

City of LaPorte Board of Public Works and Safety

May 26, 2010

Convene

City of LaPorte Board of Public Works and Safety met in regular session in the Council Chambers on May 26, 2010 at 9:00 am. Attendance: Mayor Chrobak, Present: Mr. MacLennan, Present: Mr. Rosenberg, Present.

Pledge

The Pledge of Allegiance was led by Mayor Chrobak.

Minutes

As each member of the Board received an advance copy of the minutes prior to the meeting, Mayor Chrobak stated she would dispense with the reading of same and asked for any corrections or additions. Mr. MacLennan noted the motion to set an Executive Session following today's meeting was omitted in the minutes and requested it be corrected.

Motion/Vote - Approval of Minutes from 5/19/10

Mr. Rosenberg made a motion to approve the regular minutes as corrected, as well as the Executive Session from May 19th; Mr. MacLennan seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

Public Comment

None

Clerk Treasurer

Claims Approval

Mr. MacLennan moved to approve Payroll Claims for May 28, 2010, in the amount of \$313,703.94; motion seconded by Mr. Rosenberg and unanimously carried.

Mr. MacLennan moved to approved Civil City Claims in the amount of \$281,515.74; motion seconded by Mr. Rosenberg and unanimously carried. Mr. MacLennan noted the majority of claims were for transfers between City funds. Joanne Layman, Deputy Clerk Treasurer, stated the Council approved transfers by way of Resolution at their last meeting. Mayor Chrobak advised the amount of transfers approved by the Council was \$268,972.05.

Contractor Registrations

The following contractor registrations were presented for the Board's approval and they are as follows:

- | | |
|--------------------------------------|-------------------|
| 1. Vaughn's Underground Inc. | Bremen, IN |
| 2. Deutscher Concrete & Construction | LaPorte, IN |
| 3. Dennis Deutscher Construction | Michigan City, IN |
| 4. Electric Power Technicians | Morristown, IN |
| 5. Vic Butcher Construction | South Bend, IN |

Mr. Rosenberg stated it has been brought to his attention there was a problem with one of the contractors applying for a license today, and asked Dale Clingerman, Director of Engineering and Building Services if he would elaborate.

Mr. Clingerman stated Vaughn's Underground Inc. has been a problematic situation because they have not complied promptly with the City's requirements for obtaining a contractor's license in the City. Mr. Clingerman reported Vaughn's Underground has been hired by Verizon as the sub-contractor on the Boston Street Project, for relocating telephone lines. At the beginning of the project, apparently it wasn't made clear to Vaughn's Underground, in order to do the telephone locates for the project, the whole street had to be re-ran because the entire system was being changed to an underground telephone system. They started the project in March, and did several cross cuts in the street as needed. The City required the cuts to be covered in asphalt once the connections were made; but obviously, asphalt can't be laid in cold weather, so a cold patch was required until the weather allowed for the asphalt to be laid. Vaughn's Underground never did the cold patch. Mr. Clingerman stated his office made repeated phone calls to them in order to correct this problem but to no avail. This may be a communication problem between Verizon and their subcontractor, which is not the City's fault. Because of these street cuts not being properly filled in, an accident occurred in that area two weeks ago which resulted in property damage. Mr. Clingerman stated it was his recommendation to deny a contractor's license to Vaughn Underground Incorporated within the City of LaPorte for failure to comply with the standards set forth by the Engineering Department. Mr. Clingerman advised his department has sent a registered letter to Vaughn Underground Inc. stating they can no longer work in the City of LaPorte.

Mr. Rosenberg moved to approve each of the contractor's licenses presented today with the exception of Vaughn's Underground Inc. and refer the matter to the City Attorney for his review; motion seconded by Mr. MacLennan and unanimously carried.

Mr. Clingerman stated he has a receipt of the signed registered letter receipt and has forwarded a copy of same to the City Attorney and Verizon Telephone Company.

Restricted Donations

Mrs. Layman presented the Board with a \$7.00 donation from William and Patricia Meinhard and requested permission to receipt the money into the Police/Fire Restricted Fund. Mr. Rosenberg moved to graciously accept the donation as presented and noted the Meinhard's have donated every month since the financial crisis began and thanked them for their support; motion seconded by Mr. MacLennan and unanimously carried.

Trash Removal

Mrs. Layman presented the Board with a residential trash pick up request at 507 Harrison Street and requested the Board approve same. The address is for a five unit apartment building that had dumpster

service by Able Disposal for just one month, but it was discontinued due to the fact the alley was too narrow for the truck to safely navigate through. Mayor Chrobak requested the Utility office notify the residents of that building they may each have only one trash container each week.

Mr. MacLennan moved to approve the trash removal service at 507 Harrison Street as requested; motion seconded by Mr. Rosenberg and unanimously carried.

