

November 19, 2024

The Board of Public Works and Safety met in regular session in the Council Chambers on Tuesday, November 19, 2024, at 9:00 A.M.

Present: Jessica Romine, Mark Kosior

Absent: Mayor Dermody

Jessica Romine led the Pledge of Allegiance.

Approval of Minutes

Each member received an advance copy of the minutes. Jessica Romine asked if there were any additions or corrections.

Motion/Vote – Approval of Minutes

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

Public Comment

None

Claims Approval

Clerk-Treasurer Parthun presented Payroll from November 8, 2024 in the amount of \$532,007.12.

Motion/Vote – Approval of November 8, 2024 Payroll

Mr. Kosior made a motion to approve the November 8, 2024 Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$934,412.15.

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 Water Claims in the amount of \$785,487.24.

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.

Clerk-Treasurer Parthun presented Sewage Claims in the amount of \$540,743.66.

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.

Request to Close Utility Billing and Clerk-Treasurer's Office

Clerk-Treasurer Parthun presented a request to close Utility Billing and the Clerk-Treasurer's office on Tuesday December 10th for two hours. Clerk-Treasurer Parthun stated the City Council previously donated a monetary stipend to the team for their successes this year and it has been hard to coordinate a time outside of business hours to celebrate with everyone. This time will allow the entire team to celebrate together. Clerk-Treasurer Parthun stated they will work with Communications Director Jessica Spoljaric to ensure proper notifications are put out.

Motion/Vote – Approval of Close Utility Billing and Clerk-Treasurer's Office

Mr. Kosior made a motion to approve the closure of the Utility Billing Office and Clerk-Treasurer's Office on December 10th from 12 PM to 2 PM; motion seconded by Ms. Romine and unanimously carried.

Department Head Reports

Wastewater: Wastewater Superintendent Jerry Jackson reported TCV is installing grinder pumps on McClung Road. In addition, Mr. Jackson stated the Kubota that was previously approved was delivered today.

Water: Water Superintendent Tim Werner reported crews are finishing up on Park Street for the Hunters Woods development and then will be moving on to Seivers Road. Mr. Kosior questioned if all the roads surrounding the development will be open through the winter as some of them have been closed. Mr. Werner stated all the roads should be open through the Winter. Mr. Werner stated there is the potential to hold off on the extension from Genesis to 100 until Spring but there will still be an eight-inch main feeding the development. There is not a lot of anticipated usage for this area throughout the winter.

Streets: Street Superintendent Mike Frazee reported they are still on their first round of leaf pickup and will be in the Terrace area today and the Christmas tree is being postponed to be put up until Tuesday of next week. Attorney Otis questioned if the rain makes the leaf pickup more difficult. Mr. Frazee stated it does make it harder with the leaf vac, but loader crew can pick up the wet leaves.

Parks: Parks and Rec Superintendent Mark Schreiber reported the crew did get the Santa Clause put up on the Court House lawn this morning. The installation of the downtown ice rink has begun and will open on November 29th and run through Sunday January 26th. This year the skate and the rental have been combined into one lower cost. The cost is \$6 to skate, skates included. Friday November 29th is a free skate night and Sunday December 1st is buy one get one. Mr. Schreiber thanked the Health Foundation of La Porte for their donation

toward the ice rink this year. Mr. Schreiber stated for more information or to get registered, visit laporteparkandrec.com.

Police: Chief Buell reported last week the old air handler was removed and the new one was installed and so far, is working great.

Code: Director of Code Jeff Batchelor reported they are still having people put furniture out by the street and reminded residents they no longer have the dumpster, so you have to pay to have those picked up. In addition, Mr. Batchelor reported there are a lot of people parking over sidewalks. You cannot block the sidewalk with your vehicle. You should park your vehicle in the street if it will be blocking the sidewalk. Attorney Otis stated this is not only a City Ordinance but also an ADA issue as well.

