

# City of LaPorte Board of Public Works and Safety

June 30, 2010

## Convene

City of LaPorte Board of Public Works and Safety met in regular session in the Council Chambers on June 30, 2010 at 9:00 am. Attendance: Mayor Chrobak, Present: Mr. MacLennan, Absent: 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.

## Motion/Vote - Approval of Minutes from 6/23/10

Mr. Rosenberg made a motion to approve the minutes from June 23rd as presented; Mayor Chrobak seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes).

## Public Comment

John Heinz, employee of the LaPorte Municipal Airport, requested permission from the Board to temporarily close a portion of Boyd Boulevard on Sunday, July 4th, to allow two small aircrafts to land on the road in order to participate in the 4th of July Parade in LaPorte that same day. Mr. Heinz is a flight instructor and hoped showcasing the planes in the parade would help increase interest in flying lessons out at the airport. Mr. Heinz explained the wingspan of each plane was approximately 37 feet wide which would easily be accommodated on Boyd Boulevard. The planes would be towed by a vintage mustang during the parade and would need an escort to be towed back to the airport via highway #39 after the parade was over. Discussion was held regarding safety issues for landing the aircrafts and then the navigation of the actual parade route. Chief of Police, Terry Scherer, stated he was unable to guarantee the escort back to the airport as his department is not in charge of security for the parade this year due to budget issues; the County was handling that instead. The Board agreed this was a good idea in theory but not enough time was allowed for the detailed planning associated with such a request.

Mr. Rosenberg moved to deny the request to land the planes on Boyd Boulevard and participate in the parade this year; motion seconded by Mayor Chrobak and unanimously carried.

Mayor Chrobak encouraged Mr. Heinz to begin the planning for next year as early as possible so they may be able to participate in the parade for 2011.

Bart Lombard, representing cable television, requested permission to reserve a spot for a bucket truck to be placed at the corner of Chicago Street and Lincolnway for the cameras to televise the parade on Sunday July

4th. Due to the Michigan City parade being held on Saturday this year, which they will also be televising, Mr. Lombard requested a Friday evening reservation spot.

Mr. Rosenberg moved to allow barricades to be set up by the Street Department at the corner of Chicago Street and Lincolnway on Friday evening, July 2nd to reserve a spot for the bucket truck as requested by Mr. Lombard; motion seconded by Mayor Chroback and unanimously carried.

Danielle Kessler, wellness instructor at the YMCA, asked if the Board had received her request for street closures for the 31st Annual YMCA Triathlon on August 7th. Mayor Chroback informed Ms. Kessler the Board approved the street closures at the June 23rd meeting, but requested Ms. Kessler contact Dean Heise, Director of Parks and Recreation to discuss any extra work the YMCA may need to do because of lack of personnel at the Park Department and additional maintenance that will be needed at Stone Lake Beach.

Bob Pointon, Fremont Street, informed everyone State Senator Jim Arnold will be at the Moose Lodge on Saturday, July 10th from 1-2 p.m. to give an update on legislative changes in the State of Indiana. Mr. Pointon invited the public to attend and stated the doors will open at 12:30 p.m.

## **Clerk Treasurer Claims Approval**

Mr. Rosenberg moved to approve 2nd Quarter Payroll in the amount of \$2,536.33; motion seconded by Mayor Chroback and unanimously carried.

Mr. Rosenberg moved to approve Civil City Claims in the amount of \$98,962.00; motion seconded by Mayor Chroback and unanimously carried. The Clerk Treasurer, Teresa Ludlow, reported \$55,631.56 representing CDBG Funds and \$25,779.94 was interest on 2009 bonds.

Mr. Rosenberg moved to approve Sewage Depreciation Claims in the amount of \$8,113.74; motion seconded by Mayor Chroback and unanimously carried.

Mr. Rosenberg moved to approve Wastewater Claims in the amount of \$38,816.57; motion seconded by Mayor Chroback and unanimously carried.

Mr. Rosenberg moved to approve Water Claims in the amount of \$290,347.52; motion seconded by Mayor Chroback and unanimously carried. Mrs. Ludlow advised \$230,000.00 was for a semi-annual bond payment.

