

November 9, 2022

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

Present: Mayor Dermody, Jessica Romine, Mark Kosior

Absent: None

Pledge of Allegiance

Brett Binversie 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

Deputy Clerk-Treasurer Layman presented Payroll from October 28, 2022 in the amount of \$471,106.20.

Motion/Vote – Approval of October 28, 2022 Payroll

Mr. Kosior moved to approve the October 28, 2022 Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Deputy Clerk-Treasurer Layman presented Police Fitness Bonus for nine officers in the amount of \$3,195.72.

Motion/Vote – Approval of Police Fitness Bonus

Mr. Kosior moved to approve the Police Fitness Bonus as presented; motion seconded by Ms. Romine and unanimously carried.

Deputy Clerk-Treasurer Layman presented Fire Fitness Bonus for 33 Firefighters in the amount of \$11,717.64.

Motion/Vote – Approval of Fire Fitness Bonus

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

Deputy Clerk-Treasurer Layman presented Fire Fitness Bonus for one Firefighter in the amount of \$355.08.

Motion/Vote – Approval Fire Fitness Bonus

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

Deputy Clerk-Treasurer Layman presented Civil City Claims, which includes health insurance, in the amount of \$1,050,146.28.

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 Sewage Claims in the amount of \$694,112.76, which does include several transfers.

Motion/Vote – Approval of Sewage Claims

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

Clerk-Treasurer presented Water Claims in the amount of \$353,093.07.

Approval of Third-Party Agreement for the Police Department

Deputy Clerk-Treasurer Layman presented a request for approval for a grant for the 2023 Drug Enforcement Taskforce Agreement in the amount of \$8,000.

Motion/Vote – Approval Third-Party Agreement for Police Department

Mr. Kosior made a motion to approve Third-Party Agreement for Police Department as presented; motion seconded by Ms. Romine and unanimously carried.

Department Head Reports

Human Resources: Human Resources Director Andrea Smith stated she would be back under job descriptions to discuss three new job descriptions.

Water: Water Director Tim Werner reported the department will be finishing up fall flushing this week; they have been flushing the hydrants for about three weeks making sure they are in good working order throughout the City. Mr. Werner stated they have not gotten many dirty water complaints during this time and thanked everyone for following their posts and updates online to stay informed of what they are doing. Mr. Werner reported that the construction crews are winding down their projects for the year; they have tied in a lot of dead-end mains and put in approximately 2,000 feet of main. Mr. Werner stated they are getting ready for main break season as the weather is getting colder. Mr. Werner reported

the Kankakee well line is back in service, and they will begin winterizing their different properties.

Wastewater: Wastewater Director Jerry Jackson stated he just has his pay request later on the agenda.

Engineering: City Engineer Nick Minich made an update on the 708 Lincolnway building. Mr. Minich stated there have been no Board of Works meetings since the failure of the structural front of the building. Mr. Minich reported the City is staying involved, INDOT initially took over traffic control and the City is now maintaining that. Mayor Dermody thanked Mr. Minich and the Street Department for Boyd Boulevard from Ohio to Jefferson. Mr. Kosior questioned if there was any indication the 708 Lincolnway building was anything structural in advance of any kind of rental work. Mr. Minich responded by stating no, every indication is they were just doing cosmetic work. They had barely started doing any work and it is just an indication of the buildings age and where the failure was, was where buildings experience the most weather and it's just agent deterioration. Mayor Dermody added that speaking with one of the large contractors in the City, 50 years or so ago, when Lowes moved some of the structure items of the first floor to make the store what it was, this was eventually bound to happen. The building was modified years and years ago, long before we have a lot of the rules we currently have.

Legal: City Attorney Nick Otis stated he has the Turkey Trot for approval later, on the agenda.

Street/Code: Director of Central Services Jeff Batchelor reported they started with leaf pickup on Monday, and it is going good but slower than anticipated, in addition to fall cleanup that is going on this week. Mr. Batchelor stated Code Enforcement is at 3,200 violations for the year and they plan to begin going into vacant buildings throughout the City to check for squatters.

