

CITY OF WINCHESTER  
BOARD OF PUBLIC WORKS  
AND SAFETY MEETING MINUTES  
MONDAY, OCTOBER 21, 2019

Regular meeting @ 5:00 p.m. Council  
Chambers / City Hall / 113 E. Washington St.

Mayor Byrum called the meeting to order and presided over the meeting. Clerk-Treasurer, Vicki Haney, recorded the minutes.

Pledge of Allegiance – Mayor Byrum  
Moment of Silence – Mayor Byrum

The roll call showed all Board of Public Works and Safety members present

Mayor Shon Byrum  
Mr. Bob McCoy  
Mr. Bill Richmond

Additional Officials Present

Chris Martin, Wastewater Treatment Superintendent; Shean Bosworth, Streets and Parks Superintendent; Meeks Cockerill, City Attorney; Jon Reed, Police Chief; Dwayne Wiggans, Fire Chief

Citizens Present

Dick Wagel, HWC Engineering; Bear Alfrey, Doris Grow, Jeff Grow

Approval of the Minutes

Mr. Richmond has a question regarding the September 16, 2019 minutes. He said that under the Police Department heading it says how many calls that they have responded to since January and that the number is written with a dollar sign. He also talked about the amendments that were made to the August minutes that were to be corrected; Mr. Richmond pointed out that there was still a correction to be made to those minutes. Mr. Richmond moved to approve the minutes of the August 19, 2019 meeting as corrected. Mr. McCoy seconded. Motion passed 3-0. Mr. Byrum moved to approve the minutes of the September 16, 2019 meeting as presented. Mr. McCoy seconded. Motion passed 3-0.

Public Concerns

Mayor Byrum opened the floor to public concerns.

There being no public concerns, the floor was closed.

## UNFINISHED BUSINESS

### 865 Western Avenue

Jeff and Doris Grow came before the board to speak about their pump grinder. Mr. and Mrs. Clayton Grow own the property located at 865 Western Avenue and were annexed into the City's sewer hook-up in 2005. The Pump was installed in August of 2005. January of 2007 the second pump burned up, and in 2009 the third pump burned up. In 2014, Mr. Grow talked with the Mayor and they decided to hire Royce to dig up the septic to find out why the pumps were burning up. While Royce was digging up the septic, they discovered that the septic tank was still at the property when Culy installed sewage, and Mr. Grow claimed the City signed off on the permit saying that it met all the requirements. Superintendent Martin asked Mr. Grow what permit the City signed off on, and Mr. Grow stated that the permit was given to presiding Mayor Steve Croyle. Mr. Martin explained that the only permit that the City issues is the sewage tap permit. He proceeds to explain to Mr. Grow that the City does not inspect the station and that the City only inspects from the station to what ties into the main. He informs Mr. Grow that the station would have not been inspected by the City because it is considered private and would be the homeowner's responsibility. The City would have only inspected the pipe coming out of the pump and what ties into the main hole. The lift station itself was never inspected by the City. The reason why the Grow's pumps kept burning up was because they were pumping ground water. A sewer hook-up is supposed to be within three hundred (300) feet of the foundation of a home, but at the time that the sewage was hooked-up it was within three hundred (300) feet of the property line. The hook-up for the property is at Kem Street, which Mr. Grow said that the footage of the pipe from the pump to the manhole is five hundred eighteen (518) feet. But, at the time that it was installed in 2005, the hook-up was within three hundred (300) feet of the property line, which met the code. Mr. Grow says that it does not meet Indiana Code 34-51.3.4. He said that Shockney was there the last time and said that the pump is not designed to pump six hundred (600) feet of sewage so it backs up. At that time, he said, that the homeowner was not responsible to have hook-up under the municipality street or across the property line. Mr. Grow says that the homeowner cannot be responsible to repair infrastructure that is under the City's street. Superintendent Martin says that the pipe is not under the street currently today. Mr. Grow says that you cannot cross property lines, and Mr. Martin says that it is in the right of way. The piping can be within the right of way because you are not on private property, you would be within public property of the right of way. Attorney Cockerill then says that without an easement, you cannot cross property lines, and Superintendent Martin says that we do not know whether the bank got an easement once the property was foreclosed. Mr. Grow then states his question is whether the homeowner is responsible for all the pipe, if it were to collapse. Attorney Cockerill answers Mr. Grow's question by stating that it is the homeowner's responsibility because it is your lateral. The ordinance says that from your house to the main is a lateral and the homeowner is responsible for the lateral. Attorney Cockerill says that he still does not know the answer to who is responsible for the actual hook-up in the main. Mr. Grow says that his understanding is that City must inspect and improve all main hook-ups. He would like the municipality to take care of the pump because the system was put in wrong. Mr. McCoy asked if the problem was corrected as far as pumping the ground water now. Mr. Grow says that when it

