

May 8, 2024

The Board of Public Works and Safety met in regular session in the Council Chambers on Wednesday, May 8, 2024, at 9:06 A.M.

Present: Mayor Dermody, Jessica Romine, Mark Kosior

Absent:

Bert Cook 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 April 26, 2024 in the amount of \$524,074.11.

Motion/Vote – Approval of April 26, 2024 Payroll

Mr. Kosior made a motion to approve the April 26, 2024 Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$1,131,436.40.

Motion/Vote – Approval of Civil City Claims

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

Clerk-Treasurer Parthun presented Sewage Claims in the amount of \$460,208.75.

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 Water Claims in the amount of \$378,386.70.

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.

Department Head Reports

City Planner: City Planner Craig Phillips reported they are ready to start the City's comprehensive and transportation plan. All the necessary steps to kick this off have been complete. In addition, Mr. Phillips reported they are still working on grant opportunities for economic development, infrastructure, and infrastructure for housing.

Water: Water Superintendent Tim Werner reported they have finished their spring flushing and thanked the public for their help during that process. Mr. Werner stated there were a few complaints about dirty water, however, everything cleared up right away and no low flows were needed in any area. In addition, Mr. Werner reported the city is on schedule for drilling for the new well field and that will begin in approximately three weeks.

Code: Director of Code Jeff Batchelor commented on the portion of Ollie's parking lot where the donation boxes are located. Mr. Batchelor stated individuals have been dumping things outside of the donation boxes and the Street Department will be working to get that cleaned up. In addition, Mr. Batchelor noted that individuals continue to dump items outside of the dumpsters at the Street Department, despite listening to the public about weekend hours and making the dumpster available two Saturdays per month. Mr. Batchelor encouraged residents to respect the program and not continue to dump things so we may continue with the program in the future. Mr. Batchelor also encouraged those that may see someone dumping items to report it and to get photos and license plate numbers if possible. Mr. Batchelor also reminded the public that the tree lawn, although it is the property of the City of La Porte, is the homeowner's responsibility to maintain and mow. Mr. Batchelor encouraged residents to take pride in their lawns and their neighborhoods.

Police: Chief Buell reported a new officer, Devon Hammons Flannigan, was sworn in on April 29, 2024. He is currently riding along with other officers learning his shift. Two conditional offers have been put out for potential employment and there is one individual currently going through the background process. In addition, Chief Buell reported the installation of the body cams has begun this week and is going well. The department is also currently in the beginning stages of working on a technology grant through Congressman Mrvan's office to be able to upgrade some of the technology at the station. Ms. Romine questioned Chief Buell how much they were applying for. Chief Buell stated they originally applied for \$1.1 million, however, some of the things they intended to use the money for would not qualify so they are still negotiating but anticipating it to be approximately \$400,000.

Fire: Assistant Chief Burke reported they had 17 candidates make it past the aptitude test for the hiring list and they will be interviewing next week for their place on the list.

Park: Parks and Rec Superintendent Mark Schreiber reported they have a dumpster in Lindewald Park that is getting abused as people are using it to dispose of residential garbage as well as construction waste. Mr. Schreiber reminded the public that this dumpster is strictly for use by the Park Department or the individuals that rent the shelter. Mr. Schreiber asked the public to speak up and report if they see anyone that may be using the dumpster and shouldn't be. In addition, Mr. Schreiber reported Foodie Tuesdays will begin on May 28, 2023 and will be every Tuesday through August 28th at Unity Park from 10:30 to 2:30. The full list of vendors has been posted to the Facebook page. There will also be Foodie Tuesday nights, the first Tuesday of each Month June 4, July 2, and August 6. Mr. Schreiber stated they will also be bringing back movies in the park. There are five dates set for those, all movies will be at the amphitheater, except one that will be held on the lawn of the Civic Auditorium. All this information and more can be found at laporteparkandrec.com.

Street: Street Superintendent Mike Frazee reported they will be starting street sweeping, patching, and cutting trees. Residents should report any potholes they see by calling 219-362-2477. The goal is to fill all reported potholes within 48 hours.

Mayor Dermody recognized TransPorte Director Beth West for her time with the City of La Porte. Mayor Dermody stated due to Federal, State, and local funding they will be implementing some managerial changes and ways things are running at TransPorte. His hopes are for TransPorte to continue to be available to seniors and low-income riders long beyond his term with the city.

