

JANUARY 12, 2012

The Board of Public Works and Safety met in regular session in the Council Chambers on Thursday, January 12, 2012, at 9:00 a.m.

Present: Mayor Milo, Mark Krentz and Clay Turner

Absent: None

Pledge

Mayor Milo led the Pledge of Allegiance.

Minutes

As each Board member received an advance copy of the minutes from the previous meeting, Mayor Milo stated they would dispense with the reading of same and asked if there were any corrections or additions.

Approval of Minutes

Mayor Milo moved to approve the minutes as presented; motion seconded by Mr. Krentz and unanimously carried.

Petitions & Comments

Sierra Sue Jesch came forward and invited everyone to attend the first Neighborhood Watch meeting for 2012 at 7:00 p.m. tonight, January 12, 2012, at the Police Station.

Clerk-Treasurer

Claims Approval: Teresa Ludlow, Clerk-Treasurer presented for the Board's approval Civil City claims in the amount of \$757,120.04. She noted this amount includes three bonds payments, the fourth quarter PERF payments for civilian, police and fire employees, the fourth quarter match for Transit and January life insurance.

Motion/Vote – Approve Civil City Claims

Mr. Turner moved to approve Civil City claims in the amount of \$757,120.04; motion seconded by Mr. Krentz and unanimously carried.

The Clerk-Treasurer presented payroll claims for January 6, 2012 in the amount of \$337,681.54 for the Board's approval. She advised with this being a new year, it was very difficult to get the claim docket prepared for the Board to approve at their last meeting.

Motion/Vote – Approve Payroll Claims

Mr. Krentz moved to approve payroll claims for January 6th in the amount specified; motion seconded by Mr. Turner and unanimously carried.

NEW BUSINESS

Traffic Violations: Several Traffic Violation appeals were presented to the Board for their consideration. The first three appeals were for violations in the Swanson Center

parking area. Charlie Evans, Violations Department, explained the Swanson Center had some type of potluck during the time these tickets were issued. He advised there was ample parking available, however there is only four or five handicapped spaces. After discussing the matter further, Mr. Krentz moved to table the decision regarding these tickets for one week in order to give Board members an opportunity to review the situation; motion seconded by Mr. Turner and unanimously carried.

The next appeal is for someone who received a two-hour parking violation. The driver has indicated they moved their car back two parking spaces. Discussion was held regarding the marking of tires and what happens if a vehicle is moved. Don Baugher, City Attorney, stated it is a tradition of LaPorte to go out and move your car a couple spaces, which doesn't really comply with the law. The prohibition isn't against being in one parking spot for two hours; it is being in a block for two hours. So if they backup, which this person admits they did, they are still in violation.

Motion/Vote – Deny Appeal

Mr. Turner moved to deny the appeal; motion seconded by Mr. Krentz and unanimously carried.

The next appeal states ticket #53253 was issued to a vehicle that is not registered to the license plate noted on the ticket. A copy of the Officer's explanation was attached for the Board's review. Discussion was held regarding this situation. Mr. Turner inquired if the accumulation of the penalties stops once the appeal is received. The City Attorney stated the progression of the penalties continues from the time the ticket is issued until the appeal is filed. Mayor Milo inquired how long someone has to appeal a ticket. The City Attorney stated he was unsure if there is a timeframe and would need to check the Ordinance.

Mr. Turner moved this appeal be tabled for one week in order to get a clarification from the officer; motion seconded by Mr. Krentz and unanimously carried.

Mr. Evans will follow-up with the officer for further information on his conversation with the driver of the vehicle.

The final appeal for ticket #109554 is regarding the fee structure. The person is claiming they should only have to pay \$25.00 fine and not the original \$10.00 as the ticket states after 30 days the fine is \$25.00, not \$35.00. Mr. Evans stated the City's past practice has always been to charge the original amount of the ticket plus any late fees if not paid within a certain amount of time. Mr. Baugher stated the language of the ticket is not what is controlling. The controlling factor is the way the Ordinance is written. He suggested he look at the Ordinance and report back to the Board next week.

Mr. Turner moved ticket #019554 be tabled for one week; motion seconded by Mr. Krentz and unanimously carried.

NIPSCO Contract for Camp Summit Project

Todd Taylor, Director of Water, presented for the Board's approval a contract with NIPSCO for electric service to the booster station, which will be located on the Savior Lutheran Church on Johnson Road. The amount of the contract is \$19,077.00. Mr. Krentz inquired if this number is included in the project costs. Mr. Taylor stated this was fully expected and the cost was included in the overall project. Mr. Baugher explained the Camp Summit Project was funded through the State Revolving Fund along with several other City Water projects. He stated the portion of the Summit Farm Project would be forgiven once it is completed.

