

February 19, 2025

The Board of Public Works and Safety met in regular session in the Council Chambers on Wednesday, February 19, 2025, at 9:00 A.M.

Present: Mayor Dermody, Jessica Romine

Absent: Mark Kosior

Tim Franke 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 Mayor Dermody and unanimously carried.

Public Comment

Claims Approval

Clerk-Treasurer Parthun presented Payroll from February 14, 2025 in the amount of \$551,871.92.

Motion/Vote – Approval of February 14, 2025 Payroll

Ms. Romine made a motion to approve the February 14, 2025 payroll as presented; motion seconded by Mayor Dermody and unanimously carried.

Clerk-Treasurer Parthun presented Civil City Claims in the amount of \$2,343,544.93.

Motion/Vote – Approval of Civil City Claims

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

Clerk-Treasurer Parthun presented Water Claims in the amount of \$227,455.87.

Motion/Vote – Approval of Water Claims

Ms. Romine made a motion to approve Water Claims as presented; motion seconded by Mayor Dermody and unanimously carried.

Clerk-Treasurer Parthun presented Sewage Claims in the amount of \$690,951.61.

Motion/Vote – Approval of Sewage Claims

Ms. Romine made a motion to approve the Sewage Claims as presented; motion seconded by Mayor Dermody and unanimously carried.

Updated Agreement for Services

Clerk-Treasurer Parthun presented Updated Agreement for Services and scope of work from Baker Tilly. Baker Tilly helps the city with most of the municipal financing. Clerk-Treasurer Parthun stated there is the engagement letter and as services are utilized there is the scope of work, and the request is for approval of both.

Motion/Vote – Approval of Updated Agreement for Services

Ms. Romine made a motion to approve Updated Agreement for Services as presented; motion seconded by Mayor Dermody and unanimously carried.

Request to Move Funds

Clerk-Treasurer Parthun presented Request to Move Funds. Clerk-Treasurer stated this request is to cut a check from the credit card fund to the Civic fund, once updated reports are received from the Civic for January. Clerk-Treasurer Parthun stated this is not on the docket because she does not have the reports to balance back to but would like to be able to move the funds from the credit card fund to the Civics 5504 fund as soon as the reports are received and balanced.

Motion/Vote – Approval of Request to Move Funds

Ms. Romine made a motion to approve Request to Move Funds as presented; motion seconded by Mayor Dermody and unanimously carried.

Tabled: Utility Easement Agreement – 804 Pine Lake Ave

Mayor Dermody requested a motion to un-table Utility Easement Agreement – 804 Pine Lake.

Motion/Vote – Approval to Un-table Utility Easement Agreement – 804 Pine Lake

Ms. Romine made a motion to un-table Utility Easement Agreement – 804 Pine Lake; motion seconded by Mayor Dermody and Unanimously carried.

Utility Easement Agreement

Mayor Dermody recognized City Council President Tim Franke for his work in helping bring a resolution to this. City Council President Tim Franke stated there has been a lot of back and forth with the homeowners and ultimately the homeowners decided they were going to scale it back and stick with the original footprint of the house. Mr. Franke stated the homeowner will be emailing City Engineer Nick Minich with all the details and they will be staying within 10 feet of the sewer line, so they do not have to worry about the potential for their deck being demolished in the future. City Attorney Nick Otis stated he believes at this point we can withdrawal the easement agreement because they will no longer be over the prescriptive easement. Tim Franke clarified that they are currently over the easement, however, he believes when the weather breaks, that is when they will correct the size of the deck. City

Attorney Nick Otis, Ms. Romine, and Mayor Dermody recognized and thanked Council President Tim Franke for working with the homeowners and helping them to understand the possible consequences and ultimately helping them make the best decision possible.

Motion/Vote – Withdrawal Utility Easement Agreement

Ms. Romine made motion to withdrawal Utility Easement Agreement; motion seconded by Mayor Dermody and unanimously carried.

