

September 6, 2023

The Board of Public Works and Safety met in regular session in the Council Chambers on Wednesday, September 6, 2023, at 9:03 A.M.

Present: Mayor Dermody, Mark Kosior, Jessica Romine

Absent:

Craig Phillips 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 made a motion to approve the minutes as presented; motion seconded by Mr. Kosior and unanimously carried.

Public Comment

None

Claims Approval

Clerk-Treasurer Parthun presented Payroll from September 1, 2023 in the amount of \$461,641.77.

Motion/Vote – Approval of September 1, 2023 Payroll

Mr. Kosior made a motion to approve the September 1, 2023 Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Water Claims in the amount of \$234,612.27.

Motion/Vote – Approval of Water Claims

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

Clerk-Treasurer Parthun presented Sewage Claims in the amount of \$337,889.34.

Motion/Vote – Approval of Sewage Claims

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

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$792,872.31.

Motion/Vote – Approval of Civil City Claims

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

Department Head Reports

City Planner: City Planner Craig Phillips stated he does not have anything new to add, just ongoing projects that have previously been discussed.

Water: Water Superintendent Tim Werner reported crews are continuing to work on the bulk fill station. This will replace the current system; customers fill at a hydrant and we count on the honor system to know how much water is being pumped. Mr. Werner stated they are currently waiting for NIPSCO to get them a power drop. Mr. Werner provided an I Street update. Last week they were finishing up concrete and curb work and this week they are hoping to get pavement down from 18th to 14th. Mr. Werner stated HRP has done an excellent job in making sure that the residents and businesses in this area have minimal disruptions. Mayor Dermody thanked the residents and business owners in the area for being patient. In addition, Mr. Werner introduced the new Water Quality Supervisor, Jillian Burton. Ms. Burton spoke briefly about herself.

Wastewater: Wastewater Director Jerry Jackson reported the channel dredging was completed by Wednesday afternoon with a lot of help from waterworks.

Engineering: City Engineer Nick Minich reported Truesdell is closed from Holocker to Pine Lake Ave. Mr. Minich stated they are continuing to work with the contractor to ensure their maintenance traffic plan is enough. Mr. Minich stated the closure happened very quickly and that was to ensure NIPSCO utilities could be moved in time for the pavement to be put in this year.

Streets/Code: Director of Central Services Jeff Batchelor reported they have a crew going out to Woodland and Indiana due to a tree that has fallen. In addition, Mr. Batchelor reported they are cleaning drains and once the rain stops, they will fill potholes and pick up brush.

Police: Chief Brettin reported Cops and Bobbers will be September 24th at Beechwood Lakes. Chief Brettin credited Mental Health Professional Caitlyn Kalisik for helping this event explode. In past years they would be lucky to have 10 kids and they already have 45 kids signed up to participate. The event begins at 9 A.M. and a cookout will be held at noon. Mr. Kosior questioned what the typical age range is for this event. Chief Brettin stated kids typically range in age from six to 16.

Fire: Chief Snyder reported the Fire Department participated in a fire truck pull event on August 26, 2023, for the Special Olympics and won the event. Chief Snyder stated they plan to help get the word out in hopes this event becomes larger and a good fundraiser for the Special Olympics in the future. Chief Snyder stated this event is not just for firefighters, it is for anyone in the community that would like to participate. In addition, Chief Snyder reported

they are currently working on the second phase of the traffic preemption project. The second phase includes the rest of the lights in the city. Currently, there are two lights that are operational: Boston and East Lincolnway, and Scott North and Heinz and East Lincolnway. Chief Snyder stated there are a few glitches that are being worked out. Mayor Dermody recognized both the Fire and Police for a job well done during a difficult situation over the weekend.

LEAP: Executive Director of La Porte Economic Advancement Partnership Bert Cook expressed his appreciation to Nick Minich and Reith-Riley for the work that is being done on Darlington Street. In addition, Mr. Cook recognized Sarah Zygmuntowski for all her hard work and dedication as she prepares to leave the city for another job opportunity in Indianapolis.

