

# City of LaPorte Board of Public Works and Safety

November 18, 2009

## Convene

City of LaPorte Board of Public Works and Safety met in regular session in the Council Chambers on November 18, 2009 at 9:00 am. Attendance: Mayor Chroback, Present: Mr. MacLennan, Present: Mr. Clingerman, Present.

## Pledge

The Pledge of Allegiance was led by Mayor Chroback.

## Minutes

As each member of the Board received an advance copy of the minutes prior to the meeting, Mayor Chroback stated she would dispense with the reading of same and asked for any corrections or additions. Mayor Chroback noted on page 4 she wanted the word “drilling” inserted before the word “wells”.

## Motion/Vote - Approval of Minutes

Mr. MacLennan made a motion to approve the minutes from November 12th as corrected as well as the Executive Session minutes; Mr. Clingerman seconded the motion. The motion passed by vote: Mayor Chroback (Yes), Mr. MacLennan (Yes), Mr. Clingerman (Yes).

## Public Comment

Mike Seitz, President of the LaPorte Chamber of Commerce, reported the Santa statue was put up overnight in front of the Courthouse and the flagpole is up in front of the Depot.

## Clerk Treasurer

### Claims Approval

Mr. MacLennan moved to approve Civil City Claims in the amount of \$464,981.51; motion seconded by Mr. Clingerman and unanimously carried. The Clerk Treasurer, Teresa Ludlow, advised included in the claims was the November health insurance, a lease payment for the street sweeper, and a reimbursement to major moves in the amount of \$94,000.00.

Mr. MacLennan asked if the City had enough money to pay claims through the end of the year. Mrs. Ludlow advised the City Council passed an Ordinance at their meeting November 16th to issue the 2010 Tax Anticipation Warrants with the Indiana Bond Bank for disbursement on January 5, 2010. This is what is referred to as “interim borrowing” otherwise the City wouldn’t get any money until January 28th which is too late for the bond payments due on January 15, 2010. Mayor Chroback stated the City should receive property taxes from the County sometime during the first week in December. Mrs. Ludlow replied it could be as early as November 30th and from those funds the City will pay approximately \$24,000.00 in interest to the Indiana Bond Bank. She stated the total loan is \$5.6 million and she expects approximately \$2 million from the County in property tax disbursements. Mr. MacLennan asked how the City will pay off the Indiana Bond Bank with that shortfall. Mrs. Ludlow advised the City has applied to roll-over the 2009

Tax Anticipation Warrants which will change the current interest rate from 1.65% to roughly 3%. She stated she is currently completing the applications for the 2010 Tax Anticipation Warrants which are due on December 4th.

### **Restricted Donations**

Mrs. Ludlow presented the Board with a \$10.00 donation from Josef Harazin and requested permission to receipt the money into the Restricted Police/Fire Fund. Mr. Clingerman moved to accept the donation as presented; motion seconded by Mr. MacLennan and unanimously carried. Mrs. Ludlow reported the Restricted Fund has collected donations totaling \$577.81 so far this year.

### **New Business**

#### **Traffic Appeals**

One appeal was presented from a gentleman who received two tickets for parking in two hour parking. The Violations Department recommended denying the appeal. Mr. MacLennan moved to uphold the recommendation to deny; motion seconded by Mr. Clingerman and unanimously carried.

#### **Contractor Registrations**

The following contractor registration was presented:

1. Air Comfort Corporation - Broadview, IL

Mr. Clingerman moved to approve the contractor registration as presented; motion seconded by Mr. MacLennan and unanimously carried.

#### **2009 Handicap Ramp/Sidewalk Contract Extension**

Mary Ann Richards, Program Manager of the Community Development Block Program, presented the Board with a contract extension request from Deutscher Construction for the 2009 Handicap Ramp/Sidewalk Project Phase III. Due to weather delays, and the change order to include installation of rubber sidewalks, Deutscher Construction has requested a 30 day extension until December 15th. Mr. Clingerman, Director of Engineering and Building Services, asked if the concrete has already been poured on this project. Mrs. Richards stated if weather cooperates the concrete will be poured in the next two days.

#### **Motion/Vote - Approval of Contract Extension**

Mr. MacLennan made a motion to approve the 30 day extension with Deutscher Construction; Mr. Clingerman seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Yes), Mr. Clingerman (Yes).

#### **CDBG Homeowner Repair Program Quotes for Furnaces/Boilers**

The following quotes were received for the CDBG Homeowner Repair Program for Furnaces/Boilers:

<b>Address</b>	<b>All Seasons</b>	<b>Dye</b>	<b>H &amp; G</b>	<b>Land</b>
103 Virginia	1,343.00	2,400.00	1,740.00	1,750.39
105 K (Boiler)	12,900.00	14,800.00	14,986.96	13,250.39
113 Erie	1,494.00	2,900.00	1,971.00	1,750.39
114 Holcomb	1,494.00	2,700.00	1,983.00	1,799.39
318 Planett	1,319.00	2,600.00	1,875.00	1,750.39
513 Grove	1,345.00	2,650.00	1,787.00	1,750.39
708 5th	1,539.00	2,980.00	2,265.00	1,785.39
716 Weller	1,297.00	2,500.00	1,887.00	1,725.39
1005 Harrison	3,265.00	3,800.00	3,166.00	2,485.39
1313 Second	1,615.00	2,800.00	2,068.00	1,750.39
<b>Totals</b>	<b>27,611.00</b>	<b>40,130.00</b>	<b>33,728.96</b>	<b>29,797.90</b>

Mr. MacLennan moved to refer the quotes to the City Attorney and Engineering Department for their review and recommendation at the next Board meeting; motion seconded by Mr. Clingerman and unanimously carried.