New Business

Traffic Appeals

One appeal was presented for parking in a two hour space by the County Complex. The appeal was from a County employee who was unable to leave work and move their vehicle. Mayor Chrobak stated the street is clearly marked two hour parking only and the County has an entire parking lot for their employees to avoid any of them taking up spots on the street.

Mr. Rosenberg moved to deny the appeal as presented; motion seconded by Mr. MacLennan and unanimously carried.

Dixon Engineering Contract

Todd Taylor, Director of Water, was not in attendance today so Mayor Chrobak stated the contract with Dixon Engineering for monitoring the painting of the Webber Street Water Tower will be on the agenda for next week.

Request for Use of City Property

Bethany Evangelical Lutheran Church

The Bethany Evangelical Lutheran Church is requesting the closure of 1st Street between Teegarden and H Streets on Sunday, June 20th for a church celebration. There will be a breakfast served from 8:00 a.m. to 10:00 a.m. and an outdoor worship service from 10:00 a.m. until noon. The church is requesting the actual closure of the street from 7:00 a.m. to 1:00 p.m. in order to set up and clean up safely. Mayor Chrobak asked the Fire and Police Chiefs if they had any safety issues with the closures and they stated they did not. Proof of liability insurance was presented as well.

Motion/Vote - Approval of Request For Use of City Property

Mr. Rosenberg made a motion to approve the street closure on June 20th from 7:00 a.m. to 1:00 p.m. as requested; Mr. MacLennan seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

Tour De LaPorte

Andy Snyder, on behalf of the LaPorte Hospital Foundation Board of Directors, requested permission from the Board for street closures associated with the annual Tour de LaPorte 5K run/walk on Sunday, August 22, 2010. Mr. Snyder stated the route is unchanged from last year which ran so smoothly and had an attendance of approximately 743 runners and bikers. Mr. Snyder is working on obtaining a certification

from the U.S. Track and Field organization as a certified 5K route which will be nationally recognized and give greater exposure and accreditation to the event. Mr. Snyder stated he has received approval from the Fire and Police Chiefs as well as Mike Frazee, Director of Street Department, who will help with barricades. The route will begin at the County fairgrounds and proceed north on Ziegler Road and make a circle around through 5th, L and 2nd Streets. Mr. Rosenberg asked if proof of liability insurance has been provided. Mr. Snyder stated not yet, but he will have the hospital provide that information to the City.

Motion/Vote - Approval of Request for Use of City Property

Mr. MacLennan made a motion to approve the street closure for Tour de LaPorte on August 22nd as requested; Mr. Rosenberg seconded the motion. The motion passed by vote: Mayor Chroback (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

Transit-Retirement

Janet Lantz, Director of TransPorte, announced her employee Gertrude Griffin is retiring on June 19th after 35 years of service. Mrs. Lantz requested permission from the Board to authorize her to post the position in her office to allow any part-time personnel to move into a full time position. Mr. Rosenberg asked what will happen to the vacant part-time position. Mrs. Lantz stated she will not fill the part time position until the City has lifted its hiring freeze.

Motion/Vote - Approval to Post Position and Hire

Mr. Rosenberg made a motion to approve the request to post the opening and work with Human Resource to fill the position accordingly; Mr. MacLennan seconded the motion. The motion passed by vote: Mayor Chroback (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

(Continued)

Mr. MacLennan wanted to clarify the Board was not authorizing the hiring of a new employee, just filling the position from within the pool of City employees.

Unfinished Business

Award-Water Main Bore Highway #35

Mr. Clingerman stated in Mr. Taylor's absence he was not prepared to award the project for doing the water main bore under Highway #35 so he will leave that until next weeks' Board meeting.

CDBG Handicap Ramps/Sidewalks

Mr. Clingerman reported he has received the contract from Deutscher Construction, who was awarded the bid for the 2009 Handicap Ramps/Sidewalks Project in the amount of \$151,950.00. He stated \$119,000.00 is from Stimulus funds and the balance will be from CDBG funds. Mr. Clingerman advised since the contract is ready to be executed, he would also like the Board's permission to issue a Notice To Proceed for the project which is slated to begin June 1st.

Motion/Vote - Approval of CDBG Contract

Mr. MacLennan made a motion to approve the contract with Deutscher Construction and authorize Mr. Clingerman to issue a Notice To Proceed; Mr. Rosenberg seconded the motion. The motion passed by vote: Mayor Chroback (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

Department Reports

Wastewater

Jerry Jackson, Director of Wastewater, reported the lake level is at 798.4 which is unchanged from last week. He stated the lake siphon is currently on after being off for five days when the Kankakee River was at flood stage.

Mr. Jackson provided Board members with a draft of a sewer extension policy and asked them to let him know if they have any questions or additions.

Police

Tom Heath, Assistant Chief of Police, announced the LaPorte County Sheriff's Department, LaPorte City Police and Michigan City Police, are currently accepting online applications for Indiana hand gun permits. There will be a press release forthcoming to get the word out to the general public.

