

**MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY  
VALPARAISO, INDIANA  
August 25, 2023**

The Board of Public Works & Safety of Valparaiso, Indiana met August 25, 2023, at 10:00 a.m. in City Hall. Present were Steve Poulos and Mayor Murphy. Holly Howe was absent. Mayor Murphy called the meeting to order and led the Pledge of Allegiance.

**Motion:** Steve Poulos moved that the minutes of the August 11, 2023 meeting be approved. Seconded by Mayor Murphy and so approved with a 2-0 vote.

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

**2023-1 Community Crossings, Change Order 1**

Max Rehlander addressed the Board. The Engineering Department recommends additional paving along Vale Park Rod for an off-street bike path and extend paving limits along Coachmen Trail from Vale Park to Windsor Trail. The Engineering Department recommends approval of Change Order #1 to the 2023-1 Community Crossings Project in the amount of \$89,803.50.

**Motion:** Steve Poulos moved to approve Change Order #1 of the 2023-1 Community Crossings Project. Seconded by Mayor Murphy and so approved with a 2-0 vote.

**Sidewalk Closure-Perimeter of the Linc Apartments Site**

Max Rehlander addressed the Board. The sidewalk along Lincolnway, Morgan, Jefferson and Michigan are planned to be closed during construction of the Linc Apartments. The east side parking lane of Michigan Blvd will also be closed for staging of materials. The closure is intended to take effect at the end of August and last until July 1, 2024. Early next summer the City and Linc Team will evaluate the progress of construction and closure of the sidewalk. The Engineering Department recommends approval of sidewalk and parking lane closure around the perimeter of the site. A navigation plan has been provided.

**Motion:** Steve Poulos moved to approve sidewalk closure around the perimeter of the Linc Apartment Site. Seconded by Mayor Murphy and so approved with a 2-0 vote.

**Waiver of Objection and Consent to Annexation for 4343 N. Campbell Street**

Max Rehlander addressed the Board. 4343 N. Campbell is having sewer work done by the City. They are not within the City limits. Max Rehlander is requesting to have the property owner sign a Waiver of Objection and Consent to Annexation.

**Motion:** Steve Poulos moved to approve having the property owner at 4343 N. Campbell sign a Waiver of Objection and Consent to Annexation for 4343 N. Cambell. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Vehicle Stipend Policy**

Bill Oeding addressed the Board. Certain employees of the City were previously offered a Take-Home Vehicle as an additional benefit. It has been determined that the cost to acquire and maintain a Take-Home Vehicle is high. The purpose of the Vehicle Stipends for Eligible City Employees Policy is to provide stipends as an alternative to City employees currently issued Take-Home Vehicles. A City employee who will have access to a City vehicle upon arrival at work will receive a stipend of \$150.00 per month. A City employee who will not have access to a City vehicle upon arrival at work will receive a stipend of \$500 per month. This will be effective January 1, 2024

**Motion:** Steve Poulos moved to approve the Vehicle Stipend Policy. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Request Approval of Malcon Fuel Tax Refund Agreement**

Bill Oeding addressed the Board. He presented a Service Agreement for the Preparation of Claims for Fuel Tax Refund with Malcon – Malinowski Consulting. The City purchases gasoline and diesel fuel for on and off-highway vehicles and equipment. When purchasing these fuels, the City is required to pay Indiana Fuel Taxes. The Indiana Department of Revenue Special Tax Division provides an avenue to the City to receive a refund on the Fuel Taxes. They get 50% of any refund recovered from the State or \$1,500 per quarter.

**Motion:** Steve Poulos moved to approve the Service Agreement with Malcon. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Barnes & Thornburg Letter of Engagement Relating to Building Corporation Refunding Bonds**

Clerk-Treasurer Taylor addressed the Board. Last month the Board of Works approved an Engagement Letter from Baker Tilly. She hopes to do a refunding on the Public Works Building. This Letter of Engagement lists the terms and conditions under which Barnes & Thornburg will serve as bond counsel to the City of Valparaiso in connection with the proposed issuance of Building Corporation refunding bonds. If rates are not favorable and no work is performed, no fee is due.

