

MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY

VALPARAISO, INDIANA

FEBRUARY 28, 2025

The Board of Public Works and Safety of Valparaiso, Indiana met February 28, 2025, at 11:00 a.m. in City Hall. Present were Mayor Costas, Bill Oeding and Katrina Spence. Mayor Costas called the meeting to order and led the Pledge of Allegiance.

Minutes of the February 14, 2025 meeting were not available.

MOTION: Mayor Costas moved that the claims be approved for payment subject to appropriation balances. Seconded by Katrina Spence and so approved with a 3-0 vote.

Letter of Engagement

Attorney Patrick Lyp presented a Letter of Engagement with Burke, Costanza and Carberry. Since 2018 they have been working with the Building Commissioner to help enforce building code enforcement. They have asked for a raise in the fees charged. Some of the items will be done in house now. They will be used for litigation. His recommendation is to approve the letter with the understanding that they will be used less than they have in the past.

MOTION: Mayor Costas moved that the Letter of Engagement with Burke, Costanza and Carberry be approved. Seconded by Katrina Spence and so approved with a 3-0 vote.

Nitco Internet Circuit for Regal building

The IT department requests approval of the Nitco internet agreement for internet at the Regal building for phone connections. The new wireless circuit will be used to get phone service to the fire alarm. The cost is \$134.90 per month.

MOTION: Mayor Costas moved that the Agreement for Nitco for the Internet Circuit for Regal Building be approved. Seconded by Katrina Spence and so approved with a 3-0 vote.

2025 Annual Sidewalk Program – Package 1 Award and Contract Execution

At the February 14, 2025, BOW meeting, the Engineering Department opened bids for the 2025 Annual Sidewalk Program - Package 1. RDC has made funds available in the amount of \$800,000 for sidewalk replacement. These funds will be used for this project. Based upon the bid results New Tech is the apparent lowest, responsive, responsible bidder. The Engineering Department recommends awarding the 2025 Annual Sidewalk Program – Package 1 to New Tech in the amount of \$427,209.00. The Engineering Department is also asking the Board to execute the contract.

Motion: Mayor Costas moved to award the 2025 Annual Sidewalk Program – Package 1 to New Tech in the amount of \$427,209.00 and to execute the contract. Seconded by Bill Oeding and so approved with a 3-0 vote.

**Waiver of Objection and Consent to Annexation-
Lot 89 – 298 Holst Lane- Lot 90 – 300 Holst Lane**

The Engineering Dept recommends acceptance of a waiver of objection and consent to annexation for Lots 89 & 90 within the Cherry Hill Subdivision. This area is served by City Utilities but is outside City Limits.

Motion: Mayor Costas moved approve the Waiver of Objection and Consent to Annexation for Lot 89 and 90 in Cherry Hill Subdivision. Seconded by Bill Oeding and so approved with a 3-0 vote.

Pathway Easement 3340 Pepper Creek Bridge Pkwy

The Engineering Department is recommending acceptance of a 10' wide perpetual pathway easement along the west side of Froberg Road near Pepper Creek Bridge Parkway. The homeowners worked with City staff to coordinate tree plantings to help mitigate noise concerns from Froberg Road.

Motion: Mayor Costas moved approve the Pathway Easement 3340 Pepper Creek Bridge Parkway. Seconded by Bill Oeding and so approved with a 3-0 vote.

Goodrich Road Improvements Project Recommendation of Award and Contract Approval

Engineering Department staff opened bids for the Goodrich Road Improvements Project at the 2/14/25 Board of Works Meeting. The project consists of new road construction from Vale Park Road to Ransom Road, including storm sewer, sidewalks, and incidental striping and signage. The Engineering Department staff has reviewed the bid packages and confirms that all seven submissions were complete. The department recommends awarding the contract to the lowest bidder, Egolf Coates Excavation, in the amount of \$525,820.00 and ask the Board to execute the contract.

