

# City of LaPorte Board of Public Works and Safety

July 7, 2010

## Convene

City of LaPorte Board of Public Works and Safety met in regular session in the Council Chambers on July 14, 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, the Mayor stated she would dispense with the reading of same and asked for any corrections or additions.

## Motion/Vote - Approval of Minutes from 6/30/10

Mr. Rosenberg made a motion to approve the regular and Executive Session minutes from June 30th as presented; Mr. MacLennan seconded the motion. The motion passed by vote: Mayor Chrobak (Yes), Mr. MacLennan (Yes), Mr. Rosenberg (Yes).

## Public Comment

Ron McAtee, 1034 Indiana Avenue, President of People Engaged in Preservation, stated the group recently purchased the old Army/Navy Store at 516 Lincolnway. The building needs a new roof and a new rear wall so they are requesting the closure of the alley behind the building in order to accommodate the necessary equipment. Mayor Chrobak informed Mr. McAtee to let her office know as soon as he has a date and time and she would present the request to the Board on his behalf. Mr. Rosenberg requested he also contact the neighboring businesses to let them know of the impending alley closure once a date has been set.

Dean White, 701 1/2 Lincolnway, stated several years ago he was interested in creating a Vista View on the corner of Waverly Road and Pine Lake Avenue and presented his ideas to the Board of Works members at that time. He stated there was an issue of encroachment with the neighboring fireworks business at the time and wondered if the City was interested in pursuing this idea once again. Mayor Chrobak stated she was aware of his interest in the creation of a Vista View and has discussed the idea with Dean Heise, Director of Parks and Recreation. The Mayor stated there simply isn't any money in the budget to move ahead with these plans but thanked Mr. White for his interest and his input.

Jim Bevins resident of Mill Creek and member of the Lincoln Highway Committee, requested permission from the Board to occupy a portion of the sidewalk in front of B&J's Café on Lincolnway for a yard sale. The dates are August 5th-7th and area churches are invited to participate in this event to recognize the Lincoln Highway and raise money for their personal use as well. The same type of recognition events will take place from West Virginia to Iowa. Discussion was held regarding the exact placement of the tables and how much of pedestrian traffic will be affected. Mayor Chrobak asked Mr. Bevins to fill out the application for Use of City Property in her office and return it as soon as possible. Don Baugher, City Attorney, suggested Mr. Bevins also meet with Mary Jane Thomas, Director of Community Development and Planning, for possible alternatives for those days.

Mr. Rosenberg moved to table this issue until next week when more information is available; motion seconded by Mr. MacLennan and unanimously carried. Mayor Chrobak instructed Mr. Bevins to leave his name and number with her Administrative Assistant and they will contact him soon.

Mike Seitz, President of LaPorte Chamber of Commerce, requested the Mayor hold a moment of silence in honor of the passing of Jim Fleming, owner and operator of Aero Metals. Mayor Chrobak stated Mr. Fleming was a great citizen of LaPorte who contributed to the community in many different ways and will be dearly missed by all who knew him. The funeral will be held on Thursday, July 8th and the Mayor has instructed all City buildings to fly their flags at half mast that day to honor Mr. Fleming. The Mayor then held a moment of silence in his honor.

## **Clerk Treasurer Restricted Donation**

The Clerk Treasurer, Teresa Ludlow, presented the Board with two donations for the Police and Fire Restricted Funds and requested their permission to receipt the money into same. They are as follows:

1. William Meinhard - \$14.00
2. Jennifer Hall - \$5.00

Mr. Rosenberg moved to gratefully accept the donations as presented; motion seconded by Mr. MacLennan and unanimously carried.

## **Claims Approval**

Mr. MacLennan moved to approve Payroll Claims for July 9, 2010 in the amount of \$314,070.70; motion seconded by Mr. Rosenberg and unanimously carried.

Mr. Rosenberg moved to approve Civil City Claims in the amount of \$659,564.13; motion seconded by Mr. MacLennan and unanimously carried. Mrs. Ludlow advised three bond payments were included in the claims for TIF I, TIF II, TIF III; a Fire Lease Payment, and 2nd Quarter Fire/Police Perf payments in the amount of \$164,847.71.

## **New Business**

### **Traffic Appeals**

Three appeals were presented. The first two appeals are from the same resident who is present today. One appeal was already presented and denied by the Board on June 23, 2010. Autumn Halaschak, 1529 Eisenhower, addressed the Board about the appeal that was denied on June 23rd. Ms. Halaschak stated she never received the form that was mailed to her most likely because she moved in the process, but she mailed a letter to the Violations Bureau stating she didn't deserve a parking ticket because she definitely moved her car within the two hour time frame. She stated she works at 717 Indiana Avenue and the three employees there actually set an alarm on their computers to warn them when to move their vehicles every two hours since the parking is so limited around their place of employment. Mr. Rosenberg stated moving your car to another spot isn't enough; you have to drive at least around the block to make sure the chalk mark disappears from your tire. He advised the parking restrictions are in effect in order to promote business in the downtown area and Ms. Halaschak shouldn't park so close to her place of employment and risk turning away a potential customer because employees are taking up the spaces instead. Ms. Halaschak advised she

actually drove much farther than one block to remove the chalk mark and felt the ticket was not justified.

