

10-15-18 Council Minutes

Crooksville Council Meeting Minutes Monday, October 15, 2018

ROLL CALL: Mayor Redfern called the meeting to order with the following members present Mr. Rice, Mr. Locke, Mr. Hampton, Ms. Smith, Mr. Mohler and Mr. Loomis. Tom Collins and Jan Baughman were present. Fire/EMS Chief Hill was absent. Police Chief Walters was present.

Grant Schooley was present to give Council an update for the waterline project as well as have approval for pay applications. First he gave an update on Contract #1. They are currently working on installing the main line on Mohican and Delaware Drive and then will be moving towards China Street. They have begun saw cutting the pavement and getting utilities located on that side. There is a second crew going behind capping old main, shutting old valves, and pulling old valves. Site restoration, most of the Southeast part of town has been cleaned up but everything North of Main still needs cleaned up along with just a few other areas. Trying to get this taken care of as much as possible before winter comes. The CDBG grant did approve the extension until June for completion of work. From the schedules received from Freedom, this shows that they will be done by June. Jobes Henderson looked at quantities they have been working, and if they continue on the pace they are on, this would work out with their time schedule but going into winter, it is unknown whether they will be able to keep up that same pace. Tom asked who is going to have to pay for those six months that they are over the project. Grant explained that there are a few different options and the contract with Jobes Henderson, there is enough to cover through the end of January and to get to June it would cost approximately another \$150,000.00. It is still being discussed on how to move forward with a plan but are waiting until after Thursday's meeting to see what Freedom has planned for moving forward. Liquidated damages of \$700 a day is not enough to cover those expenses, but there is a supplemental loan that can be taken on by the Village but Tom asked why we should have to take on another loan and that at the meeting Thursday it needs discussed with Freedom Construction and the Surety about them taking on this cost. This does not include any other costs, just engineering. The \$500,000 from CDBG, if pulled in a case of Freedom not completing on time, is something else that needs looked at. All of these concerns will be presented to the surety company on Thursday. Freedom Construction needs held responsible for all these issues. Tom stated that he has no clue what the recourse should be. Solicitor Baughman reminded Council that she explained what the Village's options would be but there are no good ones no matter what route is taken. Grant explained that this meeting Thursday is for Westfield, the Surety Company, to explain their role in this project and they are wanting to manage this project. The alternative to them taking over is allowing Freedom to continue as they are. Tom stated that if it took them 12 months to do the East side of town then there is no way they can get the other side done in 6 months. This meeting will give insight to what is going on and where everyone stands on this project. The meeting is at 12:00 on Thursday. Mr. Mohler asked what is remaining to be paid out. Grant explained that he believes they are getting close to half way on completed work and with the billed to date they are at about 50% but included stored materials. There has been a change order that has been brought tonight for approval. This includes weather delays, or claims that has been approved to date totaling \$10,809.20 for other delays that were reviewed and approved. A motion was made to approve the contract change order giving them 51 days and adding \$10,809.20 in claims they had by Mr. Locke and seconded by Mr. Rice. Mr. Hampton stated his disapproval of this and explained that Freedom Construction should be responsible for, not the Village. Tom explained that he will not assist any more or have our guys fix these water breaks that Freedom was not able to fix. Tom went in to detail about what all the Village has done in order to help those crews including materials but it was agreed upon that they help each other out but feels this only works when it is in Freedom's favor, not the Village's. Grant explained to Mr. Mohler what this change order entailed in order to be able to approve adding to the contract. Grant let them know that the Village can submit changes as well just like Freedom can. Motion carried.

Pay App #9 was submitted by Freedom Construction totaling \$141,370.48 for approval tonight. Grant explained that this was probably for Main line installation and paving invoices. Motion was made by Mr. Locke and seconded by Mr. Mohler to approve Pay App #9 totaling \$141,370.48. Grant explained that there were some issues with some areas that were paved and the subcontractor wanted to argue about taking care of this. The subcontractor went back and fixed these problems so that they could get paid. Grant let Council know that if there are areas they have concerns about to let him know because the pay can be held if need be. He believes that they are getting better. They discussed the amount due within this pay app for the subcontractor. Motion carried.