Legal: Attorney Otis stated he had a question for Engineering, as he has been asked himself, because we have received the tree grant, how was it decided where the trees go and the different types of trees were chosen. Mr. Minich stated we have not had the funds in the past to replace trees that have had to be taken down and this tree grant helps to replace those trees and get the tree canopy closer to where it should be. The City has contracted Arborist Phil Graph, the owner of a firm that is the arborist for numerous communities in the Chicagoland area and lives locally. Through the tree grant, he has updated the city's tree inventory and helped identify potential planting spaces. There are several factors considered when choosing a location and therefore locations and species of trees are chosen very intentionally and specific to the space. A good tree canopy is very beneficial and therefore the goal is a healthy and diverse tree canopy across the city. Attorney Otis stated he was also asked if the trees that were being removed for the Indiana Ave project were going to be replaced. Mr. Minich stated Phil has been working directly with INDOT to coordinate a tree planting plan for Indiana Ave when the project is complete. Mr. Minich stated INDOT does not have specific requirements for how trees go back but they have been able to coordinate a plan to make sure the quality of trees that are coming out will be of equal quality for the trees going back in. Ms. Romine noted the marks she had seen on the trees and questioned when they would be taking them out. Mr. Minich stated they would be removing them all at once at some point during this fall. Mr. Minich stated they did request that the trees be removed during each phase, however it did not make sense, contractually, for INDOT to do it that way.

New Business:

Updated Agreement Between the City of La Porte, LaLumier, and Paragon Marketing

City Attorney Nick Otis presented an updated agreement between the City of La Porte, LaLumier, and Paragon Marketing. Attorney Otis stated the Board of Works previously approved this agreement; however, some significant changes were made and has been brought before the board for approval again. Paragon Marketing's presence in the contract and tournament will be limited but they do need to be brought back into the contract as they are the ones with the connections that get the games streamed on ESPN. In addition, there was an additional game added on Friday night. Parks and Rec Superintendent Mark Schreiber

stated Paragon is no longer a tournament partner, but they are a television partner. The new contract outlines their duties and clarifies their revenue streams; they get their sponsorship revenues strictly from the broadcast. Attorney Otis clarified that ESPN has specific requirements for equipment and cameras to broadcast the games on their network. Paragon has the proper equipment, and they actually pay ESPN for the time slots on their network and in turn try to make their money back selling the ad space during the games.

Motion/Vote – Approval of Updated Agreement Between the City of La Porte, LaLumier, and Paragon Marketing

Mr. Kosior made a motion to approve Updated Agreement Between the City of La Porte, LaLumier and Paragon Marketing as presented; motion seconded by Ms. Romine and unanimously carried.

Bellargo Inter Local Agreement

Executive Director of the La Porte Economic Advancement Partnership Bert Cook presented Bellargo Inter Local Agreement. Mr. Cook stated this project is being built in an allocation area, Tiff District, that was previously the county and has been annexed into the city and the city has formed its own allocation area. Because taxes are collected in arrears, the county already has existing funds from this and will have one more collection for taxes from last year. These resources at the county level do need to be spent in this area. Mr. Cook recognized Matt Reardon, Office of Economic Development for the county, and County Redevelopment Commission President Randy Novak for their collaboration and ongoing discussion on the best use for these funds. Mr. Cook stated the city and the county have worked together on several projects to help increase residential options and are working together on this project to help offset some of the infrastructure costs that are necessary to make this project a reality. Mr. Cook stated the Board of Works previously approved \$134,000 in ARP funds and in addition to those fund, \$76,720.57 that were requested and approved at the County's Redevelopment Commission meeting last week. The County's preference is to use this inter local agreement that guides the partnership between the city and the county. Mr. Cook stated this agreement would allow us to request funding from the county RDC to the city RDC, which in turn allows execution of the infrastructure reimbursement agreement. Those funds will eventually make their way to the developer once the roadway is constructed, inspected by our engineer, and ultimately the city will take ownership of it close to the end of the project. The agreement requires the county RDC to release the funds within 30 days of the effective date of the agreement, which will be the date the last signature is placed on the document. This will happen next Monday at the next RDC meeting.