Assistant Chief Heath was happy to report the four squad cars purchased with CMAQ (Congestive Management Air Quality) Funds have made it as far as Burns Harbor and the City will take delivery next week. Mayor Chroback stated this was such a long process which began back in April of 2007.

City Planner

Mary Jane Thomas, Director of Community Development and Planning presented a request on behalf of the Farmer's Market for the Board to authorize a night market on June 12th in conjunction with Cruise Night and 2nd Saturdays in downtown LaPorte. Ms. Thomas reported attendance was up again this last weekend at the Market and encouraged everyone to check it out. The vendors need permission to leave their booths up the entire day of June 12th because they will be open as usual from 8:00 a.m. to noon, then again from 5:00 p.m. to 8:00 p.m.

Motion/Vote - Approval of Night Market

Mr. MacLennan made a motion to authorize the night market on June 12th beginning at 5:00 p.m but he added an extension for clean-up time until 9:00 p.m; Mr. Rosenberg seconded the motion. The motion passed by vote: Mayor Chroback (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

(Continued)

Mr. Rosenberg asked if they will continue to have the night market during each of the 2nd Saturdays of the summer months. Ms. Thomas advised it all depends on how the first one goes.

Landfill Well Sampling/Monitoring

Ms. Thomas provided Board members with a copy of the 2nd Quarter March 2010 Summary of Field activities and Analysis of Groundwater Level Monitoring and Sampling of Landfill Wells report. Ms. Thomas stated she will meet with the Redevelopment Commission this evening, May 26th and asked their permission to fund the 3rd Quarter monitoring. She will report back to the Board next week.

Countywide Zoning Ordinance

Ms. Thomas stated the Countywide Zoning Ordinance is nearing its completion and would like the public's input before its formal adoption this fall/winter. The next locally scheduled workshop will be held at the County Complex, Room #2, on Wednesday, June 2nd at 6:00 p.m. Mayor Chroback stated she would be out of town that evening but would like the email notification so she can forward it on to Council members.

Mayor Chroback asked Ms. Thomas for an update on the City planters. Ms. Thomas reported all planters were scheduled to be cleaned out by yesterday but twenty four were still in need of cleaning as of yesterday. Perennials Galore will begin planting on Friday, May 27th.

Mayor

The Mayor announced there will be a meeting this evening, May 26th at 5:00 p.m. in the Council Chambers to discuss the Weller Avenue Sewer Project. This is an open forum, very informal, but the Mayor encouraged everyone affected to attend so any misconceptions can be cleared up at this time.

Mayor Chroback stated the Executive Session scheduled for today is cancelled because the City Attorney was needed in Indianapolis. She asked the Board set one for next week instead.

Mr. Rosenberg moved to set an Executive Session to discuss litigation on Wednesday, June 2nd, following the regularly scheduled meeting; motion seconded by Mr. MacLennan and unanimously carried.

Mayor Chroback thanked Boston Middle School students and the Juvenile Service Center for the two lovely planters placed outside of City Hall. She explained Boston Middle School was awarded a Learn & Serve Grant for Teens Working Together, along with the Juvenile Service Center. The teens have been working together to create these planters to remember Memorial Day and enjoy summer. The Mayor saw additional planters at the Chamber of Commerce and commended the students for their efforts and generosity.

Mayor Chroback announced the City will once again participate in Denim Day on Wednesday June 9th. City employees as well as the public are encouraged to wear denim that day by making a \$1.00 donation to the American Cancer Society of LaPorte County.

The Mayor provided the Board with notes from past discussions and suggestions for updating the City's Animal Ordinance. She asked the Board to review the information that has been gathered and make any additions or suggestions as they see fit. She stated they can contact the Chief of Police, Terry Scherer as well as the City Attorney to enhance the Ordinance.

Board

Mr. Rosenberg asked Department Heads to send Board members an email explaining any matters they wish

to discuss at Board meetings so they can be better prepared for discussions.

Mr. Rosenberg asked if the City has any input in how the street lights are programmed by the State Highway Department at those intersections involving State roads as they are so lengthy for cross traffic which results in serious traffic back-ups along the side streets. Mayor Chroback agreed this has been an ongoing problem for awhile now to alleviate such long waits. Mr. Clingerman reported INDOT approached the City under Mayor Morris's administration to alleviate some parking along Lincolnway at the southwest quadrant of the intersection of Indiana and Lincolnway in order to add a lane to improve the flow of traffic, but they were denied. Mr. Clingerman stated he would contact Tim Marker at INDOT to see if this idea can be revisited and report back to the Board.

Mr. Jackson asked if the reconstruction on Indiana Avenue was scheduled for this summer. Mr. Clingerman stated last he knew it was scheduled for this summer but he would double check when speaking with Mr. Marker.

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

Signatures

APPROVED: _____
Kathleen Chroback, Mayor

ATTEST: _____
Teresa L. Ludlow, Clerk-Treasurer
Approved: June 2, 2010