

March 8, 2022

The Board of Public Works and Safety met in regular session in the Council Chambers on Tuesday, March 8, 2022, at 9:00 A.M.

Present: Mayor Dermody, Jessica Romine and Mark Kosior

Absent: None

Pledge of Allegiance

Terry Minnix 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 and unanimously carried.

Public Comment

None

Claims Approval

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$923,618.11.

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 \$139,151.24.

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 presented Sewage Claims in the amount of \$197,616.15.

Motion/Vote – Approval of Sewage Claims

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

Independent Contractor Agreement

Clerk-Treasurer Parthun presented an Independent Contractor's Agreement utilizing the services of Corinne Fitzgerald, recently retired from City of La Porte's Human Resources

department, on a temporary basis until a new Human Resources Director is acclimated. Corinne Fitzgerald would work Monday through Thursday from 8:30 AM until 12:30 PM assisting the Human Resources Department.

Motion/Vote – Approval of Independent Contractor Agreement

Ms. Romine moved to approve the Independent Contractor Agreement for Corinne Fitzgerald as presented; motion seconded by Mr. Kosior and unanimously carried.

Mayor Dermody thanked former Human Resources Director Jen Noll for her service to the City of La Porte and noted Corinne Fitzgerald's assistance will keep Human Resources afloat in the interim. Mayor Dermody announced we are in the process of finding a replacement for the Human Resources Director.

Conflict of Interest

Clerk-Treasurer Parthun presented an updated Conflict of Interest Form for Councilmember Tim Franke of Duneland Media adding social media work Duneland Media is doing for Fire Merit Commission.

Motion/Vote – Approval of Conflict of Interest

Mr. Kosior moved to approve a Conflict of Interest for Tim Franke as presented; motion seconded by Mayor Dermody and carried; Member Romine abstained from the vote.

Wex Fuel Program

Clerk-Treasurer Parthun presented the Wex Fuel Card Program to the Board of Public Works and Safety which has been an ongoing conversation with most departments in the City. The current fuel contract is outdated, and the provider is not a reliable as it once was. Additionally, the City does not have accurate data to make decisions in regard to fleet changes. The Wex Fuel Program would allow each vehicle owned by the City of La Porte to utilize any fueling station. A card would be assigned to each vehicle. When the card would be presented for payment, the cardholder would input several key pieces of information including odometer reading allowing us to capture the necessary information to be able to make future decisions. This is already part of the State's QPA so it would not require anything addition regarding the bid process. Many communities utilize this program because of the efficiency, internal controls, and data collection to make better decisions. Sarah Nimetz put a lot of work into looking at what the City is currently utilizing vs what we could be utilizing if using the Wex program and is available for questions if the Board is in need of additional information.

Motion/Vote – Approval of Wex Fuel Program

Ms. Romine moved to approve the Wex Fuel Program as presented; motion seconded by Mr. Kosior and unanimously carried.

Mayor Dermody noted that this is the program of the Department of Administration at the State level. Additionally, the City has two or three underground fuel storage tanks, which

from a sustainability and environmental perspective, is not good to have if not in compliance. Water Superintendent Tim Werner noted that the card is tied to the vehicle, but each employee will have their own pin number so if an employee is in a different vehicle, we can still track by employee and noted the issues many departments are having with the current fuel provider. Member Kosior noted he has used these cards for decades and each person can go into the self-service portal to track their own data.

Department Head Reports

Park: Park Director Mark Schreiber wants to remind the community that the youth sports registrations are ongoing. The deadline did pass for boy's baseball and girls' softball but is still available with a late fee. Tennis and t-ball have later registration deadlines but are open for signups now. Park restrooms will open April 15th and must wait until we are guaranteed consistent weather that is above freezing.

Transporte: Transporte Manager Beth West reported Transporte has completed over 6,000 rides as of March 1st which is significant since the pandemic. Since Transporte is federally funded, mask requirements are still mandated for riders and drivers. Beth West also reminded the public that it is currently more cost-effective to ride Transporte than it is to fill your gas tank.

Engineer: City Engineer Nick Minich reported at a Special Board of Works' meeting, the Street Paving Community Crossings bid was awarded after rebidding and making some adjustments. Mr. Minich thanked Central Services for their help in getting the rebid in under budget.

Planning: Director of Community Development and Planning Craig Phillips stated the Redevelopment Commission approved contracts for a comprehensive downtown parking study. Additionally, Redevelopment Commission approved the Phase I Street Scape along Monroe Street north of Lincolnway. Lastly and still ongoing, there are several housing initiatives throughout the City with an important Planning & Zoning meeting happening this evening.

Communications: Communications Director Jess Bruder reported with the weather warming up, events are starting up for the season with special announcements coming soon. Like City of La Porte on Facebook and pay attention to the livinthelakelife.org website.

Fire: Fire Chief Andy Snyder reported Fire Merit Commission held their monthly meeting and with the retirement Rob Sabie, Kelly Burke was promoted to Battalion Chief, but since he is in an appointed position as Assistant Chief, the position was still open. The Merit Commission then promoted Doug Biernacki to Battalion Chief which created an opening for Captain to which Zach Kanney was promoted.

