

**January 28, 2020**

The Board of Public Works and safety met in regular session in the Council Chambers on Tuesday January 28, 2020 at 9am.

**Pledge of Allegiance**

Board Member Kosior led the Pledge of Allegiance

**Approval of Minutes**

Ms. Romine moved to approve the minutes with one correction on Page 4 (misspelling of her name); motion seconded by Mr. Kosior and unanimously carried.

**Public Comment**

Larry Pinkerton of 1612 L Street asked in regards to the Surf Air Agreement if it was 5G and if there were any concerns regarding radiation. Mayor Dermody stated they would address this during the presentation of that agreement.

Annette Loeffler, Mayor's Assistant, stated the 2020 Census is upcoming in a couple weeks. The Census request will come by mail and the importance for our Community to fill out and send back to the Government equals approximately \$3000 per person per year in tax money that our Community could lose for every person that does not get counted. Every person who lives here, legally or illegally need to fill the Census out. There are still lots of jobs with the Census available. The worst thing for our Community that would affect us for 10 years would to be under counted.

**Clerk-Treasurer**

**Claims Approval**

Courtney Parthun, Clerk-Treasurer, presented Civil City Claims in the amount of \$493,571.78.

**Motion/Vote – Approve Civil City Claims**

Mr. Kosior moved to approve the Civil City Claims in the amount of \$493,571.78; motion seconded by Ms. Romine and unanimously carried.

The Clerk-Treasurer presented Payroll from January 10, 2020 in the amount of \$425,822.64.

**Motion/Vote – Approve Payroll 1-10-2020**

Mr. Kosior moved to approve Payroll from January 10, 2020 in the amount of \$425,822.64; motion seconded by Ms. Romine and unanimously carried.

The Clerk-Treasurer presented a Special Fire Payroll for attendance in the amount of \$5,681.20.

**Motion/Vote – Approve Special Fire Payroll**

Ms. Romine moved to approve the Special Fire Payroll in the amount of \$5,681.20; motion seconded by Mr. Kosior and unanimously carried.

The Clerk-Treasurer presented Payroll from January 24, 2020 in the amount of \$403,758.74.

**Motion/Vote – Approve Payroll 1-24-2020**

Mr. Kosior moved to approve Payroll from January 24, 2020 in the amount of \$403,758.74; motion seconded by Ms. Romine and unanimously carried.

The Clerk-Treasurer presented Water Claims in the amount of \$112,199.94.

**Motion/Vote – Approve Water Claims**

Ms. Romine moved to approve the Water Claims in the amount of \$112,199.94; motion seconded by Mr. Kosior and unanimously carried.

The Clerk-Treasurer presented Sewage Claims in the amount of \$117,054.12.

**Motion/Vote – Approve Sewage Claims**

Mr. Kosior moved to approve Sewage Claims in the amount of \$117,054.12; motion seconded by Ms. Romine and unanimously carried.

**Swearing in of new Police Officer**

Paul Brettin, Police Chief, swore in Ashley Vandemark as La Porte's new Police Officer.

**Department Reports**

**Police:** Chief Brettin stated they are aggressively patrolling and he has received some nice compliments on the officers.

**Fire:** Andy Snyder, Fire Chief, stated they hired Jacob Cooney and he will start training on February 18, 2020.

**Law:** Nick Otis, City Attorney, stated he received an email from AIM that passes along legislative alerts. The bill, 1060, that passed the House prohibits local units from adopting or enforcing any standard that require the use of particular building materials and aesthetic methods in the construction and maintenance in commercial and residential structures. So effectively we could not have stricter building codes than what the State allows. Mr. Otis asked the Mayor if he might use his connections and make some phone calls and let them know we do not want Indianapolis dictating the types of buildings that are going to be built in our Community.

**Street:** Mike Frazee, Director of Street, discussed the fading of the Street signs. The State has standards on the colors that they allow and they have inquired about orange and black.

**Sewer:** Jerry Jackson, Wastewater Director, stated the lake level is at 798.5 which is 6 inches above the control level. They are operating the siphon at the maximum flow rate.

**Engineering:** Nick Minich, City Engineer, stated the 2020 Community Crossing Grant is due in February and they are putting out to bid the 2019 Street Paving.

**Park:** Mark Schreiber, Park Director, thanked the Community for their support in Winterfest. He also noted there will be a public meeting on February 4<sup>th</sup> at Cummings Lodge to gather public input on the design and engineering for the Lakeshore Drive Project.

