

January 7, 2025

The Board of Public Works and Safety met in regular session in the Council Chambers on Tuesday, January 7, 2025, at 9:00 A.M.

Present: Mayor Dermody, Jessica Romine, Mark Kosior

Absent:

Craig Phillips 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

Employee Recognition

Clerk-Treasurer Parthun stated this is from the last meeting and would like to continue to hold off.

Claims Approval

Clerk-Treasurer Parthun presented Payroll from January 3, 2025 in the amount of \$555,794.63.

Motion/Vote – Approval of January 3, 2025 Payroll

Mr. Kosior made a motion to approve the January 3, 2025 payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Payroll from December 20, 2024 in the amount of \$536,093.32.

Motion/Vote – Approval of December 20, 2024 Payroll

Mr. Kosior made a motion to approve the December 20, 2024 Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Q4 Quarterly Payroll in the amount of \$1,926.88.

Motion/Vote – Approval of Q4 Quarterly Payroll

Mr. Kosior made a motion to approve Q4 Quarterly Payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$2,116,002.64. This has several bond payments and remaining expenses paid from the 2024 budgets as approved at the last board meeting.

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 \$375,098.02.

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 \$257,569.07.

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

Water: Water Superintendent Tim Werner reported the construction crew is in the middle of doing the interior taps for the Hunters Woods Project. They are currently done with all the roadwork for the rest of this year and are working on the interior triangle. In addition, Mr. Werner reminded the public with the lowering temperatures everyone should make sure their outside spigots are protected and any holes in walls that may allow a draft to reach the pipes should be corrected. It does not take long for a pipe to freeze when it is not being used. Mayor Dermody asked Mr. Werner to speak about the road repair. Mr. Werner stated he is meeting with City Engineer Nick Minich after this meeting to establish a game plan. Originally that road was to be paved under the Community Crossing's project, however that is being held off until Spring. Mr. Werner stated they will make a plan and get the road passable.

Code: Code Director Jeff Batchelor reminded the public that you cannot just place your furniture out in the front yard for pickup. The city does not pick up these items and WM does not pick these items up either, without a scheduled pickup. You must call WM to schedule a pickup of these items.

Park: Parks and Rec Superintendent Mark Schreiber reported the La Porte Invitational will be this weekend with games on Thursday, Friday, and Saturday. Seven of the top 25 teams in the nation will be participating. Mr. Schreiber emphasized the level of talent that is seen at this

event every year and noted out of the four years hosting this event, we have seen nine of the individuals that participated go to the NBA. In addition, Mr. Schreiber stated there will be promotions; Thursday there will be a white-out with the first 1,000 people receiving T-shirts to support LaLumiere. Kap and J. Hood from ESPN 1000 will be present for pre-game and to meet with the crowd and for half-time promotions. The bus from Hoosiers will be there so people can take pictures with it. In addition, Thursday is also Military Appreciation Day and free tickets were provided to the VFW and American Legion for any Veterans and active military that wish to attend. Friday the Leaping Legends, an acrobat dunk team, will be performing at all four halftimes. Saturday is Kids Day, and the first 350 kids get a poster of the LaLumiere team, which can be signed by the team after the games. Tickets for these games cost as little as \$15 per day and can be purchased at laportecivicauditorium.com. Advance ticket purchase is recommended.

In addition, Mr. Schreiber reminded the public that the Ice Rink will remain open through January. Free Skate Fridays and buy-one-get-one Sunday's will continue. Last Friday there were 133 skaters that participated in Free Skate Friday. The final weekend for ice skating is Winterfest weekend and that will take place on January 24th through 26th.

Street: Street Superintendent Mike Frazee reported they are out patching with cold mix, fixing water cuts, stumps, and cleaning the leaves around the curbs downtown.

New Business:

La Porte Water Line Agreement

Water Superintendent Tim Werner presented La Porte Water Line Agreement. Mr. Werner stated he has worked on this with City Attorney Nick Otis. Mr. Werner stated the development on Fail Road, just north of Lincolnway, there is storage place going in that has put in plastic water main which is not up to construction standards for this area. Mr. Werner emphasized the city does not actively tap or work on plastic water main and believed it would be a good idea to have an agreement with the developer making it clear the city's responsibility stopped where the main switched from ductile to HDP or plastic pipe. Mr. Werner stated this would relieve the city of liability in case there was a main break or leak, and the city would just shut off water access to that line at the tapping valve. Mr. Werner emphasized the city is not set up to work on plastic lines and has been working on ductile for a very long time. Mayor Dermody questioned what would stop the next developer from putting in plastic instead of using the materials that are asked to be used by the city because he is tempted to say no and request, they use the proper materials. Mr. Werner stated there have been several different contractors and companies involved with this project. The original company put in the plastic under the radar and once it was caught, the entire project was red tagged. A new company did come in but the cost to rip up what had already been done and redo it would be very costly. Mr. Werner stated he believes the best solution would be to relieve the city of any liability with this agreement. Mr. Werner stated during site review or any of the meetings that are held, he makes it very clear that the City of La Porte is a ductile iron city and understands that there are other places that allow plastic, but we do not. Mr. Werner stated he agrees with Mayor Dermody and believes there should be more pressure put on developers and

