiana Finance Authority (IFA) Regional Planning Meetings.**

Mr. Key received correspondence from the Indiana Finance Authority (IFA) stating the sewer department is required to obtain low interest financing for Preliminary Engineering Report (PER) projects through the IFA and participate in the regional planning groups. Mr. Key will attend the spring conference in French Lick which fulfills the 2020 credit.

### **Petitions and Comments from Citizens Present (cont.)**

#### **9:30 am – Jeremy Mattingly – Mattingly Homes – Ironwood**

Jeremy Mattingly, Jordan and Jeremy Aigner attended the Utility Committee meeting to discuss a mud incident originating from the Ironwood Subdivision. A considerable amount of mud entered the sanitary sewer on August 13, 2019 during a large rain event. Jeremy Aigner, onsite superintendent for the project, stated a plug was placed in the upstream and downstream sewer line. Due to the heavy rain, the plug in the downstream line deflated. Following notification, Jeremy Aigner inflated the plug, installed a second plug and plugged a separate manhole. Mr. Key suggested using a pneumatic or mechanical plug in the future. Jordan Aigner, contractor for Mr. Mattingly, does not feel his company was negligent. Mr. Key estimated the treatment and equipment costs at \$2,640.00; however, the estimate does not include electricity, labor, aeration and sludge disposal costs. Mr. Key would like to take the situation under advisement.

Motion: Christy Powell moved to take under advisement the Standards violation at the Ironwood Subdivision that occurred during a heavy rain event on August 13, 2019.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

### **Committee Discussion Items**

#### **Wastewater Treatment Facility Superintendent, Leon Key**

#### **3. Request a recommendation to the Personnel Committee and Council for a wage realignment for James “Andy” Byers to \$20.12.**

Mr. Key requested a recommendation for a wage realignment for James “Andy” Byers to \$20.12. The wage realignment for the Newburgh Sewer department was approved at the December Town Council meeting before Mr. Byers was hired and Mr. Key stated this position should receive the adjustment benefit.

Motion: Christy Powell moved to recommend to Council and the Personnel Committee to approve a wage realignment for James “Andy” Byers to \$20.12 per hour.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

#### **4. “Warrick Trails in Newburgh Project”**

Mr. Key stated Warrick County requested a Work Order for a new county project, “Warrick Trails in Newburgh”. Mr. Key would like the assistance of Commonwealth Engineering Inc (CEI) to review the plans, become our representative on the Work Plan and respond to the correspondence.

Motion: Leon Key moved to recommend to Council to allow Commonwealth Engineering to review the plans and become the Town’s representative for the “Warrick Trails in Newburgh Project” and prepare the work order plan.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

## **Petitions and Comments from Citizens Present (cont.)**

### **9:45 am – Jim Morley – Morley – Victoria Cottages Pump Station**

Mr. Morley stated five (5) additional cottages are planned in the Victoria National Subdivision and requested permission to install a pump station for each cottage and then lateral to the main. Mr. Key stated there is a guideline used for this type project and the committee has approved this in the past. A capacity determination will be needed.

**Motion: Leon Key moved to recommend to Council for Approval of Concept for the five (5) proposed cottages within the Victoria National Subdivision subject to capacity study findings.**

**Motion seconded: Christy Powell**

**Discussion: None**

**Motion passed unanimously.**

A bond issue to improve the capacity problem in the area may be necessary. The cost for project improvements are in the \$21 million range.

### **10:00 am – Glen Meritt – Cash Wagner – Jenner & Anderson Development**

Mr. Meritt stated Al and Brent Holweger, working with Keith Bratton who owns the five (5) acre tract in this area, is planning a subdivision in the southwest quadrant of Jenner and Anderson; a capacity letter was requested. Peak flow data has been submitted and is currently under review. Mr. Key stated the lift station needed for capacity in this area, Lakeridge H, is not performing to standard. In addition, part of this subdivision is served by Chandler sewer. Mr. Meritt will contact Chandler requesting they waive their participation in order to connect to the Newburgh sewer.

### **Glen Meritt – Libbert & Vann Development**

Mr. Meritt stated a new subdivision is planned north of the Libbert and Vann Road intersection and asked if capacity was available. Mr. Key stated the closest tie-in is an 18" gravity line at the Vann Road interceptor located 700 feet south of the property which flows to the Master Lift Station. Mr. Meritt will submit flow calculations so capacity can be determined.

