

November 10, 2023

The Board of Public Works and Safety met in regular session in the Council Chambers on Friday, November 10, 2023, at 9:00 A.M.

Present: Mark Kosior, Jessica Romine

Absent: Mayor Dermody

Courtney Parthun led the Pledge of Allegiance

Approval of Minutes

Each member received an advance copy of the minutes. Mr. Kosior 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

Emily Robben, Truesdell Ave, spoke before the Board. Ms. Robben spoke briefly about herself and her concerns. Ms. Robben stated she is working to improve pedestrian and cyclist safety in our community and submit a formal information request on October 25, 2023, with City Attorney Nick Otis for police record of actual and reported near miss incidents between vehicles in operation and pedestrians, cyclists, skateboards, etcetera. Ms. Robben requested the date and time, location of the incident, mode of vehicle and non-vehicle involved, involvement of a minor, and if a serious injury or death occurred. Ms. Robben stated her request was denied by Attorney Otis and is hesitant to believe he thoroughly looked into her request. Ms. Robben stated it has been her experience that this data is necessary in creating a risk matrix based on severity and frequency of events and it is her expectation that the Police Department and the City use this data in budgeting and resource allocation decisions. Ms. Robben stated she stands firm in her belief that this information should be readily accessible and available and asked that we be transparent. Ms. Robben stated she is not looking for answers today but rather putting a face to her name. Mr. Robben stated she will be travelling throughout the remainder of the year but is eager to follow up in person after the new year. Ms. Robben stated her question to city representatives will be if the quantitative data requested does not drive pedestrian and cyclist improvements, what will? How can we work together to improve both the decision-making process and in place practices? Ms. Robben stated this information should be willingly shared because the Police Department is doing hard work out on the streets and they should be proud of their responses. Mr. Kosior stated unfortunately Mayor Dermody is unable to be in attendance, but he will make sure he is made aware of Ms. Robben's concerns, and they hopefully have a follow-up.

Claims Approval

Clerk Treasurer Parthun presented 2023 Police Fall Fitness Payroll in the amount of \$6,644.99. 14 of 41 eligible officers took the test and all passed: 11 at top tier and three at the lower tier.

Motion/Vote – Approval of 2023 Police Fall Fitness Payroll

Ms. Romine made a motion to approve the 2023 Police Fall Fitness Payroll as presented; motion seconded by Mr. Kosior and unanimously carried.

Clerk-Treasurer Parthun presented 2023 Fire Fall Fitness Payroll in the amount of \$19,072.64. 40 of 41 eligible firefighters took the test and all passed: 32 at the top tier and eight at the lower tier.

Motion/Vote – Approval of 2023 Fire Fall Fitness Payroll

Ms. Romine made a motion to approve 2023 Fall Fire Fitness Payroll as presented; motion seconded by Mr. Kosior and unanimously carried.

Clerk-Treasurer Parthun presented Payroll from November 9, 2023, in the amount of \$492,165.31.

Motion/Vote – Approval of November 9, 2023 Payroll

Ms. Romine made a motion to approve the November 9, 2023, Payroll as presented; motion seconded by Mr. Kosior and unanimously carried.

Clerk-Treasurer Parthun presented payroll from October 27, 2023, in the amount of \$499,179.50.

Motion/Vote – Approval of October 27, 2023 Payroll

Ms. Romine made a motion to approve October 27, 2023, Payroll as presented; motion seconded by Mr. Kosior and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$1,115,677.52. This does include a Schneider pay app #6 for Civic improvements in the amount of \$479,129.33.

Motion/Vote – Approval of Civil City Claims

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

Clerk-Treasurer Parthun presented Water Claims in the amount of \$215,059.45.

Motion/Vote – Approval of Water Claims

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

Clerk-Treasurer Parthun presented Sewage Claims in the amount of \$445,610.17. This includes pay app #5 contract 1 Torino Pond, payable to D&M Excavating, in the amount of \$17,147.50.

Motion/Vote – Approval of Sewage Claims

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

Department Head Reports

Mr. Kosior stated department heads should limit their reports to anything critical. There were no department head reports.

New Business:

Purchase Agreement: Lake Street Property

Ms. Romine stated there was no one here today to speak about this. Ms. Romine stated the Lake Street property was rebid, as the first bid did not meet minimum requirements. At the last meeting a bid was opened that met minimum requirements and the request today is to accept the proposed bid. Mr. Kosior stated he verified via email with Attorney Otis that he has reviewed and approved this purchase agreement.

Motion/Vote – Approval of Purchase Agreement: Lake Street Property

Ms. Romine made a motion to approve Purchase Agreement: Lake Street Property as presented; motion seconded by Mr. Kosior and unanimously carried.