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

The second appeal is also from Ms. Halaschak for partially parking in a yellow zone in the 700 block of Indiana Avenue. Yvonne Connolly, Violations Bureau, stated the area she was ticketed in is a bit confusing with the yellow lines, but in actuality, she could have written Ms. Halaschak a ticket for parking within fifteen feet of a fire hydrant but she didn't. Ms. Halaschak presented the Board with a photograph to illustrate the confusion of the parking spaces. Mr. MacLennan stated he felt the ticket was justified because the vehicle is clearly parked half in a regular parking space and half in the yellow zone and Ms. Halaschak should have known better.

Mayor Chroback moved to void the ticket but warned Ms. Halaschak to pay better attention to the fire hydrants in the future; motion seconded by Mr. Rosenberg and passed by the following vote: Mayor Chroback-aye; Mr. Rosenberg-aye; Mr. MacLennan-nay.

The third appeal was from a resident who parked in the Monroe Street parking lot without a permit. She stated she was only in the lot to pick up carry-out food and didn't see any signs. Mrs. Connolly stated there are four signs clearly stating the lot is permit parking only.

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

#### **Pay Request-CDBG Handicap Ramp/Sidewalk Project**

Joe DiSanto, Engineering and Building Services Project Manager, presented the Board with Pay Request #2 for the CDBG Handicap Ramp/Sidewalk Project Phase II to Deutscher Construction in the amount of \$18,657.47.

Mr. Rosenberg moved to approve the pay request as presented; motion seconded by Mr. MacLennan and unanimously carried.

Mr. DiSanto reminded everyone the Flood Control meeting is scheduled for this evening at the LaPorte County Fairgrounds from 4-7 p.m. There will be aerial photographs available to determine if your home is actually in the flood plain or not.

#### **City Attorney-Land Acquisition**

Mr. Baugher reported the Wastewater Department is interested in acquiring a piece of property at 309 Warren Street which is adjacent to the natural retention area which is necessary because of the long history of flooding in that area. The property has gone into foreclosure and Jerry Jackson, Director of Wastewater, was able to negotiate the selling price down from \$40,000.00 to \$25,000.00. Mr. Baugher advised the lower price falls within what the State law allows for purchasing without going through a lot of time-consuming steps. Mr. Jackson stated the property is in an area that floods all the way up to the house and under the crawl space. In addition, there is a storm sewer that runs all the way through the property which his department has been unable to access without an easement. Acquiring this property will allow for the expansion of the retention basin which will lessen the flooding in the entire area. Mr. Jackson advised his long range plan is to acquire another property adjacent to this area to help with drainage issues that

affect several homes in the area. Mr. MacLennan asked Mr. Jackson what he would do with the house on the property. Mr. Jackson stated he will tear the building down because it's in very poor condition. Due to the poor condition of the storm sewer, he would build a swale to take the water off the street and redirect it back to the basin. Once he is able to acquire the second house, he can enlarge the basin. Mr. MacLennan asked what the cost will be for these improvements beyond the purchase of the property. Mr. Jackson reported the cost of demolishing the house is approximately \$5,000.00, approximately \$1,000.00 for the swale, and roughly \$10,000-\$15,000.00 to expand the basin. Mr. MacLennan added the long term solution then is to save Larkin Street so it won't have to be rebuilt and alleviating the flooding for all of the houses affected in that area. Mr. Jackson stated this was a cheaper alternative than the construction of a pump station which would be \$100,000.00, plus the cost of a force main, not to mention the cost of maintaining the pump station.

Mr. MacLennan moved to authorize the closing of the real estate purchase at 309 Warren Street as requested; motion seconded by Mr. Rosenberg and unanimously carried.

## **Unfinished Business**

### **CMAQ Bike Racks**

Mr. Baugher stated after reviewing the grant for the bike racks and gathering more information from the individuals processing the paperwork, it has been determined there are several different entities involved in the bike racks purchased through the CMAQ Grant. Mary Jane Thomas, Director of Community Development and Planning, informed the Board the allocation of funds per the agreement is \$5,400.00 for approximately 21 bike racks. The grant is 100% funded for the purchase of the bike racks, but the cost of installation would be separate. Mr. MacLennan asked Ms. Thomas if she had an estimate of the cost for installation. Ms. Thomas stated she believed the installation would be done between the Park and Street Departments, not an outside source. Mayor Chroback asked who was supposed to be coordinating the distribution of these bike racks. Mr. Baugher stated the grant wording was very confusing because there is a mention of LaPorte County Parks on there as well. Mr. Heise described the bike racks as a little smaller than the older pieces of equipment they have in the parks which will not accommodate as many bikes as before and expected the installation process would be simple and handled by his employees.