Police: Assistant Chief Bill Degnegaard reported an upcoming network upgrade soon which may create a slight offline status during the switchover. Staffing is reportedly back to appropriate levels.

Street/Code: Director of Central Services Jeff Batchelor stated Code enforcement is just under 500 violations for the year. Street Department is patching and utilizing cone rubber. Stump grinding will start within the next week and finally with the weather improving, painting will begin soon.

Wastewater: Wastewater Director Jerry Jackson reported construction season has commenced. Monroe Manor and the Phosphorus Removal Project are beginning this week in addition to McClung Sewer/Sanitary Project. Monroe Manor completion is slated for mid-July.

Water Department: Water Superintendent Tim Werner reported spring flushing will begin on the eve of Easter which will be a 3–4-week process. Hydrant flows for the Fire Department also helps the Water Department determine broken valves and low flow areas. Water Department applied for a construction permit for Soldier Memorial Well Field which IDEM put on hold. With the changes in IDEM inspectors, there were some communication errors, but the water department is working through it.

New Business:

Parking Violation Appeals

Annette Loeffler addressed the board regarding several parking tickets appeals.

Violation 62021: Mrs. Loeffler spoke on behalf of the person who was issued a citation who was not present. The appeal form states on February 27, 2022, a violation was issued. The citation noted the vehicle was parked on C Street with expired license plates. This person states his license plates were renewed and sent a copy of the renewal but did not note if the new sticker was placed on the vehicle. Assistant Chief Degnegaard noted it is a violation of State Law if your new sticker is not placed on your vehicle.

Motion/Vote – Motion to Deny Appeal for Violation 62021

Mr. Kosior made a motion to deny the appeal for Violation 62021; motion was seconded by Ms. Romine and unanimously carried.

Violation 60020: Mrs. Loeffler spoke on behalf of the person who was issued a citation who was not present. The appeal form states this person works downtown and parked where our previous parking employee told her was an appropriate place to park yet still received a violation. The date of the violation was May 12, 2021 and the violation has not been paid because the parking employee took the violation from her vehicle and told her she did not have to pay.

Motion/Vote – Waive Fine for Violation 60020

Ms. Romine made a motion to waive the fine for violation 60020; motion was seconded by Mr. Kosior and unanimously carried.

Violation 61634: The appeal form states, “no income”. Ms. Loeffler stated this person’s vehicle has been towed and she is letting it go. The violation is dated January 16, 2022 and was issued for twenty five dollars. Mayor Dermody asked the Board to table this appeal in an effort to contact this person as it is a potential homeless situation.

Motion/Vote – Table to Appeal Violation 61634

Mr. Kosior made a motion to table the appeal for Violation 61634; motion was seconded by Ms. Romine and unanimously carried.

CBS Electric Appeal

Kara Smith, CBS Electric Office Address: 401 E. Colfax Avenue, Suite 304, South Bend, IN, submitted what they believed were the documents requested – wage statements - which was what was cited for the license to be revoked. Ms. Smith noted there was confusion on whether the documents requested should be from CBS Electric or their subcontractor. Mayor Dermody asked if contact was made regarding clarification. Ms. Smith noted she emailed Nick Minich, City Engineer before the deadline and did not receive a response. City Attorney Nick Otis asked the name of the subcontractor. Ms. Smith responded Henry Electric and noted CBS Electric had offered assistance to their subcontractor, Henry Electric, to register with City of La Porte. Additionally, Ms. Smith stated it was her understanding the City wanted wage statements or for the subcontractor to register. City Attorney Nick Otis clarified Henry Electric was working without a permit and they were the subcontractor of CBS Electric. Ms. Smith agreed. Mr. Otis asked Ms. Smith if it was the responsibility of CBS Electric to make sure that subcontractor is registered in the City. Ms. Smith responded that technically, it is the permit holder’s responsibility. Henry Electric was hired by CBS Electric and when the City Engineer asked for specific wage information to determine the classification of employees on the job, he didn’t receive it by the deadline. Ms. Smith responded at that point CBS Electric was under the impression that they were no longer allowed to continue to work in the City due to other meetings with the inspection department and the City and asked what the point would be for them to ask Henry Electric to pay to register with the City and provide a bond for the project if they were not allowed to work on the site. City Attorney Nick Otis stated the revocation of the license by the Board of Public Works and Safety at the prior meeting was pursuant to our Ordinance. The City Engineer can request documentation showing a contractor is complaint and the contractor must respond within five business days. According to City Engineer Nick Minich, the City’s concern was that there were improperly classified employees working at the site whether that be working through an unregistered subcontractor or contract employees through a contractor. Mr. Minich noted this becomes a real concern to the City because anything that happens at the site opens up the City for unnecessary liability. We have processing in place to avoid this kind of liability and that is exactly why the ordinance was adopted. After the stated deadline, Mr. Minich reported he received payroll documentation from CBS Electric but has not had adequate time to review it. Mr. Minich reported the City still has not received an application from Henry Electric to register and there is still a group of employees working on the site that we do not know if it is appropriate for them to be working. Mr. Minich does not currently have a recommendation

until he reviews the documentation. CBS Electric will have an opportunity to adjust their appeal.