Department Head Reports

Code: Code Director Jeff Batchelor reported they have had a lot of phone calls from people without heat and dealing with those issues has kept them busy. Attorney Nick Otis questioned if the calls were from tenants in rental properties. Mr. Batchelor confirmed it is tenants that are calling. Attorney Otis questioned if this is because landlords are not providing proper basic maintenance. Mr. Batchelor stated sometimes this is the case but sometimes it is due to lack of communication between the tenant and the landlord.

IT: IT Director Roscoe Hoffman reported he has been working with HR Director Andrea Smith, and they will be having someone from Ivy Tech come and shadow him.

Park: Parks and Rec Superintendent Mark Schreiber highlighted the following upcoming concerts at the Civic Auditorium:

- The Purple Experience, a Prince tribute, Friday February 21st
- The Artimus Pyle Band, a Lynyrd Skynyrd tribute, March 6th
- Rumors: The Ultimate Fleetwood Mac Tribute Show, March 21st
- A Tribute to Knotfest, April 5th
- Credence Revived, May 10th
- Queen Nation, May 17th

Mr. Schreiber encouraged everyone to visit laportecivicauditorium.com to purchase tickets.

Street: Street Superintendent Mike Frazee reported that crews are out plowing snow and hauling snow and will likely be doing this for the remainder of the week. Ms. Romine stated she had heard that other counties are running out of salt and questioned if that would be an issue for the city. Mr. Frazee stated we are getting low; however, we have plenty for this storm that is coming through.

Wastewater: Wastewater Superintendent Jerry Jackson reported the new NPS permit takes effect at the end of the month; this is the discharge permit for the treatment plant. There are no new regulations in the permit as far as discharge is concerned, however there are some management changes. The plant is now required to sample truck waste that comes in and retain it. The plant has purchased refrigerators for this process, and they will be setting that area up for this new process. Mr. Jackson stated they will be placing the responsibility on the haulers for this process and will require the haulers to collect and label their own samples.

Engineering: City Engineer Nick Minich reported he received a request from the contractor for Indiana Ave to be able to close and park their equipment on sides streets overnight during the tree removal process. Mr. Minich stated a right-of-way permit is a decent way to do this but would like recommendations from the Board of Works. Mr. Minich stated the contractor is proposing to utilize Plumber and/or Webber from 5 P.M. to 7 A.M. Mr. Minich stated they are flexible and open to suggestions. He emphasized he believes Plumber is a bus route and therefore would suggest they can use that street but would have to have it open by 6 A.M. instead of 7 A.M. to accommodate the bus route. Mayor Dermody questioned if it has been looked at as far as a parking perspective for residents on these streets. Mr. Minich stated this is exactly what the contractor did and that is why they are recommending these two streets. Ms. Romine questioned how long the whole process will take. Mr. Minich stated they have to get it done next month, and it should be a one-to-two-week process. Mayor Dermody questioned if they could contact the transportation department at the school. Mr. Minich stated when a right-of-way permit is issued, there is always a list of contacts that they must make including EMS, school corporation, etc. Ms. Romine stated spring break for the schools is the last week of March and would make the least impact on the school transportation. Mr. Minich stated with the Indiana bat nesting season; they must have all the trees removed by April so they cannot wait until the end of March. Mayor Dermody questioned if we needed a motion for this. Mr. Minich stated it is just a discussion to get a feeling if the board is comfortable moving forward with a right-of-way permit and that does not require a motion.

Clerk-Treasurer: Clerk-Treasurer Parthun reported we are in annual report season, and it is due March 1st and requested any information the Clerk's office is requesting should be shared within a timely manner.

New Business:

Ticket Appeal

Executive Assistant Annette Loeffler presented Ticket Appeal. This ticket was issued in the 800 block of Monroe Street. The appeal states there is no sign on that parking spot. Ms. Loeffler stated she sent the appeal to the issuing officer and received back pictures of the area where the restricted parking signs are clearly visible. Mayor Dermody questioned the handicapped spot. Ms. Loeffler stated it is her understanding that a handicap plaque would allow someone to park in the 2-hour-parking, but not in a restricted parking area. Chief Buell stated the handicap parking, and one to six restricted parking are two separate issues. He stated if the ticket appeal is approved where there are clear signs, this will encourage more individuals who violate the parking restrictions to appeal their tickets and expect them to be reversed.