**Code:** Jeff Batchelor, Code Director, stated they have been busy with 250 violations and he has met with the landlords and they are dealing with properties that have been deemed with chronic problems.

**HR:** Jen Noll, Human Resource Director, stated they have finished up the HR audit and now are working on the Master Personal Files.

**City Planner:** Beth Shrader, City Planner, met with Angela Rose, Downtown Director, and she has pulled together funds to install five pedestrian scale wayfinding signs throughout the downtown. They are facilitating the permits for this project through the Engineering Department with a right of way permit.

**L.E.A.P.:** Bert Cook, Director of La Porte Economic Advancement Partnership, noted the City Council enacted a Contractor Fraud Ordinance at their last meeting.

## **New Business**

### **Employment Severance Agreement**

Ms. Noll presented an employment severance agreement for a former employee which states the City will pay three months of Health Insurance at the Cobra rate dated today January 28, 2020 in exchange for some expertise and knowledge.

### **Motion/Vote – Approve Employment Severance Agreement**

Ms. Romine moved to approve the Employment Severance Agreement as presented; motion seconded by Mr. Kosior and unanimously carried.

### **Substance Abuse Policy FMCSA/FTA**

Ms. Noll presented updates to two of our Substance Abuse Policies. The change to FMCSA is to change section 3.4 random drug screening protocol from 25% to 50% to comply with DOT standards. The change to FTA is to change the designated employer representative from Director of Transporte to HR. Ms. Noll asked for approval of the changes and signatures from the Board.

### **Motion/Vote – Approve Substance Abuse Policy Changes FMCSA/FTA**

Mr. Kosior moved to approve the Substance Abuse Policy Changes FMCSA/FTA as presented; motion seconded by Ms. Romine and unanimously carried.

### **Permission to Engage Appraisers for 105 Boyd Blvd.**

Ms. Shrader asked the Boards permission to engage two appraisers for the 105 Boyd Blvd. (Fire Station) so that they are able to put it out for public offering.

### **Motion/Vote – Approve Permission to Engage Appraisers for 105 Boyd Blvd.**

Ms. Romine moved to approve permission to engage appraisers for 105 Boyd Blvd. as presented; motion seconded by Mr. Kosior and unanimously carried.

#### Taser Quote

Chief Brettin asked the Board to approve the purchase to replace five Tasers and holsters.

#### Motion/Vote – Approve Taser Quote

Mr. Kosior moved to approve the Taser purchase as presented; motion seconded by Ms. Romine and unanimously carried.

#### Request to Accept Letter of Retirement/ Permission to Fill Vacancy

Chief Brettin presented the Board with a Letter of Retirement from Officer Jennifer Lewis and asked that they accept the letter and allow the Police Merit Commission to fill the vacancy.

#### Motion/Vote – Approve Request to Accept Letter of Retirement/Permission to Fill Vacancy

Ms. Romine moved to accept the letter of retirement from Officer Jennifer Lewis and instructs the Police Merit Commission to begin the necessary procedures to fill any and all vacancies in rank and positions created by the retirement; motion seconded by Mr. Kosior and unanimously carried.

#### IRU Exchange Agreement

City Attorney Otis welcomed Surf Air Wireless to speak about this agreement. Surf Air Wireless explained that this agreement allows them nonexclusive right to use conduit that the City has already installed throughout the City and allows them to bring dark fiber to the City of La Porte which will make the internet service better. Surf Air provides fibers free of charge to the City. Discussion was held on how this process is done and why the fiber is important for higher speed internet. This would be a good step in making La Porte a “Gig City”. Surf Air also responded to the public comment from Mr. Pinkerton and stated there is no radiation in the fiber.

#### Motion/Vote – Approve IRU Exchange Agreement: Surf Air Wireless

Ms. Romine moved to approve the IRU Exchange Agreement with Surf Air Wireless as presented; motion seconded by Mr. Kosior and unanimously carried.

#### Change Order CDBG Electrical Repair: 406 Allen Street

Mary Ann Richards, Community Development Program Manager, presented a CDBG Change Order for electrical repair at 406 Allen Street to install electric baseboard heat with a wall thermostat in the amount of \$650.00.

#### Motion/Vote – Approve Change Order CDBG Electrical Repair: 406 Allen Street

Ms. Romine moved to approve Change Order CDBG Electrical Repair for 406 Allen Street in the amount of \$650 as presented; motion seconded by Mr. Kosior and unanimously carried.

