

MINUTES OF THE MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY
VALPARAISO, INDIANA
AUGUST 12, 2004

The Board of Public Works and Safety met at 10:00am on Thursday, August 12, 2004. Present were Mayor Costas, Clerk Treasurer Sharon Emerson Swihart, and Board Members Dave Pilz and John Hardwick.

Mayor Costas called the meeting to order and led the Pledge of Allegiance.

MINUTES AND CLAIMS

Mr. Pilz moved the minutes of the previous meeting be approved, seconded by Mr. Hardwick and so approved.

Mr. Hardwick moved for approval of claims subject to appropriation balances, seconded by Mr. Pilz and so approved.

ITEM 1-RESOLUTION #6 AMEND PUBLIC WORKS ON CALL POLICY/WAGE
COMPENSATION

Mr. Oeding stated the intent of the Resolution is to compensate the men working odd hours, being placed on call. He feels it is justified to cover the men for time outside of normal work hours. The purpose is to pay additional wage compensation to employees for the inconvenience of carrying a pager/cell phone, being readily available. The funding is contained within the existing 2004 budget and shall be in full force and effect immediately upon its adoption by the Board of Works. Mr. Pilz moved for approval, seconded by Mr. Hardwick and so approved.

ITEM 2-CONDEMNATION PARCEL 45-1602 VALPARAISO STREET

Mr. Pilz stated with regard to the Valparaiso Street Project, in this case the owner has ignored all attempts of contact or negotiations to acquire the right of way. The only option is to proceed with condemnation proceedings. He moved to authorize the City Attorney to begin the proceedings, seconded by Mr. Hardwick and so approved.

ITEM 3- SECONDARY PLAT PINE CREEK PHASE C

Mr. Pilz stated this is the last unit for Pine Creek Development. Plan Commission has approved the plat. It is now ready to proceed with building of homes in that area. Most of the public improvements have been put in. There are some that need to be covered by surety. He moved for approval of that surety and approval of the secondary plat, seconded by Mr. Hardwick and so approved.

ITEM 4-AGREEMENT/DEDICATION LAND-VALPARAISO UNIVERSITY STURDY
ROAD PROJECT

Mr. Pilz stated as a part of Sturdy Road Project, it was evident there wasn't enough room on the west side of the road to put in a full size bike path and landscaping, etc. The University agreed to grant the City a right of way for the improvements. He asked approval of a deed for that acquisition that spells out the terms of the agreement as to the work to be done on their property. He moved for approval of the agreement and easement deed, seconded by Mr. Hardwick and so approved.

ITEM 5-CONTRACT W/EARTH TECH-DESIGN UNION STREET STORMWATER

Mr. Pilz stated the project is from the Stormwater Board. They have authorized proceeding with the design of Project #1 Union Street series of projects. The design of this project will enable them to build a storm sewer north on Valparaiso Street to Lincolnway and a second storm sewer on Union Street to Greenwich. The base contract is in the amount of \$156,000 plus, and if necessary extra items such as utility locations, geotech work, sewer video, etc. Stormwater Board recommends approval of the contract and would like to get the design done this winter and bid the project in early spring. He moved for approval of the contract with Earth Tech, seconded by Mr. Hardwick and so approved. The funds will be from Stormwater Bond Issue.

ITEM 6-ADDENDUM 2 CONSULTING AGREEMENT STURDY ROAD PROJECT CONSTRUCTION SUPERVISION SERVICES

Mr. Pilz stated this agreement provides that First Group and Land Plan Group will provide them with construction administration and inspection services on the Sturdy Road Project and was approved by the Redevelopment Commission. It is an amendment to the existing design contract that carries through the construction period. They will be providing approximately 20 hours a week service during construction. Engineering staff and Project Management will supplement as needed. The contract is in the amount of \$32,000. He moved for approval, seconded by Mr. Hardwick and so approved.

ITEM 7-NORTH CALUMET PROJECT

The Mayor gave a history of the project. There was a request for Federal funding of \$1.2 million for improvements on Calumet Ave. between Bullseye Lake Rd. and Vale Park Rd. He is confident that by the end of the year those funds will be available and will affect the extent of the work on the project. The funds augment the plans out for bid at this point. At a recent meeting with the County Seat owner's representative regarding the significant improvements planned for the shopping center, it was decided to cooperate with them as improvements are made along the right of way. They have engaged local firms to assist them in engineering, architecture, landscaping, etc. John Marshall is the local property manager. At this point it is in the best interests of the City to wait until early next year to decide exactly how the improvements will be done. The Mayor reiterated on the temporary traffic signal for the Philips Ace Hardware intersection. It has been studied and agreed it is not feasible at this time in the uncertainty of plans for improvements. Carl Philips was present and stated he has asked for a stop light for 24 years. The stop light is a separate issue from

proceeding with current improvements on Calumet Ave.-the right of way work basically. The decision today is whether or not to accept the bids. Mr. Pilz moved to reject the bids, seconded by Mr. Hardwick and so approved.

ITEM 8-SPECIAL EXCEPTION-ERECT FENCE ON ALLEYWAY

Mrs. Benton of 1205 N. Franklin Street requested special exception for the fence erected on the alleyway. A building permit was obtained in June. Vicki Thrasher, Building Commissioner, stated the fence should be allowed as Mrs. Benton is willing to assume risk and financial liability should the utility company have a need to remove the fence for repairs. Mr. Pilz moved to allow the fence and the agreement not to be only with her but any future owners by a recorded document. Mr. Hardwick stated he would like to verify where the city utilities are. The variance was granted per conditions stated being met.