Motion/Vote – Deny Ticket Appeal

Ms. Romine made a motion to deny Ticket Appeal as presented; motion seconded by Mayor Dermody and unanimously carried.

Request for Use: Tour de La Porte

Executive Assistant Annette Loeffler presented Request for Use: Tour de La Porte. This is a request that has been made every year for many years now. The request is for use of the area

that goes around Stone Lake and is used for the 5K. They are not asking for a total closure, rather a rolling closure, and the portions of the road will open back up once the walkers have cleared the area. Mayor Dermody noted the police have been notified and are aware for safety purposes. Ms. Romine stated this may be a conflict of interest for her because she is on the Y Board. City Attorney Nick Otis stated he believes it would be okay for her to vote because there is nothing monetary involved.

Motion/Vote – Approval of Request for Use: Tour de La Porte

Ms. Romine made a motion to approve Request for Use: Tour de La Porte as presented; motion seconded by Mayor Dermody and unanimously carried.

Purchase Agreement: 302 Philadelphia St

City Attorney Nick Otis presented Purchase Agreement: 302 Philadelphia St. This is for two vacant parcels adjacent to the Daytona Street Fire Station. Attorney Otis stated they have gone through the process of getting two appraisals and the city can only offer the average of the two appraisals. These parcels will be used for the fire training facility.

Motion/Vote – Purchase Agreement: 302 Philadelphia St

Ms. Romine made a motion to approve Purchase Agreement: 302 Philadelphia St as presented; motion seconded by Mayor Dermody and unanimously carried.

FOP Memorandum of Understanding

City Attorney Otis presented FOP Memorandum of Understanding. Attorney Otis stated one of the issues the Police Department is running into with lateral hires with experience is they will come in with the vacation time of a new officer. Clerk-Treasurer Parthun stated she does not believe there is much room for negotiations in the current CBA and for recruitment purposes the police are interested in updating and awarding lateral transfers for years of experience they had at other units. Chief Buell stated that surrounding departments offer lateral transfers their experience, longevity, and vacation time to keep it competitive. In the past, the City of La Porte has not offered this. Chief Buell stated they have recently hired an officer with 14 years of experience and more recently an officer with one year of experience, so the amount that is going to be offered will vary but we typically see lateral transfers with 3-5 years of experience. Chief Buell emphasized that to attract these candidates and stay competitive with departments nearby, we should be offering these incentives. Clerk-Treasurer Parthun stated from her perspective, she would like clarity in the CBA for auditing purposes. Mayor Dermody stated in the past there were concerns that officers would leapfrog and get more benefits, but the FOP has come around and recognized this is an important thing. Mayor Dermody stated the Police Department will be paying for this but noted that if they must hire someone brand new there is the cost of the academy, delayed time in them starting and this will essentially allow someone to be up and running in a much shorter time. Mayor Dermody questioned whether this would include recent lateral transfers or not. Chief Buell stated this would include those individuals because it would cause too much conflict if someone that was previously a lateral transfer does not benefit from their experience and someone new to the force would benefit. Chief Buell stated we would have to find a way to