Motion: Mayor Costas moved to award the Goodrich Road Improvements Project and execute the contract with Egolf Coates Excavation in the amount of \$525,820.00. Seconded by Bill Oeding and so approved with a 3-0 vote.

AMENDMENT TO GROUP SHORT-TERM DISABILITY INSURANCE

This amendment formalizes the agreement between the City of Valparaiso and the policyholder, Aim Medical Trust, which results in the Standard Insurance Company changing two eligibility requirements for the City's short-term disability (STD) program. These include:

- Reducing the STD Benefit Waiting Period to 7 calendar days (previously a 30-day elimination period).
- Changing the Eligibility Waiting Period to the first day following 6 months of employment (prior requirement was 1 year).

Motion: Mayor Costas moved to approve the Amendment to Group Short Term Disability Insurance. Seconded by Bill Oeding and so approved with a 3-0 vote.

PROPOSED TIMEKEEPING SOLUTION

As we began implementation of our chosen Human Capital Management (HCM) solution last fall, we quickly identified the timekeeping module lacked the geofencing functionality that was initially promised. The geofencing feature was highly sought after as our employees work in a variety of locations including golf courses, water treatment facilities, and parks. Over the past several months, we conducted a comprehensive search for timekeeping vendors that integrate with BambooHR (our HCM solution). This collaborative effort involved our major stakeholders and end users. As a result, we have selected Paychex as our timekeeping solution. Paychex not only meets our stringent requirements but also has a proven track record of excellent customer service, as demonstrated by their role as the payroll and timekeeping provider for Valparaiso Utilities. Moving forward with this agreement will enable the Parks and Public Works Departments to terminate their current contracts with vendors providing timekeeping and/or work scheduling services at a significantly higher rate per employee, per month.

Motion: Mayor Costas moved to approve the Proposed Timekeeping Solution with Paychex. Seconded by Bill Oeding and so approved with a 3-0 vote.

Street closures

- Valpo Creative Council Unveiling – March 6, 2025
- Extra Mile Fitness 1 Mile Challenge Road Race. **This race was approved on 1/24/25 by the Board of Works. We are requesting a change of date due to a conflict with the YMCA. July 12, 2025.

These have been reviewed and approved by all impacted departments.

MOTION: Mayor Costas moved to approve the Valpo Creative Council Unveiling and Extra Mile Fitness 1 Mile Challenge Road Race as presented. Seconded by Bill Oeding and so approved with a 3-0 vote.

Proposed Update Downtown Outdoor Dining Standards and Conditions

The Planning Department has had their eye on updates to the downtown outdoor dining standards for the past couple of years. They have the potential this year to have a handful of

new Outdoor Dining Enclosures, so these updates are high priority for the department. Key topics within the proposal before you:

- Planning Department as program lead (BOW approved this, but 2019 regs reflect old process);
- Inclusion of outlier situations so that straightforward cases like Picante (454 Greenwich) raised patio in city right-of-way can be approved by Planning Department;
- Establishes daily fine for each violation (2019 regs mention fine but did not elaborate) which we don't plan to use often but we've had a repeat offender or two that don't heed multiple nice email reminders;
- Updates related to comprehensive, clear language;
- Updates to emphasize ADA standards for design;
- Updates related to removing oddball 2019 allowances that we wouldn't want to see happen;
- Updates to offer design/style flexibility of program yet ensure the program isn't a maintenance mess.

Jessica Gage provided current 2019 and draft 2025 versions. The outdoor dining season runs March 1st through November.

Mayor Costas – He asked about music coming from the establishments.

Bill Oeding – They have had the rule in place for several years that only acoustical guitars are allowed.

There was discussion regarding outdoor music and issues. If an establishment wants music they can come before the Board of Works and ask for permission.

Mayor Costas – He asked about an appeal process.

