

MINUTES
BUHL SPECIAL CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
8/14/2025

Thursday, August 19, 2025

6:00 P.M.

1. CALL TO ORDER by Mayor Matthews at 6:00 p.m.

2. ROLL CALL:

Councilors: X Kealy X Loeffler X Teska-Erickson X Towner
Mayor: X Matthews

Administrator: X Jeffries
Public Works Foreman: Pink
Attorney: Kearney
Engineer: X Jamnick
Fire Chief: Lehman
Police Chief: Vukad
Finance Manager: Thronson

3. APPROVAL OF AGENDA/COUNCIL ADDITIONS TO AGENDA:

None.

4. REPORTS FROM DEPARTMENT HEADS:

None.

5. CITIZENS FORUM:

None.

6. CONSENT AGENDA

A. Minutes:

None.

B. Claims:

None.

7. BUSINESS:

- A. Consider Approving Change Order No. 6 for the City Wide Infrastructure Improvements Project (No. 19-599) to Casper Construction, Inc. in the Amount of <\$ 56,349.34>.

The City had previously received (from JPJ Engineering) Change Order No. 6 for the City Wide Infrastructure Improvements project in the amount of \$<56,349.34> to Casper Construction, Inc. (Primary Contractor).

This compensating change order adjusts the final pay item quantities to tie out to the final quantities installed on the project in the field (upward, or <downward>).

The City voted to deny this change order on April 15, 2025, pending additional clarification of certain work items, as follows:

1) Regrade Alley F (6/5/23)	\$ 8,118.28
2) Topsoil Restoration @ Penn & Mine (6/5/23)	\$ 850.50
3) Regrade Alley F (10/10/23)	\$ 3,985.00
4) <u>Replace Concrete steps @ Church (10/10/23)</u>	<u>\$ 1,925.50</u>
TOTAL	\$ 14,879.28

These items originally appeared that the additional pay quantities (to the Primary Contractor) may not have been necessarily appropriate to be reflected in this change order, as it appeared that the (additional) work may have been undertaken to correct previous work (and/or errors/omissions in design) for which it is reasonable that there should be no additional City cost, as it was not in the City's control or action.

Further information has now been provided regarding these items, as follows:

- 1) Work authorized to address resident concerns on general alley drainage – this was a new and additional change in design and was successfully completed by the Prime Contractor and appears to be a legitimate change in scope to be borne by the City –
- 2) Created by snowplowing damage and restored by the Prime Contractor – this appears to be a legitimate change in scope to be borne by the City –
- 3) Work authorized to address continued resident concerns on general alley drainage – this was another new and additional change in design and was successfully completed by the Prime Contractor and appears to be a legitimate change in scope to be borne by the City –

- 4) Created by damage to the lower step which required the reconstruction of another step to make the corrective action acceptable – Prime Contractor successfully completed the work and contends that it was not responsible for work related to the additional (second) step and requests payment of that additional work –

It appears that the corrective action to the staircase did require the reconstruction of the second additional step (which did not receive damage) to make the overall repair successful -

The Engineer has again determined that this work has been successfully completed and recommends approval of this Compensating Change Order No. 6 for this work.

Recommendation is to consider approving the above Change Order No. 6 in the amount of \$<56,349.34>.

Motion by Towner to approve Change Order No. 6 for Project No. 19-599 in the amount of \$<56,349.34> to Casper Construction, Inc.

Supported by Matthews.

Discussion. Approve/Reject/Table.

General discussion was that items #1 - #3 above are not generally contested any longer, given the additional information received –

The position on item #4 remains that this work purportedly was not explicitly approved by the city, however accepting this item, in the big picture and in the long run, may be the best and financially most prudent course of action for the city to take –

Continued general discussion on the regrading of Alley F, the reasons for this, the re-design efforts to improve, and the outcomes of, ensued –

This alley is still not in very good shape -

Motion carried 4-1; Teska-Erickson voting nay.

- B. Consider Approving Contractor's Application for Payment No. 14 – FINAL for the City-Wide Infrastructure Improvements Project (No. 19-599) to Casper Construction, Inc. in the Amount of \$ 64,879.28.

The City had previously received (from JPJ Engineering) Contractor's Application for Payment No. 14 for the City-Wide Infrastructure

Improvements project in the amount of \$64,879.28 to Casper Construction, Inc. (the "Prime Contractor").

This pay estimate had previously been tabled (April 15, 2025), with no action taken, due to questions surrounding the validity and appropriateness of these additional work items, and further additional clarification was requested regarding these items.

Clarification regarding these items has now been received establishing these work items as valid project charges.

This progress estimate includes a retainage amount of \$50,000.00, plus items related to additional work on BASE BID – PART 1, which includes:

1) Regrade Alley F (6/5/23)	\$ 8,118.28
2) Topsoil Restoration @ Penn & Mine (6/5/23)	\$ 850.50
3) Regrade Alley F (10/10/23)	\$ 3,985.00
4) <u>Replace Concrete steps @ Church (10/10/23)</u>	<u>\$ 1,925.50</u>
TOTAL	\$ 14,879.28

Action regarding accepting these items was taken earlier in this meeting.

The Engineer has again determined that the retainage amount is accurate and valid, and that the additional work items have been successfully completed, and recommends payment of the above amount for this work to the Prime Contractor.

Recommendation is to consider approving the above final payment request.

Motion by Towner to approve Contractor's Application for Payment No.14 - FINAL for Project No. 19-599 in the amount of \$ 64,879.28 to Casper Construction, Inc.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Question was raised as to whether the items contained on the punch list for this project were complete; the City Engineer indicated that, after some modification to the punch list and the removal of some items which were not directly related to this project or were not really punch list items, that yes, the punch list has been deemed complete -

Discussion ensued regarding a number of other items and conditions, including the status of the alley south of Woodbridge Ave (300 block), the design requirements of restoring surfaces (including roads & alleys) to their original condition, the repair of sidewalk on the 200 block of Culver Avenue, and landscape restoration on the corner of State Street and Mercer Avenue -

Motion carried 4-1; Teska-Erickson voting nay.

C. Other Business:

None.

D. Councilors' Comments.

Councilor Kealy –

The Curling Club arena floor is soaking wet and musty; and drain traps need to be filled – this needs to be addressed!

Someone ran into (hit) the (exterior) entrance lobby support beams and dislodged one of the support beams from it's seated location; this needs to be attended to –

There is a wedding at the facility on September 22, for which the facility needs to be ready –

Suggestion and request to turn on the in-wall ventilating fans and leave them on to dry out the facility -

The temporary liquor license for the September 22 event has not yet been received from the state, but is anticipated to be received soon –

E. Mayor's Comments.

Noted that it appeared that there was no further negotiating room regarding the Lutheran Church steps repair issue, and that the item should be cleared as is -

8. ADJOURN:

Motion by Kealy to adjourn.

Supported by Teska-Erickson.

Motion carried unanimously and the meeting was adjourned at 6:26 p.m.

ATTEST:



Tony Jeffries, City Clerk



James Matthews, Mayor