New Business:

Updated Policy on ADA Wheelchair Securement

TransPorte Director Beth West presented updated Policy on ADA Wheelchair Securement. Ms. West stated they previously had an ADA policy that was extremely vague and after their recent ADA training, it was decided a policy update was necessary. The new policy was put together with the help of HR and legal has reviewed and approved.

Motion/Vote – Approval of Updated Policy on ADA Wheelchair Securement

Ms. Romine made a motion to approve Updated Policy on ADA Wheelchair Securement as presented; motion seconded by Mr. Kosior and unanimously carried.

Contract Amendment (Construction Inspection) - Lochmueller

City Engineer Nick Minich presented Contract Amendment (Construction Inspection) Lochmueller. Mr. Minich stated they have added some scope to this contract as the original contract was only meant to be about half the project because timing on the second phase was not yet known. Mr. Minich stated this amendment will cover a good portion of the second phase. Mr. Minich stated there is the possibility of another amendment toward the end of the project. This is a \$30,000 amendment to a \$150,000 contract taking the contract total to \$180,000. Mr. Minich stated this was all accounted for in the budget for this project.

Motion/Vote – Approval of Contract Amendment (Construction Inspection) - Lochmueller

Ms. Romine made a motion to approve Contract Amendment (Construction Inspection) – Lochmueller as presented; motion seconded by Mr. Kosior and unanimously carried.

Pay Application #3: Civic Improvements – Schneider Electric

City Engineer Nick Minich presented Pay Application #3: Civic Improvements – Schneider Electric in the amount of \$585,260.10. Mr. Minich stated he recommends approval.

Motion/Vote – Approval of Pay Application #3: Civic Improvements – Schneider Electric

Mr. Kosior made a motion to approve Pay Application #3: Civic Improvements – Schneider Electric as presented; motion seconded by Ms. Romine and unanimously carried.

Pay Application #4: Civic Improvements – Schneider Electric

City Engineer Nick Minich presented Pay Application #4: Civic Improvements – Schneider Electric in the amount of \$891,630. Mr. Minich stated the combination of pay application #3 and #4 brings the project to 62 percent complete and recommends payment.

Motion/Vote – Approval of Pay Application #4: Civic Improvements – Schneider Electric

Ms. Romine made a motion to approve Pay Application #4: Civic Improvements – Schneider Electric as presented; motion seconded by Mr. Kosior and unanimously carried.

Fire Training Facility Proposal

Fire Chief Andy Snyder presented a contract proposal from WHP Trainingtowers. Chief Snyder stated this is included in the bond for the new fire truck. The training tower will be located at station three. Chief Snyder stated this is a proposal from Sourcewell, therefore it does not require the bid process. Chief Snyder stated legal has already been provided with a copy of this contract and legal agrees that it is acceptable to enter into this contract. Chief Snyder's request is for consideration and approval of the presented proposal. Mr. Kosior questioned where this will be paid from. Chief Snyder reiterated it will be paid for out of the bond and does fit within the budget set by the Redevelopment Commission and the City Council. Mr. Kosior questioned how many departments our size use training facilities like this. Chief Snyder stated there are a lot of cities that utilize this type of training facility.

Motion/Vote – Approval of Fire Training Facility Proposal

Mr. Kosior made a motion to approve Fire Training Facility Proposal as presented; motion seconded by Ms. Romine and unanimously carried.

NIPSCO

City Engineer Nick Minich presented NIPSCO payment in the amount of \$343,869. Mr. Minich stated NIPSCO is covering most of the cost, however, they will not cover what they normally would not do on their own, such as putting the power underground. This is something that the city has been working on with NIPSCO for the last 4-5 years. Mayor Dermody questioned Mr. Minich if doing this will allow Truesdell Ave to be done this year. Mr. Minich stated yes. Mayor Dermody questioned where this would be paid from. Mr. Minich stated this was accounted for in the budget and will be paid from RDC.

Motion/Vote – Approval of NIPSCO

Ms. Romine made a motion to approve NIPSCO as presented; motion seconded by Mr. Kosior and unanimously carried.

Approval of CDBG Electrical Contract with Closed Circuit Electric

CDBG Manager Mary Ann Richards presented Approval of CDBG Electrical Contract with Closed Circuit Electric. This is for electrical repairs through the homeowner repair program at three different addresses. Ms. Richards stated this was awarded back in May but had to go through a conflict-of-interest waiver through HUD and it has now been approved.