Motion/Vote – Approval of Bellargo Inter Local Agreement

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

McClung Road Pay Request #4

Wastewater Superintendent Jerry Jackson presented McClung Road Pay Request #4 in the amount of \$53,848.85. This brings the contract to 75%. Mr. Jackson stated they are actually

further along than 75%, however, they have not gotten in the paperwork for the additional pay request. Mr. Jackson recommends approval.

Motion/Vote – Approval of McClung Road Pay Request #4

Mr. Kosior made a motion to approve McClung Road Pay Request #4 as presented; motion seconded by Ms. Romine and unanimously carried.

McClung Road Connection Extension Request

Wastewater Superintendent Jerry Jackson presented McClung Road Connection Extension Request. Mr. Jackson stated customers who have septic systems because there was no city sewer available, such as those residents on McClung Road, are allowed to connect to the sewer system for only \$50 per the Sewer Connection Ordinance, as long as they connect within six months, rather than pay the system development fee. The intent was to encourage residents to hook up soon. Mr. Jackson stated because the project is just now coming to an end as we are entering bad weather, he is requesting an extension to June 1, 2025 to allow them to hook up in the spring.

Motion/Vote – Approval of McClung Road Connection Extension Request

Mr. Kosior made a motion to approve McClung Road Connection Extension Request as presented; motion seconded by Ms. Romine and unanimously carried.

Engineering for Pine Lake Ave

Wastewater Superintendent Jerry Jackson presented Engineering for Pine Lake Ave. Mr. Jackson stated he has a proposal to design facilities for the Johnson Road, US 35, Seivers roundabout. This is an INDOT project and we would be designing improvements to the sanitary sewer system in that area. This would look at the existing lift station, the extension up Seivers Road, in addition to looking at the capacity to go up further north. Provisions have been made to extend the sewer further north and other projects down Johnson Road. Mr. Jackson stated he recommends approval of the agreement between Butler Fairman and Seufert and the City of La Porte for the Johnson Road Roundabout. Mr. Kosior questioned if there was an estimated timing for this project. Mr. Jackson stated he does not know INDOT's timing, but our improvements would be folded right into INDOT's timeline.

Motion/Vote – Approval of Engineering for Pine Lake Ave

Mr. Kosior made a motion to approve Engineer for Pine Lake Ave as presented; motion seconded by Ms. Romine and unanimously carried.

Wastewater Hauler Discharge Permit: Huff Septic

Wastewater Superintendent Jerry Jackson presented Wastewater Hauler Discharge Permit Huff Septic. Mr. Jackson stated this is a renewal. Mr. Jackson noted they are in the middle of negotiating their new NPDES and IDEM will have new requirements in 2025. Mr. Jackson stated when the new permit becomes valid, they will be required to request permission to get truck waste in. Until now, there was not previously a formal process to request this permission with IDEM. IDEM will also require a sample to be pulled and stored from each load

for a certain timeframe. This allows for testing from each load to identify toxic materials that may have been hauled in if issues arise within the plant.

Motion/Vote – Approval of Wastewater Hauler Discharge Permit: Huff Septic

Mr. Kosior made a motion to approve Wastewater Hauler Discharge Permit: Huff Septic as presented; motion seconded by Ms. Romine and unanimously carried.

Local Trax RR Agreement

City Engineer Nick Minich presented Local Trax RR Agreement. Mr. Minich stated the city is signatory on this and it is something that has been negotiated and worked on by INDOT and Norfolk Southern. Mr. Minich stated we do play a minor role in this based on our project but we are signatory and recommends approval of the agreement.