Memorandum of Understanding: La Lumiere

Parks and Rec Superintendent Mark Schreiber presented Memorandum of Understanding: La Lumiere. Mr. Schreiber stated this is the La Porte invitational, which will be held on January 4-6, 2024. This is an 11-team basketball event at the Civic Auditorium. Mr. Schreiber stated this MOU was drawn up by City Attorney Nick Otis and has been reviewed by La Lumiere's legal counsel. Mr. Schreiber stated La Lumiere has always been the host school and this MOU calls out a revenue share that states the city will share 50% of our general admission gate admission receipts, which equates to approximately a quarter of gate receipts because the overall is already split with Paragon Marketing. General Admission does not include VIP tickets. In addition, there is a 70/30 split for sponsorship dollars: 70% to La Porte and 30% to La Lumiere. Mr. Schreiber stated there is an agreement that La Lumiere will be an active partner in both promoting the event and in solicitation of sponsors. Ms. Romine questioned if this is something we have had in the past, as this is our third year. Mr. Schreiber stated this is not something that we have had in the past, and this is just for this year with the hopes for it to continue in the future. The hopes with the additional connections of La Lumiere, sponsorship dollars will be extended. Ms. Romine questioned if there was a budget for this event as far as revenue expectations. Mr. Schreiber stated the expectation is to at least match total profit from last year. There are also ongoing negotiations with Paragon in terms of managing expenses. Mr. Schreiber stated this has always been a profitable event for us, \$35,000 to \$50,0000 range, and La Lumiere is aware of where need to get for this to happen.

Ms. Romine questioned if the CVB gets involved with this. Mr. Schreiber stated the CVB would not be involved in this particular MOU but they are an active partner in the event.

Motion/Vote – Memorandum of Understanding: La Lumiere

Ms. Romine made a motion to approve Memorandum of Understanding: La Lumiere as presented; motion seconded by Mr. Kosior and unanimously carried.

Fund Conveyance Agreement Amendment 1

TransPorte Director Beth West presented Fund Conveyance Agreement Amendment 1. Ms. West stated this is an amendment of the dates. There is still money in this grant and NIRPC is requesting the dates be extended to use those funds with a payout for third and fourth quarter expenditures. Ms. West stated once this is signed, she will get it to NIRPC and the funds will be released. Ms. Romine questioned why these funds were not used within the original timeframe. Ms. West stated there were other grants that they were working to get used, which caused a trickle effect.

Motion/Vote – Approval of Fund Conveyance Agreement Amendment 1

Ms. Romine made a motion to approve Fund Conveyance Agreement Amendment 1 as presented; motion seconded by Mr. Kosior and unanimously carried.

Section 5307 Federal Grant

TransPorte Director Beth West presented ARP Grant in the amount of \$132,500. Ms. West stated this is a Federal Grant that is 100% funded and does not require any local match.

Motion/Vote – Approval of Section 5307 Federal Grant

Ms. Romine made a motion to approve Section 5307 Federal Grant as presented; motion seconded by Mr. Kosior and unanimously carried.

Peerless Midwest Agreement

Water Superintendent Tim Werner presented Peerless Midwest Agreement. Mr. Werner stated this is for the Soldiers Memorial well field. Mr. Werner stated they came before the Board previously with the guaranteed savings contract and it did not turn out to be a good fit for this project. The professional agreement covers the permitting, production well construction, production well testing, and the wellhead protection delineation update that goes through the state. Mr. Werner stated City Attorney Nick Otis has reviewed and approved this contract. Howard Jones with NIES Engineering spoke about the project. Mr. Jones stated what they need to do is determine the correct diameter for the wells to be drilled, depth, analyze draw down. This requires a lot of professional knowledge that not a lot of people have. They are not building the wells; they are developing production wells and their deliverable will be helping us bid putting those into service. Mr. Werner stated this project will be paid for out of a Bond that was pulled in 2020/2021. Ms. Romine questioned why the guaranteed savings contract did not work out in the long run. Mr. Jones stated it ultimately came down to the potential cost of the project. Mr. Jones stated in the future, a project with less variables is probably the better fit for a guaranteed savings contract. Mr. Kosior

questioned if the fees and expenses were reasonable for the cost structure of the project. Mr. Werner stated they first approached Peerless over two years ago with this project and they have impressively held their line on pricing for this project with only a slight increase. Mr. Werner stated Peerless has been a great partner with the city.

Unfinished Business

Other Business:

Next regularly scheduled meeting: Tuesday November 21, 2023 at 9 A.M. Mr. Kosior recognized and thanked all those who have sacrificed and served in honor of Veterans Day tomorrow.

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: November, 21 2023