## **Contractor Registrations**

The following contractor registration was presented for the Board's approval:

1. SMR Communications, Inc. Niles, Michigan

Mr. Rosenberg moved to approve the contractor registration as presented; motion seconded by Mayor Chroback and unanimously carried.

## **New Business**

### **Request for Use of City Property**

Mayor Chrobak read a request from the Community AME Church to hold a carnival/cookout at the triangle on the corners of Clay, Ludlow and Rose Streets. The church carnival will take place on July 17th and the cookout on July 18th. Mayor Chrobak stated she attended the event held there last year and it was a great success without any problems.

### **Motion/Vote - Approval of Street Closures**

Mr. Rosenberg made a motion to approve the closure of Ludlow/Clay and Ludlow/Rose Streets on July 17th and 18th from 9:00 a.m. to 9:00 p.m. Mayor Chrobak seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes).

### **Engineering-Boston Street**

Dale Clingerman, Director of Engineering and Building Services, presented the Board with Change Order #6 for the Boston Street Project in the amount of \$308,704.32 and requested they approve same. The change order is the cost to reconstruct the existing eighteen inch water main that runs between Lincolnway and Brighton Street. This reconstruction was missed in the original design for the project, but unfortunately it is necessary to move ahead with the project. This change order will be payable by 80/20 monies, but the Water Department will have to front the 20% cost until reimbursement can be made to the City. Mr. Clingerman stated there are also some betterment changes needed, such as valves for the pipe line, but those costs will be totally absorbed by the Water Department. Todd Taylor, Director of Water Department, stated the original water main pipe was installed in 1923 so these changes are definitely needed. Mr. Rosenberg asked if the City had any recourse in this matter since it was missed by the design engineer. Mr. Clingerman stated they did not, and he is grateful for the 80/20 cost share because the City was told they would have to bear all of the cost when it was first brought up in the planning stages.

### **Motion/Vote - Approval of Change Order-Boston Street**

Mr. Rosenberg made a motion to approve Change Order #6 as presented; Mayor Chrobak seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes).

### **Restricted Parking-Boston Street**

Mr. Clingerman reported Factory Street will be closed starting July 12th, due to work on Boston Street and there is a need to redirect truck traffic for the duration of the work. He requested making the south side of Darlington Street between Cook and Burson Streets, a no-parking area for approximately four months of the project. This will allow the truck traffic to navigate through the area safely.

### **Motion/Vote - Approval of Temporary Restricted Parking**

Mr. Rosenberg made a motion to approve the temporary parking restrictions on Darlington Street as requested; Mayor Chrobak seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes). Mr. Clingerman stated he would work with Mike Frazee, Director of Street, to get the necessary signs and barricades in place when needed.

### **Water-Archaeological Testing**

Todd Taylor reported since artifacts were discovered during Phase I of the test well-drilling on the east side of town, another archaeological survey is necessary in order to get clearance to proceed with construction plans. Mr. Taylor sought three proposals for Archaeological Testing Phase II and they are as follows:

- |                           |             |
|---------------------------|-------------|
| 1. JF New                 | \$95,355.00 |
| 2. Accidental Discoveries | \$34,917.00 |
| 3. Pioneer Consulting     | \$31,000.00 |

Mr. Taylor stated Accidental Discoveries did the Phase I study and Pioneer Consulting has done some consulting on the project as well. Mr. Taylor recommended the Board approve the proposal from Pioneer Consulting as a "not to exceed" proposal since the cost may end up being lower if the survey area is reduced.

### **Motion/Vote - Approval of Proposal for Archaeological Testing**

Mayor Chrobak made a motion to approve the proposal from Pioneer Consulting as "not to exceed" \$31,000.00; Mr. Rosenberg seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes).

### **CDBG Roof Repair Award**

Mary Ann Richards, Program Manager for Community Development Block Grant Program stated she has reviewed the quotes with the City Attorney and it is their recommendation the Board award the contract to Vic Butcher Construction in the amount of \$67,582.00. Mrs. Richards advised this is the second lowest quote, but they did not recommend the lowest quote because they failed to include the necessary addendums as required and these are cost-critical documents.

### **Motion/Vote - Award CDBG Roof Repair Quote**

Mr. Rosenberg made a motion to award the quote to Vic Butcher Construction, even though they did not submit the lowest quote, because the low quote did not contain the proper documents; Mayor Chrobak seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes).

