

**MINUTES OF THE REGULAR MEETING
BOARD OF PUBLIC WORKS AND SAFETY
CITY OF HOBART, LAKE COUNTY, INDIANA
March 15, 2023**

Call to Order/Pledge to the Flag: Mr. Snedecor called the meeting to order at 3:31 p.m., followed by the Pledge of Allegiance. The meeting was held with the building open to the public and a call-in number for remote public participation.

Roll Call: The following members were present: Mr. Lain, Mrs. Longer, and Mr. Snedecor. Also present: City Attorney McCarthy.

Reading of Minutes: Motion by Mr. Lain, seconded by Mrs. Longer, to accept the minutes of the regular meeting of March 1, 2023 and the minutes of the special meeting of March 13, 2023 as presented. All aye, motion carried. (3-0)

Correspondence: Mr. Lain stated that signs on the easement are not permitted, and political signs are allowed to be up 30 days before the election, but not on the easements.

Approval of Register of Claims and Payroll Claims: Motion by Mr. Lain, seconded by Mr. Snedecor, to accept and sign the register of claims and payroll claims as presented. All aye, motion carried. (3-0)

Approval of Agenda: Mr. Snedecor asked that the signing of mylars and acceptance of the bond for Industrial One; award of bid for the Community Crossings project; consideration of First Amendment to Ground Lease Agreement and Memorandum for the tower at the PCC; and the approval of remediation of right-of-way at Cressmoor Development be added to the agenda. Motion by Mrs. Longer, seconded by Mr. Lain, to approve the agenda as amended. All aye, motion carried. (3-0)

Unfinished Business:

Continued: Order to Appear for Update/Review of Property issues: Cagney's and NW corner of Third and Main St. re: 236 Main St.: This item was moved to the end of the agenda.

Update on Compliance of Property Violations: Safe Haven, 7931 Iowa St.: Mark Mulroe was present telephonically. He stated that McAlister is off the contract they had with Keystone, and they are waiting for dry weather to bring the heavy machinery to start working. MS4 Coordinator Tim Kingsland stated that a plan was submitted and approved for the work being done. Tim also stated that there are other contractors out working, but McAlister is not. Mark said that the excavation has to be done in the pond and the machinery will sink if they start it now. He also stated that McAlister is the original contractor for this project, so they are familiar with the area. Tim stated that the silt buffers have not been removed or cleaning up the site and this could be done while waiting for the ground to dry up. Mark advised that he would get the general contractor to start working on the cleanup of the property. Motion by Mr. Snedecor, seconded by Mr. Lain to continue this for review/full compliance at the April 19, 2023 meeting. All aye, motion carried. (3-0)

Continued: Consideration of Annual Renewal of Sidewalk Dining: Café 339: 339 Main St., Montego Bay Grille: 322 Main St., Granger's at the Clock Tower: 437 E. 3rd St.: Business owners from Café 339 were not present but did reach out and stated that no changes are anticipated for their sidewalk dining from previous years. No one was present from Montego Bay Grille or Granger's at the Clock Tower. Motion by Mrs. Longer,

seconded by Mr. Lain to approve the renewal of sidewalk dining for Café 339 from April 1, 2023 through October 31, 2023 as presented and the remaining restaurants (Montego Bay Grille and Granger's at the Clock Tower) renewals remain pending but not approved until the Board is provided an update. All aye, motion carried. (3-0)

Continued: Approval for Temporary Food Trailer: re: 200 Main St.: Tavern on the Lake: Tommy Forbes was present for this matter. He presented a site plan to the Board. He stated that the size for the trailer will be between 20'-25'x9'. He will be using the same contractors that worked on the building previously. Mr. Snedecor stated that there is an internal staff meeting on Friday and the site plan he provided will help tremendously and have the staff make any recommendations and bring it back to the Board. Motion by Mr. Snedecor, seconded by Mr. Lain to continue this matter to the April 5, 2023 meeting. All aye, motion carried. (3-0)

New Business:

Request to remove trees from easement: re: 3701 E. 34th Pl.: Jim Dailey was present for this matter. A report was received from the City Arborist which stated the tree is not dead nor dying, but the tree has been trimmed. Mr. Dailey stated that he was told previously that the tree was dead and would be taken down. Motion by Mr. Snedecor, seconded by Mrs. Longer to have the Arborist reassess the tree in 6 months. All aye, motion carried. (3-0)