Police: Chief Brettin announced the passing of retired Police Officer Jim Reeder. Chief Bretting reported next Friday three officers will be graduating from Northwest Indiana Law Enforcement Academy and the Meri Commission is looking to hire for the next two spots.

Fire: Chief Snyder reported the last shift will be going through their annual health screens today. The department is still working on getting their one vacant spot filled; there is one applicant currently going through the hiring process.

Mayor Dermody stated they are currently working with both the Fire and Police chiefs to look at new ways of dealing with fire paramedicine, ambulance services, and police social work, working through them in a new way. This is a better way of taking care of our residents.

Leap: Executive Director of the La Porte Economic Advancement Partnership asked to report later in the meeting after David Heinold presents Final Plat for Smoothie King Lot Resubdivision.

Planning: City Planner Craig Phillips reported the parking study should be wrapping up soon; He is currently working with various departments and the Traffic Commission on input to get the final draft put together. In addition, Mr. Phillips reported they are working with the Bid Board and Redevelopment commission on a plan for not only the Monroe Streetscape but a plan for the streetscape in coming years. The infrastructure in this area is aging out and they would like to develop a plan for repairs and replacement as needed. Mr. Phillips reported he has also been busy working on the public offerings. The Firehouse Bid is still out. Mr. Phillips stated he has been busy working on annexations in conjunction with City Attorney Nick Otis. City Planner David Heinold announced tomorrow will be a full day of activities with the Trails, Greenways, and Blueways Pan. Activities include a five mile bike tour around the City at 10 A.M. with a lunch discussion following at 11 A.M. Following lunch there will be a walk in the downtown area at 2 P.M. and then from 6 P.M. to 7:30 P.M. there will be a public workshop at 807 Indiana La Porte County Exchange Building. The survey responses that have been received will be presented during that time with the opportunity for the public to give their input on assets, challenges, and barriers to the trails, greenways, bike routes, and walkability.

TransPorte: TransPorte Director Best West reported November has started off as a great month with two days having over 190 riders. Yesterday there were 116 riders for Election Day, which was a short day, 6 A.M. to 4 P.M., and working with minimal part time staff. Ms. West stated Holiday Passes are being sold at this time and this is the last week to purchase. The passes are \$20 each and include 10 punches and one free ride. As of yesterday, 185 passes have been sold. Ms. West stated 250 passes were sold during the Summer Pass sale and 20 Winter Passes have already been used so far, so people are excited about offering these passes. Ms. West reminded everyone that purchased a pass, they must be used by the end of the year. Ms. West reported she worked with Attorney Otis and Clerk-Treasurer Parthun to get a propane bid out that was required by State Board of Accounts. Ms. West stated they are currently working with NIRPC trying to find buses; Ford has stopped making the chassis that are used. Mayor Dermody questioned if TransPorte would be available on Veteran's Day to give rides to the Civic. Ms. West responded by stating yes, riders just need to call and let them know they need a ride to the Civic. Mr. Kosior the boundaries where riders can be picked up and taken. Ms. West responded by stating they are currently going two miles outside of City limits as staffing and ride schedules allow. If they are calling and scheduling their rides, at least 24 hours in advance, these riders can be picked up and taken where they need to be.

Parks: Park Director Mark Schreiber reported there is a new play structure that has been put in at Ben Rees Park paid for by the Park Foundation. Mr. Schreiber stated they have seen some vandalism recently in the area of the Civic Auditorium and Ben Rees Park, recently having carpet and used tires dumped in the parking lot. Mr. Schreiber reminded the public that the dumpsters located at the Civic and Park Office are not part of the City's dumpster program and are strictly for departmental use. Mr. Schreiber reminded the public that these are their parks and as the colder months approach, the parks are less populated and this is when vandalism typically occurs so please say something if you see something by calling the non-emergency line with the police department or call the park office. Mr. Schreiber reported

Beechwood Gold Course will be closed as of Saturday for the season. Mr. Schreiber reminded everyone the LaPour Brew and Wine Fest is this Saturday from 1 P.M. to 4 P.M. with the option to enter at noon with the purchase of VIP package tickets.

