

February 5, 2019

The Board of Works and Safety of the City of LaPorte met in regular session in the Council Chambers on Tuesday, February 5, 2019 at 9:00 a.m.

Pledge

Mayor Krentz led the Pledge of Allegiance.

Present: Mayor Krentz, Mitch Feikes and Clay Turner

Absent: None

Minutes

Mayor Krentz stated each Board member received an advance copy of the minutes from the previous meeting and asked if there were any corrections or additions. Mr. Feikes moved to approve the minutes as presented; motion seconded by Mr. Turner and unanimously carried.

Public Comment

None

Claims Approval

Civil City: Roger Galloway, Clerk-Treasurer, presented Civil City claims in the amount of \$366,087.27. He stated this includes PERF contributions for the January 25th payroll as well as the TIF III bond payment in the amount of \$260,000.00. Mr. Turner moved to approve Civil City claims in the amount of \$366,087.27; seconded by Mr. Feikes and unanimously carried.

Water: The Clerk-Treasurer presented claims for the Water Department in the amount of \$56,032.77. Mr. Feikes moved to approve Water claims in the amount of \$56,032.77; motion seconded by Mr. Turner and unanimously carried.

Sewage: The Clerk-Treasurer presented claims in the amount of \$148,909.67 for the Sewage Department. He advised this includes the monthly transfer to Sewage Depreciation. Mr. Turner moved to approve Sewage Claims in the amount of \$148,909.67; motion seconded by Mr. Feikes and unanimously carried.

Payroll: The Clerk-Treasurer presented for the Board's approval the Payroll for January 25th in the amount of \$395,623.33. Mr. Feikes moved to approve the January 25th Payroll in the amount of \$395,623.33; motion seconded by Mr. Turner and unanimously carried.

NEW BUSINESS

Request for Use of Property: Mayor Krentz reported the Board received a request for use of City property from the Rusted Knuckles, LLC for their annual Cruise Night. It is to be held

on June 8, 2019 from 5:00 to 9:00 p.m. He noted they will provide a copy of their insurance at the time of their renewal.

Motion/Vote – Approve Use of Property Request Rusted Knuckles, LLC

Mr. Turner moved to approve the use of property request from Rusted Knuckles, LLC for June 8th for their Annual Cruise Night; motion seconded by Mr. Feikes and unanimously carried.

Memorandum of Understanding

Nick Otis, Attorney for the City, stated before the Board today is a Memorandum of Understanding between the City of LaPorte and LaPorte County. He reported the County will be losing some of their parking for the County Complex during the upcoming reconstruction of the overpass. Mr. Otis reported the County reached out to the City because the City leases a long stretch of property from Norfolk Southern, including the Train Depot, and inquired if they could use that area for temporary parking during the construction. He advised this started a conversation between the Mayor and County about some other properties and other possible collaborations between the City and County. Mr. Otis reported the first thing is the County would like the City to transfer to the County the horseshoe area between the County Complex and the Courthouse. In exchange, the County would transfer to the City the property formerly known as the Don George property which is located on Pine Lake Avenue next to McDonalds. Mr. Otis stated the final piece to this collaboration is that the City has been in communication with Norfolk Southern Railroad about reaching some sort of an agreement regarding the transfer of the Train Depot from Norfolk Southern to the City. He stated if that were to happen, the City would transfer a portion of that property to the County for their use and the City would maintain an easement for pedestrian access in the area of Monroe Street in the event that someday there could be a pedestrian bridge across the railroad tracks from Monroe Street to NewPorte Landing.

Mr. Feikes inquired if the City or anyone has done a Phase II Environmental Study on the Don George Property. Nick Minich, Director of Engineering, reported the City would have to have title to the property before any environmental studies could be done. He advised a Phase I Study would need to be done first and if necessary the City would do the Phase II Study in order to be eligible for an Indiana Brownfield Program Regulatory Closure. Mr. Feikes stated he does not want another piece of polluted property that the City would be responsible for the clean-up. Mr. Feikes inquired why the City needs this property. Mr. Otis stated there have been developers that have been interested in the property, but because the property has been in limbo through the County they can't move forward. He stated once the City has title to the property, we may not need to do any environmental clean-up because there are private developers interested in developing the land, but it has been sitting there and it is an eyesore on Pine Lake Avenue. Mayor Krentz stated this is an opportunity for the City to improve an eyesore that is not going anywhere unless the City gets involved. Mr. Feikes stated the County had a tax sale and the property sold for

\$300,000 and the City could have been receiving property taxes for that piece of property, but the County refused to accept that price and now the County wants the City to take this property. Mr. Otis stated he believes everyone is in agreement with Mr. Feikes, however, the property is sitting vacant and nothing is happening with it. He stated there may be an opportunity once the City has ownership of the property to sell it to a developer and the City does nothing to the property.