New Business:

Surveillance Agreement – New Age Telecom

Executive Assistant Annette Loeffler presented Surveillance Agreement – New Age Telecom. Ms. Loeffler stated last year she worked with New Age Telecom, and the then Assistant Police Chief, to help define what is needed in a new surveillance system for City Hall. The current camera system is outdated and there were a few incidents last year and the footage available through the current surveillance system was not usable. Ms. Loeffler stated she received a quote last year and encumbered as many funds as she was able to help with this and then worked with the Clerk-Treasurer's office to figure out the rest of the financing. Ms. Loeffler stated New Age Telecom came back this year and provided a new quote that includes all new cameras, installation, and an in-house server. The footage would only be accessible in city hall and at the police department. The quote is in the amount of \$30,227.07. Ms. Loeffler stated she is approximately \$2,000 short of what she encumbered but will work with the Clerk-Treasurer's office to find this within the budget.

Motion/Vote – Approval Surveillance Agreement – New Age Telecom

Ms. Romine made a motion to approve Surveillance Agreement – New Age Telecom as presented; motion seconded by Mr. Kosior and unanimously carried.

Hwy 35 Reconstruction Agreement

City Attorney Nick Otis presented Hwy 35 Reconstruction Agreement. Attorney Otis stated this is an interlocal cooperative agreement that upgrades US Highway 35, commonly known as Indiana Ave. This will allow the City of La Porte to work directly with INDOT on this project as it has been planned for many years. The City of La Porte intends to do some significant upgrades to utilities in this area when INDOT tears up the road. Attorney Otis stated the project is collectively at \$36.5 million and the city has project upgrades estimated at approximately \$4.7 million. City Engineer Nick Minich reported the State has been excellent to work with on this project and has really taken into consideration the needs of the city. Mr. Minich stated with the upgrades to US 35, a lot of times this type of agreement would be called a betterment agreement. There is a necessity for the highway to handle a certain amount of stormwater and certain things, and this agreement would include anything above and beyond the states need within the street would fall onto the city. Items in the agreement include: water main upsizing, storm sewer upsizing, sanitary sewer upgrades, lighting, detention basin resizing, and improvements to some of the side streets that are not included in the INDOT right-of-way. Mayor Dermody questioned who would be responsible for the cost of replacing the sidewalks. Mr. Minich stated when the design phase initially began, several years ago, that responsibility was going to be on the city, however, it will fall within the responsibility of INDOT. Mr. Minich stated the state did the leg work, dug through the history and because of when they acquired the right-of-way, they were able to include the sidewalk replacement within their scope of work. Mr. Kosior questioned if this would include the full length on both sides of the street. Mr. Minich stated it would include where they currently exist. Mr. Kosior questioned if the \$36 million included the city's portion. Mr. Minich responded by stating it does include this city's portion, however, we should keep in mind that this total is a current estimate and as the project is bid and awarded, the exact numbers may change. Michael Goletz from INDOT spoke briefly about the project. Michael stated the payment for this project will come due 30 days after bid, which is currently August 14, 2024. The full amount due will be invoiced to the City of La Porte with payment due approximately September 14, 2024. Mr. Minich clarified that the amount paid is put into an account and items are paid from those monies. Items above and beyond are kept track of and if the project ends up under what was budgeted the city will receive a check back. Mayor Dermody questioned what the alternative routes would be for individuals that regularly travel Indiana Ave. Michael responded by stating it was discussed with the city to determine what routes would need to remain open while certain sections are closed. There will be cross streets that remain open depending on the phase of the project so locals should be able to get around easily during the project. The official detour is: 35 will be closed to truck traffic and be redirected to highway 39 to highway 6 and back to highway 2. INDOT utilizes the closets state routes for detours during construction. Ms. Romine questioned what the timeline is for this project because the agreement states it is for five years. This project will take approximately two and a half years or three construction seasons.

Motion/Vote – Approval of Hwy 35 Reconstruction Agreement

Mr. Kosior made a motion to approve Hwy 35 Reconstruction Agreement as presented; motion seconded by Ms. Romine and unanimously carried.

Execution of Notice to Proceed – P&23 Sidewalk Replacement

CDBG Manager Mary Ann Richards presented Execution of Notice to Proceed – P&23 Sidewalk Replacement. Ms. Richards stated this is a notice that requires signature to be able to proceed with the CDBG sidewalks. Mayor Dermody questioned if the cost was reduced. Ms. Richards stated the scope was reduced, lowering the cost to fit within the budget. Mayor Dermody questioned when the work would begin. Ms. Richards stated they are anticipated to begin next week. The work will begin with tree and stump removal. Two trees will be replaced for every tree removed.

Motion/Vote – Approval Execution of Notice to Proceed – P&23 Sidewalk Replacement

Ms. Romine made a motion to approve Execution of Notice to Proceed – P&23 Sidewalk Replacement as presented; motion seconded by Mr. Kosior and unanimously carried.

JPR General Services Agreement

Wastewater Superintendent Jerry Jackson presented JPR General Services Agreement. Mr. Jackson stated this agreement is the same type of agreement that we currently have with NIES Engineering. This agreement will allow JPR to be consulted as needed, not to exceed \$25,000 for the year.

