

**MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY
VALPARAISO, INDIANA
March 10, 2023**

The Board of Public Works & Safety of Valparaiso, Indiana met March 10, 2023, at 3:00 p.m. in City Hall. Present were Steve Poulos and Holly Howe. 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 February 24, 2023 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 subject to appropriation balances. Seconded by Steve Poulos and so approved with a 2-0 vote.

Bids for Demolition of 306 Lincolnway

Mike Jabo reported one bid was received for the demolition of 306 Lincolnway.

C. Lee \$104,367.00

Mike Jabo asked that they take this under advisement and will report a recommendation of an award at the next meeting.

Advanced Engineering Services

Mike Jabo presented a contract with Advanced Engineering Services. As part of the Campbell and Brown TOD Entryway the Engineering Department solicited services for the compaction and concrete testing. These services are needed to ensure compaction of backfill and density of the prepared road subgrade. The Engineering Department recommends the hourly contract provided by Advanced Engineering Services Inc. in the not to exceed amount of \$13,140. This was not included in the specs. He feels the owner should be in charge of testing rather than the contractor.

MOTION: Holly Howe moved to approve the contract provided by Advanced Engineering Services Inc. in the not to exceed amount of \$13,140. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Terracon Consultants

Mike Jabo presented a contract with Terracon Consultants. The Engineering Department reached out to two consultants to perform Geotechnical and Pavement Design Professional Services for Industrial Drive and Montdale Park Drive. This contract will authorize the consultant to conduct research and provide recommendations to potential pavement rehabilitation options. Once complete the Engineering Department plans to assemble a bid package for a contractor to complete roadway improvements. The Engineering Department

recommends the contract provided by Terracon Consultants, Inc. in the lump sum amount of \$26,010.00. RDC is paying for this.

Motion: Steve Poulos moved to approve the contract with Terracon Consultants in the lump sum amount of \$26,010. Seconded by Holly Howe and so approved with a 2-0 vote.

INDOT Project R-32577, Silhavy Road, LaPorte Ave to Evans, Change Order #6 to #9

Don McGinley presented Change Orders #6 through #9. The LPS approval is required by INDOT to execute the Change Orders for close out of the above referenced project. These are utility related change orders. Don recommends approval and signing of Change Orders #6 through #9. These changes bring the Modified Contract Amount to \$4,000,800.42.

Motion: Holly Howe moved to approve Change Orders #6 through #9 of the INDOT Project R-32577, Silhavy Road, LaPorte Ave to Evans. Seconded by Steve Poulos and so approved with a 2-0 vote.

Unsafe Building Hearing: 1503 Valparaiso Street

Attorney Estrada advised this matter was continued at the last meeting to give the property owner time to come up with a plan to remedy issues at the property. He has been advised that Mr. Jorgensen has retained Attorney Todd Leeth who will give an update on the property. Attorney Estrada advised that Building Commissioner Vicki Thrasher will not be present for the meeting today. He recommended continuing this meeting for one month.

Attorney Leeth addressed the Board on behalf of Gary Jorgensen. He presented photographs showing the windows have been installed, crumbling bricks have been fixed, the chimney has been shortened by three or four feet, parapet walls on the front and back have been repaired and capped, and some of the roof has been repaired. He has spent over \$30,000 in repairs on this building. He would like the City to re-inspect the building now that these repairs have been made. He would like to work with them on a game plan. He would have the City tell them what needs to be addressed. In 30 days he will report what they have been taken care of or at least made progress on. He does not feel the property is blighted.

Holly Howe asked about the fence. Attorney Leeth replied parts of the fence have been worked on. Steve Poulos asked about moving his business into this building. Attorney Leeth replied they are working on making the building safe then they will discuss use of the building.

Attorney Estrada stated the vacancy is the blight. It is not enough to get the property looking good. There has to be an intention to have someone in the building. He needs to know the intention of the use of the building. Mr. Jorgensen has had this property two years. The building was vacant for years prior to his purchasing it.

Motion: Steve Poulos moved to continue this matter to the April 14, 2023 meeting. Seconded by Holly Howe and so approved with a 2-0 vote.

Request for Street Closures

- Recovery Art Series Grand Finale, June 11, 2023
- Blockhead Beerworks Blocktoberfest, September 16, 2023
- Soap Box Derby, June 24, 2023. Time frame modification to 6:00 am – 6:00 pm or until completion of race. Previously approved time was 6:00 am - Noon

This has been reviewed and approved by all impacted departments.

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

Pikk's Tavern - Outdoor Dining

Beth Shrader requested approval of a Temporary License Agreement with Pikk's Tavern for outdoor dining. This is for the ally adjacent to their building.