rains they still are getting ground water in the pump. Mr. Richmond asked when the last time they replaced the pump was, and Mr. Grow said that it was replaced three (3) weeks ago and it cost them four thousand one hundred dollars (\$4,100.00). Mr. Richmond said that there was no clear indication as to whether the problem was solved. Mr. Grow says that if they put a boot in the tank, then that would solve the problem. Mr. Richmond asked what the cost of the boot is. Mayor Byrum says that they did not know what the cost of the boot was, but that the request was made by him to put a boot on the pump and pay for the most recent fix of the pump. Mr. Richmond asks if that would solve the problem. Mayor Byrum says that it would fix the problem and from that point forward it would be the homeowner's responsibility. Superintendent Martin says that he is not going to guarantee that this will fix the problem because he believes that the City paid Royce close the three thousand dollars (3,000.00) to do a lot of work out there. Mayor Byrum then states again that the request was to pay Shockney Electric to put a new pump in, and then put a boot on the pump to seal it so that any extra ground water cannot get in. Mr. McCoy asked who would be putting the boot in, and Superintendent Martin says that they will have to hire a contractor. Mr. McCoy then says that there is no point in putting another pump on it, if the pump is not equipped to pump six hundred (600) feet of sewage; he doesn't want to fix something, and the same problem happen again in another year. Mr. McCoy wants somebody to look at the property to see if the boot would fix the problem that the Grow's are having. They can't have a septic at the property, but they do not want to fix it that way and then Mr. and Mrs. Grow turn around and fix it again a few years from now.

Mr. McCoy moved to allow Superintendent Martin to get in touch with Culy and give their opinion on whether the boot would fix the problem. Mr. Richmond seconded. Motion carried 3-0. Jeff asked if the current bill of four thousand one hundred dollars (\$4,100) was going to be paid by the city. Mr. McCoy asked if the pump that was put in was currently working and if it was a big enough pump to do what it needs to do. Superintendent Martin said that he will get the footages and see if the pump that was put in was big enough. Mayor Byrum said that his thinking is that there is more ground water because of the golf course. He is wondering if economic development has influenced this trade off, or if it has anything to do with it at all. Mr. Grow asks where the recourse is going to be at. Superintendent Martin said that the City did not inspect and approve that station, the connection is what the City inspected. Attorney Cockerill says that recourse is not against the City. Mr. McCoy is curious as to how the contractor knew what size pump to put in, but the typical grinder pump is 2 horse power. Mayor Byrum stated that we will continue the conversation after getting the results from the inspection.

## NEW BUSINESS

### Fire Department

Fire Chief Wiggins says he has nothing to report. Mr. Richmond says that they were talking about a grant writer at the last meeting and wanted to know where we were on that. Chief Wiggins said that the grant has to be done by the end of October he believes.

### Police Department

Mr. Richmond asked how they are coming along with the break ins and theft problems. Chief Reed says that the reporting is down. Chief Reed says that he talked with Kate Thornburg about

new neighborhood watch signs. He said that they will partner with Walmart for community improvement grants and that Walmart said that they could use that money to buy some signs for the community watch program. He also said that the partnership seems to be working well; there are not as many reported thefts. Mr. McCoy says that he has not seen as many people out, and Mr. Richmond says that he hasn't heard as many people talking about it.

#### Street Department

Shean Bosworth, Street and Park Superintendent said that they are chasing leaves.

#### Sewage Department

Chris started by opening quotes for N Main Street Sewer Project

#### North Main Sewer Project

Superintendent Martin explained that there was an addendum put out to allow the bidders to boar everything in instead of doing any open cutting, if they wanted, so that's why you'll see directional drill or open cut. JG Case Construction for the base bid of seventy-two thousand dollars (\$72,000.00) for directional boar. The second bid that was opened was from Cobalt Civil for sixty-five thousand six hundred three dollars (\$65,603.00) for directional boar. The third bid is from Culy's for seventy thousand sixty-two dollars (\$70,062.00) for directional boar and eighty-seven thousand seven hundred dollars (\$87,700.00) for open cut. Mr. McCoy motioned to award the bid to Cobalt Civil in the amount of sixty-five thousand six hundred three dollars (\$65,603.00) for the directional boar pending review. Mr. Richmond seconded. Motion passed 3-0. Dick Wagle, City Engineer, says that he is going to double check multiplying their unit price to make sure it comes out.