## **Engineer Report – Drew Flamion**

Mr. Flamion stated CEI has received a Notice to Proceed for the Bell Road project. In addition, the engineering reimbursement amount has been approved by the county and state.

### **1. Discussion on 2016 Sanitary Sewer Master Plan Presentation for Onboarding UC Members**

Mr. Flamion presented a brief overview of the Master Plan and stated these facts of interest: the Newburgh planning area is over 20,000 acres with over 10,000 undeveloped acres; the area consists of 181 miles of sanitary sewers; three (3) areas experiencing the largest growth are Epworth, Willow Pond Basin and Victoria; and, the Newburgh WWTP facility is a Class IV facility. Category 1 projects and the Capacity, Management, Operation and Management (CMOM) program were also discussed.

### **2. Discussion on Westside Wastewater Treatment Plant Study**

At the December 2019 Utility Committee meeting, the options to handle the increased flows of the Pecka Ditch line were discussed. An idea to construct an EQ Basin on the nearby Prow property would cost an estimated \$18 to \$20 million. Due to the costs involved, CEI was asked to prepare a preliminary engineering study to determine the benefits of accelerating the building of the Westside Wastewater Treatment Plant (WWTP). According to the Master Plan, the WWTP would be located at the Master Lift Station with construction to begin in 2026 and be functional in 2030. CEI will continue to prepare options to rectify all problems associated with the Pecka Ditch flow.

## **Utility Chair, Carol Schaefer**

No report.

**Town Attorney, Chris Wischer**

Mr. Wischer requested a meeting with CEI to discuss easement acquisitions for Victoria and Blue Lake.

**1. Stoll Keenon Ogden (SKO) 2020 Contract Agreement**

Mr. Wischer stated the 2020 Town contract with Stoll Keenon Ogden has been prepared. There are no proposed changes from the 2019 hourly rates or retainer fee. Committee members agreed that there is a profession level of expertise at SKO. Any new firm considered should be based on qualifications versus cost. Mr. Wischer is a Newburgh resident, involved in town events, immersed in the community and available to staff and council. His knowledge accumulated in Town's business and history is invaluable.

Motion: Carol Schaefer moved to recommend to Council to approve the 2020 Stoll Keenon Ogden contract with the Town of Newburgh for legal services.

Motion seconded: Christy Powell

Discussion: None

Motion passed unanimously.

**2. Faegre Baker Daniels Engagement Letter**

Mr. Wischer asked the committee to consider the hiring of Faegre Baker Daniels (FaegreBD) to represent the Town in lobbying and monitoring efforts before the legislature in 2020 as they have in previous years. There are several House Bills being considered during this legislative session that directly affect the Town of Newburgh such as annexation, sewer construction betterment and the ability to lien properties in an effort to collect unpaid sewer and storm water fees. The fee to hire FaegreBD for the 2020 legislative session is not to exceed \$25,000.00 and will be paid by the sewer department.

Motion: Carol Schaefer moved to recommend to Council to approve the 2020 Engagement Letter with Faegre Baker Daniels for lobbying and monitoring services during the 2020 legislative session at a cost not to exceed \$25,000.00 to be paid by the Sewer Department.

Motion seconded: Christy Powell

Discussion: None

Motion passed unanimously.

Mr. Wischer confirmed that he is to obtain a split easement from the Green Springs Valley property owner where a swimming pool exists over the top of the sewer line.

**Town Manager, Christy Powell**

No report.

**Utility Manager, Susan Helms**

**1. Financial Report**

Mrs. Helms stated the Sewer Operating Account balance is \$5,546,473.89. Approved projects in the amount of \$418,189.47 have not been disbursed. Outstanding claims will be reviewed.

**2. Storage Unit Rental**

Mrs. Helms stated additional storage space for utility records is needed. The storage house located on Monroe Street is deteriorating and the 2012 - 2017 records must be moved to a more secure facility. In addition, there are records regarding a lawsuit stored at the WWTP. Mr. Wischer will research the suit to determine if the records can be destroyed. A climate-controlled storage unit was recommended by the committee.

Motion: Christy Powell moved to adjourn the meeting.

Motion seconded: Leon Key

Discussion: None  
Motion passed unanimously.

The meeting adjourned at 11:35 AM.