Motion/Vote – Approval of CDBG Electrical Contract with Closed Circuit Electric

Mr. Kosior made a motion to approve CDBG Electrical Contract with Closed Circuit Electric as presented; motion seconded by Ms. Romine and unanimously carried.

Unfinished Business

Other Business:

MOU with 39 N

City Attorney Nick Otis presented a memorandum of understanding with 39 N. Attorney Otis stated this is the first part of the agreement with 39 N and lays out the general terms of the agreement between the parties. This did not make it as an agenda item because it was just approved Friday by 39 N. Attorney Otis stated the city will purchase the assets of 39 N for two million dollars that will be made up of utility credits to the property owners of 39 N. In exchange, the city will receive all the assets of 39 N, in addition to \$500,000 of cash on hand. The city agrees to start on major upgrades to 39 N within three years. Attorney Otis stated there are 3-4 projects that will be ready to be implemented once the upgrades to 39 N are complete. Mayor Dermody stated this is a process that began in 2021 and thanked the Conservancy Board Members for signing the MOU. Ms. Romine questioned if the three-year timeline began when the MOU was signed. Attorney Otis clarified there will be a much more thorough purchase agreement. There are two steps to this annexation because the city was not able to annex all of 39 N under this annexation because of the contiguity. Once the first phase is complete, the second phase will begin. Mr. Kosior questioned if the final purchase agreement would have to wait until both phases of annexation are complete. Mayor Dermody stated they are going to request them to sign a waiver of annexation in the interim until both phases are complete. Mr. Kosior questioned when a purchase agreement would be completed. Attorney Otis stated that is something that they would begin working on immediately and would anticipate it to be done before the second annexation is complete. Mayor Dermody stated the first phase of the annexation is expected to be complete by early December. City Planner Craig Phillips stated according to statute, if the City Council approves the fiscal plan and the Annexation Ordinance at tonight's meeting then the Ordinance will be published. There is a 90-day period from the publication of the Ordinance after which the annexation will become effective, absent of successful remonstrance. Mr. Phillips stated a successful remonstrance is not anticipated because an adequate number of signatures were received and no one has requested to remove their signature, therefore there is no indication this will happen. Mr. Phillips reported they have already begun the process of preparing for the second phase which will begin as soon as the first phase is complete. Completion of the second phase will take approximately six to eight months. Mayor Dermody questioned how many parcels will be included in the second phase. Mr. Phillips stated there are approximately 25 parcels. The first phase had approximately 175 parcels, which maxed out the extent that could be annexed based on statute. The first phase annexed 39 N all the way to the toll road and the second phase will include the remainder of the 39 N service area up to 450 N. Ms. Romine questioned when infrastructure improvements will begin. Water Superintendent Tim Werner stated the infrastructure improvements will be a process that begin with getting the funding through grants and other avenues, then the planning stage will begin. Mr. Werner

stated they anticipate beginning these improvements within three years and to be finished within five. Mr. Werner stated the hope is to have them done sooner, potentially within three and a half to four years. Mayor Dermody stated they have seen some interest from developers to bring business to this area once the city takes ownership and questioned Mr. Werner if this would affect those businesses coming in. Mr. Werner stated the first part of the project should be to put up a water tower right away instead of doing all the looping and the new booster station first. This will allow for more firefighting time and stored water times will increase with that installation. This will allow for the fire protection that the system has been lacking and then other improvements can be made. Ms. Romine questioned if the two million dollars would be paid as a credit in addition to two million dollars being paid out. Attorney Otis clarified the two million dollars will only be the credit for utilities for the residents of 39 N. Residents of 39 N will now be treated the same as any other city resident and will no longer be paying the 15 percent premium for water.

Motion/Vote – Approval of MOU with 39 N

Ms. Romine made a motion to approve MOU with 39 N as presented; motion seconded by Mr. Kosior and unanimously carried.

Next regularly scheduled meeting: Tuesday September 19, 2023 at 9 A.M.

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: September 19, 2023