Motion/Vote – Approval of Local Trax RR Agreement

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

2024/25 Street Paving Bid Recommendation

City Engineer Nick Minich presented 2024/25 Street Paving Bid Recommendation. Mr. Minich stated we received notice of our grant award and five road segments were removed by INDOT for various reasons. Mr. Minich stated he adjusted the quantity for award. Both bids received were complete and there were no issues. Mr. Minich stated Milestone was still the low bidder at \$2,830,260.36 based on the revised quantities removing five road segments and recommends approval. Mr. Kosior questioned if we have previously worked with Milestone as he does not recognize the name. Mr. Minich stated Milestone bought out Walsh-Kelly and they have not been putting in for our bids for the last year or two but are starting to come back. Mr. Jackson stated they had done some paving for treatment plant and did a nice job. Ms. Romine questioned if this came in where we wanted it to. Mr. Minich stated this came in a little higher than we would have liked it to.

Motion/Vote – Approval of 2024/25 Street Paving Bid Recommendation

Mr. Kosior made a motion to approve 2024/25 Street Paving Bid Recommendation as presented; motion seconded by Ms. Romine and unanimously carried.

Use of Property/ROW Permit-Indiana Avenue Construction Laydown Area

City Engineer Nick Minich presented Use of Property/ROW Permit – Indiana Avenue Construction Laydown Area. Mr. Minich stated there is a discrepancy on who owns this property as the railroad does not believe they own it and INDOT does not believe they own it either. Mr. Minich stated we could do one of two things, issue a use of property permit, which is usually a short-term permit for closing a street for an event. The second option is issuing a right-of-way permit. Mr. Minich stated because we do not know if all of this is our property, he can issue the right-of-way permit based on them also getting approval from entities that may also own a portion of this property. This is the area under the overpass by Lake Street

that will be used as a laydown area for piping and other material. Ms. Romine questioned how long this would be for. Mr. Minich replied with two years.

Motion/Vote – Approval of Right-of-Way Permit

Mr. Kosior made a motion to approve Right-of-Way permit as presented; motion seconded by Ms. Romine and unanimously carried.

Hunter Woods Pay Application #2

City Engineer Nick Minich presented Hunter Woods Pay Application. Mr. Minich stated this is for HRP Construction for the sewer extension for Hunter Woods and is pay application #2 in the amount of \$247,817. This will be paid from ARP 2401-000-421.002 and Restricted La Porte County Park Street Donation. Mr. Minich recommends approval. Ms. Romine questioned what percentage of completion this project is. Mr. Minich stated they are nearing completion and believes they are 60-70% complete on billing.

Motion/Vote – Approval of Hunter Woods Pay Application

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

N Park Street Project Pay Application

City Engineer Nick Minich presented N Park Street Pay Application. Mr. Minich stated this is for Reith-Riley Construction for the N Park Street Sewer Extension in the amount of \$412,429.97. There is \$867,500 remaining in the contract. Mr. Minich stated there are some issues that Reith-Riley is working to address associated with their proximity to some new water main but there is a lot of contract left to ensure that is getting corrected and therefore recommends approval in the requested amount.

Amended Motion/Vote – Approval of N Park Street Pay Application

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

Final Sidewalk Pay

City Engineer Nick Minich presented Final Sidewalk Pay. Mr. Minich stated this is the final pay application for the current sidewalk program to Pavey Excavating in the amount of \$16,686.20. Mr. Minich state this closes out this contract and recommends approval. Mr. Kosior questioned if this was all complete to our satisfaction. Mr. Minich confirmed it was completed to our satisfaction.

Motoin/Vote – Approval of Final Sidewalk Pay

Mr. Kosior made a motion to approve Final Sidewalk Pay as presented; motion seconded by Ms. Romine and unanimously carried.

Unfinished Business

Other Business:

Next regularly scheduled meeting: Tuesday December 3, 2024 at 9 A.M.

Adjourn

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

Approve: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: December 3, 2024