

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

VALPARAISO, INDIANA

April 11, 2025

The Board of Public Works and Safety of Valparaiso, Indiana met April 11, 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.

**MOTION:** Mayor Costas moved to approve the minutes of the March 17, 2025 and March 28, 2025 meetings. Seconded by Bill Oeding and so approved with a 3-0 vote.

**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.

### **Encroachment Agreement – Calkins Hill HOA**

Max Rehlander addressed the Board. He presented an Encroachment Agreement for Calkins Hill. There is a retaining wall built in the right of way. The Engineering Department recommends approval of the Agreement.

**MOTION:** Mayor Costas moved to approve the Encroachment Agreement with Calkins Hill HOA. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Brooks Subdivision Phase 3 – Acceptance of Public Improvements**

The Brooks Subdivision Developer is requesting the City conditionally accept the public improvements within the right-of-way for the remainder of the streets within the development. Streets total approx. 0.6 miles in centerline length and are identified as follows: Trailbrook Drive and Trailbrook Lane. All other constructed roads within the development were accepted previously by the Board in December 2023. The condition of the acceptance is to provide a bond or letter of surety to cover 10% of capital value for items that may fail or need repair within one year of acceptance. The updated value of the assets is \$402,500.00. The developer anticipates providing said bond in the next 7 days. The Engineering Department recommends conditional acceptance of public improvements identified within the Brooks Subdivision.

**MOTION:** Mayor Costas moved to approve the Public Improvements in Brooks Subdivision Phase 3. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Waiver of Sidewalk Requirement - 104 Powderhorn Drive**

The Engineering Dept recommends approval of the Petition for Waiver of Sidewalk Requirement for the lot located at 104 Powderhorn Drive. This lot is located within Brentwood Estates subdivision, a development without sidewalks. City policy from our Unified Design Ordinance is to construct our streets with sidewalks, however in cases of site improvements of older

subdivisions without sidewalks, a waiver can be granted. Given the site conditions for this lot, Engineering staff recommends acceptance of this Petition for Waiver of Sidewalk for 104 Powderhorn Drive.

**MOTION:** Mayor Costas moved to approve the Petition for Waiver of Sidewalk for 104 Powderhorn Drive. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Request to Advertise for Bids CCMG-25 and Local Streets Improvements Project**

The Engineering Department is requesting permission to seek bids for two road improvement projects planned for this year: CCMG 2025-1 (Community Crossings Improvement Project) and the Local Streets Improvement Project. The engineering department staff have reviewed the roads and recommend improvements to the selected streets, as presented to the Board of Works today. The Engineers' estimate is \$4,633,133.69 for the CCMG-25 Project and \$2,616,313.67 for the Local Roads Improvements Project.

**MOTION:** Mayor Costas moved to approve the request to advertise for Bids CCMG-25 and Local Streets Improvements Project. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Recommend approval for Asphalt Rejuvenation – Rejuvtec. Inc.**

The Engineering Department solicited a quote from Rejuvtec Inc. to provide rejuvenation services as part of the 2025 Paving Program. This technique consists of applying a Reclamite emulsion on recently resurfaced roads to extend their service life, delaying the aging process. Rejuvtec Inc. is the only applicator in the State of Indiana for Reclamite Preservative Seal Asphalt Rejuvenator and has provided sole proprietor paperwork. This is a new preventative maintenance application for the City, and five roads have been selected. This is to delay deterioration of the road for 5-7 years.

Old Oak Dr. - From Harrison Blvd To 250 North of Manchester Dr.

Wall St - From Valparaiso St To Calumet Ave

Flemming Rd – From Sturdy Rd To Pebble Beach Dr

Somerset Dr – From Shannon Dr To Valparaiso St

Valley Dr – From Wall St To Vale Park Dr

Subject to Attorney review, the Engineering Department recommends Board approval for the Rejuvtec agreement in the amount of \$41,768.80.

**MOTION:** Mayor Costas moved to approve the request to advertise for Bids CCMG-25 and Local Streets Improvements Project. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **ADA Transition Plan**

Bob Thompson addressed the Board and Requested approval of the ADA Transition Plan for Public Right-of-Ways and Public Facilities. He reviewed the public outreach efforts for the plan

that were completed before final adoption:

1. The City of Valparaiso solicited public input from individuals on what barriers exist or what access is necessary for the use of City pedestrian rights-of-way. The request for comments was published in local newspaper on September 13, 2024, and requesting comments to be sent to the ADA Coordinator before October 25, 2024. Comments were requested to be sent by mail, in person to City Hall or by email. The public notice was also displayed on the City's website.
2. The City's social media accounts were used to notify citizens of the public comment period. The request was displayed on Valparaiso Now, the City's Facebook page. The page requested citizens to submit their comments to [engineering@valpo.us](mailto:engineering@valpo.us)
3. Notices were placed on the City's V-Line transit system. Riders were solicited for input on barriers to the transit stops and buses. Comments were requested to be submitted to the engineering email address.
4. A public hearing was held at Valparaiso City Hall in the Council Chambers on Thursday, November 14, 2024. The public hearing was a presentation of the City's efforts to identify barriers to individuals with disabilities. The public was requested to give input on the development of the ADA Transition Plan.
5. Transit drivers for the V-Line buses were requested to give input on stops that presented difficulties for those individuals using mobility devices to board the buses.
6. Presentation of the ADA Transition Plan for Right-of-Ways and Facilities to the Valparaiso City Council on March 24, 2025. Opened presentation to Council and public for comment.

Once he gets approval, this will be sent to INDOT.

**MOTION:** Mayor Costas moved to approve the ADA Transition Plan as prepared and presented by Bob Thompson. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **MJF Subdivision – Secondary Plat Approval**

The developers of MJF Subdivision are requesting Secondary Plat approval for their 3-lot subdivision. The subdivision is located on the north side of US 30 and east of Marsh St. Access to the proposed subdivision will be from US 30 and Marsh St. No access shall be provided from West St. The Secondary Plat was reviewed by the Departments and approved by the Plat Committee on April 2, 2025.

**MOTION:** Mayor Costas moved to approve the Secondary Plat for MJF Subdivision. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **The Brooks at Vale Park – Phase three Secondary Development Plan Approval**

The developers of The Brooks at Vale Park are requesting Secondary Development Plan approval for Phase 3. Phase 3 is located on the south side of Vale Park Rd. and contains 17 lots within the Traditional Homes Subdistrict and 31 lots in the Cottage Homes Subdistrict. Infrastructure has been constructed, and City Engineer Max Rehlander will request the Phase 3 roads be accepted by the Board. The Secondary Development Plan and the most recent amendment to the PUD Ordinance were approved at the Plan Commission on April 1, 2025. Staff recommended approval of the Secondary Development Plan.

**MOTION:** Mayor Costas moved to approve the Secondary Development Plan for the Brooks at Vale Park. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **Temporary License Agreement - Pikk's Tavern – 62 West Lincolnway**

Jessica Gage presented a proposed Temporary License Agreement for Pikk's Tavern LLC for the 2025 outdoor dining season. This requires Board of Works approval because they will be using the alley. Staff is awaiting paperwork from the owner. This has been approved in this same format for several years with only the dates changed for 2025.

**MOTION:** Mayor Costas moved to approve the License Agreement for Pikk's Tavern for outdoor dining for the 2025 season. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **OpenGov Asset Management Services – Request for Software and Professional Service**

Matt Zurbruggen and Emily Reyna gave a presentation on OpenGov Asset Management Services. Valparaiso City Service's current asset management system, Central Square, has been in use for over seven years and no longer meets the City's operational needs. Following an extensive evaluation, OpenGov emerged as the preferred replacement system based on functionality, cost-effectiveness, and staff consensus.

The implementation cost for OpenGov's Enterprise Asset Management System (EAMS) software is \$244,309.68. However, staff have identified other budgeted City and Utility funds that can assist with this investment. Today, they are requesting assistance in the form of additional funding needed to complete this project.

#### **BACKGROUND**

In 2024, a technology committee was established to conduct a city-wide inventory and needs assessment for software resources. The committee charge: identify redundant programs, find potential cost savings, and develop a strategic plan. Stemming from this process, City Services, IT and Parks staff initiated an evaluation of EAMS software. The selected system must track infrastructure assets, streamline maintenance workflows, enhance interdepartmental

collaboration, and integrate with GIS and financial software. During a year-long assessment, four vendors – OpenGov, Tyler Technologies, Novotx, and Trimble – were shortlisted. After thorough demonstrations, OpenGov was unanimously selected for its superior features and user-friendly interface.

The key benefits from OpenGov are Data-Driven Decision Making, Operational Efficiency, Long Term Cost Savings (upwards of \$750k over 10 years), Regulatory Compliance, and Risk Management. This software accomplishes the tangible goals set forth by the technology committee and equips staff with better software to achieve intangible time and cost savings.