Request for Sidewalk Waiver: re: 1957 Hickory Dr.: Matt Wright was present in person. He stated that the lot next door has sidewalks as it is part of Eagle Creek, but no other houses in Deep River Estates have them. Councilman Dave Vinzant stated only Eagle Creek has sidewalks and that the waivers are not permanent, and he recommends the waiver. The City Planner and Building Official recommended to deny this request. Motion by Mr. Lain, seconded by Mrs. Longer to set this over for a 1 year review and the homeowner come back to the second meeting of March, 2024 and the Clerk-Treasurer's office will send notice. All aye, motion carried. (3-0)

Request for Variance to use 50' of Asphalt instead of concrete: re: 7980 Clay St.: Bill Ebbert requested that he be removed from the agenda. City Engineer Phil Gralik stated that concrete is not required, and it just has to be a hard surface. Motion by Mrs. Longer, seconded by Mr. Snedecor to remove this from the agenda. All aye, motion carried. (3-0)

Request for Bird Sanctuary designation: re: Memory Lane: Ericka McCauley and Darlene Wilfong were present in person. Ericka stated that Virginia Curtis made this a bird sanctuary years ago, but was told it is not an actual sanctuary. This has gone before the Park Board, but the Park Board stated that they needed to come before the Board of Works as it is not designated as a park. Mr. Snedecor read a portion of the deed into the record. Attorney McCarthy stated that per the deed, it seems that this area would be for public use. Mr. Snedecor stated that the road that is by this area is a one lane road with no parking availability. Mrs. Longer noted that Public Works Director Kelly Smith received a phone call requesting that the area get cleaned up. The clean up happened in October 2022 and February 2023. Motion by Mrs. Longer, seconded by Mr. Lain to leave this area in its natural state. All aye, motion carried. (3-0)

Signing of Mylars & Acceptance of Bond: Industrial One: SW Corner of Colorado and 83rd Ave.: The Plan Commission had a favorable recommendation 8-0. Motion by Mrs. Longer, seconded by Mr. Lain to approve the signing of the mylars and accept the bond that is in place for Industrial One: SW Corner of Colorado and 83rd Ave as presented. All aye, motion carried. (3-0)

Award of Bid: Community Crossings Project: 3rd St. Reconstruction: City Engineer Phil Gralik stated that the contract has to be in to Community Crossings by April 4, 2023 for the base bid. The alternate bids will go in front of the appropriate Boards for approval. Motion by Mr. Snedecor, seconded by Mrs. Longer to approve the

award of the base bid only to Dyer Construction in the amount of \$1,999,134.35 as presented. All aye, motion carried. (3-0)

Consideration of First Amendment to Ground Lease Agreement and Memorandum: re: Tower at PCC, 4th and Center St.: Attorney McCarthy stated that there was some clarity needed on the contract and some typos were corrected. She approved this document and recommended approval. Motion by Mrs. Longer, seconded by Mr. Snedecor to approve the First Amendment to Ground Lease Agreement and Memorandum as presented. All aye, motion carried. (3-0)

Approval of Remediation of Right-of-Way: G.E. Marshall: The proposal is for the right-of-way adjacent from Cressmoor Development next to lot 86. This proposal is for \$5,936.00 for the remediation of the soil. Both the City Attorney and City Engineer recommend moving forward with this. Motion by Mrs. Longer, seconded by Mr. Lain to approve the proposal from G.E. Marshall for the lump sum of \$5,936.00 and \$47.65/ton that's remediated as presented. All aye, motion carried. (3-0)

Continued: Order to Appear for Update/Review of Property issues: Cagney's and NW corner of Third and Main St. re: 236 Main St.: No one was present for this matter. City Engineer Phil Gralik stated he was there today and that the sidewalk has been cut open, they were breaking up the floor in the room underneath the sidewalk. The truck that was delivering the limestone broke down, so the stone my not get delivered today. Phil recommends continuing this for the next meeting. Motion by Mr. Lain, seconded by Mrs. Longer to continue this matter to the April 5, 2023 meeting. All aye, motion carried. (3-0)

Announcements: Mr. Snedecor asked if there was anyone who wished to address the Board and there was no response.

Adjournment: Motion by Mr. Lain, seconded by Mrs. Longer, to adjourn the meeting. All aye, motion carried. (3-0) The meeting adjourned at 4:56 p.m.


SECRETARY


PRESIDING OFFICER