Attorney Patrick Lyp – There is a reference to fencing being grandfathered. What is the reason. It should be sunset. Everyone should be compliant by the end of the year. He asked if anyone has been fined before.

Jessica Gage – Not that she knows.

Attorney Patrick Lyp – The fines would go before the Council. He suggested this be circulated with downtown owners and get their feedback.

MOTION: Mayor Costas moved to table pending appeal process/deviations of the Downtown Outdoor Dining Standards and Conditions. Seconded by Bill Oeding and so approved with a 3-0 vote.

Public Assembly Request

The Group Representative is Mary Ann Crayton. The purpose for Public Assembly is Education about American Values. They want to assemble on the Northeast Corner of Courthouse Square. The date and time of their request is every Saturday from 11:00am – 1:00pm. The maximum number of participants will be 15 and will run from February 28 – August 31, 2025. The Group will need to return to Board of Works to renew approval. This has been confirmed with Valparaiso Police Department. The Group will not go into street; will not block pedestrian traffic; and will not create any unsafe conditions. Any signs, banners, or displays must be carried and not placed on sidewalk or against traffic light pole. Given the close proximity of the public assembly to a busy intersection, no microphones/ other amplifying devices are allowed. Group will not encourage cars to honk their horns and will abide by the quiet zone policy. If number of participants changes to more than 15, Applicant will notify VPD.

MOTION: Mayor Costas moved to approve the Public Assembly Request. Seconded by Bill Oeding and so approved with a 3-0 vote.

AGREEMENT FOR PROFESSIONAL COMMUNICATIONS SERVICES - Kim Ranegar

Bill Oeding presented an Agreement for Professional Communication Services with Kim Ranegar. This Agreement is effective March 1, 2025. Kim will assist the City in the areas of communication, social media, drafting of press releases, preparing of newsletters and other items assigned to her from time to time.

MOTION: Mayor Costas moved to approve the Professional Communications Services with Kim Ranegar. Seconded by Katrina Spence and so approved with a 3-0 vote.

Porter County Garage Restoration

Bill Oeding advised the Porter County Garage will be closed and they are requesting Brown Street between Lafayette and Napoleon be closed for six to eight weeks for major construction.

MOTION: Mayor Costas moved to approve closure of Brown Street between Lafayette and Napoleon for six to eight weeks. Seconded by Katrina Spence and so approved with a 3-0 vote.

INDOT LPA Design Contract

Max Rehlander presented a Contract with INDOT that gives the Engineering Department the ability to design and review projects in house.

MOTION: Mayor Costas moved to approve the INDOT LPA Design Contract. Seconded by Bill Oeding and so approved with a 3-0 vote.

Public Assembly Request

Deb McLeod requested use of the north side of the Courthouse square on March 4, 2025 and March 8, 2025 for a Women's Day March. There could be upwards of 200 people on the 8th and 100 people on the 4th. This has been reviewed and approved by the VPD.

Attorney Patrick Lyp – They will need approval from the County. Further off Lincolnway would be safer for attendees, pedestrians, and cars.

MOTION: Mayor Costas moved to approve the INDOT LPA Design Contract. Seconded by Katrina Spence and so approved with a 3-0 vote.

PUBLIC COMMENTS

TO HEAR CITIZENS' FULL COMMENTS, PLEASE REFER TO THE WATCH CITY MEETINGS SECTION OF THE CITY OF VALPARAISO'S WEBSITE (WWW.CI.VALPARAISO.IN.US)

Ron Mory – 960 West Street. NIPSCO trimmed trees on West Street. They did a terrible job. They cut only the front of the trees. He asked if there is a timeline on the sidewalks on West Street. He discussed the debris problem. He discussed the abandoned house on the northeast corner of Campbell. The creek needs to be cleaned out behind the houses.

He was advised the creek is the homeowner's responsibility.

James Ferguson – 303 Indiana. He has a tort claim against the women's group that was given permission for public assembly today.

There was no further business, and the meeting adjourned.