

February 4, 2025

The Board of Public Works and Safety met in regular session in the Council Chambers on Tuesday, February 4, 2025, at 9:00 A.M.

Present: Mayor Dermody, Jessica Romine, Mark Kosior

Absent:

Leslie Calvert 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

Leslie Calvert, 1104 W 10th Street, expressed concerns about safety on her street because of the lack of a speed limit on her road, which results in vehicles driving in excessive speeds around the corner. She also raised an issue with the sidewalk installed by the city in front of her property, noting the elevated grade created by its installation. Ms. Calvert previously relied on this area as a safe location for assisting her disabled wife in entering and exiting their vehicle. Additionally, Ms. Calvert noted that she has received citations from the Code Enforcement Department for not maintaining the grass in that area. Ms. Calvert stated when the city sends someone to cut this area, they use big tractors and essentially close the road down to do it safely. She questioned how the city expects her to safely comply with these requirements under such conditions.

Claims Approval

Clerk-Treasurer Parthun presented Payroll from January 31, 2025 in the amount of \$560,043.74.

Motion/Vote – Approval of January 31, 2025 Payroll

Mr. Kosior made a motion to approve the January 31, 2025 payroll as presented; motion seconded by Ms. Romine and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$765,993.06.

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 \$887,604.80.

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 \$292,903.59.

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.

2025 Vehicle Inventory

Clerk-Treasurer Parthun presented 2025 Vehicle Inventory. Clerk-Treasurer Parthun stated on an annual basis the Board of Works is asked to approve the vehicle inventory list. A list of all the owned and leased vehicles was provided. Clerk-Treasurer Parthun stated the list was reviewed for accuracy by all department heads and requests board approval.

Motion/Vote – Approval of 2025 Vehicle Inventory

Ms. Romine made a motion to approve 2025 Vehicle Inventory as presented; motion seconded by Mr. Kosior and unanimously carried.

Department Head Reports

Water: Waster Superintendent Tim Werner reported they will be working on their fill station going live. They have communications through a remote modem and will be working on running some tests. Mr. Werner stated the fill station is located across the street in the parking lot. Customers will be issued essentially an ATM card that they can swipe and then indicate how much water they need and it will automatically be dispensed.

Wastewater: Wastewater Superintendent Jerry Jackson reported they received a letter from 1007 Jackson Street; they have a private sewer that wanders through that area, and they have requested this be corrected. Mr. Jackson stated NIES Engineering will be looking at this and doing some survey work to get the project started. Mayor Dermody questioned if the cost would fall on the residents because it is a private line. Mr. Jackson clarified by stating it is referred to as a private line because it is located on private property without manholes or access and likely the city did not build it. Generally, it is on the homeowner to maintain.

Clerk-Treasurer: Clerk-Treasurer Parthun reported the Utility Billing Office will be open via phone and drive through only because they are short staffed due to illness. Mayor Dermody reminded residents they can also pay their bills online or drop it off in the box out front.

Code: Director of Code Enforcement Jeff Batchelor stated he received a phone call yesterday from Ms. Calvert and he spoke with her about the gravel spot where she parks her vehicle next to her house and let her know they would remove the citation and apologized.

LEAP: Executive Director of the La Porte Economic Advancement Partnership Bert Cook reported the third house session will be held on Friday from 8 to 9:30 in the Dworkin Center at the Purdue Northwest Westville Campus. Mr. Cook emphasized there will be a great group of State and local legislators who will be sharing all that is going on in this legislative session. This is a free event to attend but registration is required and can be done on the LEAP website or the Michigan City Chamber of Commerce website.

Street: Street Superintendent Mike Frazee reported there are patch crews out, brush crews, and they are replacing pavers at NewPorte Landing. Mayor Dermody stated they are taking an inventory of the pavers at NewPorte Landing and looking to see what can be done in this area. Mr. Kosior stated this area has been an issue for a while because the pavers are not as stout as an actual road, but they were used for proper drainage in this area. Jerry Jackson stated the standard for how these pavers are installed has changed and it is now recommended that you put a geo grid underneath, and any future installations would be done this way. Mayor Dermody questioned if it would be okay to just replace the bricks as needed for now. Mr. Jackson stated replacing them will help to maintain and keep that area going, however we will eventually have to do the big project of pulling them all up and putting the geo grid underneath.

Park: Parks and Rec Superintendent Mark Schreiber reminded the public there are still sports sign ups going on. The deadline to sign up is February 28th with the exception of T-Ball that has a sign-up deadline of May 2nd. Registration can be done both at the Park Office, 250 Pine Lake Ave, or online at LaPorteparkandrec.com. In addition, Mr. Schreiber reported they have an Earth Day 5k on April 26th at Fox Park. Registration information for this race can be found on the park website and it benefits the Park Foundation. Mayor Dermody recognized Mr. Schreiber for focusing on Youth Sports and getting all the kids in La Porte to participate and bringing the focus to in-house rather than travel ball or going elsewhere for these sports. Mr. Schreiber stated they will be talking to the parents and to the coaches for input and will be reshaping the program for 2026.