Motion/Vote – Approval of JPR General Services Agreement

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

Bidding Results Summary: McClung Road

Dan B with JPR presented a bidding results summary for McClung Road pressure sewer system expansion project. The city collected bids on Friday May, 3, 2024. The engineers' estimate for the project came in at an estimated \$500,000. The following bids were received:

H&G Underground Utilities in the amount of \$607,944.43.

TGB Unlimited in the amount of \$509,256.

TGB Unlimited came in as the lowest bid and was approximately 2% over the engineers' estimate. Dan stated they reviewed all the bid packages from all bidders and found they were acceptable in accordance to the bidding instructions. Wastewater Superintendent Jerry Jackson stated he made phone calls to previous customers of TGB and received mixed reviews but did receive an excellent letter of recommendation for TGB from the city of Remmington. Mr. Jackson noted safety concerns were mentioned, included men working in a trench with a loader near. Mr. Jackson stated he can find issues or concerns with any potential contractor; however, they would be subject to follow our bidding ordinance where they would be required to pay prevailing wage rates and submit payroll to prove they have done so. Mayor Dermody questioned where TGB is based out of. TGB is based out of South Bend. Mayor Dermody questioned Attorney Otis what type of protection we have if things are not done

properly. Attorney Otis stated we have run into issues with contractors in the past, and because we are not private, we have to go through a process for change orders and they must be approved. Attorney Otis stated ultimately Mr. Jackson can choose an alternate bid, other than the lowest most responsive bidder, with his justified concerns. Mr. Jackson stated we typically have a second contract for construction services that monitors the project and ensures things are being done appropriately. Mayor Dermody questioned if that was what was just approved with JPR. Mr. Jackson stated that agreement with JPR is for general services, which would be separate from construction services. Mr. Kosior questioned what that would add to the total cost of the project. Mr. Jackson stated they usually estimate that expense at approximately 10% of the total cost of the project. Mr. Jackson stated despite the minor concerns, his recommendation is to go with the low bid, TGB Unlimited.

Motion/Vote – Approval of Bidding Results Summary: McClung Road

Ms. Romine made a motion to approve Bidding Results Summary: McClung Road as presented; motion seconded by Mr. Kosior and unanimously carried.

Dan stated he has included a copy of the notice of award form and will be happy to help Mr. Jackson and Mayor Dermody complete the form for signature. The request is for Mayor Dermody to be able to sign the notice of award form on behalf of the board.

Amend Motion/Vote – Approval of Bidding Results Summary: McClung Road

Ms. Romine made a motion to amend to award the bid to TBG Unlimited as well as permission for Mayor Dermody to sign the document created by JPR; motion seconded by Mr. Kosior and unanimously carried.

New Waste Hauler Permit – Northern Plant Services

Wastewater Superintendent Jerry Jackson presented New Waste Hauler Permit – Northern Plant Services. Mr. Jackson stated they are located in Portage Indiana and does not anticipate them discharging a lot, but they do conduct business in this area, and they requested approval to be able to discharge waste. Mr. Jackson stated they had been a prior customer but their registration had lapsed. There are no prior issues and Mr. Jackson recommends approval.

Motion/Vote – Approval of New Waste Hauler Permit – Northern Plant Services

Mr. Kosior made a motion to approve New Waste Hauler Permit – Northern Plant Services as presented; motion seconded by Ms. Romine and unanimously carried.

Basement Backup Grant: 1402 “D” Street

Wastewater Superintendent Jerry Jackson presented Basement Backup Grant: 1402 “D” Street. Mr. Jackson stated the estimate for the work is in the amount of \$3,975 and the city’s portion would be in the amount of \$3,231.25 and the resident’s responsibility would be \$743.75. Mr. Jackson stated this is only the second basement backup grant for the year. Mayor Dermody questioned how much of these backups happen in the letters and numbers upgrade area. Mr. Jackson stated they have definitely gotten a number in that area; however,

they should not get any more due to the upgrades that have been made. Mr. Jackson stated everywhere that they have been separating the sewer, this problem goes away.

Motion/Vote – Approval of Basement Backup Grant: 1402 “D” Street

Ms. Romine made a motion to approve Basement Backup Grant: 1402 “D” Street as presented; motion seconded by Mr. Kosior and unanimously carried.

Pay Request #11 for Contract #2A L&N Street/Utility Project

Wastewater Superintendent Jerry Jackson presented Pay Request #11 for Contract 2A L&N Street/Utility Project in the amount of \$218,878.57, payable to HRP Construction. Mr. Jackson stated this is the water main and storm sewer work and recommends approval.