make it equal for everyone. Mayor Dermody stated Chief Buell would need to work with the Clerk-Treasurer's office to come up with the best way to implement this. Clerk-Treasurer Parthun stated they would need to reach out to State Board of Accounts to see what kind of documentation they would require for this type of change. Clerk-Treasurer Parthun questioned Chief Buell if they intended to do anything retroactively. Chief Buell stated that he would not want to go back retroactively beyond the current year but would allow for previous lateral transfers to get the appropriate bump in longevity pay moving forward. Clerk-Treasurer Parthun stated she does not want to set a date for this but would rather be able to take a look at the detail and get actual data to ensure that everything Chief Buell intends to capture in this is included. Ms. Romine suggested putting this on hold until some research is done, and a consensus is reached between the Police Department and Clerk-Treasurer's office. Chief Buell stated this does need to be all inclusive as it will cause conflict if we allow a lateral transfer to bring their longevity with them but not someone that has been in the department for six years that has had six years prior experience. Clerk-Treasurer Parthun emphasized her concern is the budget, and anything paid out will have to come from the current budget. She stated she budgets police and fire salaries to the penny as it has an impact on Medicare and all sorts of stuff that is paid and believes this needs to be a bigger conversation. Chief Buell suggested this to be implemented on June 1st to allow time for these discussions and to figure things out. Chief Buell stated we would not pay anyone for anything beyond the current year, they would just see a longevity increase for their years of service beginning this year. Ms. Romine questioned if there are any other departments that have done this and if so, how have they handled this, and would we be able to mimic what they have done. Mayor Dermody stated he believes that Michigan City has done this. Clerk-Treasurer Parthun clarified that the intention is not to retro pay anyone, they would just be receiving their new longevity rate starting at a certain date. Chief Buell confirmed this by stating we would not be paying anyone for previous years that they were not paid but would start paying them for their longevity, or years of experience, starting January 1st of this year or whatever date is chosen. Clerk-Treasurer stated she would like documentation showing the years of longevity for each officer this impacts, as well as a detail of the financial impact this will have for 2025 as this will affect many areas of the budget. Mayor Dermody recommended we move forward with new hires as of January 1, 2025 to start this process and we will come back to do current officers. Chief Buell stated they will accept anything that the board decides, however we would need to do something relatively soon for the officers that we have had on for the years that have not been paid longevity. Mayor Dermody stated his concern is losing potential new hires because of this and wants to make sure everyone understands what they are trying to do with this. Clerk-Treasurer Parthun stated she needs all of the details in order to forecast the expenses from the current budget, because these additional costs will have to come from somewhere within the police's 2025 budget as well as the best way to budget lateral transfers for future budgets. Mayor Dermody stated that whatever is done has to be done equally between Police and Fire. Fire Chief Snyder stated they do have to be equal in pay and longevity but how they get to those figures does not have to be the same. He stated the Merit Commission is currently going through an update on their rules and regulations. Clerk-Treasurer Parthun emphasized however they want this to be done is fine, she just needs to know where the funds will come from because there is already

a budget set for 2025 and any additional funds will have to come from the police budget. In addition, the process for this will need to be clearly laid out so we can show exactly how we are calculating these things during audit time. Mayor Dermody stated he would like to make a motion for this memorandum of understanding for all lateral transfers as of January 1, 2025. The police department and Clerk-Treasurer's office can work together and bring a proposal back to the board of works in the near future for current officers. Mayor Dermody questioned Chief Buell if he was okay with this. Chief Buell stated there will be some minor issues with the officers that have already been there, but they will have to understand what is trying to be done and we're working to make it right.

Motion/Vote – Approval of FOP Memorandum of Understanding

Mayor Dermody made a motion to approve FOP Memorandum of Understanding for all lateral transfers as of January 1, 2025; motion seconded by Ms. Romine and unanimously carried.

Lease(s) Approval

Chief Dick Buell presented Lease(s) Approval. This is for the remainder of the leases that are expiring this year. This will renew eight leases. Mayor Dermody thanked Matt Magnuson for keeping the same costs across the board.

Motion/Vote – Approval of Lease(s) Approval

Ms. Romine made a motion to approve Lease(s) Approval as presented; motion seconded by Mayor Dermody and unanimously carried.

Air Compressor Quote(s)

Street Superintendent Mike Frazee presented Air Compressor Quote(s). Mr. Frazee stated the air compressor in the shop went out and the following two (2) quotes were received:

- Snap On - \$3,400
- Tractor Supply - \$1,000

Mr. Frazee stated he recommends going with the compressor from Tractor Supply as the cheaper option.

Motion/Vote – Approval of Air Compressor Quote(s)

Ms. Romine made a motion to approve Air Compressor Quote as presented; motion seconded by Mayor Dermody and unanimously carried.