contractors to adhere to the construction standards of the city. Mayor Dermody stated he cannot speak for the other members but believes they should have to dig up what has been done and do it to the city's standards. Ms. Romine asked if there were many water lines that were being installed because it is a storage facility. Mr. Werner stated their plans showed future development with some type of strip mall buildings going in on the backside which makes him even more uncomfortable with them using plastic lines. Mr. Werner stated if there is any future potential for the city to take over any infrastructure in that area then it does need to be built to the city's standards. City Engineer Nick Minich stated this is a private development and this is their private line, however it needs to be made clear that the city will not take over something like this in the future as our Public Works standards would not allow it, but it is not a public works if the line remains private. Mr. Minich stated we need to remain firm, if it is ever intended to become a public water main, owned by the city or maintained by the city, then it does need to be built to our standards. Mayor Dermody questioned if the storage units that are being built on Washington would be allowed to use plastic water mains as well. Mr. Minich stated one of the biggest reasons we do not use plastic is because we are not familiar with how long it will last or how it will handle. The city's crews are set up for maintenance repair of ductile pipes and it is impractical to have them working on different materials. Mr. Minich stated it isn't necessarily a bad product; however, it is not what we see fit for our water system. Ms. Romine asked if we have the authority to request the company to rip up the plastic and put in ductile pipe because it is privately owned. Mr. Werner stated we cannot require that. In addition, Mr. Werner stated another issue with plastic piping is you are relying on a small cooper wire that is ran with the piping to be able to locate it when digging. Mr. Werner stated as these types of developments expand, they typically want the city to take over the infrastructure and he does not feel comfortable doing it if they are using plastic pipes. Mr. Minich emphasized that we do have public works construction standards, however when it comes to the building construction and the infrastructure on site of a lot, everything essentially refers to State Building Code in our Ordinances. This means we cannot affect anything that State Building Code says is fine. On the public works side, anything the city owns, anything in the right of way, or maintaining, we do have the ability to dictate what goes in and how it goes in. Mayor Dermody stated this means there is nothing we can do to prevent another storage facility from coming into town and also using plastic pipes. Mr. Werner stated that is correct, however, he likes to put as much pressure on the developer as possible by making them aware they will be responsible for their own 811 locates, repairs, and all potential scenarios where they would be financially responsible. Mr. Werner stated it typically comes down to money, and plastic is cheaper and therefore the developers usually take the risk with the cheaper material. Mr. Werner emphasized these points as the driving factor for having an agreement in place to protect the City of La Porte from any future damage or issues that may come from this. Mr. Kosior questioned whether Mr. Werner is aware of any other commercial enterprises that have put in plastic. Mr. Werner stated that they have been able to talk a lot of them out of it by letting them know they will be financially responsible for any issues that may come up. Mr. Minich noted this is not a current issue, but they are being proactive to potential issues in the future. Mayor Dermody questioned if there was any cost ensued by the water department for connecting this development to the water line. Mr. Werner stated the developer pays the tap fees to connect into the main and he is

able to make them use ductile iron from the tap to the property line and then they can connect to the plastic. Mayor Dermody questioned whether the city has an opportunity to raise the fees for those that do not use the appropriate materials. Mr. Werner stated the tap, and any other materials run under city property were the proper materials but there is not anything we can necessarily do for the materials used on private property. Mayor Dermody questioned if they could be charged more for running plastic on their own property. Mr. Werner responded by stating a tap is a tap and those materials used are to our standards, but he would have to speak with Attorney Otis on the legalities of trying to charge someone more for not utilizing our preferred materials on their property. Mr. Kosior stated he felt it would only be a matter of time before someone comes before the board requesting help with an issue because of a poor decision, such as plastic pipes, which were made 15-20 years ago. Mr. Werner stated he has heard horror stories of other cities that have used plastic, and a crack can easily turn into a split along the entire pipe. Mr. Werner noted an instance in New Buffalo where two men were washed out of an area because enough water was coming through the broken pipe. Mr. Werner stated he does not trust plastic and emphasized that we have ductile iron pipes in the city that still have water flowing through them and they are over 100 years old. These older pipes do come with other issues; however, cracks aren't typically one of them. Mr. Werner stated what typically happens in these scenarios is the developer tries to get things done as cheaply as possible and then sells the development and unfortunately, he believes that we may see more and more of this. Mr. Werner emphasized the need to have a game plan in place where these types of developments do not affect the city or for the water department to be responsible for any issues that may arise in the future. Mayor Dermody stated this could be put on hold until the next meeting until Attorney Otis can be present for questions. Mr. Werner stated he had had a conversation with Attorney Otis this morning and he is more than comfortable with the agreement as they have been working with the developers' attorneys as well. Mr. Werner stated there is not necessarily anything wrong with plastic, there are communities that do plastic because they can get more pipes laid for less cost, however, we are building for the future and the longevity of our system and believe in the proven worth of the ductile iron.