New Business:

Proposed 2023 Holiday Schedule

Executive Assistant Annette Loeffler presented the proposed 2023 Holiday Schedule. Ms. Loeffler stated this schedule is based on the State or Federal Holiday Schedule. There are 15 Holidays in 2023 because it is an election year.

Motion/Vote – Approval 2023 Holiday Schedule

Ms. Romine made a motion to approve 2023 Holiday Schedule as presented; motion seconded by Mr. Kosior and unanimously carried.

Proposed 2023 Board of Works Meeting Schedule

Executive Assistant Annette Loeffler presented the proposed 2023 Board of Works meeting schedule. Ms. Loeffler stated she kept the same date and time as the previous year.

Motion/Vote – Approval 2023 Board of Works Meeting Schedule

Ms. Romine made a motion to approve 2023 Board of Works Meeting Schedule as presented; motion seconded by Mr. Kosior and unanimously carried.

Request for Use: Tree Mann

Executive Assistant Annette Loeffler presented Request for Use: Tree mann. Ms. Loeffler stated she has a certificate of insurance for this request. Tree Mann's request does not currently have a date they need to close but it is for a closure on Lower Lake Shore Drive, which is a one lane, one way. Ms. Loeffler stated she informed them, if approved, they would be required to work with City Engineer Nick Minich to accommodate the closure.

Motion/Vote – Approval Request for Use: Tree Mann

Mr. Kosior made a motion to conditionally approve Request for Use: Tree Mann as presented upon Engineering approval; motion seconded by Ms. Romine and unanimously carried.

Request for Use: Turkey Trot

City Attorney Nick Otis presented Request for Use: Turkey Trot. Attorney Otis stated the roads are not shut down for travel; if anything will be shut down, it would be the block on Michigan Ave in front of City Hall. Attorney Otis stated this is an annual event with approximately 500 participants, including a lot of families. Attorney Otis stated this event is through the Education Development Foundation, which is insured through the school corporation. Additionally, Attorney Otis requested the use of City Hall the Wednesday before the race from 5 P.M. to 7 P.M. for pre-packet pickup as it made last year's race go much smoother the morning of the race.

Motion/Vote - Approval Request for Use Turkey Trot

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

Paul Bretting: Clear Agreement

Chief Bretting presented Clear Agreement. Chief Brettin stated this helps aid in investigations for everyone, allowing officers to track an individual through unconventional methods such as where they have used their cards for purchases or where they purchased their drivers license. Chief Brettin stated the cost is \$296 per month, which will allow access for the entire department. Previously, Officers reached out to the Sheriff's department to request them to look up an individual in Clear. Currently the department is restricted to local information and this will allow information to come from other states as well. Ms. Romine questioned the number of user this agreement would allow for. Chief Brettin responded by stating it would be for up to 50 users, which will allow for the entire department to have access. Mr. Kosior questioned if this was mobile and could be used on the road. Chief Brettin responded by stating yes, everyone has their own username and can use it on the road. Chief Brettin stated Clear will be offered at no cost for the rest of November and December and month charges will begin January 2023 which will be paid from Public Safety LIT. Attorney Otis questioned if this were able to be cancelled at any time. Chief Brettin stated he believes the contract is for three years.

