

BOARD OF SANITARY DISTRICT COMMISSIONERS REGULAR MEETING

WEDNESDAY, SEPTEMBER 22, 2021, 4:00 P.M. – 1100 E. EIGHTH STREET

The meeting was called to order at 4:05 P.M. by Tim Smith. Commissioners present for the meeting were Tim Smith, Jeffery Wright, Holt L. Edinger and Tim Werner. Holt L. Edinger participated via Telephonic Conference. Frank R. Harris was absent.

Staff Present for the meeting were:

Michael P. Kuss, General Manager

Scott Kistler, Financial Manager

Steve Stanford, Operations Manager

Milorad Milatovic, Superintendent of Water Reclamation

Rachel McCline, Receptionist/Dispatcher

Dannie Peaslee Jr, MCSAN Employee

James B. Meyer, Legal Counsel

Also present for the meeting were:

Daniel McCoy, Daniel McCoy & Associates

Don Przybylinski, City Councilman

Karen Zeiger, Consultant

Patricia Williams, Michigan City Resident

Andre Steele, ALCO TV

Minutes

Mr. Edinger made a motion to approve the August 25, 2021, Regular Meeting Minutes – seconded by Mr. Wright. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Public Comment

Dannie Peaslee, 5601 Warnke Road addressed the Board regarding the City of Michigan City's essential pay to its employees. Mr. Peaslee asked why the Water Reclamation employees are not recipients.

Attorney Meyer advised that the essential pay is controlled by the City Mayor and the City Council. Attorney Meyer added that there are different definitions in the Federal Law that indicate how the money can be used.

Mr. Peaslee addressed the Board regarding the proposed COVID-19 Vaccination Policy. Mr. Peaslee asked why nonvaccinated employees would be required to be tested twice a week and not vaccinated employees as well. Mr. Peaslee also expressed that the testing should be funded by the Sanitary District.

The Board thanked Mr. Peaslee for his comments.

Councilman Don Przybylinski addressed the Board regarding safety issues at Striebel Pond. Councilman Przybylinski advised that on August 19, 2021, there were two (2) male individuals seen walking around the parking lot yelling at visitors. Another incident occurred later that included gun fire. After an investigation by Michigan City Police, there were six (6) 22 caliber bullet shell casings retrieved from the parking lot. Councilman Przybylinski recommended that the lighting in both parking lots should be improved for safety.

Patricia Williams and Ms. Calhoun, 447 Walker Street addressed the Board regarding the status of her needed sanitary sewer repairs. Mr. Stanford reported that Sanitary District officials came to Ms. Williams' address to measure the floor elevation. Mr. Stanford explained that once the sanitary sewer slope and elevation is determined, they can move forward with determining the best means to resolve this matter.

Ms. Calhoun asked when the repair work would be complete. Mr. Kuss stated that the work is projected to be complete within the next six (6) months.

Councilman Przybylinski requested that the Sanitary District investigate the needed patch work at 103 Felton Street in Sheridan Hills. Mr. Kuss understood.

Safety Report

Mr. McCoy advised that there were no recordable injuries in the Water Reclamation Department or the Refuse Department in August 2021.

Mr. McCoy reported that the Occupational Safety & Health Administration (OSHA) has a database that allows other industries to compare safety statistics.

The Board thanked Mr. McCoy for his report.

Opening Bids

Mr. Kuss provided the Board with **Addendum No. 3 Refuse Trucks Bids** and reported that the opening will be postponed to October 27, 2021.

COVID-19 Health Emergency Update of District Functions

Attorney Meyer advised that under Indiana law, the Sanitary District is prohibited from demanding proof of receiving a vaccination for COVID-19. Mr. Kuss explained that the Sanitary District can require people to be vaccinated without requiring proof.

Mr. Kuss advised that the Sanitary District will revisit the proposed Vaccination Policy pending any vaccination regulations made at the Federal level.