Mr. Turner inquired if this will need to be approved by the City Council. Mr. Otis reported there is an Ordinance that he is trying to locate that was passed by the City Council regarding the selling of land, however, he believes that is for Park property only. He stated he will confirm that that is the case.

Mr. Turner stated it is his understanding the property will be transferred to the Redevelopment Commission. Mr. Otis stated that is what is being proposed as the Redevelopment Commission would have the funds necessary for any environmental studies or improvements.

Mr. Turner inquired if this is all contingent on getting the Depot from Norfolk Railroad. Mr. Otis stated he believes the City could still move forward with the rest of it as there is no guarantee the City will be able to reach an agreement with Norfolk Southern.

Mr. Turner stated he understands Mr. Feikes' concerns with the Don George property but even if nothing happens with the property other than the City demolishing the building it will be a much better view than what is there now.

Mr. Turner inquired if the City transfers ownership of the horseshoe to the County, would the City continue to plow that area. Mike Frazee, Director of Street Department, advised the City would no longer plow or maintain that area. Mr. Otis advised the parking also would become the County's.

Motion/Vote – Approve Memorandum of Understanding between the City of LaPorte and LaPorte County

Mr. Turner moved to approve the Memorandum of Understanding and move forward with the projects; motion seconded by Mayor Krentz.

Mr. Otis noted the County Commissioners will be meeting tomorrow and they will have to approve the document in the same format as the City. He advised he is not sure if he will be able to make that meeting or not.

The Clerk-Treasurer stated he doesn't understand why Bert Cook or someone from the Redevelopment Commission isn't present at today's meeting. Mr. Otis reported the City leases the Depot from Norfolk Southern and both GLEDC and the Chamber sublease from the City. Mr. Galloway questioned why this doesn't have to go before the Council for their approval. Mr. Otis advised other than the Ordinance that was passed 10 years or more ago

that pertains to the selling of Park land, he is not aware of any Ordinance that requires the sale of City land needs to go before the City Council for their approval. Mr. Otis stated if he finds that this has to go before the City Council then that is what will be done.

The motion to approve the Memorandum of Understanding with the County of LaPorte was carried by a majority vote with Mr. Feikes voting nay.

Inclement Weather – Payroll

Jen Noll, Director of Human Resources, advised Board members last Wednesday the City closed all offices due to the inclement weather. She advised City policy states anyone scheduled to work on a day that the City closes for inclement weather, that employee will be paid for normal scheduled work day. In an effort to be fair to those employees who still had to come in to work, it was decided it would be fair to pay those employees double-time. She stated this mainly affected Water, Wastewater and Street Departments. She requested the Board retroactively approve paying employees who had to come into work last Wednesday, January 30th and ½ day on Thursday January 31st double-time for hours actually worked.

Mr. Turner inquired how this affects Police and Fire. Ms. Noll advised both of those departments are governed under a Collective Bargaining Agreement, so this would not apply to Merit Officers.

Motion/Vote – Payroll January 30th & January 31st

Mr. Turner moved to retroactively approve the paying of employees on January 30th and January 31st who had to come into work during the time the City was closed due to inclement weather; motion seconded by Mr. Feikes and unanimously carried.

Teneo/Springbuk Agreements

Ms. Noll reported in January the Board of Works approved Teneo Health as the City's new stop loss carrier. She requested the Board approve the Teneo Health Business Associate Agreement as well as the Springbuk Business Associate Agreement, which is an umbrella under Teneo Health. Ms. Noll advised she had the City Attorney review the documents and the only thing he found was that under 'Governing Law' it stated legal remedies under the State of Colorado and not the State of Indiana. Teneo Health has indicated they are not willing to change that part of the agreement. Ms. Noll stated it is not unusual for agreements such as this to list the state in which the company is located. She reported the City's previous stop loss carrier was located in Tennessee and was part of their agreement. Mr. Otis stated typically the City tries to change to the jurisdiction when possible. He stated it doesn't surprise him that they are not agreeable in making that change.

Motion/Vote – Approve Teneo & Springbuk Health Business Associate Agreements

Mr. Feikes moved to approve the Teneo and Springbuk Health Business Associate Agreements and authorize the Mayor to sign the agreements; motion seconded by Mr. Turner and unanimously carried.