Motion/Vote – Approval Clear Agreement

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

Andrea smith: Job Description(s): Full-time Asst Dir Park & Rec, Part-Time Event Coordinator Civic Auditorium, Communications Director

Human Resources Director Andrea Smith presented three brand new job descriptions. First, Ms. Smith presented the job description for Communications Director. Ms. Smith stated although the Communications Director has been in this position since 2020, there has never been a job description crafted for this position. Ms. Smith stated she worked with Jess, the current Communications Director, and neighboring communities that also have a Communications Director, and came up with a solid job description. Next, Ms. Smith stated the next two job descriptions are brand new positions and are in the 2023 Salary Ordinance. Park Director Mark Schreiber discussed the need for these additional positions. Mr. Schreiber stated these positions will not be out of the general fund, they are positions that have been budgeted for and the position at the Civic will be paid for from non-reverting funds. Mr. Schreiber stated the need for additional administrative staffing is due to the growing number events and things put on by the Park Department. The individual hired for this position will help largely in development and helping find new opportunities and sponsorship grants, donations, and will be working closely with the Park Foundation. Mayor Dermody stated this is a great step toward our goal of not relying on property tax dollar because we do not know what the state may do in the future regarding property taxes. Civic Director Brett Binversie stated the Civic has taken on a lot more in the last 12 to 18 months, reducing their draw on

property tax dollars by over \$100,000. Mr. Binversie stated they are hoping to do more, and the creation of this position should help assist in the ability to take on more. Mr. Binversie stated all the events that they help put on throughout the year and this position will not only help execute those events but hopefully help in growing and betting them ultimately making them more profitable and enjoyable for the community.

Motion/Vote – Approval Job Description(s)

Mr. Kosior made a motion to approve job description(s) as presented; motion seconded by Ms. Romine and unanimously carried.

Jerry Jackson: Wastewater Basement Protection Grant Application

Wastewater Director Jerry Jackson presented a Basement Protection Grant Application for 108 W 14th Street. The total amount for the repairs is \$3,250 and requests approval for the City's portion.

Motion/Vote – Approve Basement Protection Grant Application

Ms. Romine made a motion to approve Basement Protection Grant Application as presented; motion seconded by Mr. Kosior and unanimously carried.

Phosphorus Pay Request #7

Wastewater Director Jerry Jackson presented Phosphorus Pay Request #7 in the amount of \$150,193.80 bringing the project total to 64%.

Motion/Vote – Approval Phosphorus Pay Request #7

Mr. Kosior made a motion to approve Phosphorus Pay Request #7 as presented; motion seconded by Ms. Romine and unanimously carried.

David Heinold: Preliminary and Final Plat for Smoothie King Lot Resubdivision

City Planner David Heinold presented request for resubdivision of the lot where Smoothie King sits at Madison and Newport Boulevard. The intention is to the 1.43 acres into two lots. Mr. Heinold stated this request is pending approval from the Planning Commission, their meeting date was rescheduled for next week, November 16, 2023. Bert Cook added when Smoothie King purchased this lot, they purchased approximately twice the acreage they needed, originally their project was going to be larger in scale. Mr. Cook stated Smoothie King has since negotiated a potential sale of the property to an end user that aligns very well with the strategy in the area. Mr. Cook requested support in approving this to allow the process to move quicker, as the initial Plan Commission meeting was missed and then rescheduled.

Motino/Vote – Approval Preliminary and Final Plat for Smoothie King Lot Resubdivision

Ms. Romine made a motion to approve Preliminary and Final Plat for Smoothie King Loft Resubdivision as presented; motion seconded by Mr. Kosior and unanimously carried.

Mayor Dermody thanked all the department heads for all of the hard work they put in, without complaints, to making the community better. Mayor Dermody stated he is excited for all the things being worked on and for what's coming in the future.

Beth West: Amended Operating Assistance Agreement for Grant #1 IN-2020-039

TransPorte Director Best West presented Amended Operating Assistance Agreement for Grant #1 IN-2020-039. Ms. West stated she had a request from NIRPC and needed to adjust the dates on one of their grants. Ms. West stated they need to pay out of this grant and the deed originally wasn't long enough, so the dates need to be extended. Ms. Romine questioned what the original date was. Ms. West responded by stating it wasn't January 2021 it was January 2022 so it needs to be pushed backward instead of forward.