Motion/Vote – La Porte Water Line Agreement

Ms. Romine made a motion to approve La Porte Water Line Agreement as presented; motion seconded by Mr. Kosior and unanimously carried.

Ms. Romine questioned if there would be an impact if they chose not to move forward with the vote today. Mr. Werner stated he hates delaying construction, if possible, but he does not have an issue with tabling this until the next meeting. Mayor Dermody stated he would be more comfortable tabling this issue until the next meeting to be able to speak with Attorney Otis and to speak with the developer. Mr. Werner stated that when they realized they were using plastic pipes, they did red tag the site and they were shut down for approximately six months until a new developer and new construction company came in and they are willing to sign this agreement to keep the plastic pipe in the ground.

Motion/Vote – Table La Porte Water Line Agreement

Ms. Romine made a motion to table La Porte Water Line Agreement as presented; motion seconded by Mr. Kosior and unanimously carried.

Job Descriptions

Human Resources Director Andrea Smith presented Job Descriptions. Ms. Smith stated they worked with the firm Waggoner, Irwin, and Scheele out of Muncie. They work with municipalities and county jurisdictions doing job descriptions and salary studies; they are the ones that did our salary study for the city. The process begins with questionnaires going to all employees that are going to have a job description done. This ensures that employees understand their position and give us the opportunity to see it from their point of view. The questionnaires were completed and sent to the department head for review and the final product was reviewed by Ms. Smith and each department head. Ms. Smith stated she finalized and formatted each job description, trying to make them all uniform. Ms. Smith stated upon approval, each employee will receive a new job description and then the employee and department head will sign the job description and then it is filed in their personnel file. Ms. Smith stated Water and Wastewater will be done at a later date because they are still working through some things, and the Clerk-Treasurer's office will be presented at the next meeting. Ms. Romine expressed her appreciation for all of Ms. Smith's hard work she put into getting the job descriptions updated and noted that this is setting us up for the future.

Motion/Vote – Approval of Job Descriptions

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

Letter of Consent of Funding for KnowBe4 Docusign and CrowdStrike Docusign

IT Director Roscoe Hoffman presented Letter of Consent of Funding for KnowBe4 Docusign and CrowdStrike Docusign. Mr. Hoffman stated these are two separate letters for funding but can be looked at together. They are for funding through the State through the IOT office. This will fund our KnowBe4, which is the cyber security phishing program that is used, and it will also fund crowdstrike. Crowdstrike is something that we already use through Proven IT, but we will be switching that to go directly through the State. Mr. Hoffman stated his request is for approval to docusign both documents. Mr. Kosior questioned whether there is any additional risk because the State is a much bigger target rather than just the City of La Porte. Mr. Hoffman stated just because it will be funded through the State does not mean that the connections will be going through the State. Everything will remain the same as far as our setup, functionality, and connection. If the state were to have an attack, it would not affect our setup.

Motion/Vote – Approval of Letter of Consent of Funding for KnowBe4 Docusign and CrowdStrike Docusign

Ms. Romine made a motion to approve Letter of Consent of Funding for KnowBe4 and CrowdStrike Docusign as presented; motion seconded by Mr. Kosior and unanimously carried.

Unfinished Business

Mayor Dermody reminded everyone to head out to the basketball games at the Civic. He noted he has text confirmation that Carmelo Anthony is planning to come back and attend on Friday and Saturday. Mayor Dermody reminded everyone to stay healthy and safe as various strains of illnesses are running ramped. In addition, Mayor Dermody encouraged everyone to be aware that the legislature goes back into session tomorrow and to pay attention to the property tax bills. Everyone probably wants their property tax bills lowered, however that is what funds our city and everyone also wants to continue to have police and fire.

Other Business:

Next regularly scheduled meeting: Wednesday January 22, 2025 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: January 22, 2025