Motion/Vote - Approve NIPSCO Contract Camp Summit Farm Project

Mr. Krentz moved to approve the contract with NIPSCO for electric service to the booster station for the Camp Summit Project; motion seconded by Mr. Turner and unanimously carried.

Modification of AT&T Contract

Mr. Taylor stated at last week's meeting he informed the Board AT&T is requesting a modification to their contract in regards to leasing space at the Brighton Street Water Tower. Currently they lease space for their cellular infrastructure and are requesting they be allowed to add a generator. Currently AT&T pays the City approximately \$2,000 per month and are proposing they pay an additional \$400 per month plus a 3% annual increase. Mr. Taylor advised the City also has a contract with CSI and all these revenues are placed in a fund to defer tower maintenance costs.

Motion/Vote – Approve AT&T Contract Modification

Mr. Turner moved the Mayor be authorized to sign the contract modifications with AT&T; motion seconded by Mr. Krentz and unanimously carried.

UNFINISHED BUSINESS

None

DEPARTMENT REPORTS

MVH: Mr. Frazee announced a winter storm warning was issued for the City this morning. It is expected the City will receive anywhere from eight to twelve inches of snow beginning later this afternoon through tomorrow. He advised the trucks are loaded and ready to go.

City Attorney: Mr. Baugher reminded the Board there is executive session scheduled for immediately following this morning's Board meeting to discuss litigation. He requested the Board put on next week's agenda the consideration of NIPSCO rate contracts.

Sewage: Jerry Jackson, Director of Sewage, reported he provided Board members with a letter regarding the Planett Street Relief Sewer for information purposes only. The job involves relocating a sewer to fix a sag. This will be funded with leftover money from a

State Revolving Fund. Mr. Jackson advised he received a phone call verbally notifying him approval has been given with a formal letter to be received shortly. He reported he will be asking the Board for approval to put this out for bids in the next week or so and will forward more details to the Board via e-mail to bring them up-to-date.

Mr. Jackson reported there has been no change in the lake levels from last week.

Water: Mr. Taylor gave an update on work the department has been doing the past few weeks. He stated the department has been taking advantage of the weather and is doing some valve work.

Code Enforcement: Lynn Cains, Director of Code Enforcement, informed the Board last Friday the Fire Department and EMS responded to a call in an apartment in the 500 block of Jefferson. In the apartment they found a woman passed out who had been there for two days. Once they got her to the hospital it was determined she had high levels of carbon monoxide in her system and had a heart attack. The woman is still hospitalized but is doing better. Mr. Cains gave the statistics of individuals who are treated and/or die from carbon monoxide poisoning every year. This is mainly due to poor heating systems. He reported the City has an Ordinance that requires landlords to make sure that their heating systems are working properly. He implored homeowners and landlords to inspect their heating systems annually. Renters can best protect themselves by making sure this is done prior to moving into a rental unit. Discussion was held regarding this particular landlord and what is being done. Mr. Cains advised the other tenants have either found other housing on their own or through various churches and the Salvation Army. He reported the owner, who lives in Chicago, would be meeting with him tomorrow to discuss this situation as well as other violation that have been found. So far the owner has been very cooperative. Mr. Cains stated this is one of the reasons he feels the City should look into passing an Ordinance requiring registration of apartment units so they can be inspected properly.

Transit: Tom MacLennan, Director of Transit, stated at last week's meeting he informed the Board Transit would be receiving a new van later that day. He advised the van was received and promptly returned as the graphics were peeling off. He reported they received the van back yesterday and it looks beautiful. Mr. MacLennan explained some of the features of the new van and expects it will be ready to be on the road in the next week or so. Mayor Milo inquired about the mechanics of the lift. Discussion was held regarding the lift and how it differs from the lift on the other van.

Park: Brian Niksch, Director of Parks, announced plans for the 2012 Winterfest are progressing and will be held during the weekend of January 28th and February 4th. He advised a new event has been added out at Beechwood Golf Course on January 28th with a "Closest to the Pin" contest. Some of the other events over the two weekends include ice sculpting, horse-drawn carriage rides, a softball tournament and family ceramic classes. Mayor Milo inquired how the plans for the ice-fishing contest are coming. Mr. Niksch reported the ice-fishing contest is scheduled for January 28th with an alternate date of February 11th.

Community Development & Planning: Mary Jane Thomas, Director of Community Development & Planning, informed the Board the reason it took so long to receive the new van for Transit is because of the power-assisted door feature.

Other Business

None

Adjourn

There being no further business, Mayor Milo moved to adjourn; motion seconded by Mr. Krentz and unanimously carried.

Approved: _____
Blair E. Milo, Mayor

Attest: _____
Teresa L. Ludlow, Clerk-Treasurer

Approved: January 18, 2012