**Motion:** Steve Poulos moved to approve the Letter of Engagement with Barnes & Thornburg relating to the Building Corporation Refunding Bonds. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Request Approval of Contract for Valpo Transit Service and Support**

Beth Shrader presented a Contract for Valpo Transit Service and Support. At the last Board of Works meeting the bid for this was awarded to Royal Excursions. This is the Contract with them.

**Motion:** Steve Poulos moved to approve the Contract for Valpo Transit Service and Support with Royal Excursion. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Caret Legal Annual Subscription**

Attorney Patrick Lyp addressed the Board. He presented a Service Order form with Caret Legal. The subscription is \$2,136.00 for two users. This is for software for him and his assistant to use to keep files organized.

**Motion:** Steve Poulos moved to approve the Service Order with Caret Legal. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Property Use Agreement**

Attorney Patrick Lyp presented a Property Use Agreement between the City and Harold "Hal" Kelly Respite Foundation. This gives the organization a portion of property located on Don Hovey Drive for the construction and operation of a men's 12 bed shelter, daytime resource center, and warming/cooling center for both men and women. This is a five year Agreement. No rent will be paid. The terms of the agreement will begin with occupancy which is anticipated to be June, 2025. The City will support any of the variance requests that go before the BZA. Ryan Peters addressed the Board and explained the project.

**Motion:** Steve Poulos moved to approve the Property Use Agreement with Harold "Hal" Kelly Respite Foundation. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Property Maintenance Code Violation Matters**

#### **808 Napoleon Street**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

#### **303 Indiana Avenue**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

#### **305 Brown Street**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

#### **900 Washington Street**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

### **1106 Institute Street**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

### **103 Morgan Boulevard**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

### **407 Morgan Boulevard**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

### **11.5 Lincolnway**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting.

**Motion:** Steve Poulos moved to approve the above Property Maintenance Code Violation Matters as presented. Seconded by Mayor Murphy and so approved with a 2-0 vote.

## **Unsafe Building Code Violation Matters**

### **2010 Yorktowne**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting. They have pulled a permit.

**Motion:** Steve Poulos moved to continue the 2010 Yorktowne Unsafe Building Code Violation matter to the September 22, 2023 meeting. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **253 W Lincolnway**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting. They have pulled a demolition permit.

**Motion:** Steve Poulos moved to continue the 253 W Lincolnway Unsafe Building Code Violation matter to the September 22, 2023 meeting. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **1425 Glendale Boulevard**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting. The City has filed a Motion to demand the property be judged abandoned and unsafe. This would allow the property to be sold at auction where the covenants would not make a difference. The Court of Appeals has certified the decision and the hospital has not objected. Things are moving in the right direction.

**Motion:** Steve Poulos moved to continue the 1425 Glendale Unsafe Building Code Violation matter to the September 22, 2023 meeting. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **2402 N Calumet Avenue**

Attorney Estrada recommended continuing this matter to the September 22, 2023 meeting. This is the legal nonconforming sign at KFC. A storm damaged the sign. It needs to be replaced with a conforming sign.

**Motion:** Steve Poulos moved to continue the 2402 N. Calumet Unsafe Building Code Violation matter to the September 22, 2023 meeting. Seconded by Mayor Murphy and so approved with a 2-0 vote.

### **Request for Street Closure, Use of Sidewalk or Use of Alley.**

- Popcorn Festival Parade, September 9, 2023 (Revised Route & Time of Previously Approved Request).

This has been reviewed and approved by all impacted departments.

**MOTION:** Steve Poulos moved to approve the Request for Street Closure as presented. Mayor Murphy seconded the motion and so approved with a 2-0 vote.

### **Public Comment**

None

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