Letters & Numbers Contract 2A Change Order #3, Pay Request #13, and Pay Request #14 (Final)

Wastewater Superintendent Jerry Jackson presented Letters & Numbers Contract 2A Change Order #3 in a deduct amount of \$91,848.94. This change order is for lowering two gas services that were in the way of the new pipe and adjusting the quantities of the job; what was built versus what was on the plans.

Mr. Jackson presented Pay Request #13, which does include the change order deduct amount, in the amount of \$166,076.15. This brings the contract to 100%.

Mr. Jackson presented pay request #14 (Final) in the amount of \$143,668.92. This is for the release of the retainage from the project. Mr. Jackson stated he recommends approval of the change order and the two pay requests.

Motion/Vote – Approval of Letters & Numbers Contract 2A Change Order #3, Pay Request #13, and Pay Request #14 (Final)

Ms. Romine made a motion to approve Letters & Numbers Contract 2A Change Order #3, Pay Request #13, and Pay Request #14 (Final) as presented; motion seconded by Mayor Dermody and unanimously carried.

18th Street Sanitary Woodruff Pay #2

Wastewater Superintendent Jerry Jackson presented 18th Street Sanitary Woodruff Pay Request #2 in the amount of \$287,776.63. This brings the project to 47% completion. Mr. Jackson stated he recommends approval and noted he always enjoys working with Woodruff because they are local and do great work.

Moton/Vote – Approval of 18th Street Sanitary Woodruff Pay #2

Ms. Romine made a motion to approve 18th Street Sanitary Woodruff Pay #2 as presented; motion seconded by Mayor Dermody and unanimously carried.

Hunter Woods Change Order #2 HRP

Assistant City Engineer Tucker King presented Hunter Woods Change Order #2 for HRP in the amount of \$1,085. Mr. King stated the project is wrapping up and this change order is for final quantities.

Motion/Vote – Approval of Hunter Woods Change Order #2 HRP

Ms. Romine made a motion to approve Hunter Woods Change Order #2 HRP as presented; motion seconded by Mayor Dermody and unanimously carried.

Hunter Woods Final Pay App

Assistant City Engineer Tucker King presented Hunter Woods Final Pay App in the amount of \$24,687.

Motion/Vote – Approval of Hunter Woods Final Pay App

Ms. Romine made a motion to approve Hunter Woods Final Pay App as presented; motion seconded by Mayor Dermody and unanimously carried.

N Park Road Change Order #4 – Reith Riley Construction

Assistant City Engineer Tucker King presented N Park Road Change Order #4 – Reith Riley Construction in the amount of \$25,000. This amount is a decreased amount. Mr. King stated

this change order is for evening up design amounts versus real world amounts due to small changes during the project.

Motion/Vote – Approval of N Park Road Change Order #4 – Reith Riley Construction

Ms. Romine made a motion to approve N Park Road Change Order #4 – Reith Riley Construction as presented; motion seconded by Mayor Dermody and unanimously carried.

N Park Road Pay Application #4 – Reith Riley Construction

Assistant City Engineer Tucker King presented N Park Road pay Application #4 – Reith Riley construction in the amount of \$238,411.43. Mr. King stated the project is nearing completion and final payments should be made at next month’s Board of Works meeting. Clerk-Treasurer Parthun stated this will be paid for from bond proceeds.

Motion/Vote – Approval of N Park Road Pay Application #4 – Reith Riley Construction

Ms. Romine made a motion to approve N Park Road Pay Application #4 – Reith Riley Construction as presented; motion seconded by Mayor Dermody and unanimously carried.

Industrial Pretreatment Wastewater Discharge Permit Renewal

Wastewater Superintendent Jerry Jackson presented Industrial Pretreatment Wastewater Discharge Permit Renewal for B&B Manufacturing. Mr. Jackson stated they have a small metal cleaning process that puts them into a federal categorical industry classification and therefore we have to regulate them. Mr. Jackson stated they have been a good customer with no issues and recommends approval.

