

**June 21, 2022**

The Board of Public Works and Safety met in regular session in the Council Chambers on Tuesday, June 21, 2022, at 9:00 A.M.

**Present:** Mayor Dermody, Jessica Romine, Mark Kosior

**Absent:** None

**Pledge of Allegiance**

Drum Osborne led the Pledge of Allegiance

**Approval of Minutes**

Each member received an advance copy of the minutes. Mayor Dermody asked if there were any additions or corrections.

**Motion/Vote – Approval of Minutes**

Ms. Romine moved to approve the minutes as presented; motion seconded by Mr. Kosior

**Public Comment**

None

**Claims Approval**

Clerk-Treasurer presented Payroll from June 10 in the amount of \$473,865.81

**Motion/Vote – Approval of 6/10 Payroll**

Mr. Kosior moved to approve the 6/10 Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$577,275.85.

**Motion/Vote – Approval of Civil City Claims**

Mr. Kosior moved to approve the Civil City Claims as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer presented Water Claims in the amount of \$278,095.70.

**Motion/Vote – Approval of Water Claims**

Mr. Kosior moved to approve the Water Claims as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Sewage Claims in the amount of \$681,749.72.

**Motion/Vote – Approval of Sewage Claims**

Mr. Kosior moved to approve the Sewage Claims as presented; motion seconded by Ms. Romine and unanimously carried.

**Ticket Fines Appeal**

Clerk-Treasurer Parthun presented a request from Eric Snyder for the penalties to be waived on a ticket issued April 12, 2022 that was not paid. Mr. Snyder thought he was paying the ticket and made a payment on a county website; He was unaware the ticket was not paid until he received the statement. Mr. Snyder has paid the ticket in full minus the penalties.

**Motion/Vote – Waive Parking Ticket Penalties**

Ms. Romine moved to approve waiving parking ticket penalties as presented; motion seconded by Mr. Kosior and unanimously carried.

**State of Indiana Proclamation: Capital for The Day**

Mayor Dermody stated La Porte is the place everyone wants to be on the Fourth of July as we celebrate those who have served and protected our freedom. Mayor Dermody invited Drum Osborne and Dawn and Joy Zigler to come to the front of the Council Chambers as he read a proclamation on behalf of the State of Indiana declaring the City of La Porte capital for the day on July 4, 2022. Mayor Dermody thanked the Kiwanis Club and the Zigler sisters for taking on the responsibility of the Fourth of July.

Joy Zigler stated there will be a Fourth of July parade; the roads will be closed starting at 8:30 a.m. for the 5k race followed by the parade at 10 a.m. Ms. Zigler stated they are still currently working on a flyover. In addition, Ms. Zigler stated they do have several applications in and intend to keep the same number of participants in the parade as last year as the length of the parade was well received.

Drum Osborne announced the theme of the parade is America Proud, La Porte Proud which demonstrates the pride La Porte takes toward the Fourth of July. Mr. Osborne thanked The City and the sponsors, which is how the parade is funded.

Dawn Zigler stated the race before the parade is for Riley Hospital. In addition, Ms. Zigler reiterated the application for the flyover has been submitted; typically, the end of this week is the expected timeframe to hear if the flyover will happen. Ms. Zigler stated they are hoping to get someone from the 122<sup>nd</sup> out of Fort Wayne. Ms. Zigler stated in past years they have been able to keep connections with family members of enlisted personnel that were able to help with the flyover. In addition, she stated if anyone knows someone that is currently enlisted in the Navy to reach out because they would love to entertain them and welcome to La Porte to help with the flyover.

Mayor Dermody stated he had the pleasure of speaking with Governor Holcomb for a few minutes and Governor Holcomb expressed his appreciation for the overwhelming interest in him being at the parade and guarantees he will be there next year. Mayor Dermody stated

the pressure is on to make sure he follows through. Mayor Dermody questioned if there were enough volunteers for the parade.

Drum Osborne responded by stating the membership of the Kawansi Club has grown so they do not require as many volunteers but the area where more may be needed is along the parade route. Mr. Osborne stated they have a parade meeting this Thursday at the Civic, following their regular meeting, at 5:30 p.m. During this meeting, they will be looking for volunteers; if anyone wants to volunteer along the parade route do not hesitate to reach out. Additionally, Mr. Osborne stated to just be aware of where the nearest law enforcement may be in the incident something happens.

### **Department Head Reports**

#### **Human Resources**

Human Resources Director Andrea Smith made two reminders: July 13, 2022 at 11:00 a.m. there is a free Medicare seminar, available to spouses and family members and August 23, 2022 the Jet Dental Popup Clinic will be at the Civic Auditorium. Ms. Smith requested department heads encourage their employees to attend.