### **FINANCIAL IMPACT & BUDGET IMPLICATIONS**

The total implementation fee for OpenGov EAMS includes software and professional services.

|                                             |                     |
|---------------------------------------------|---------------------|
| Project Total Cost:                         | \$244,309.68        |
| <u>Identified Budgeted Funds Available:</u> | <u>\$142,030.73</u> |
| Remaining Funds Needed:                     | \$102,278.95        |

|                                   |                  |
|-----------------------------------|------------------|
| User Based Cost-Sharing Proposal: | VCU: \$58,445.11 |
|                                   | BOW: \$43,833.84 |

### **RECOMMENDATION**

VCS staff is requesting and recommending approval to purchase OpenGov EAMS software and implementation services and requesting funds in the amount of \$43,833.84 for the City portion of additional funds needed.

Mayor Costas – He talked about his support for having to keep up with technology.

Attorney Patrick Lyp – He asked who holds the contract with OpenGov?

Matt Zurbriggen – VCU.

Attorney Patrick Lyp – Every year you will come back and ask for the proportional amount from the City?

Matt Zurbriggen – The money today is for year one. They will budget for year two expenses.

**MOTION:** Bill Oeding moved to approve \$43,833.84 to go towards the purchase of software and professional services for OpenGov Asset management Services. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **Street closures**

- Beauty Creek Movie Night – May 31, 2025
- Beauty Creek Easter Egg Hunt – April 12, 2025
- Porter County Career Center Field Day – May 16, 2025
- Sheffield Street Block Party – June 28, 2025
- Soap Box Derby – June 28, 2025

These have been reviewed and approved by all impacted departments.

**MOTION:** Mayor Costas moved to approve the requests for street closure as presented. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **Public Assembly Request**

This request is made by Deb McLeod. The NWI Activists/NWI NOW group is assembling in support of 50501 Protest – Diaper Drive. They are requesting to organize on the southwest and southeast corner of Courthouse Square on April 18, 2025 from 12:00pm – 2:00pm. They expect 200 participants. This has been confirmed with Valparaiso Police Department. The Group will not go into the 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 expected, Applicant will notify VPD.

Deb McLeod – She asked for confirmation that there are caveats to the 1<sup>st</sup> Amendment and they need a permit when they are going to have 1,000 people at a gathering. She apologized for the issues that arose at their last rally.

Mayor Costas – They are trying to keep people safe in this process while protecting 1st Amendment rights.

Attorney Patrick Lyp- The City is able to put restrictions on a gathering. The areas covered are time, place, and manner. He asked for an explanation of how people moved north.

Deb McLeod – She thinks a certain group of people had it planned ahead of time. She thinks it was done to make them look bad. The purpose of getting approval is because they wanted to make sure there was plenty of law enforcement available because of what happened in Lafayette on Saturday. Someone pulled a gun at that rally.

Attorney Patric Lyp – He asked if they have permission from the County for the grassy area for this rally.

Deb McLeod – Not yet.

Katrina Spence – This is a Court holiday so no one will be going in or out of the Courthouse.

**Motion:** Mayor Costas moved to approve the request for Public Assembly on April 18, 2025. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Conflict of Interest – Robert Schulte**

A Conflict of Interest for was presented for Robert Schulte. He is the owner of Schulte Landscaping.

**MOTION:** Mayor Costas moved to approve the Conflict of Interest. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Keystone Commons – Deed of Dedication**

Attorney Patrick Lyp – He has been working with the Keystone POA to acquire a small sliver of right of way for the road connector between Ransom Road and Vale Park. He requested approval of the Deed of Dedication and approval to pay \$1,600 for the Deed of Dedication and reimburse the POA for some costs.

**MOTION:** Mayor Costas moved to approve the Deed of Dedication with Keystone Commons. Seconded by Bill Oeding and so approved with a 3-0 vote.

### **Extended Leave – Andrew Patten – VFD**

Chief Dutz presented an extension of leave request from Firefighter Andrew Patten. His surgical team is recommending he take an additional three months of healing time.

**MOTION:** Mayor Costas moved to approve the extended leave for Andrew Patten. Seconded by Katrina Spence and so approved with a 3-0 vote.

### **157 Franklin – Alley Closure**

Bill Oeding – He presented a request from Joseph Wiszowaty of Potter County Maintenance. They are beginning restoration work at 157 Franklin and they need to stage along the alleyway behind the Memorial Opera House and Old Jail. This will be approximately 90 days. They will work with MOH and if they need to access their area at the rear they will instruct everyone not to block that off.

**MOTION:** Bill Oeding moved to approve the alley closure behind the Memorial Opera House and Old Jail. Seconded by Mayor Costas 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](http://WWW.CI.VALPARAISO.IN.US))

No Public Comments.

There was no further business, and the meeting adjourned.