New Business:

Ticket Appeal

Executive Assistant Annette Loeffler presented ticket appeal ORDN 25-141. Ms. Loeffler reported the vehicle was towed and the individual requesting the appeal stated they should have been provided 24-hour notice before the vehicle was towed, and they did not receive 24-hour notice. Ms. Loeffler stated the officer that wrote the ticket provided his incident narrative that states he gave her 24-hour notice. The initial notice was given with the ticket that was issued on January 14th, and the vehicle was towed on January 24th. The Police Department recommends the ticket be upheld as 24-hour notice was given. Mr. Kosior emphasized the citation was for expired plates and the individual was given 10 days to rectify the situation rather than just the 24 hours and therefore had ample time to get the vehicle moved.

Motion/Vote – Deny Ticket Appeal ORDN 25-141

Ms. Romine made a motion to deny Ticket Appeal ORDN 25-141 as presented; motion seconded by Mr. Kosior and unanimously carried.

2024-08-07 N Park Road Agreement

City Attorney Nick Otis presented 2024-08-07 N Park Road Agreement. Attorney Otis stated this is an agreement between the City of La Porte and Reith-Riley for work done in the Park Street area. Attorney Otis asked Wastewater Superintendent Jerry Jackson to speak about this. Mr. Jackson stated the Board of Works approved the bid for this project and following that there was to be a contract signed that established the relationship between Reith-Riley and the City of La Porte, this is that contract. Attorney Otis questioned if they had completed the work yet. Mr. Jackson stated there is a walkthrough scheduled for later in the day.

Motion/Vote – Approval of 2024-08-07 N Park Road Agreement

Mr. Kosior made a motion to approve 2024-08-07 N Park Road Agreement as presented; motion seconded by Ms. Romine and unanimously carried.

Utility Easement Agreement – 804 Pine Lake Ave

City Attorney Nick Otis presented Utility Easement Agreement - 804 Pine Lake Ave. Attorney Otis stated this is for utilities that the city has had in place for over 100 years that run through private property and a formal easement was never filed. Attorney Otis stated the property owner is doing some construction there and we would like to formalize our agreement with them. A deck has been built partially over the easement. This agreement will establish the easement, which will be recorded, and this will give the city the right to remove the deck in a situation where work needs to be done, and the homeowner cannot replace it. Mayor Dermody questioned if the homeowner requested permission to build the deck. Attorney Otis stated they did get the necessary permissions, however there is some dispute regarding the size of deck that was requested versus what is being built. Attorney Otis stated the other options, such as putting in a lift station, were rather costly for the city. Wastewater Superintendent Jerry Jackson stated there is not a formal recorded easement because this lot and the adjacent lot were part of the Yach Club's property and at some point those two lots were split off. The two lots were not part of the adjacent subdivision and somehow in that process there was never a formal easement established. Mr. Jackson emphasized he does not believe there was ever any doubt on anyone's part that water and sewer lines ran through there. Mayor Dermody questioned if these were the residents that claimed they had never received any response from the city and just built their deck. Mr. Jackson stated they applied for a construction permit, and he was next door to the house because there was intention to build a house and that is when he noticed that the deck had been built over the easement and that is where the dispute on how big the deck was permitted to be. Attorney Otis reiterated that the city does have the right to destroy the deck in an emergency and the homeowner cannot replace it. Attorney Otis said the original permit stated they would be rebuilding the deck to match the same size as the previous deck, however the contractor claims he spoke with someone in the city's engineering department and got the okay to build a larger deck. Attorney Otis stated there is currently a dispute about that claim. Water