Motion/Vote – Deny CBS Electric Appeal

Mayor Dermody made a motion to deny CBS Electric's Appeal; motion was seconded by Ms. Romine and unanimously carried.

Second Saturday Kick-Off

April Kelly is requesting to run a Second Saturday event in conjunction with Farmer's Market on May 14, 2022 at Plaza 618. Mayor Dermody asked if there were any concerns from Fire or Police and there were none.

Motion/Vote – Approve Use of Plaza 618

Ms. Romine moved to approve the use of Plaza 618 for Second Saturday Event as presented; motion seconded by Mr. Kosior and unanimously carried.

Senior Center Supervisor Job Description

Park Superintendent Mark Schreiber presented a job description for a Part Time Senior Center Supervisor and provided background as to how the Park Department became involved with the Senior Center upon the transition away from Swanson Center. Mayor Dermody noted the Healthcare Foundation has been a big proponent to keep this going and is in fact in support of providing funding, though the grant has not yet been approved or funded. Mark Schreiber noted although this is not on the salary ordinance it falls under part-time which is on the salary ordinance and can be paid up to \$16.50 per hour. Short term and long-term plans are being discussed for a Senior Center in La Porte. This position will be filled regardless of the funding status of the grant from Healthcare Foundation of La Porte.

Motion/Vote – Approval of Senior Center Supervisor Job Description

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

Lateral Transfer Pay for Potential Police Officer

Assistant Chief Bill Degnegaard is requesting the Board to approve lateral transfer pay for a Police Officer they want to hire from another agency. He has five years of experience as a field training officer at another agency. For his years of service, he would start as a Specialist at \$58,000 instead of \$50,000 which is not typical but is an excellent opportunity. It is becoming more prevalent for lateral transfer pay to happen at other agencies because of the need for public safety officers.

Motion/Vote – Approve Lateral Transfer Pay for Potential Police Officer

Ms. Romine moved to approve lateral transfer pay as presented; motion seconded by Mr. Kosior and unanimously carried.

Emergency Response Team Public Quote Opening

Clerk-Treasurer Parthun stated she assisted Officer Jaskowiak with an RFQ for the new Emergency Response Team in an effort to find out what funds were necessary for this new venture for City of La Porte and also because American Rescue Plan Fiscal Recovery Funds are slated being used. Clerk-Treasurer Parthun invited Officer Jaskowiak to explain the Emergency Response Team. Officer Jaskowiak introduced himself as the team lead for the Emergency Response Team. He explained the ERT will be comprised of eight officers and one tactical medic who will be responding to high-level, high-risk situations. The equipment is much more expensive than normal patrol equipment. Clerk-Treasurer Courtney Parthun reported there were two quotes received. These quotes may not be apples to apples comparison as suppliers can pick and choose what they are willing to supply, similar to the recent quote opening for trees in the City of La Porte. The Board of Public Works and Safety will be provided with a bid tabulation post quote opening. The first quote is from Star Uniform \$66,006.70 with some equipment note quoted. The second quote is from Ray O'Herron \$76,964.00 for the total of all of the individual items on the RFQ. Clerk-Treasurer Parthun is asking the Board to accept the bids and allow the Police Department and legal to review.

Motion/Vote – Accept Quotes for Emergency Response Team Pending Legal Review

Mr. Kosior made a motion to accept both quotes for Emergency Response Team and allow Police Department and Legal to review; motion was seconded by Ms. Romine and unanimously carried.

Basement Back-up Grant Application for 1310 Lincolnway

Wastewater Superintendent Jerry Jackson presented a Basement Back-Up Grant Application for 1310 Lincolnway which pay to isolate the basement from combined sewer systems and back-ups. The cost of the work is \$2,250 that installs the sump pump that collects the basement drains and pumps them out. The grant would pay \$1500 of that cost and Mr. Jackson would recommend the Board approves this grant.

Motion/Vote – Approval of Basement Back-up Grant Application for 1310 Lincolnway

Ms. Romine made a motion to approve the Basement Back-up Grant at 1310 Lincolnway; motion was seconded by Ms. Romine and unanimously carried.

Certification of Financial Capacity 2022 and Certifications and Assurances Signatures

Transporte Manager Beth West asked for the Board to approve and sign contracts for NIRPC to assure we stay within our standards as Transporte is federally funded.

Motion/Vote – Approval of Certification of Financial Capacity 2022 and Certifications and Assurances Signatures

Mr. Kosior made a motion to approve Certification of Financial Capacity; motion was seconded by Ms. Romine and unanimously carried.

Clear Lake Design Contract

City Engineer Nick Minich asked that we disregard this agenda item until the next Board of Public Works and Safety Meeting.

Unfinished Business

None

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: March 22, 2022