#### **Contract Amendment-Deutscher Construction**

Mrs. Richards requested the Board amend the contract with Deutscher Construction for the 2009 Handicap Ramps/Sidewalks Project Phase III, in order to comply with HUD regulations in regard to the Fair Labor Standard Provisions. This doesn't change the terms of the contract, only the content, as prevailing wage was included in the bid documents but not the contract. The amendment adds the Federal Labor Standard Provisions and pages 1-15 of Common Wage Determinations.

#### **Motion/Vote - Approval of Contract Amendment**

Mr. MacLennan made a motion to approve the amendment and authorize the execution of the contract; Mr. Clingerman seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Yes), Mr. Clingerman (Yes).

#### **Unfinished Business**

##### **Water Treatment Plant Roof Quotes**

Mr. Taylor reported the roof quotes are on hold while waiting to hear from the insurance company on whether the hail damage is covered under the City's insurance. Mayor Chrobak stated the matter will be placed on the agenda for next week's meeting.

##### **Well Request-329 Waverly Road**

Mr. Taylor recommended the Board approve the request from Ed Fay at 329 Waverly Road to install a replacement well on his property to maintain his existing geo-thermal heating system. Mr. MacLennan moved to approve the recommendation; motion seconded by Mr. Clingerman and unanimously carried.

## **Department Reports**

### **Water**

Mr. Taylor presented the Board with a proposal from Subsurface Technologies who uses a new proprietary and innovative approach in restoring production in existing wells until the City can develop the new well field. The same process was used fifteen years ago with great success and has been enhanced even more since then. The total estimate is \$78,025.50 and includes use of video cameras to aid in the process. Mr. Taylor stated the contractor is prepared to begin after Thanksgiving and expects the entire project to take approximately one month. City Attorney, Don Baugher, stated he wanted the Board to review the proposal while he drafts a Resolution which would reflect State Statute. Mr. Clingerman moved to refer the proposal to the City Attorney and authorize him to prepare the necessary documents; motion seconded by Mr. MacLennan and unanimously carried.

Mr. Taylor reported his department is in the process of installing a new fire hydrant as a result of the system flushing in the past few weeks.

### **Law**

Mr. Baugher reported the City has been involved in litigation with JM Process System, Inc. for several years in regard to the inefficient system they installed at the water treatment plant. The City withheld \$19,000.00 in final payments to the contractor because of the poor quality of work and therefore wound up in litigation. The courts awarded the City a judgment and now JM Process would like to propose a settlement. Mr. Baugher recommended the City accept the settlement as it will avoid costly litigation and reduce the award amount even further. The settlement includes a \$10,000.00 payment by the end of November and \$2,500.00 by the end of December. Mr. MacLennan moved to accept the settlement from JM Process System, Inc. and authorize the Mayor to sign same; motion seconded by Mr. Clingerman and unanimously carried.

Mr. Baugher requested the Board set an Executive Session for next week following the regular Board meeting. Mr. MacLennan moved to set an Executive Session for the purpose of litigation after the regular Board meeting on November 25th; motion seconded by Mr. Clingerman and unanimously carried.

### **Fire**

Fire Chief, Rob Sabie, reported Santa Claus toured the Fire Station recently to select which Fire Truck he'll be riding on for the Santa Parade.

### **Police**

Assistant Chief of Police, Tom Heath, reported a meth lab was discovered in LaPorte over the weekend resulting in several arrests. He encouraged the public to report any suspicious activity.

### **Street**

Mike Frazee, Director of Street Department, reported his department is on their third week of leaf pick-up and has covered at least half of the City.

### **Engineering**

Mr. Clingerman reported he has received requirements from INDOT for the stimulus funds the City has applied for to pave five additional streets. He expects to bring the final paperwork before the Board at the next regular meeting.

**Mayor**

Mayor Chrobak announced the Salvation Army is collecting new and gently used winter coats at City Hall through next Wednesday, November 25th.

The Mayor reported the Wanatah Public School will host a clinic to distribute the H1N1 Vaccine this Saturday, November 21st from 10:00 a.m. to 2:00 p.m. for at-risk groups only.

There being no further business before the Board, Mr. Clingerman moved to adjourn; motion seconded by Mr. MacLennan and unanimously carried.

**Signatures**

APPROVED: \_\_\_\_\_  
Kathleen Chrobak, Mayor

ATTEST: \_\_\_\_\_  
Joanne Layman, Deputy Clerk Treasurer  
Approved: November 25, 2009