Motion/Vote – Approval of Pay Request #11 for Contract #2A L&N Street/Utility Project

Ms. Romine made a motion to approve Pay Request #11 for Contract #2A L&N Street/Utility Project as presented; motion seconded by Mr. Kosior and unanimously carried.

Pay Request #11 for Contract #2B L&N Street/Utility Project

Wastewater Superintendent Jerry Jackson presented Pay Request #11 for Contract #2B L&N Street/Utility Project in the amount of \$81,778.37. Mr. Jackson stated this is for the street portion and recommends approval.

Motion/Vote – Approval of Pay Request #11 Contract 2B L&N Street/Utility Project

Ms. Romine made a motion to approve Pay Request #11 Contract 2B L&N Street/Utility Project as presented; motion seconded by Mr. Kosior and unanimously carried.

Request to Accept Retirement Letter

Chief Buell presented Request to Accept Retirement Letter. Chief Buell stated he received a retirement letter from Captain Brettin on May 1, 2024, his last day will be May 23, 2024. Mayor Dermody recognized Chief Brettin on his nearly 30 years of service and expressed his appreciation for the roles he filled during his time at the department.

Motion/Vote – Approval of Request to Accept Retirement Letter

Mr. Kosior made a motion to approve Request to Accept Retirement Letter as presented; motion seconded by Ms. Romine and unanimously carried.

Boyd Blvd and Lake Street Property Zoning Request

Director of Community Development and Planning Craig Phillips presented Boyd Blvd and Lake Street Property Zoning Request. Mr. Phillips stated they have been working with an affordable housing developer, Advantix Development Corporation, that has worked with several cities across the state. Mr. Phillips stated this company is looking at doing a series of town homes as part of a low-income housing tax credit program. They are working with the city as well as private owners to identify locations in La Porte for providing this housing. Mr. Phillips stated they have identified some parcels within the city that they believe would be a good fit. Mr. Phillips stated they are currently working with the Park Board in addition to a

private owner on two separate locations. Mr. Phillips stated out of these two locations, one is being considered as the primary location and the other is being looked at as a backup, or secondary location. The primary parcel is located on Boyd Boulevard near Jefferson. This area is anticipated to have a mixture of development types, ranging from residential to business park. Mr. Phillips provided a visual concept of what the developed area would look like. The concept will include 20 to 24 two story townhomes on the property for low to moderate income. Mr. Phillips stated the second property is located on Lake Street near central. There is an area of high ground that extends along the South edge. When seen from the road, it looks a little deceiving, but there is quite a bit of room available to build. Mr. Phillips presented a separate concept drawing of this area. This area would include approximately 10 townhouses. Mr. Phillips stated he has several requests for these two potential sites which includes the following: approval to create separate parcels out of the existing city parcels as well as do the appraisals necessary to be able to continue to work with the housing developer, and permission to apply for zoning approvals, whether through Plan Commission or Board of Zoning Appeals. Mr. Phillips stated the tax credits are very competitive and typically offered to larger cities with more resources, however, the state has adjusted their program for this year to focus on smaller cities and therefore it is very likely the City of La Porte will score high and receive these tax credits. Ms. Romine questioned if these townhomes will be purchased by the homeowner. Mr. Phillips stated these townhomes are leased to own, over a 15-year period. The individuals leasing the townhomes have the option to own them at the end of the 15-year lease.

Motion/Vote – Approval of Boyd Blvd and Lake Street Property Zoning Request

Ms. Romine made a motion to approve Boyd Blvd and Lake Street Property Zoning Request as presented; motion seconded by Mr. Kosior and unanimously carried.

Request to Bid Water Main Materials

Assistant City Engineer Tucke King presented Request to Bid Water Main Materials. Mr. King stated this is for the Thomas Rose extension. The bid is to cover materials for installation to extend services to the western portion of the Thomas Rose Tif area. In addition, this will include a focus on creating a connection to 39 North.

Motion/Vote – Approval of Request to Bid Water Main Materials

Mr. Kosior made a motion to approve Request to Bid Water Main Materials as presented; motion seconded by Ms. Romine and unanimously carried.

Pay Application – Civic

Assistant City Engineer Tucker King presented Pay Application – Civic in the amount of \$173,000. This payment is for the phase two portion and there is still one invoice left to pay that will be paid once everything is complete and it has been assured city standards have been met.

Motion/Vote – Approval of Pay Application – Civic

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

Unfinished Business

Mayor Dermody recognized and thanked everyone that took the time to get out and vote yesterday.

Other Business:

Next regularly scheduled meeting: Tuesday May 21, 2024 at 9 A.M.

Adjourn

There being no further business, Ms. Romine made a motion to adjourn; motion seconded by Mr. Kosior and unanimously carried.

Approve: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: May 21, 2024