Personnel

Mr. Kuss advised that there have been additional complaints from staff members that Sanitary District officials plan to investigate.

Mr. Kuss submitted a **Revised Staff Organization Chart** to include the Staff Accountant Position and recommended approval of the same.

Mr. Edinger made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kuss submitted a **Revised 2021 Salary Ordinance with Staff Accountant** included and recommended approval of the same.

Mr. Wright made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

New Complaint Forms and Procedures

Mr. Kuss advised that the Sanitary District's Personnel Policies Handbook was vague regarding the filing of employee complaints.

Mr. Kuss reported that Sanitary District officials revisited the policy and made necessary changes regarding the procedures to properly file a complaint. Mr. Kuss recommended Board approval for **Modifications to the Handbook** as presented.

Mr. Wright made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kuss submitted an updated **Complaint Form** and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Wright. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kuss submitted a revised **Complaint Form regarding Harassment, Discrimination, and/or Retaliation** and recommended approval of the same.

Mr. Wright made such a motion to include an address and phone number for the Michigan City Human Rights Department on the form – seconded Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

Financial Report

As of August 31, 2021:

Operating Fund: \$1,349,730.50
Horizon Municipal Fund: \$30.78
Improvement Fund: \$774,892.26
Vehicle Replacement Fund: \$34,464.02
Equipment Replacement Fund: \$554,072.31
Operating Grand Fund: \$0.00
Indian Springs Project Fund: \$7,211.27
Whippoorwill Project: \$338.88
SRF Debt Reserve Fund: \$499,629.94
SRF Bond & Interest: \$51,971.87
Stormwater Fund: \$729,479.82
Refuse Municipal Fund: \$20.80
Refuse Fund: \$1,278,664.07
Special Revenue: \$2,384.56
Levy Excess Fund: \$8,522.14
Tax Levy Grand Fund: \$0.00
Rainy Day Fund: \$ 0.00
Karwick Remediation Fund: \$243,629.52

Mr. Kistler provided the Board with the 2021 Budget Performance Reports for the Operating, Refuse and Stormwater Funds.

Mr. Kistler provided the Board with a 2022 Proposed Refuse Fund Budget and recommended approval of the same.

Mr. Edinger made such a motion – seconded by Mr. Wright. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kistler provided the Board with a 2022 Proposed Stormwater Fund Budget and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Wright. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kistler advised that the Sanitary District would like to increase the Improvement Fund by \$50,000.00 monthly for the remainder of 2021 and recommended approval of the same.

Mr. Wright made a motion to approve the **Proposed 2021 Q4 Transfers** – seconded by Mr. Werner. There being no question or comment on the matter – the motion carried 4 – 0 in favor.

Mr. Kistler reported that the Sanitary District had a good 2020 Audit.

The Board thanked Mr. Kistler for his report.

Refuse Solid Waste Disposal Agreement/Contract

Mr. Kuss provided the Board with a copy of the agreement with Waste Management of Indiana, LLC, for the processing and disposal of Municipal Solid Waste.

Scholarship Program

No updates

Grant Applications

Mr. Kuss reported that the Sanitary District received approval from the Indiana Finance Authority for the State Road 212 Stormwater Grant.

Cheney Run Stormwater Project

Mr. Kuss advised that the project is complete. The next step is to process the Sanitary District's Grant reimbursement. Mr. Kuss reported that there are some issues with the outfall structure that the Sanitary District plans to work through.

Karwick Dumpsite

Mr. Kuss advised that the Sanitary District continues to wait for Substantial Completion on this project.

North End Study

Mr. Kuss noted that the Sanitary District needs to follow up on the drafted Professional Services Agreement with Strand & Associates.

Long Beach Sewer Project

Mr. Kuss reported that the project is moving forward. Mr. Kuss submitted an Invoice from Haas & Associates, LLC in the amount of \$13,391.79 and recommended approval of the same.