#### Septic Wastewater Discharge Permit Renewals: Huhnke Septic Service and Sunset Septic Service

Mr. Jackson presented the Board two Septic Wastewater Discharge Permit Renewals. One is for Huhnke Septic Service and another for Sunset Septic Service. They are both good customers and asked for approval.

**Motion/Vote – Approve Septic Wastewater Discharge Permit Renewals: Huhnke and Sunset**

Mr. Kosior moved to approve the Septic Wastewater Discharge Permit Renewals for Huhnke Septic Service and Sunset Septic Service as presented; Mayor Dermody seconded and Ms. Romine abstained.

**2025 Indiana Avenue Reconstruction Project**

Mr. Jackson presented a contract with Lawson and Fisher for preliminary engineering on the 2025 Indiana Avenue Reconstruction Project.

**Motion/Vote – Approve 2025 Indiana Avenue Reconstruction Project**

Mr. Kosior moved to approve the contract with Lawson and Fisher for preliminary engineering on the 2025 Indiana Avenue reconstruction Project; motion seconded by Ms. Romine and unanimously carried.

**Recommendation for Acceptance: Contract R-37668-18<sup>th</sup> Street**

Mr. Minich asked the Board to accept contract R-37668 on the 18<sup>th</sup> Street Project which is for INDOTS final inspection.

**Motion/Vote – Approve Recommendation for Acceptance: Contract R-37668-18<sup>th</sup> Street**

Ms. Romine moved to approve contract R-37668 for 18<sup>th</sup> Street as presented; motion seconded by Mr. Kosior and unanimously carried.

**Request to Seek Qualification: Des No. 1902002 Reconstruction of Park Street**

Mr. Minich asked the Boards permission to seek qualification for Des No. 1902002 for Engineering Design Consultants for the Reconstruction of Park Street from Furness Street to Erie Street that would include paving, sidewalks, curbs and right of ways. This is an 80/20 Grant and it is approximately a million dollar project. Mayor Dermody expressed concern about investing major funding to Park Street. Discussion was held regarding why it needs to be done and what would be done.

**Motion/Vote – Approve Request to Seek Qualification: Des. No. 1902002 Reconstruction of Park Street**

Ms. Romine moved to approve the Request to Seek Qualification for Des. No. 1902002 for the Reconstruction of Park Street as presented; motion seconded by Mr. Kosior and Mayor Dermody voted nay.

**Request Approval: Schurz Ditch Watershed Analysis and Drainage Plans**

Mr. Minich presented a proposal with Wright and Associates that is addressed to Rick Brown with La Porte County MS4. Through the Boyd Blvd. project we were working with the drainage board on changes to the Schurz Ditch Watershed and looking at alternatives. MS4 is making an investment in figuring out how to handle Schurz Ditch in the future. We met with MS4 and Wright and Associates to adjust some scope of design to move forward with having a better understanding of what we do with storm water. The proposal from Wright and Associates is in the amount of \$48,900 so we asking to contribute \$24,500 that would be paid out of the Wastewater Stormwater Professional Services Fund.

**Motion/Vote – Approve Request for Schurz Ditch Watershed Analysis and Drainage Plans**

Ms. Romine moved to approve the proposal with Wright and Associates with our portion being \$24,500 for the Schurz Ditch Watershed Analysis and Drainage Plans as presented; motion seconded by Mr. Kosior and unanimously carried.

**Request to Quote or Bid Demo for 7 Properties**

Mr. Minich stated that the following 7 properties have gone through the court system and are need of demolition: 203 Pulaski, 104 grove, 603 Tipton, 214 Oberreich, 1406 Lincolnway, 219 E. Lincolnway and 404 McCollum. The first six properties will be quoted and the 404 McCollum will be bid out. They are identifying the total amount of funds and where the money will come from.

**Motion/Vote – Approve Request to Quote or Bid Demolition for 7 Properties**

Ms. Romine moved to approve the Request to Quote or Bid Demolition for 7 Properties as presented; motion seconded by Mr. Kosior and unanimously carried.

**Unfinished Business**

None

**Adjourn**

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

Approve: \_\_\_\_\_  
Thomas P. Dermody, Mayor

Attest: \_\_\_\_\_  
Courtney Parthun, Clerk-Treasurer

Approved: February 4, 2020