Superintendent Tim Werner stated locates were called in for this property and all utilities on this property were marked out ahead of construction. Mr. Kosior questioned if there was a current issue with this as it stands. Mr. Werner stated the concern is that this is a 4-inch main and there is a lot of groundwater in that area and therefore the deterioration of the main is a little accelerated and a lot of leaks are fixed in this area. Ms. Romine questioned who would be financially responsible for removing the deck. Mr. Werner stated in the event of an emergency; they would more than likely remove the deck with a backhoe. Mayor Dermody questioned Attorney Otis if someone else were to do something similar, will they be protected because we are approving this one. Attorney Otis stated he does not believe the city can ask the homeowners to tear out the deck because that will more than likely result in litigation. Mr. Werner stated his concern is how the deck is connected to the house and what potentially could happen to the house when ripping out the deck in an emergency. Mayor Dermody questioned if the homeowner would be responsible for reimbursement to the city for tearing out the deck. Mr. Werner stated if a backhoe is used, it would not take very much time at all to remove the deck. Ms. Romine expressed her concern for the potential liability this opens the city up to. Mayor Dermody questioned when the deck was built. Attorney Otis stated it has been worked on for approximately the last year, however he believes there is currently a stop work order on the construction. Mr. Werner confirmed that the last time he was there, it was not complete. City Planner Craig Phillips recommended this item be tabled until City Engineer Nick Minich and himself can look at this because this could also potentially involve variances for the construction of the home. Mr. Phillips believes that all aspects of this home should be reviewed to gain a full understanding of what is going on and have all the facts related to this property to determine the best course of action. Mr. Kosior sought confirmation of his understanding that there is not currently an issue but there is a potential for issue in the future due to the age and size of the main. Mr. Werner stated it is probable that there will be an issue in that area at some point. Ms. Romine stated it is not a matter of if, it is a matter of when. Wastewater Superintendent Jerry Jackson stated the potential issues are the same for the sewer line that runs through there as well because it is made of clay tile. Mr. Kosior stated he believes that we need to have protection from liability in this situation, especially if the homeowners went beyond the scope of what they were allowed to do. He stated there are a lot of issues with this that need to be worked out before he would like to see the board move forward with any agreements.

Motion/Vote – Table Utility Easement Agreement - 804 Pine Lake Ave

Ms. Romine made a motion to Table Utility Easement Agreement – 804 Pine Lake Ave; motion seconded by Mr. Kosior and unanimously carried.

General Services Agreement for Professional Services - Karnerblue

Director of CDP Craig Phillips presented General Services Agreement for Professional Services – Karnerblue. Mr. Phillips stated this is a proposal for a general services agreement for an on-call, as needed, basis. Karnerblue provides several services related to grants, seeking funding opportunities and other assistance as needed. Mr. Phillips stated Karnerblue was involved in helping secure the EDA Grant that was used for the Boyd Boulevard Stormwater project in addition to helping substantially with the READI Grant application. Mr. Phillips stated there is

a need to be able to work with Karnerblue for grant-related projects and there will also be the opportunity for other departments to work with them as needed when opportunities become available. Mayor Dermody questioned what projects he foresees needing these services for in 2025. Mr. Phillips stated there is currently nothing on the books, however, he would like to get this agreement set in place for when something does come up, he does not have to wait two weeks for approval before they can get started working. Mr. Phillips stated they are currently utilizing the services of Karnerblue for an Electric Vehicles Grant.

Motion/Vote – Approval of General Services Agreement for Professional Services - Karnerblue

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

Mr. Kosior stated he does not see a not to exceed amount that is typically seen with these types of agreements. Mr. Phillips stated they can set a not to exceed amount with the expectation of coming back to the board if they need to exceed that amount for any reason. Mr. Kosior asked Mr. Phillips if he would be okay with setting that amount today. Mr. Phillips stated he would be comfortable with setting a not to exceed limit of \$5,000, the same amount that was set for the Redevelopment Commission. Mr. Kosior requested an amended motion to include the not to exceed notation.

Motion/Vote – Amended Approval of General Services Agreement for Professional Services – Karnerblue

Ms. Romine made an amended motion to approve General Services Agreement for Professional Services – Karnerblue not to exceed \$5,000; motion seconded by Mr. Kosior and unanimously carried.

Pay Request #12 – Contract 2A of L&N Project

Wastewater Superintendent Jerry Jackson presented Pay Request #12 – Contract 2A of L&N Project in the amount of \$217,449.75. Mr. Jackson stated what was presented to the Board of Works is the quantities at the end of the project where everything is adjusted to reflect the actual work that was done versus what was estimated to be done and everything is squared up to the correct amounts. These changes bring the total contract amount to \$2,873,378.46. This pay request brings the project to 94% completion.

Motion/Vote – Approval of Pay Request #12 – Contract 2A L&N Project

Mr. Kosior made a motion to approve Pay Request #12 – Contract 2A L&N Project as presented; motion seconded by Ms. Romine and unanimously carried.

Solar Power Annual Report 2024

Wastewater Superintendent Jerry Jackson presented Solar Power Annual Report 2024. Mr. Jackson stated that \$257,000 was saved in 2024 for electric costs because of the solar power utilized. The average electrical cost for the treatment plant without utilizing the solar panels is \$22,000-\$23,000 per month and most months last year the average cost was \$350. The cost

of solar power plant plus interest paid over the life of the loan total to \$3.5 million and the pay off is approximately 14 years. There will be approximately \$2 million in savings over the remainder of the life of the solar field. Mr. Jackson stated solar fields don't stop working in 20 years, they just slowly stop losing efficiency, so it will still be working but at that time is when we would decide if we will put new solar panels in the field or not.