### **CDBG Plumbing Award**

Mrs. Richards stated she and the City Attorney have reviewed the quote received last week for plumbing repairs and it is their recommendation the Board award the contract for to H & G Plumbing and Heating in the amount of \$19,176.00.

### **Motion/Vote - Award CDBG Plumbing Repair**

Mr. Rosenberg made a motion to award the contract for CDBG plumbing repairs as requested; Mayor

Chroback seconded the motion. The motion passed by vote: Mayor Chroback (Yes), Mr. MacLennan (Absent), Mr. Rosenberg (Yes).

### **TransPorte-Oktoberfest Request**

Janet Lantz, Director of TransPorte, presented a request last week from the Tavern Association to participate in an Oktoberfest Celebration much like the Dyngus Day festivities. Mr. Rosenberg stated he was uncomfortable with moving ahead right now as there isn't a written contract in place between the City and the Tavern Association for this proposed event and he didn't want to run into payment problems like the County did last year with a different promoter. City Attorney, Don Baugher, asked Mrs. Lantz if she signed a contract with the Tavern Association for the Dyngus Day bus service provided. Mrs. Lantz stated she has not, they have always paid as promised and even paid extra for any damages incurred on the buses while transporting the people who patronize the bars during Dyngus Day. Mayor Chroback stated since there has never been a contract before, maybe now is the time to put something together to avoid any problems in the future and this will take a little time.

Mr. Rosenberg moved to table the issue until the City Attorney can put a contract together for both events; motion seconded by Mayor Chroback and unanimously carried.

### **CMAQ Grant-Bike Racks**

Mr. Baugher stated he looked at the CMAQ grant for the bicycle racks and the contract wording is extremely vague. One year states 100% funding and one year states 25% funding. It is unclear if bike racks are required to be ordered even after the first year. Mr. Baugher asked Mary Jane Thomas, Director of Community Development and Planning to look into the matter with NIRPC but she hasn't received any response as of yet. Mr. Baugher stated he was told the bike racks might have been ordered in conjunction with LaPorte Community Schools because they were unable to obtain funding yet they could utilize some of the racks themselves. Mr. Heise came forward and informed the Board he was told this grant included several potential recipients as this is an environmental deal initiated with Carl Lisak, from Legacy Environmental, which originated almost two years ago. Mr. Heise stated the parks definitely do not need forty bike racks and that's why he believed the school system was somehow involved in the grant award. He didn't know if they were planning on paying the City's share if it turns out the grant is not 100% funded as he was led to believe. Mr. Baugher stated he believed Ms. Thomas needed to investigate the grant further and contact the school corporation if need be.

Mr. Rosenberg moved to table the issue of the bike racks until the next meeting; motion seconded by Mayor Chroback and unanimously carried.

## **Department Reports**

### **Wastewater**

Jerry Jackson, Director of Wastewater, presented the Board with a Wastewater Discharge Permit Renewal for HRR Enterprises on Genesis Drive and recommended the Board approve same. Mr. Jackson stated the company is in good standing and has never been a problem. He reported this is a three year permit renewal.

Mayor Chroback moved to approve the permit renewal for HRR Enterprises as recommended; motion seconded by Mr. Rosenberg and unanimously carried.

## **Police**

Chief of Police, Terry Scherer, reported with the recent storms, his department lost radio capabilities and is in dire need of a back-up generator. The Street Department has an extra one and has graciously volunteered to give it to the Police Department who will also share it with Fire and Wastewater. Chief Scherer presented the Board with a letter to transfer equipment as recommended by the City Attorney and requested they approve same. The generator was purchased in July 2008 and was not purchased with grant funds.

Mr. Rosenberg moved to accept the letter to transfer equipment from Street to Police; motion seconded by Mayor Chroback and unanimously carried.

Chief Scherer reported two of the new E-85 Squad Cars will be in the parade on Sunday. He wished everyone a safe and happy 4th of July holiday.

## **Fire**

Fire Chief, Rob Sabie, reported the testing of aerial and ground ladders began last week with only some minor repairs needed. Chief Sabie was very impressed with the detail used in ensuring the safe operation of the ladders.