Due to the uncertainty of the involvement of the County, and the need to contact the LaPorte School Corporation to determine their involvement, Mr. Rosenberg moved to table the CMAQ Grant Agreement until next week; motion seconded by Mr. MacLennan and unanimously carried.

## **Department Reports**

### **City Planner**

Ms. Thomas requested the Board's permission to allow the Farmer's Market to extend into the evening hours this Saturday, July 10th in conjunction with the 2nd Saturday event in downtown LaPorte from 5-8 p.m.

Mr. MacLennan moved to authorize the night hours for the Farmer's Market on Saturday, July 10th from 5-8 p.m.; motion seconded by Mr. Rosenberg and unanimously carried.

### **Police**

Chief of Police, Terry Scherer, reported the 4th of July Parade went well and noted the Honor Guard marched for the first time and they got a lot of compliments. Chief Scherer reported the next Citizen's

Police Academy will start on September 8th through November 17th on Wednesday evenings. The Chief invited the public to attend the second Open House in honor of the Police Departments 100 year anniversary which will be held on Saturday, September 18th, in conjunction with the Sunflower Festival. The Open House is scheduled from 10:00 a.m. to 4:00 p.m.

### **Water**

Todd Taylor, Director of Water Department, reported his department is currently replacing a fire hydrant in front of Riley School. He also reported a motor on one of the wells was damaged by lightning recently and he is currently awaiting word from the insurance company to find out how much he will be reimbursed as a new one is ordered and on its way.

### **Wastewater**

Jerry Jackson reported the lake level is at 797.88 and he will turn off the siphon soon. Mr. Jackson stated in his effort to determine why Clear Lake was at a different level than Lily Lake since they are interconnected, he obtained permission from two private property owners to inspect the manholes on their property. Upon inspection, it was discovered that a gate had been installed in the manhole preventing water from flowing out. With the help of the Street Department, the gate was lifted up and the water is rapidly flowing out. Mr. Jackson said there will be a noticeable difference in the lake level almost immediately. Mr. Baugher asked if the City had obtained any type of easement for either of the properties in question. Mr. Jackson stated there was not an easement and he assumed this gate may have been put on back in the 90's by Dietrich Industries who had voiced their concerns about the City using their storm sewer system. Mr. Baugher advised the City will need to look into identifying the legal owner of this interconnection system and reaching some type of maintenance agreement with them. Mayor Chrobak asked if the City took over managing the gate, how it would negatively affect the property owners; why they wouldn't welcome us maintaining it for them. Mr. Jackson stated he was leery about "taking over" the maintenance of the interconnection system as it is a very old system that was built in the 1940's and there have been problems with it in the past which could be costly to the City. In addition, the storm sewer runs under three buildings. Mr. Baugher advised it is imperative the City evaluate the situation and determine if we need to come up with an alternative that we control, not private homeowners. There simply isn't enough information at this time. Mayor Chrobak thanked Mr. Jackson for finding this gate and making immediate improvements to the flooding problems on Clear Lake Boulevard. Mr. Jackson stated he spoke to a resident who was fishing and filled him in on the recent find and told him to spread the word to his neighbors. Mr. Jackson will put some options together and report back to the Board.

Mr. Jackson requested permission from the Board to acquire quotes to replace a truck that was totaled in a traffic accident several months ago. He stated he typically goes to local dealers to get quotes for vehicles that are a year or two old already to be more cost effective. Mr. Baugher asked if there was any insurance settlement to go towards the purchase. Mr. Jackson stated there was but it was very small since the truck was nine years old. Mayor Chrobak asked what kind of truck was wrecked. Mr. Jackson stated it was a small dump truck, but he was planning on replacing it with a heavy duty bio-diesel pick-up truck which would be more useful.

### **Mayor**

Mayor Chrobak announced City Hall would be used as a cooling center for anyone who needed to escape the heat and would be available from 8:30 a.m. to 4:30 p.m.

The Mayor thanked the County for their officers to provide security for the parade this year.

Mayor Chroback reminded everyone to attend the Arts in the Park tonight featuring the City Band at 7:00 p.m. and Thursday night will feature Henhouse Prowlers. Last week there was a huge turnout to see Cripple Creek.

The Mayor stated this Saturday, July 10th is the 2nd Saturday event from 5-8 p.m. and hoped for good weather since the first one was rained out.

There is an Executive Session today immediately following the regular meeting.

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

## **Signatures**

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

ATTEST: \_\_\_\_\_  
Teresa L. Ludlow, Clerk-Treasurer  
Approved: July 14, 2010