Mr. Edinger made such a motion – seconded by Mr. Wright. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Striebel Pond Restoration Project

Mr. Kuss reported that the Sanitary District plans to assess the vegetation later in the fall of this year.

300 N and US Hwy 421 Sewer Project

No updates

U.S. Hwy 35 LaPorte County TIF Area

No updates

Energy Savings Report

Mr. Kuss reported that the Sanitary District saved \$5,733.56 in September 2021.

Blue SWAG

Mr. Kuss provided the Board with the monthly report.

Whisper Dunes

No updates

Wastewater Treatment Plant Project Updates

Mr. Kuss reported that the Aeration D.O. and Blower Auto Controls have been installed. Mr. Kuss provided the Board with a Bio-Solids Handling Study from Woodard and Curran.

Shambaugh and Sons, PLC control

No updates

Wonderware SCADA Project Upgrade Phase 2 – Project

Mr. Kuss submitted a SCADA Services Contract Proposal with DMC and recommended approval of the same.

Mr. Wright made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

South Shore Line Double Track Project

Mr. Kuss submitted a Northern Indiana Commuter Transportation District (NICTD), Michigan City Sanitary District (MCSD), Michigan City Department of Water Works (WW) and City of Michigan City Construction Agreement and recommended approval of the same.

Mr. Wright made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

White Ditch Cleaning Project Quotes

Mr. Kuss advised that the Sanitary District has received the Grant funding for this project.

US HWY 35 & 20 Sewer Extension Preliminary Engineering Report (PER)

No updates

Lakeside Townhomes

Mr. Kuss advised that the application for the permit has been sent, reviewed, and approved by Sanitary District officials.

Renaissance Academy Sanitary Sewer Acceptance

Mr. Kuss provided the Board with a signed version of the Memorandum of Understanding regarding the Sanitary District taking possession of the mentioned sewer.

New Airport Runway Sanitary Sewer Project

Mr. Kuss advised that this project continues to be successful.

447 Walker Street Sewer Repair

Mr. Kuss and Mr. Stanford provided an update on this matter in the beginning of the meeting.

Used Tire Storage Pad

Mr. Kuss reported that the Sanitary District issued Reith Riley a Notice to Proceed on this project.

MCSAN Monthly Reports

Mr. Kuss provided the Board with the District's monthly staff reports.

Attorney James B. Meyer, Legal Counsel

Attorney Meyer thanked the Commissioner Wright for all his efforts as the City's Engineer.

Approve & Allow Revenue & Tax Levy Claims for Payment

Mr. Edinger made a motion to approve and allow Revenue and Tax Levy Claims for Payment – seconded by Mr. Wright. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Old Business

None

New Business

Mr. Kuss submitted **Resolution No. 1436-21 Declaring certain obsolete/non-functional electronic laboratory equipment to be surplus and to be recycled**. Mr. Kuss then recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Edinger. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kuss submitted **Resolution No. 1437-21 Request for Authorization to Purchase Used Refuse Truck**. Mr. Kuss then recommended approval of the same.

Mr. Wright made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 4 – 0 in favor.

On behalf of the Michigan City Tree Board, Mr. Werner asked if the City Forrester position will fall under the Sanitary District. Mr. Kuss advised that there has been discussion about including City Forrester position in the Stormwater section of the Sanitary District. Mr. Kuss noted that he would speak with Mayor Parry regarding this matter.

Mr. Werner suggested that Sanitary District officials and Indiana Department of Transportation officials meet to discuss a solution for the drainage issues at White Ditch.

Mr. Werner reported a sinking manhole at the corner of Ohio Street and U.S. Hwy 20 and recommended that Sanitary District officials determine a solution to the matter.

Mr. Wright made a motion to adjourn the meeting – seconded by Mr. Werner. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Next Regular Board of Commissioners Meeting – **Wednesday, October 27, 2021 – 1100 E. Eighth Street at 4:00 P.M.**



Holt L. Edinger, Secretary