Chief Sabie stated with the recent power outages that knocked out his radio capabilities, he is looking into relocating the radio system to the north side station where back-up generators are in place so they won't miss critical calls.

The Fire Chief also reminded everyone to be responsible when using fireworks during the 4th of July celebration and wished everyone a safe and happy holiday.

## **City Attorney**

Mr. Baugher reminded everyone there is an Executive Session scheduled today and requested the Board set one for next week as well.

Mr. Rosenberg moved to set an Executive Session for the purpose of litigation immediately following the Board meeting on July 7th; motion seconded by Mayor Chroback and unanimously carried.

Mr. Baugher stated it was announced in the newspaper the Indiana Supreme Court has denied the petition from Mr. Wendt in regards to his lawsuit about property taxes, which is a positive thing for the City. Mr. Baugher added, the public may not be aware, there was a lawsuit filed in the Indiana Tax Court as well by Mr. Wendt, but he withdrew his petition last week; also a positive step forward for the City in its quest to obtain much needed property tax revenue from the County.

## **TransPorte**

Mrs. Lantz reminded everyone to teach their children the importance of the real meaning of July 4th and the proper way to salute the American Flag as it passes by during the parade.

## **CDBG**

Mrs. Richards stated the City of LaPorte provides a grant to Housing Opportunities to provide first time

home-buyers with instructional classes to learn everything they need to know about buying a house. The next round of classes begins on August 3rd and continues for four successive Tuesdays. There is a registration fee of \$30.00 and by completing the course, it entitles the buyer to down payment assistance.

## **GLEDC**

Tim Gropp, Director of Greater LaPorte Economic Development Corporation, reminded everyone this Friday, July 2nd, is the 2nd Downtown at the Movies Night and the movie "The Blindside" will be featured. He encouraged everyone to come. Mayor Chroback added the movie is sponsored by Horizon Bank and The Mayor's Tourism Fund with The Boy Scouts of America hosting the event. Once again, LaPorte Savings Bank will offer free popcorn, and B J's Café will be selling food and drinks.

Mr. Gropp also congratulated the Northwest Indiana branch of International Harvester Collectors on the phenomenal event of the Red Power Round Up. It was a great success for LaPorte with a huge attendance record.

## **Parks and Recreation**

Mr. Heise reported a group of volunteers from Camp Summit is in Fox Park today raking up all of the storm damage left behind by the recent bad weather and he thanked them for their hard work. He stated this past weekend Nate Loucks and his parishioners cleaned up storm debris as well as mowing and other work in Soldier's Memorial Park and the Stone Lake Beach area. Neighbors of Rumely Park and Warsaw Park are mowing and clearing the parks on a weekly basis. Neighbors out at Beechwood are assisting in the mowing and upkeep of Beechwood as well. Work-One is paying for several new employees to assist in the Park department in various capacities and Mr. Heise thanked them as well.

Mayor Chroback stated we are very fortunate to have such good people in LaPorte who are coming forward to donate their time and labor.

## **Mayor**

Mayor Chroback reminded everyone to attend the Arts in the Park tonight at 7:00 p.m. featuring the City Band. Tomorrow evening will feature Cripple Creek, also at 7:00 p.m.

The Mayor announced the schedule for the weekend festivities for the 4th of July holiday. The Beer Barns begin this Friday evening, July 2nd at the County Fairgrounds with doors opening at 7:00 p.m. The Arts and Crafts Show will be held on Saturday, July 3rd from 9:00 a.m. to 4:00 p.m. She encouraged everyone to attend the 2nd Annual Corn hole Tournament Saturday at 1:00 p.m. and announced the parade begins at noon on Sunday, July 4th. Fireworks will begin that same evening at dusk, but gates open at 6:00 p.m. for lots of extra food and drinks to be enjoyed beforehand.

Mayor Chroback wished everyone a safe and happy 4th of July.

There being no further business before the Board, Mr. Rosenberg moved to adjourn; motion seconded by Mayor Chroback

**Signatures**

APPROVED: \_\_\_\_\_  
Kathleen Chroback, Mayor

ATTEST: \_\_\_\_\_  
Teresa L. Ludlow, Clerk-Treasurer  
Approved: July 7, 2010