Contract #2, the tank is constructed and in the curing process. The optimal time to cure is about 28 days and should put them at about November 1st for getting the adequate cure and then will start the disinfection process. They will not have to waste an entire tank of water due to a method approved by the EPA that they will be using. This should be ready for service the 2nd week of November and it was discussed last Thursday that they would like to work through the winter on the demolition of the old tank after the new one is in service and the old one is shut off. Grant stated that this will not cost any more for the Village for Mid-Atlantic to do complete the demolition of this over winter. Mid Atlantic submitted a time extension request but Grant has not had a chance to review but will have for next month's meeting. They have submitted a pay app totaling \$52,904.37 for erection of the tank. Motion was made by Mr. Mohler and seconded by Mr. Hampton to approve the pay app for Mid Atlantic totaling \$52,904.37. Grant explained this process that they will use in detail to Council. Motion carried.

MINUTES: Motion to approve Clerk's Minutes was made by Mr. Mohler and seconded by Mr. Locke. Motion carried.

APPROVAL OF REPORTS: Motion to approve October Revenue Adjustments was made by Mr. Mohler and seconded by Ms. Smith. Motion carried.

Motion to approve Clerk's Reports for September was made by Mr. Mohler and seconded by Mr. Rice. Motion carried.

Motion to approve Mayor's Court Report for September was made by Mr. Mohler and seconded by Ms. Smith. Motion carried.

CORRESPONDENCE AND MESSAGES: Mayor Redfern reminded Council about getting their SWOT turned in for the next meeting.

SOLICITOR LIST: Solicitor Baughman stated that she does not have any updates tonight for Council.

PAID BILLS: A motion to approve Resolution 2018-73 paid bills and payroll was made by Mr. Mohler and seconded by Mr. Loomis. Motion carried.

TO BE PAID BILLS: A motion to approve Resolution 2018-74 to be paid bills was made by Mr. Mohler and seconded by Mr. Loomis. Motion carried.

TRANSFER: A motion to approve Resolution 2018-75 transferring funds was made by Mr. Mohler and seconded by Ms. Smith. Motion carried.

PARK & RECREATION: Mayor Redfern wanted to let Council know there was some vandalism down at the Park over the last couple days with the trash cans and tables. He would like for Council to consider storing the tables and benches somewhere. Mayor Redfern stated that he does not know the answer for this. Mr. Hampton suggested flipping the tables over and chaining them together. Mayor Redfern stated that there was something wrong with the camera so he was not able to look earlier. Tom explained that it takes four guys to move those tables and there has to be another solution. Mr. Locke asked Police Chief Walters if there has been any patrolling down at the Park. He stated that they do patrol down there. Tom explained that if someone looked at these every day then it could be rebooted. Mayor Redfern stated that Council needs to have an alternate plan or everything will get destroyed. Mayor Redfern asked Council when they wanted to lock up for the winter. The port-o-lets will be removed down at the Park and this will not be a worry next year. The new restroom will be out to bid in November and possibly construction in December or January. Tom brought up the cameras at the Rec Center and asked if anyone gets on them. The cameras are no good if no one gets on and checks them.

SAFETY: Mayor Redfern asked Police Chief Walters if he had anything to discuss tonight with Council and he responded that he did not. Mayor Redfern let everyone know that Fire/EMS Chief Hill was not present tonight because he had to work.

LEGISLATIVE: Motion to suspend the rules for Ordinance 2631, an Ordinance Amending the 2018 Budget and Appropriations as an Emergency was made by Mr. Mohler and seconded by Mr. Loomis. Motion carried.

Motion to accept Ordinance 2631, an Ordinance Amending the 2018 Budget and Appropriations as an Emergency was made by Mr. Mohler and seconded by Ms. Smith. Motion carried.

OLD BUSINESS: Nothing.

NEW BUSINESS: Nothing.

ADJOURNMENT: A motion to adjourn was made by Mr. Mohler and seconded by Mr. Rice. Motion carried.

BRITTANY ROSS

Fiscal Officer

FRED REDFERN

Mayor