Pay Application – Grinder Pump Installation

Wastewater Superintendent Jerry Jackson presented a pay application to TCB in the amount of \$74,942. This installation was to be able to service more customers. This portion was bid separately from the rest of the McClung Road project in order to not exceed the allowable amount. Mr. Jackson stated the work has been completed and this will close out this project.

Motion/Vote – Approval of Pay Application – Grinder Pump Installation

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

Lease Agreements

Chief Buell presented Lease Agreements. He stated over the next two years there are approximately 30 leases that are coming due and this year there are approximately 15 leases that are due. Chief Buell stated he has not been a part of previous negotiations and requested Mayor Dermody input. Mayor Dermody stated the vehicles in front of the board are for police vehicles for February and March. Mayor Dermody also requested to untable the four lease agreements for the engineering vehicles.

Motion/Vote – Untable Engineering Lease Agreements

Mr. Kosior made a motion to untable the lease agreements for the four engineering vehicles; motion seconded by Ms. Romine and unanimously carried.

Mayor Dermody clarified they will now be speaking about voting on the police vehicles for February and March and the four engineering vehicles. Mayor Dermody recognized Matt Magnuson from La Porte Chrysler for bringing this agreement together and understanding the city's financial situation with taxes and everything that is going on. These agreements will extend the same lease pricing for one year. Mayor Dermody expressed his appreciation for Mr. Magnuson and being a true partner to the City of La Porte and his excitement to continue to build this relationship. Mr. Magnuson expressed his appreciation for the partnership with the City of La Porte and the great teamwork to make this happen.

Clerk-Treasurer Parthun clarified that these agreements are extending the current leases at the same price for one additional year. Clerk-Treasurer Parthun read the last four of each VIN to be part of the record:

- Police - 2082, 2088, 4476, 5441, 7278, 7279, 7288, 8024
- Engineering – 7105, 7114, 7158, 7271

Motion/Vote – Approval of Lease Agreements

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

Request Approval to Bid Well Pipeline and Buildings

Water Superintendent Tim Werner presented Request Approval to Bid Well Pipeline and Buildings. Mr. Werner stated he is requesting approval of two different contracts to run the raw water main from the well site to the Lake Street filtration plant. Contract one will include an option A and B for the contractor to give us the best price for either open trenching or directional boring. This will hopefully alleviate the need to come back to the board with any change orders for this project as the unit prices for each method are already included. Contract two is for everything inside the fencing around the wellhouse; the drive, bollards, pumping equipment, piping inside the building, and the building itself. Mr. Werner stated they determined it was best to break this project into two contracts because of the various scopes of work needed done. Mr. Werner provided a preliminary plan for the work that will need to be done. Mr. Werner stated his request is for permission to send both contracts out for bid.

Motion/Vote – Approval of Request to Bid Well Pipeline and Buildings

Ms. Romine made a motion to approve Request to Bid Well Pipeline and Buildings as presented; motion seconded by Mr. Kosior and unanimously carried.

Approval of CDBG Public Service Grant Agreements for Catholic Charities, Dunebrook, City of La Porte

CDBG Manager Mary Ann Richards presented Approval of CDBG Public Service Grant Agreements for Catholic Charities, Dunebrook, City of La Porte. Ms. Richards stated the one for the City of La Porte is for the financial assistance toward the Senior Center. Ms. Richards stated her request is for approval of these contracts by the board and permission for Clerk-Treasurer Parthun and Mayor Dermody to sign them. In addition, Ms. Richards stated she will get the additional signatures required and will then provide the executed contracts to the Clerk-Treasurer's Office. This is the same contract that has been used in the past.

Motion/Vote – Approval of CDBG Public Service Grant Agreements

Ms. Romine made a motion to approve CDBG Public Service Grant Agreements as presented; motion seconded by Mr. Kosior and unanimously carried.

Unfinished Business

Mayor Dermody reminded the public that they should be engaged with their State Legislators as further property tax reform is on the table. Mayor Dermody stated property taxes are one of the Governor's top priorities and this will affect counties, townships, schools, and city governments. The City of La Porte will see a loss of approximately \$1.1 million dollars next year, \$1.5 million the following year, and \$1.8 the third year. In addition, Mayor Dermody noted last week the Federal Government put a pause on grant funding which will include programs such as TransPorte and CDBG. The pause has since been lifted, however the executive order from the President has not changed.

Other Business:

Next regularly scheduled meeting: Wednesday February 19, 2025 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: February 19, 2025