Motion/Vote – Approval Amended Operating Assistance Agreement for Grant #1 IN-2020-039

Ms. Romine made a motion to approve Amended Operating Assistance Agreement for Grant #1 IN-2020-039 as presented; motion seconded by Mr. Kosior and unanimously carried.

Jeff Batchelor: Receive Quotes for a New Dump Truck Bed

Central Services Director Jeff Batchelor presented two quotes for a new dump truck bed. Mr. Batchelor stated the bed on the dump truck essentially fell off a few weeks ago and therefore the truck cannot be used and with the upcoming winter weather, it is kind of an emergency to get this fixed. The first quote is from W.A. Jones in the amount of \$23,640. The second quote is from Hoosier Equipment in the amount of \$33, 410. Mr. Batchelor stated because this is an emergency, he recommends going with the first quote from W.A. Jones in the amount of \$23,640. Mayor Dermody questioned how this would be funded. Deputy Clerk-Treasurer Layman responded by stating CCD.

Motion/Vote – Approval Quotes for a New Dump Truck Bed

Mr. Kosior made a motion to approve Quotes for a New Dump Truck Bed as presented; motion seconded by Ms. Romine and unanimously carried.

Nick Minich: Recommended Award-Emergency Vehicle Preemption

City Engineer Nick Minich stated the Emergency Preemption bids were opened at the last meeting and have since been reviewed. Mr. Minich stated the lowest bid and most responsive bidder was Hawk Enterprise and recommends award to Hawk Enterprise in the amount of \$47,800.

Motion/Vote – Approval Recommended Award – Emergency Vehicle Preemption

Mr. Kosior made a motion to approve Recommended Award – Emergency Vehicle Preemption as presented; motion seconded by Ms. Romine and unanimously carried.

Mayor Dermody asked Mr. Minich for an update on the Quiet Zone and questioned if all the guards go up at the signals or just the ones where we have completed everything necessary. Mr. Minich responded by stating we have completed everything necessary for the Quiet Zone

and are now waiting on the Federal Rail Administration and Norfolk Southern to complete our diagnostic field visit. Once this is complete notice will be put out and the quiet zone will go into effect.

Mayor Dermody reminded the public that when the ice rink was discussed, the City never stated we were going to pay for any portion of the ice rink. The intention is to treat it like a business and have the public pay for the ice rink and not use City funds. We are working hard every day to protect tax dollars and find other ways to pay for things the community wants.

Nick Minich: Recommend Award – Ice Rink

City Engineer Nick Minich presented recommended award – ice rink. Mr. Minich stated one bid was received. Mr. Minich stated the bid came with a three-year lease purchase option in the amount of \$160,000. The initial cost would be \$45,000 at the beginning and then \$45,000 when skating begins, season two would be \$35,000 and season three would be \$35,000. At the end of this period, the City would then own the rink. Mayor Dermody thanked Mr. Schreiber for soliciting funds and sponsorships to make this happen. Mr. Kosior questioned what the cost was previously. The cost for previous years was over \$60,000 to rent the ice rink. Mr. Kosior questioned what the revenue was that was generated. Park Schreiber responded by stating the cost last year was lower because it was rented out of season. It was rented from mid-January and was up for approximately five weeks. Mr. Schreiber stated the ice rink is not going to pay for itself in revenue, that is why they seek sponsorships from the community. Mr. Schreiber stated this brings a family friendly option for recreation throughout the months where there are not many healthy recreation options available with the ultimate goal being a permanent ice rink somewhere in the downtown area. City Attorney Nick Otis questioned the annual cost of a chiller as that isn't included in the ice rink lease purchase agreement. Mr. Schreiber responded by stating they would be able to rent a chiller annually for \$20-25,000 for a two-month period and is something they can budget and to raise on an annual basis through sponsorships. Attorney Otis questioned why we would not want to own a chiller. Mr. Schreiber responded by stating it is very expensive and adds a significant cost to the ice rink. Ms. Romine questioned where the initial funds will be coming from. Mr. Schreiber stated they have already reached out to different foundations and all the partners that usually help fund park amenities. General funds and park non-reverting funds will not be used to pay for this. Ms. Romine questioned the longevity of this asset. Mr. Schreiber stated as long as the proper maintenance is done as far as replacing necessary parts it could last 10 to 15 years. It will be the responsibility of the park department to maintain this asset. During the three years of the lease agreement, they will be on site each year to help set it up so the park department can learn the necessary steps to set it up each subsequent year.