**Planning:** Director of Community Development and Planning Craig Phillips reported work on the parking study continues and is expected to be finished and the initial report received within the next several weeks. In addition, Mr. Phillips reported he is working with the city engineer to develop the first phase of the Monroe Street Streetscape Project. Mr. Phillips stated he is also working with City Attorney Nick Otis to put out the public offer for the Don George property, for the third time, which will go out for notice within the next month. Public offers for the 18th Street housing development project are to follow. Mr. Phillips also stated they are continuing to make progress with their partnership with The Healthcare Foundation on the housing study that is being done.

Mayor Dermody thanked Mr. Phillips for his hard work with the double track in Michigan City and downstate to make sure the legislation passed.

**Transporte:** Transporte Manager Beth West reported a summer promotional was started yesterday to try and increase the number of riders; 10 punch passes are being sold for \$20, regardless of age, with the 11<sup>th</sup> ride free. Ms. West stated the passes will be on sale until Labor Day; 27 passes have already been sold. Ms. West reported Transporte as of today has had 2,000 riders for June, the past two months there have been 3,200 riders, which is right on track for another successful month of ridership.

**Park:** Park Director Mark Schreiber thanked the Kiwanis Club and the police and fire departments for being at Ben Rees Park for the community event; it was a successful event. Mr. Schreiber reminded everyone the fireworks will start at 9:15 p.m. on the Fourth of July over clear lake, following the 7:30 p.m. performance by the La Porte County Symphony at the Dennis F. Smith Amphitheater. Mr. Schreiber thanked Flaherty and Collins Property for being the exclusive sponsor for the fireworks. In addition, Mr. Schreiber stated there was an article

in the Herold Dispatch about the Beach House Policy, prohibiting private parties on the deck. Mr. Schreiber also announced, starting this week their kayak rentals will begin on Stone Lake. More information about kayak rentals will be posted on the website and Facebook page when rentals become active. Mr. Schreiber thanked the partners that have helped: La Porte Park Foundation and The Healthcare foundation. Mr. Schreiber announced more trail work will begin in the fall to take the Stone Lake trail from the Beach House to Waverly Road. They will be looking at additional extensions next year.

Mayor Dermody thanked Mr. Schreiber for his hard work for the previous three years and working with the public to make the kayak rentals a reality.

**Engineer:** City Engineer Nick Minich thanked The Healthcare Foundation, as they have received several grants this year which will allow for continued work at Soldiers Memorial Park, in addition to filling in the gaps and providing adequate sidewalks or pathways between the Middle School and High School campuses. Mr. Minich stated we do not have the ability to fund sidewalk gaps very often, so the partnership with the Healthcare Foundation is a great opportunity for the city. Mr. Minich also stated they are on track for reletting the Chessie Two Project; if enough funding is awarded the project will start construction this year. In addition, Mr. Minich reported street paving is ongoing.

**Communications:** Communications Director Jess Bruder thanked everyone that came out for the 50s Cruise In, with a special thank you to La Porte Seamless Gutter and Ben Konowitz. Ms. Bruder stated the next Friday Night Live event will be Taco Fest, July 8, 2022, brought to the community by Arnett Construction; a big thank you to Derrick Arnett. Ms. Bruder stated she is happy to be working with Captain Metcalf, the new Public Information Officer, in getting information to the public from the police department in a timely manner. Additionally, Ms. Bruder stated new City of La Porte summer merch is available; towels, men's and women's tank tops and an athletic quarter zip for the cooler days can be purchased at [lavinthelakelife.org](http://lavinthelakelife.org).

Mayor Dermody stated the Railroad is currently doing work on the crossings and decided not to show up or inform us; after reaching out to them they stated they forgot but they should be coming this week.

Ms. Bruder responded by stating she has received a lot of comments questioning why no one was notified when this was happening and why they have not been notified sooner. Ms. Bruder stated we have no control over the work the Railroad does, and she is posting the information as soon as she is receiving it but cannot get the information out to the public if it is not provided to her.

**Fire:** Kelly Burke reported the Merit Commission has certified the hiring list that will be good through April 30, 2024. There are eighteen new applicants on the list. In addition, Mr. Burke stated letters were sent out last week notifying applicants of their place on the list.

**Police:** Chief Brettin stated they have mandated active shooter training, in conjunction with Michigan City, before the start of the school year. Chief Brettin also stated the UTV they were able to receive through the Healthcare Foundation Grant was used at Ben Rees Park during the community event, allowing children and the community to see it and sit in it.