Motion/Vote – Approval of Industrial Pretreatment Wastewater Discharge Permit Renewal

Ms. Romine made a motion to approve Industrial Pretreatment Wastewater Discharge Permit Renewal as presented; motion seconded by Mayor Dermody and unanimously carried.

RFP for WWTP Headworks Rehab GSC Proposals

Wastewater Superintendent Jerry Jackson presented RFP for WWTP Headworks Rehab GSC Proposals. Mr. Jackson stated this is a request to advertise. The project involves renewing and rehabbing the screening building, the grit building, and sludge pumping building. Mr. Jackson stated this is funded out of the BAN and they will be trying the guaranteed savings contract process. The process includes advertising, getting qualifications, choosing a contractor and then negotiating a contract. Mayor Dermody stated this did not work well with the water department. Mr. Jackson agreed and believes with that water project, there were enough unknowns and the contractor shot very high, and that is possibly why it did not work. Mr. Jackson stated there is a potential for savings and it seems like a good process as long as there is a good partnership between the city and the chosen contractor. Mr. Jackson stated they anticipate getting more than one qualification with this project.

Motion/Vote – Approval of RFP for WWTP Headworks Rehab GSC Proposals

Ms. Romine made a motion to approve RFP for WWTP Headworks Rehab GSC Proposals as presented; motion seconded by Mayor Dermody and unanimously carried.

Unfinished Business

Tabled Items: Recommendation for Consultant Selection Des. No. 2401594 HSIP Sign
Recommendation for Consultant Selection Des. No. 2401595 HSIP Crossing

Motion/Vote – Un-table Tabled Items

Ms. Romine made a motion to un-table Recommendation for Consultant Selection Des. No. 2401594 HSIP Sign and Recommendation for Consultant Selection Des. No. 2401595 HSIP Crossing; motion seconded by Mayor Dermody and unanimously carried.

Recommendation for Consultant Selection Des. No. 2401594 HSIP Sign

City Engineer Nick Minich presented Recommendation for Consultant Selection Des. No. 2401594 HSIP Sign. This is for the citywide sign improvements and letters of interest were received from three consultants. The letters of interest went through the scoring process, with three scorers who were familiar with the work type doing the scoring. Everything was submitted to INDOT for review and they have approved the process and selection with USI Consulting being the high scoring firm. Mr. Minich stated the request is for approval to contract with USI Consultants and a contract will be brought back before the board.

Motion/Vote – Approval of Recommendation for Consultant Selection Des. No. 2401594 HSIP Sign

Ms. Romine made a motion to approve Recommendation for Consultant Selection Des. No. 2401594 HSIP as presented; motion seconded by Mayor Dermody and unanimously carried.

Recommendation for Consultant Selection Des. No. 2401595 HSIP Crossing

City Engineer Nick Minich presented Recommendation for Consultant Selection Des. No. 2401595 HSIP Crossing. This is for safety improvements for the Pine Lake Ave crossings. This project is being done in coordination with another INDOT project. Two locations were submitted for improved pedestrian access on Pine Lake Ave and three consultants submitted for this contract. Mr. Minich stated they also went through the same scoring process with United Consulting being the high scoring firm. Mr. Minich stated he recommends approval to move forward with United Consulting. Mayor Dermody questioned whether this would include the sidewalk portion in front of the condominiums, where they refuse to allow people to safely walk through their parking lot. Mr. Minich stated this does not include sidewalks but will set everything up to be able to move forward with sidewalks in that area.

Motion/Vote – Approval of Recommendation for Consultant Selection Des. No. 2401595 HSIP Crossing

Ms. Romine made a motion to approve Recommendation for Consultant Selection Des. No. 2401595 HSIP as presented; motion seconded by Mayor Dermody and unanimously carried.

Other Business:

Next regularly scheduled meeting: Tuesday March 4, 2025 at 9 A.M.

Mayor Dermody encouraged residents and homeowners to be engaged with the property tax debate down state. Mayor Dermody also encouraged the public to come in and discuss what property tax reforms would be like for the City of La Porte because most people want to see improved services not a reduction in services.

Adjourn

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

Approve: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: March 4, 2025