Motion/Vote – Approval Recommend Award – Ice Rink

Ms. Romine made a motion to approve the Recommended Award – Ice Rink as presented; motion seconded by Mr. Kosior and unanimously carried.

Nick Minich: Schneider Pay Application #3 – Civic Roof

City Engineer Nick Minich presented Schneider Pay Application in the amount \$436,375.73. This completes the roof portion of the project. Mr. Minich stated the total contract sum for this portion was \$631,946. This included the lighting, asbestos survey, roofing, and the change order that was done to prepare for the HVAC upgrades.

Motion/Vote – Approval Schneider Pay Application #3 – Civic Roof

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

Craig Phillips: Bid Opening for Public Offering of 18th Street Greenway

City Planner Craig Phillips presented the Bid Opening for Public Offering of 18th Street Greenway. Deputy Clerk-Treasurer Layman stated proof of publication was advertised in The Herald Dispatch on September 16, 2022 and September 30, 2022. One bid was received from Steiner Homes LTD. Mr. Phillips read the bid from Steiner Homes LTD. The proposed bid offer is in the amount of \$171,700. Mr. Phillips requested the board allow this bid to be taken under advisement to review and then proceed from there. Mayor Dermody stated as this develops, he would like to see, even a small percentage, of more affordable housing and that may need to be incentivized for the builder to consider. Mr. Phillips stated this was not a stipulation in the offer, but they can discuss this with the builder.

Motion/Vote – Consideration of Bid Offering from Steiner Homes LTD

Ms. Romine made a motion to take Bid Offering from Steiner Homes LTD into consideration; motion seconded by Mr. Kosior and unanimously carried.

Unfinished Business

Mayor Dermody announced the Toys for Tots collection has begun, you can drop off new unwrapped toys, or monetary donations, at City Hall. Thursday November 10, 2022 will kick off the Red Buck Campaign at city Hall with a Coffee Pour from 8 A.M. to 10 A.M. Join Mayor Dermody and former Mayors for a cup of coffee and help the Salvation Army. Mayor Dermody stated we will not be participating with Michigan City in the competition unless they are prepared to tell us they're going to make a better effort to compete. Once Mayor Dermody hears from Mayor Perry, then we will begin the Michigan City La Porte challenge for the Salvation Army. The Veterans Day Ceremony is Friday November 11, 2022 at the Civic Auditorium. There will be coffee and donuts in the lower level from 9 A.M. to 10 A.M. and the ceremony will begin at 10:30 A.M. Following the ceremony there will be a spaghetti lunch at noon at the VFW. The lunch is free to each Veteran and one guest. The public is welcome to come and pay for their lunch. Mayor Dermody encouraged everyone to come and sit with the Veterans and thank them for their service. Mayor Dermody thanked all the individuals that put themselves out there and ran for office yesterday; it takes a lot to put yourself out there. Mayor Dermody stated we need to begin the process of developing candidates that want to do the right things for the community. Mayor Dermody is excited to speak with those that were elected. City Attorney Nick Otis stated there was a question online from Mathew McClure question what happened to the Christmas lights downtown. Jeff Batchelor stated

they just have not been put up yet. Next week, then we will get the tree and then decorations will begin to go up. The next meeting will Tuesday November 22, 2022.

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 22, 2022