Greenleaf Lift Station Quotes

Jerry Jackson, Director of Wastewater, advised the City requested quotes for improvements to the Greenleaf Station. The following quotes were received:

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|------------------------------|--------------|
| Selge Construction | \$99,275.00 |
| Pavey Excavating | \$78,180.00 |
| Woodruff & Sons Construction | \$119,800.88 |

Mr. Jackson requested the Board refer the quotes to the Wastewater and Engineering Departments for review and recommendation to the Board.

Motion/Vote – Refer Greenleaf Lift Station Quotes

Mr. Turner moved to refer the quotes received for the Greenleaf Lift Station to the Wastewater and Engineering Department for their review and recommendation back to the Board; motion seconded by Mr. Feikes and unanimously carried.

Stormwater Contract with Burke Engineering

Mr. Jackson presented to the Board an extension to the contract with Burke Engineering for a Utility Billing Database Updates in the amount of \$19,700. He advised in creating a Stormwater Utility the City has found that the Utility Office billing database and the County parcel database do not correspond and that information is needed to determine the impervious areas in order to bill residents.

Motion/Vote – Approve Burke Engineering Contract

Mr. Feikes moved to approve the contract with Burke Engineering; motion seconded by Mr. Turner and unanimously carried.

Wastewater Hauler Permit Renewals

Mr. Jackson presented to the Board for their approval Wastewater Hauler Septic Renewals for D&M Excavating, K-FEX Inc., Sudlow Septic Service, Delta Industrial LLC, Johnson Johns and JAGAD Truck Leasing. He advised they are all current customers and are in good standing with the City.

Motion/Vote – Approve Wastewater Hauler Permit Renewals

Mr. Turner moved to approve the Wastewater Hauler Permit Renewals as stated by the Director of Wastewater; motion seconded by Mr. Feikes and unanimously carried.

Appraisal Services – Daytona Street

Nick Minich, Director of Engineering, requested the Board’s permission to solicit appraisal services for City owned property on Daytona Street which is where the new fire station will

be located. He advised this property will eventually transfer from the City to the City of LaPorte Fire Station Building Corporation who will hold the bonds for the construction of the fire station.

Motion/Vote – Appraisals for Daytona Street

Mr. Feikes moved to authorize the Director of Engineering to solicit appraisals for City property on Daytona Street; motion seconded by Mr. Turner and unanimously carried.

Request to Solicit Bids for Community Crossing Grant

Mr. Minich reported toward the end of 2018 the City received a matching grant in the amount of \$460,000 for the State’s Community Crossing Grant. He requested the Board’s permission to solicit bids for this project.

Motion/Vote – Solicit Bids for Community Crossing Grant

Mr. Turner moved to approve the request to solicit bids for the Community Crossing Matching Grant Paving Program; motion seconded by Mr. Feikes and unanimously carried.

NIES Engineering Proposal

Todd Taylor, Director of Water, presented for the Board’s approval a proposal with NIES Engineering for general engineering work for the Water Department. He reported this is particularly important for the ongoing Hydraulic Network Analysis as well as other projects NIES has been doing for the Water Department.

Motion/Vote – Approve Proposal from NIES Engineering for the Water Department

Mr. Turner moved to approve the proposal from NIES Engineering for routine engineering services for the Water Department and authorize the Director of Water to sign the document; motion seconded by Mr. Feikes and unanimously carried.

UNFINISHED BUSINESS

Mr. Taylor reported the Water Meter Replacement Program is 94% complete. He advised UMS who is installing the meters took a break during the holidays and they are back at it this month. Mr. Taylor reminded residents of the importance of making sure they protect their meters from freezing. City policy states the City can charge the customer for the replacement of the meter if it is damaged. The Clerk-Treasurer asked how you keep your meter from freezing. Mr. Taylor stated residents need to make sure there is heat getting to their plumbing. Mr. Turner asked about meters that are placed in people’s yards. Mr. Taylor explained these are called meter pits and there are a few that exist within the City.

DEPARTMENT REPORTS

Water Department: Mr. Taylor reported this past week during the bitter cold temperatures the Water Department had three water main breaks and thanked the Wastewater Department for their help with those breaks.

Adjourn

There being no further business, Mr. Feikes moved to adjourn; motion seconded by Mr. Turner and unanimously carried.

Approved: _____

Mark A. Krentz, Mayor

Attest: _____

Roger A. Galloway, Clerk-Treasurer

Approved: February 20, 2019