ITEM 9-VALPO PARKS 2004 POPCORN PANIC RACE

Linda Zyla stated both the Police and Public Works Departments are in favor of closing streets for the 2004 race on Saturday, September 11th from 7 to 8:45am. Mr. Pilz moved for approval, seconded by Mr. Hardwick and so approved.

ITEM 10-TERMINATION CULPEPPER GROUP HEALTH CARE ONLY

Attorney Hollenbeck stated the insurance committee, a sub-committee of the finance committee, is requesting the Board to terminate Culpepper Group, Inc. as our agent of record for health care only on this date of August 12, 2004. The committee will explore other options in an effort to constrain costs of health care insurance for employees. Culpepper will retain property and casualty insurance. Mr. Pilz moved for approval, seconded by Mr. Hardwick and so approved.

ITEM 11-WATER RECLAMATION PURCHASE OF DUMP TRUCK

Mr. Hardwick requested the purchase of a one ton dump truck. The funds are within the 2004 budget. They sought 3 proposals. Two were received from local vendors. He recommended accepting the low bid of Peterson Pontiac GMC for \$28,625. Mr. Pilz seconded and so approved.

ITEM 12-PORTER COUNTY ANIMAL SHELTER CONTRACT

Sharon Swihart received by mail from Matt Soliday, Attorney for the Porter County Animal Welfare Board a contract for services with the City of Valparaiso for 2005. They are asking for the amount of \$20,150, an increase of \$150.00. She stated there are verbage problems with the contract. Attorney Hollenbeck suggested the BOW approve the contract subject to his modification of it to reflect the actual (inaudible) He will bring it back to the Board for signatures. There was confusion on Attorney Soliday's part regarding City Council and Board of Works. Discussion followed. The Mayor moved to table the contract until the next meeting, Mr. Pilz seconded and so approved.

ITEM 13-RE-PLAT THE COTTAGES

Mr. Pilz stated the Cottages Development appeared before the Plan Commission Tuesday evening and received approval for a re-plat of Lots 10, 11, & 12 to effectively reduce the width of a utility easement. He moved for approval of the re-plat. The Mayor recused himself from the vote as he is related to one of the owners. Mr. Hardwick seconded and so approved.

ITEM 14-TRAFFIC AND SAFETY COMMISSION

Mr. Pilz presented the recommendations from the Committee:

1-Approve a No Parking zone in front of the main entrance at Trinity Lutheran Church on the west side of Washington St. and reconfigure the parking spaces in the same area

2-Erect a stop sign on the west end of Ade Ave. at Sturdy Rd.

3-Establish the speed limit in the Audubon Subdivision at 25mph

4-Approve a No Parking zone on the south side of Walnut St. between Lafayette and Napoleon

He moved for approval of the 4 items, seconded by Mr. Hardwick and so approved.

ITEMS 15 & 16

Request for 3204 Clairborne Crossing in Keystone to be closed on August 21st for a block party from 4-7pm

The American Cancer Society request hosting a walk on Sunday, October 17th and street closures from 8am to 5pm intermittently as needed

Mr. Pilz moved for approval, seconded by Mr. Hardwick and so approved.

ITEM 17-ESCROW AGREEMENT ATLAS EXCAVATING WEST SIDE SEWER

Mr. McGinley stated Atlas Excavating, contractor for West Side Sewer Project, per contract is allowed to request an Escrow Agreement for retainage which is a third party holder for that retainage money and it can be invested. They make a percentage of the retainage until it's release by the Board. The Board is requested to sign the agreement. Attorney Hollenbeck will review the agreement that is based on contract specifications and moved the Board approve the agreement based on his review. Mr. Pilz seconded and so approved.

ITEM 18-DEEDS-RIGHT OF WAY DEDICATION RANSOM ROAD

Mr. Pilz presented two deeds for right of way on Ransom Road associated with a proposed sanitary sewer extension. He moved for approval of the deed documents, subject to his review of the items contained therein, seconded by Mr. Hardwick and so approved.

ITEM 19-SANITARY SEWER EXTENSION PARK PLACE APTS

The sanitary sewer extension at Park Place Apartments on the East side of Roosevelt Road has passed inspections and testing and is ready for acceptance into the City system for maintenance. Mr. Pilz moved for approval, seconded by Mr. Hardwick and so approved.

LEADERSHIP TEAM REPORTS

Steve Doniger stated the Pathways Master Plan went through the input process with citizens. There is another meeting scheduled after Popcorn Fest. They are working with Leadership Team members on Foundation Meadows Master Plan.

Ron Ziolkowski reported he is working on the review of Verizon voice lines throughout the departments. The contract is due for renewal.

Don McGinley reported substantial completion of LaPorte Ave. It is to be complete by next Friday. Westside Sewer is continuing. Materials are ordered.

Mr. Oeding said they finished grinding a year's worth of brush, etc. They have 10,000 cubic yards of mulch to get rid of. He hopes to make enough money to pay for the grinding done by an outside contractor. He is interested in developing a bulk rate. He would like to reduce price in large quantities to landscape companies. On Monday a fuel oil spill was reported on the frontage road at Peterson Pontiac. The crews are working with Porter County Hazmat to clean it up. There is an investigation as to how and when it happened.

Chief Brickner stated earlier this year VPD initiated a program called A Child is Missing that is working successfully. It also incorporates the Sexual Predator notification throughout the City. They will host a seminar in conjunction with Valpo University Police. August 3rd was National Night Out and had good participation and positive response. Currently they are hosting a 2 week GREAT nation wide training program at TJ School.

Attorney Hollenbeck announced the County has received the annual distribution of Riverboat waging revenue sharing monies. The Auditor is in the process of distributing back to each of the units of local government.

There being no further business, the meeting was adjourned.