**Street/Code:** Director of Central Services Jeff Batchelor reported they are still hauling millings, painting and striping, mowing city properties and street sweeping downtown in anticipation of the Fourth of July parade. Mr. Batchelor stated for code, they are out just doing what they are supposed to be doing. In addition, Mr. Batchelor stated the crews painting downtown have almost been hit several times, even with the arrow board behind the crew, due to drivers not paying attention. They have had to remove the crew from the road due to unsafe conditions and have been trying to get the crew out earlier while traffic is lighter. Mr. Batchelor encourages people to be cautious and aware of their surroundings while driving to help maintain a safe working environment for the street crew.

**Legal:** City Attorney Nick Otis stated there is nothing for legal.

**Wastewater:** Wastewater Director Jerry Jackson reported Monroe Manor is continuing and appreciates the public's cooperation and understanding with brief interruptions to parking. The completion date is still on track for the end of July. In addition, Mr. Jackson reported KDM is proceeding on the phosphorus project and great to work with. Mr. Jackson stated they have been working with Surf Broadband to potentially get the remote alarming switched to fiber, which will help tremendously in missing any alarms.

Mayor Dermody expressed his excitement to potentially work with Surf Broadband on a more corporate level throughout the departments.

**Water Department:** Water Superintendent Tim Werner reported construction crews are finishing up on 3<sup>rd</sup> Street, there were six or seven intersections that had broken valves. In addition, Mr. Werner stated he also has safety concerns regarding cars going around road closed signs and cones. Mr. Werner asks that the public pay attention to the signs and cones and respect the safety of the crews working. Additionally, Mr. Werner stated there may be a need to close the roads completely, even for residents living in those blocks, not only for the crew's safety but the public's safety as well. Mr. Werner stated they have met with Habitat regarding the Timba Bakery Sight, showing the location of the water sources. Mr. Werner announced all employees are back and healthy! Mr. Werner stated the portable fill station discussed at the last Board of Works meeting has been ordered and shared stats regarding previous year's sales. Approximately 70,000 gallons were sold in 2020 and 2.2 million gallons in 2021. Mr. Werner stated they are still doing cross training within the department.

**New Business:**

**Request for Use: St. Johns School**

Executive Assistant Annette Loeffler presented a request on behalf of St. Johns School. St. Johns School is requesting to close the road in front of their thrift shop to celebrate their 50<sup>th</sup>

Anniversary. No intersections will be closed, just the block between two intersections. There are no driveways or business access points in this block.

**Motion/Vote – Approve Request for Use**

Ms. Romine made a motion to approve Request for Use as presented; motion was seconded by Mark Kosior and unanimously carried.

**Request for Use: Andie Renner**

Executive Assistant Annette Loeffler presented a request on behalf of Andie Renner and La Porte County Animal Shelter on Highway 2 to use Plaza 618 for a public event. This will be an animal adoption event in conjunction with Mucho Mas and Downtown Delights having give back times for purchases made, to give back to the animal shelter. No animals will be at this event.

**Motion/Vote – Approve Request for Use**

Mr. Kosior made a motion to approve Request for Use as presented; motion was seconded by Ms. Romine and unanimously carried.

**Nick Otis: Letter of Engagement**

City Attorney Nick Otis presented a request to work with Ice Miller on some upcoming items; we have worked with them on previous matters.

**Motion/Vote – Letter of Engagement**

Ms. Romine made a motion to approve Letter of Engagement as presented; motion was seconded by Mr. Kosior and unanimously carried.

**Paul Brettin: LPPD SAVE Grant**

Chief Brettin presented a request for the LPPD SAVE Grant in the amount of \$12,000. Chief Brettin stated they have participated in this program previously, Stop Arm Violation Enforcement. They currently have some funds left they intend to use in August, but this additional amount will allow this to continue. Chief Brettin reminded the public the only legal time to pass a school bus with the stop arm down, in the opposite direction, is if there is a non-drivable median.

**Motion/Vote – Approve LPPD SAVE Grant**

Mr. Kosior moved to approve LPPD SAVE Grant as presented; motion seconded by Ms. Romine and unanimously carried.

**Jerry Jackson: Phosphorous Project Pay Request #2**

Wastewater Director Jerry Jackson presented pay request #2 for the Phosphorus Project with KDM. The payment is due in the amount of \$93,618.80, bringing the project to 12% completion. Mr. Jackson stated the deadline to be in compliance is February 2023 and recommends payment.

**Motion/Vote – Approval Phosphorus Project Pay Request #2**

Ms. Romine moved to approve Phosphorus Project Pay Request #2 as presented; motion was seconded by Mr. Kosior and unanimously carried.

**Pay Request #8 Monroe Manor**

Wastewater Director Jerry Jackson presented Pay Request #8 Monroe Manor from HRP in the amount of \$272,793.92, bringing the project to 69% completion with approximately one month of construction left to complete; Mr. Jackson recommends payment.

**Motion/Vote – Approve Pay Request #8 Monroe Manor**

Mr. Kosior moved to approve Pay Request #8 Monroe Manor as presented; motion was seconded by Ms. Romine and unanimously carried.

