

**MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY
VALPARAISO, INDIANA
July 22, 2022**

The Board of Public Works & Safety of Valparaiso, Indiana met July 22, 2022, at 3:00 p.m. in City Hall. Present were Holly Howe, and Steve Poulos. Mayor Murphy was absent. Steve Poulos called the meeting to order and led the Pledge of Allegiance.

Motion: Holly Howe moved that the minutes of the July 8, 2022 meeting be approved. Seconded by Steve Poulos and so approved with a 2-0 vote.

Motion: Holly Howe moved that the claims be approved for payment and subject to appropriation balances. Seconded by Steve Poulos and so approved with a 2-0 vote.

SR 130 at Froberg Road Traffic Signal Design – Agreement Amendment No. 1

Mike Jabo requested approval of the Traffic Signal Design – Agreement Amendment No. 1 for the traffic light at Froberg Road and SR 130. During design for the traffic signal, it became apparent that an additional right of way was needed in the southwest corner of the intersection to provide a place for the proposed traffic signal pole and mast arm. A right of way was obtained from the Porter County Conservation Club. American Structurepoint did the necessary work for this right of way and has submitted Amendment No. 1 that provides for these services and increases the not to exceed price of the agreement by \$1,100 for a revised total amount of \$37,150. Installation of the light is expected to begin August 1, 2022.

Motion: Holly Howe moved to approved Agreement Amendment No. 1. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Opening Bids for 2022 Demolition of Various Buildings Downtown Project

Mike Jabo stated the City has accepted bids for the demolition of various buildings for the Downtown Project - 2022. The buildings included in the demolition project are 302 Lincolnway, 304 Lincolnway, 307 Lincolnway, 309 Lincolnway and 58 Jefferson. 306 Lincolnway was initially included in the request. However, it was determined there is a common wall with the active building next to it, so it was removed from the demolition project at this time. Request for bids was advertised. Proof of Publication was presented. Bids received were from:

Green Demolition	\$208,210.00
Omega III	\$445,915.00
Dore & Assoc	\$333,200.00
Ryan Construction	\$323,200.00
GE Marshall	\$494,270.00

KLF Enterprises	\$366,340.00
C Lee Construction	\$180,146.00

Mike asked that they be given time to review these bids. He asked that this matter be continued to the end of the meeting when they will make a recommendation.

2022 Crack Seal Program Quote Award

Max Rehlander requested approval to accept the quote from Pavement Solutions for the 2022 Crack Seal Program in the amount of \$125,792.00. Two quotes were received. National Industrial Maintenance was the low bidder. However, they quoted using a substandard product. Attorney Lyp advised the bid was specific as to what product the City required to be used. The material is readily available, but they bid using a substandard product.

Motion: Holly Howe moved to accept the quote from Pavement Solutions for the 2022 Crack Seal Program in the amount of \$125,792.00 and authorize signing of the Contract. Steve Poulos seconded the motion and so approved.

2022 Full Depth Patching Program Quote Award

Max Rehlander requested approval to accept the quote from Site Services for the 2022 Full Depth Patching Program in the amount of \$202,788.00. They will begin this project within 30 days. Their agreement states if the start date goes over 30 days there could be an increase in material costs.

Motion: Holly Howe moved to accept the quote from Site Services for the 2022 Full Depth Patching Program in the amount of \$202,788.00. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Update on 2022-1 CCMG Paving Project

Max Rehlander listed the streets that have been paved or milled in preparation of paving. He also listed the various street closures due to paving. To date they are 20% complete with the projects in the CCMG paving project.

Settlement Agreement and Mutual Release between NIRPC and Free Enterprise System/Royal LLC

Attorney Patrick Lyp reported in 2015 the City and NIRPC filed a Complaint against Free Enterprise System for breach of contract for Dash Transit Service by failing to properly maintain the Chicago Dash buses in a safe and good operating condition in accordance with the bus manufacturer's maintenance requirements in violation of the Chicago Dash Contract. The City

had withheld the last few payments due FES. The settlement states FES waives payment of any of the money withheld by the City. This amount is approximately \$65,000. Also, FES will pay \$45,000 to the City. This matter could have gone to trial instead of this settlement. If it went to trial, it is unknown what the outcome would be. This settlement at least lets the City recoup some of its expenses.

Motion: Holly Howe moved to approve the Settlement Agreement and Mutual Release with Free Enterprise System/Royal LLC. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Dash and South Shore Connect Fare Increase

Beth Shrader reminded the Board that at the last meeting there was a Public Hearing on the fare increase for the Dash and South Shore Connect and adding a Hobart stop for the Chicago Dash. It has been decided to raise the rates. A Hobart stop is still being discussed. The fare increase is needed due to low ridership since COVID and increase in fuel contracts. They have heard from approximately one-third of the regular ridership. Most understand the need for a rate increase. The rate increase will be effective September 1st. Public transportation is mostly a subsidized service. The balance is from Federal and State funds. The local funding is from the City supporters of the system. The proposed increase is modest and competitive with other options.