#### Lift Station at the Wastewater Treatment Plant

Superintendent Martin said that there are five (5) trees by the lift station at the plant that he is afraid will fall on to the lift station if they are not removed. He received a quote from Cunningham Tree Service that will cut the five (5) trees down for three thousand five hundred dollars (\$3,500.00).

#### Basement of Wastewater Treatment Plant

Superintendent Martin also said that he is running into a problem with the lighting in the basements of their buildings at the plant. He had Williams Automation give him quotes to replace the lighting in the basements with what they put in the garage. For both buildings the cost is going to be eleven thousand two hundred dollars (\$11,200.00). He would like to move forward with it because it is dark in the basements and dangerous for the employees to be down there working. Mr. McCoy asked if they would be putting in LED type lights and Superintendent Martin answered yes. It will save on energy cost and it is only one (1) bulb to replace instead of four (4). Mr. Richmond motioned to approve the quote for Williams Automation to replace the lighting in the basements of the two buildings at the plant. Mr. McCoy seconded. Motion passed 3-0.

### Lagoon Leak

Superintendent Martin talked to Culy's about the lagoon leak and they said they do not really want to tackle it. He also contacted Brun's, which is who built the lagoons in the early 90's. Mr. Brun is going to look at the lagoon and give us an idea. Mr. McCoy asked if there was any idea about what the cost might be. HDPE liner, which does not have as long of a life as the lateral liner, is probably going to be about One Million Dollars just for the liner.

### Sewage Affidavits

115 Race Street, owned by Fred Oliver, has been demolished. Clerk-Treasurer Haney, is asking that this property be removed from the sewage billing. Mayor Byrum moved to approve the property located at 115 Race Street be removed from the sewage billing. Mr. McCoy seconded. Motion passed 3-0.

739 Beeson Drive, owned by Gary and Deb Kelsey, is requesting that the property be removed from the sewage billing due to a fire destroying the residence. The owner is delinquent on the property, but the owner, Mr. Kelsay, has agreed to pay twenty dollars (\$20.00) a week until it is paid off. Mr. McCoy moved to approve that the property located at 739 Beeson Drive be removed from the sewage billing. Mr. Richmond seconded. Motion passed 3-0.

### Accounts Payable Vouchers (APV)

Sewage APV for the end of September is six thousand two hundred eighty-eight dollars and sixty cents (\$6,288.60). October 1<sup>st</sup> – 13<sup>th</sup> APV is one hundred four thousand sixty-eight dollars and twenty-eight cents (\$104,068.28). Payroll APV is twenty thousand four hundred seventy-one dollars and forty-six cents (\$20,471.46). Total APV for sewage is one hundred thirty-one thousand four hundred twenty-eight dollars and thirty-four cents (\$131,428.34). Mr. McCoy moved to approve total sewage APV. Mr. Richmond seconded. Motion passed 3-0

General BOW (Board of Works) APV is forty-five thousand eight hundred twenty-three dollars and sixty-eight cents (\$45,823.68). Payroll APV is one hundred ten thousand eight hundred eighty dollars and seventy-nine cents (\$110,880.79). Total APV is one hundred fifty-six thousand seven hundred four dollars and forty-seven cents (\$156,704.47). Mr. McCoy moved to approve the total general BOW APV. Mr. Richmond seconded. Motion passed 3-0.

### Cancellation of Warrants

Clerk-Treasurer Haney asked that the board consider approving a cancellation of warrants. Warrant number 16170 in the amount of five dollars and seven cents (\$5.07) written to Joe Goodhew dated August 16, 2016. Warrant number 16269 in the amount of one dollar and eighty-two cents (\$1.82) written to Michael Haney dated November 9, 2016. Total of the two warrants is six dollars and eighty-nine cents (\$6.89). Mr. McCoy moved to approve the two (2) cancellation of warrants. Mr. Richmond seconded. Motion passed 3-0.

### Bank Reconciliation

Clerk-Treasurer Haney stated that in the docket books there is a bank reconciliation that she is asking the board to sign. She stated that it is a requirement for internal controls by state board of accounts. It will be in the docket for them to sign and approve as well as the APV every

month. Mr. Richmond moved to approve the bank reconciliations. Mr. McCoy seconded. Motion passed 3-0.

Adjournment

There being no further matters to discuss, Mr. Richmond moved to adjourn. Mr. McCoy seconded. Motion passed 3-0. The October 21, 2019 meeting was adjourned at 5:51 p.m.

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Mayor, Shon Byrum

ATTEST:

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Clerk-Treasurer, Vicki Haney