Motion: Holly Howe moved to approve the Temporary License Agreement with Pikk's Tavern for outdoor dining. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Replat Family Express Subdivision (Viking Place)

Beth Shrader presented replats of two parcels within the Family Express subdivision. If approved, she needs signatures on both for certification. This has been approved by the Plan Commission. The existing private drive separating these two lots will be ripped up and realigned.

Motion: Holly Howe moved to approve the replat of two parcels in Family Express subdivision. Steve Poulos seconded the motion and so approved with a 2-0 vote.

Vale Park Traffic Calming West - Award

Matt Zurbruggen addressed the Board. At the February 10, 2023 meeting the Engineering Department opened bids for the Vale Park Traffic Calming West project. This project includes traffic calming at Winter Park, ADA ramps at Kickbush and the paving of Vale Park. Based on the bid results and funds available, Milestone Contractors North, Inc. is the apparent lowest responsive, responsible bidder. The Engineering Department recommends the BOW award the Vale Park Traffic Calming West to Milestone Contractors North, Inc. in the amount of \$280,490.00. The Engineer's estimate was just over \$347,000.

Motion: Steve Poulos moved to approve and award the bid of Milestone Contractors North in the amount of \$280,490. Holly Howe seconded the motion and so approved with a 2-0 vote.

Bids for Demolition of 306 Lincolnway

Mike Jabo addressed the Board. Since there was only one bid received, the Engineering Department recommends awarding the bid for demolition of 306 Lincolnway to C. Lee in the amount of \$156,400 subject to review by Attorney Lyp. The RDC will provide funds for this project.

Motion: Steve Poulos moved to approve and award the bid of C. Lee in the amount of \$156,400. Holly Howe seconded the motion and so approved with a 2-0 vote.

Public Comment

Jeff Garns – 407 Fair Street. Residents have been advised by the Indiana Finance Authority-Indiana Brownfields Program, that their street will be closed the week of March 27 for borings and ground water monitoring. The citizens would like this to be postponed. The residents did not see a notice of the streets being closed which is usually done through this Board. They would like this to be postponed so they can investigate. They are working through their Councilmember representative Robert Cotton. They intend to make their voices heard at the Monday night Council meeting. The residents are all opposed to this and would like to have the work postponed while they work it out. The Site Permit number is SP22-0154 and was issued by the City of Valparaiso Engineering Department.

Mike Jabo replied the Engineering Department issued a permit to a private company to work in the City's right of way. Road closed signs will go up. The road will not be closed fully. Local traffic can pass through. The road will not be closed the full two weeks. This work is being done by IFA through IDEM. The property at 1307 Calumet was determined to have gas tanks that leaked. They mitigated those. The whole purpose of the drilling is to monitor. They have to test the water. They come back 12 months later and test it again before they can put closure on the site. If they find something they have to react to that. They had meetings with the residents last summer. IFA came to the meeting. They went from monitoring wells to geoprobes which basically goes down, they grab a sample, they fill the hole back up, they patch the hole (because they are drilling in the street). The residents were invited to present comments. Once they had the public meeting, IFA requested the permit. The City required IFA to notify the residents. Mr. Garns said he has received Notice.

Holly Howe asked if the City knows what the objections are of the residents. Mike Jabo said he would be speculative. They should hear it from the residents. The City feels this is the proper thing to do. They want closure on the site. From an environmental prospective, this is the proper way to do it.

Steve Poulos asked about the City's involvement. Mike Jabo replied just giving a permit so they can occupy the right of way. The City did not initiate the work. This was sought independently. IFA has a program for sites that are disadvantaged. The people that own the property made the request. They were awarded a grant through IFA. It is IFA's job. They want to clean up the site and bring it back to use again.

Jeff Garns – 407 Fair Street. The residents are very concerned that these borings and tests this far west of the Wendell's Marathon site could degrade their property values. They view it as unnecessary. Detrimental. To have a gas station and be able to drop a well in the front yard of a neighbor is callouses and irresponsible. They have voiced their opinions. A Site Plan was sent back to them. It did not meet their concerns. They had asked not to install ground water monitoring wells – temporary or otherwise. IFA says their definition of temporary is two years. They are asking for suspension because they were not given a public opportunity to react to the prior proposal. Steve Poulos asked if he has contact with IFA and IDEM. Jeff Garns said they have had contact but they continue to say they are moving forward. They would like to suspend the permit so the residents can offer an alternative to vertical borings which could be horizontal borings done from the actual footprint of the Wendell's Marathon site. There should be no reason why they cannot bore it into the ground – go horizontally – and find all the contaminant values they like.

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