**Basement Grant Request to Increase Grant**

Wastewater Director Jerry Jackson presented Basement Grant Application increase. Mr. Jackson presented examples from other cities and their Basement Grant Application process. Mr. Jackson stated he likes Lansing's program; the city pays the first \$1,000 and 75% of the next \$5,000 with the maximum grant being \$4,750. Mr. Jackson presented an example of the Basement Grant Application submitted for 1005 Plain St: The quote for this work was \$4,645. If the Lansing Model is used, the City will pay the first \$1,000 and 75% of the remaining \$3,645 for a total payment in the amount of \$3,733 with the remainder being paid by the homeowner. Mr. Jackson stated he recommends the Lansing model but is open to discussion.

Mayor Dermody questioned where the funds will come from and how this change may affect the Wastewater Fund.

Mr. Jackson responded by stating this would come out of the Wastewater Budget. They typically have four to five applications per year which will increase the amount currently being spent, \$7,500, to approximately \$12-\$20,000 if the four-to-five-year pace is continued. Mr. Jackson stated there is money in the budget to do this and is worth the good-will that is generated with the property owners and the shielding with the regulatory process.

Mr. Kosior questioned what amount the grants program is capped at.

Mr. Jackson responded by stating the grant program is currently capped at \$20,000 and they have yet to ever reach this limit, therefore it is already in the budget.

Mayor Dermody questioned who makes the decision when a homeowner has water in the basement if it meets the need for the grant.

Mr. Jackson responded by stating when they receive a call about a basement backup, a member of the sewage team assesses the situation and then informs the homeowner of the

grant program and provides an application. The next step is a meeting with the homeowner and a local plumber, or plumber of the homeowner's choice, and all three parties must agree on the solution and then a quote is provided and presented to the board.

**Motion/Vote – Approve Basement Grant Request to Increase Grant**

Ms. Romine moved to approve Basement Grant Request to Increase Grant as presented; motion seconded by Mr. Kosior and unanimously carried.

**Basement Grant Application: 1005 Plain St**

Wastewater Director Jerry Jackson presented a grant application for 1005 Plain St. The total cost for the project is \$4,645 with the City's responsibility in the amount of \$3,733.

**Motion/Vote – Approve Basement Grant Application: 1005 Plain St**

Mr. Kosior moved to approve Basement Grant Application: 1005 Plain St as presented; motion seconded by Ms. Romine and unanimously carried.

**Approval of Street Sweeping**

Director of Central Services Jeff Batchelor presented an approval for street sweeping as the timeframe on the previous approval has expired. Mr. Batchelor stated they were able to acquire a lower landfill quote with Republic at \$21 per ton versus the previous quote of \$35 per ton. In addition, Mr. Batchelor presented a new quote for transportation from Jagad Trucking at \$20.13 per ton.

Mayor Dermody asked for an explanation as to why it is important that the street sweepings are hauled away.

Jerry Jackson responded by stating they are contaminated with metals and other not great stuff. In addition, Mr. Jackson stated they do not make good fill and IDEM requires they are landfilled. Mr. Jackson stated they currently have quite a bit that needs to be taken to the landfill and are working on a way to haul them away on a regular basis.

Mr. Kosior questioned if it were possible to haul the street sweepings in house.

Mr. Batchelor stated they are currently hauling millings and the department would be stretched too thin in order to take this task on as well.

**Motion/Vote – Approve Republic Service Landfill**

Ms. Romine moved to approve Republic Service Landfill as presented; motion seconded by Mayor Dermody and unanimously carried.

**Motion/Vote – Approve Transportation Quote Jagad Trucking**

Mayor Dermody moved to approve Transportation Quote Jagad Trucking as presented; motion was seconded by Mr. Kosior and passed 2-0; Ms. Romine abstained from the vote.



**Unfinished Business**

Mayor Dermody provided an update on 39 North. Mayor Dermody stated they have had a successful second round of meetings with the homeowners, the majority understand and agree they would like sufficient water flow in the instance it is needed to extinguish a fire.

Mr. Kosior stated the annexation is not only for the businesses and residents of 39 North but to also to protect the residents of the City to ensure they have adequate water. In addition, Mr. Kosior stressed the importance of drivers paying attention while behind the wheel and refraining from using their phones, not only for the safety of city workers but for others sharing the road.

**Adjourn**

There being no further business, Ms. Romine moved to adjourn; motion seconded by Mr. Kosior and unanimously carried.

**Approve:** \_\_\_\_\_  
**Thomas P. Dermody, Mayor**

**Attest:** \_\_\_\_\_  
**Courtney Parthun, Clerk-Treasurer**

**Approved: July 6, 2022**