

CITY OF BEECH GROVE, IN
BOARD OF SANITATION MEETING MINUTES
MONDAY, JULY 20th, 2015

Mayor Dennis Buckley called the meeting to order at 6:00 pm.

ROLL CALL: Board of Sanitation Members, Sandy Seward, Ed Bell, and Mayor Dennis Buckley were present. Also, in attendance were Clerk Treasurer, Dan McMillan and City Attorney, Craig Wiley.

MEETING MINUTES: Clerk Treasurer Dan McMillan presented to the Board for approval, the minutes from the July 6th, 2015 meeting. Sandy Seward moved to accept the minutes as presented. Ed Bell seconded the Motion; which was approved by unanimous voice vote.

APPROVAL OF CLAIMS: Mayor Buckley gave a brief description of the claims.

Wastewater Claims – in the amount of **\$326,159.75** were presented to the Board for approval.

Ed Bell moved to approve the claims as presented. Sandy Seward seconded the Motion; which was approved by unanimous voice vote.

OLD BUSINESS: -none

NEW BUSINESS:

Mayor Buckley spoke to the sewage issue on South 5th Avenue. Claims were filed with the City liability insurance, but the claims were denied.

A citizen explained what happened to their home on June 27th, 2015; which included more than two and a half feet of water and raw sewage backed up into their home; the cause thought to be from heavy rain. Director, Brad Meriwether instructed them to call a company to clean it up. She stated that this was the first home they have bought and they were not aware that sewage back-up insurance was available, so they did not carry it. Mayor Buckley asked approval from the Board to allow City Attorney, Craig Wiley, to work with the five families involved to find a fair and equitable resolution. Ed Bell asked why the city insurance carrier refused to settle and Mayor Buckley said, there were two reasons- the first reason was, because of the amount of rain. The second reason was a root ball broke loose from another residential lateral and was found at the end of the run. The city was not aware that it was there. The City has no duty to respond, because they were unaware of the root ball, however, because it can't be determined with certainty that it was the rain that caused the issue and not the root ball, and the damage was so extensive, it is only right for the City to respond. The City will not pay claims out every time it rains.

Sandy Seward moved to approve the request to allow City Attorney, Craig Wiley, to move forward with working to find a fair and equitable solution for these Citizens. Ed Bell seconded the Motion; which was approved by unanimous voice vote.

Craig Wiley announced what documentation the City will need from the Citizens to resolve the issue and he asked that the citizens involved contact him

COMMENTS FROM THE BOARD: -none

ADJOURNMENT:

Ed Bell moved to adjourn. Sandy Seward seconded the Motion. The meeting was adjourned at 6:09pm. The next Board of Sanitation meeting will be held on Monday, August 3rd, 2015 at 6:00pm in City Hall Council Chambers.

Dennis Buckley, Mayor

Dan McMillan, Clerk Treasurer

Prepared by: Dan McMillan