Motion: Steve Poulos moved to approve the proposed rate increase for the Chicago Dash and South Shore Connect fares. Holly Howe seconded the motion and so approved with a 2-0 vote.

Unsafe Building Hearing – 1050 Horse Prairie Avenue

Attorney Alfredo Estrada advised he spoke with Attorney Leeth today and progress is being made. He requested this matter be continued to the August 26, 2022 meeting. He anticipates a walk-through being done before that meeting and then this matter could be dismissed.

Motion: Steve Poulos moved to continue the 1050 Horse Prairie Avenue Unsafe Building matter to the August 26, 2022 Board of Works meeting. Holly Howe seconded the motion and so approved with a 2-0 vote.

Property Maintenance/Rental Housing Code Violation Matters

Attorney Estrada gave updates on properties on the Property Maintenance/Rental Housing Code Violation list.

a. 401 Oak Street – Continue to 8/26/22

k. 503 Institute Street – Continue to 8/26/22

- b. 804 Union Street – Continue to 8/26/22
- c. 157 Greenwich Street - Continue to 8/26/22
- d. 202 Jefferson Street- Dismiss
- e. 602 Calumet Avenue – Dismiss and put on
Unsafe Building List
- f. 808 Napoleon Street – Continue to 8/26/22
- g. 8 Lafayette Street – Dismiss
- h. 707 Center Street – Continue to 8/26/22
- i. 803 Brown Street – Continue to 8/26/22
- j. 957 Joliet Road – Continue to 8/26/22
- l. 955 Bond Avenue – Continue 8/26/22
- m. 2001 Crocket Avenue – Continue to 8/12/22
- n. 2005 Valparaiso Street – Dismiss
- o. 303 Indiana Avenue – Continue to 8/26/22
- p. 501 Freeman Street – Continue to 8/26/22
- q. 802 Academy Street – Continue to 8/26/22
- r. 305 Brown Street – Continue to 8/26/22
- s. 456 Greenwich Street - Continue to 8/26/22
- t. 458 Locust Street - Continue to 8/26/22

Motion: Holly Howe moved to approved Attorney Estrada’s recommendations for the Property Maintenance/Rental Housing Code Violation Matters as follows:

Dismiss: 202 Jefferson Street, 8 Lafayette Street, and 2005 Valparaiso Street

Dismiss and put on Unsafe Building Matters: 602 Calumet Avenue

Continue to 8/12/2022 Board of Works: 2001 Crocket Avenue

All Remaining cases to be continued to the 8/26/2022 Board of Works. Steve Poulos seconded the motion and so approved with a 2-0 vote.

1425 Glendale Update

Attorney Estrada gave an update on 1425 Glendale. This property is in litigation and under receivership. There is an offer to purchase. The hospital is fighting that sale because of the clause in the deed that it must be sold to a medical related entity. There is a Motion in Court to force the sale. The grass will be mowed soon. The lien holders should get 90%-95% of their costs.

Conflict of Interest Forms

Clerk Treasurer Holly Taylor presented Conflict of Interest forms for Natalie Mahlmann and Todd Kobitz. Natalie’s husband owns IDEAS in Motion that has a contract with the City. Todd owns Ruff Luxury. The K-9 Unit uses their services.

Motion: Holly Howe moved to approve the Conflict of Interest forms for Natalie Mahlmann and Todd Kobitz as presented. Steve Poulos seconded the motion so approved with a 2-0 vote.

Request for Street Closures

- 162 Lincolnway Sidewalk Use, August 1-August 12, 2022
- Porter County Walk to End Alzheimer's, October 2, 2022

This has been reviewed and approved by all impacted departments.

Motion: Holly Howe moved to approve the Requests for Street Closure as presented. Steve Poulos seconded the motion so approved with a 2-0 vote.

Opening Bids for 2022 Demolition of Various Buildings Downtown Project

Mike Jabo advised they have reviewed the bids received. The Engineering Department recommends awarding the project to C. Lee in the amount of \$180,146.00 and authorizing the contract to be signed by the Mayor and Board of Works. Funding for this comes from RDC. He advised 306 has been removed from the list because it has an adjacent wall with 308 that is still an active building. A structural engineer has been retained to look at this issue and make sure it is done in a safe manner. 306 will eventually be demolished but they want to make sure it is done with great care.

Motion: Holly Howe moved that C. Lee be awarded the Contract for the Demolition of 302 Lincolnway, 304 Lincolnway, 307 Lincolnway, 309 Lincolnway and 58 Jefferson in the amount of \$180,146.00 and authorization to sign the contract when it is ready. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Street Closures

Max Rehlander requested approval of street closures as follows:

Roundabout at Lincolnway and Sturdy. Full closure July 27, 28 and 29. The west leg closed July 27 from 9 am to 3 pm. The CN Railroad Calumet Crossing closed July 25-July 29.

Motion: Holly Howe moved to approve the street closures as presented. Steve Poulos seconded the motion and so approved with a 2-0 vote.

There was no further business, and the meeting was adjourned.