

## TOWN COUNCIL MINUTES

JANUARY 24, 2006

President Sandi Snyder called the meeting to order by leading the Pledge of Allegiance to the Flag at 7:55 pm. Present were Jennifer Granat, Vice President, Council members Sandy Boothe, William F. Sexton and Paul Childress, Attorney Patrick Lyp, Chief of Police James Spanier, Building Commissioner Bill Lewis, Director of Public Works Karl Bauer and Park Superintendent James Miller. Fire Chief Lewis Craig was absent due to a funeral.

### APPROVAL OF MINUTES:

Sexton made the motion to approve the January 24<sup>th</sup>, 2006 minutes as written, Boothe made the second. Vote 5-0

### CLAIMS:

Childress made the motion to approve Claims in the amount of \$91,801.03, Payroll in the amount of \$53,097.59 and Sewer Claims in the amount of \$92,210.11, Boothe made the second. Vote 5-0.

### COMMENTS FROM THE FLOOR:

*Jennifer Klug, 302 Lincoln Street.* Asked if the Council had to submit a plan to the County for spending the CEDIT monies. Childress told her the Council had submitted a 3 year plan in 2004 but they would have to submit a plan later this year for 2007. Jennifer asked if they could amend the plan after submitting and was told yes as long as the Council sent a revised schedule to County.

*Francis Masterman, Porter Beach.* Voiced concerns about the sheds on LaSalle Street being replaced since the owners of the removed sheds approached the Council in December to have them replaced. Attorney Lyp advised the Council to have a Public Hearing on March 14, 2006. Attorney Hollenbeck will write and advertise the public hearing. Mrs. Masterman asked if the impacted neighbors would be notified and was told that Attorney Welsh would notify the residents involved.

*Joseph Goysich, 527 1<sup>st</sup> Street,* asked about the Duneland Youth Baseball re-zone and was told that would come up under the Attorney report.

### CLERK TREASURER

Pomeroy said that the Sewer bills are late being sent out because Indiana American Water Company has not sent the readings. After many days of blaming everyone they finally admitted that **they** were having a problem with sending the readings. Pomeroy said as soon as they receive the readings the bills will go out. The due date will be adjusted accordingly so that the residents will have enough notice to pay their bills before being charged late fees.

Keystone will be here on January 26 to install the new payroll software.

Also, County called on January 23<sup>rd</sup> and said that the Redevelopment tax money would be coming soon. They did not know when they would send the rest of the tax draw that was due in December.

## **ATTORNEY**

### **Duneland Youth Baseball Association petition.**

Attorney Lyp was notified that the Duneland Youth Baseball Association has withdrawn their petition to rezone the property at 800 Canonie Drive from Business 3 and Residential 1 to all Professional Business. Childress made the motion to deny the recommendation from the Plan Commission to rezone the property. Sexton made the second. Vote 5-0. Attorney Lyp advised the Council to deny this petition even though it was withdrawn because if the Council did not act on the petition the rezone would become law after 90 days because of the favorable recommendation from the Plan Commission on November 16, 2005.

### **Rainy Day Fund.**

Childress made the motion for Attorney Hollenbeck to write the ordinance needed to establish the Rainy Day Fund. Sexton made the second. Vote 5-0. Lyp stated that the Council would be able to set aside 10% of the General Fund into this fund.

### **Delinquent Sewer Bills.**

Indiana American Water Company said they would be willing to shut off the water to residents who are arrear in their sewer bills. They also want to do a proposal for doing the billing for sewer customers. Lyp was asked to notify IAWC to send a proposal for both.

### **Illicit Discharge/Soil Erosion ordinance.**

Lyp said that he would have this ordinance ready for the February 14<sup>th</sup> meeting.

### **Bids for towing and sewer collection.**

The Council was advised since the Town did not receive any bids for the above services that were advertised that they could solicit for companies to provide the same services. Boothe said she would contact some companies.

## **POLICE DEPARTMENT**

Spanier asked if he could be put on the February 14<sup>th</sup> agenda for buying of police cars. The cutoff date is coming soon and they need to be ordered. Childress asked how many cars was he preparing to buy? Spanier said hopefully 2 new squad cars and a car for the detective. Spanier is planning on using the insurance money from the wrecked squad car to buy the detective car.

## **FIRE DEPARTMENT**

Chief Craig was attending a family funeral.

## **PUBLIC WORKS DEPARTMENT**

### **Tree trimming.**

The Street Dept is trimming trees on Beam St. and will do Franklin St. next.

### **Inventory.**

Bauer is preparing an inventory list of everything over \$50.00.

### **Oak Hill left station.**

The contacts were bad and were replaced.

### **Worthington Steel Pumps.**

Worthington Steel has agreed at their cost to replace the pump that went out and also buy 2 others to have on hand for backups.

### **Woodlawn/Waverly Road Sewer replacement**

Chesterton has contracted R.V. Sutton to replace the collapsed sewer line because of the depth of the sewer and for safety purposes.

**Oak Hill Lift Station**

Shem of Haas & Associates informed the Council that Phase 1 has been completed. Childress told Shem to give a detailed account of Phase 2 for the Council to review at the next meeting (February 14).

**Porter Beach Survey**

The survey which will define right of ways has begun by the Bonar Group.

**PARK DEPARTMENT**

Superintendent Miller reported that the organizational meeting of the Park Board went very well and got off to a great start.

**PARK 5 YEAR PLAN AND CEDIT EXPENDITURES FOR 2006**

The Park Board will be discussing these topics at the February 21<sup>st</sup> meeting.

**URBAN TREE CARE**

Miller attended this workshop and advised that several more workshops are coming and asked if anyone from the Public Works Dept. would be interested in attending. Miller said the question came up about Porter becoming a “Tree City”? He asked the grant writer to check into this. If the Town of Porter is interested there are 4 standards that must be met:

- Pass a public tree care ordinance
- Appoint a tree board and city department to manage the tree care program.
- Spend at \$2.00 per capita and
- Have an Arbor Day proclamation and event.

**TREE REMOVAL**

The Park Board gave approval to remove a hazardous tree at the intersection of Porter Ave. and Rankin St. The Public Works is aware of the tree and will schedule the removal.

**DUNE MEADOWS PARK POND**

The Army Corps of Engineers (Detroit) has responded and advised that the Town of Porter will have to submit an application expressing our intent. The Army Corps will either approve or deny.

**FIRE PROTECTION SYSTEM**

The Park Board has given permission to hire Martin Securities to install a fire protection system at the Community Center. The system will include a 24 hour electronic monitoring. The cost to install is \$1,375.00.

**BUILDING DEPARTMENT**

Lewis advised that there are 46 new compliant contractors bringing the total to 180. Boothe made the motion to accept and Sexton made the second. Vote 5-0.

**ARROWHEAD TRAIL COMPLIANT.**

Lewis sent a letter and a certified letter which the homeowner refused to accept. Chief Spanier and Lewis went to the house and took pictures which Lewis says is a health hazard. Sexton made a motion for Lewis to contact the Health Department and if the homeowner still does not comply to go to court for a public nuisance. Childress made the second. Vote 5-0.

Lewis advised that the 2<sup>nd</sup> compliant has been taken care of. The homeowner got permits for the fence and roof.

## **OLD BUSINESS**

### **NOISE ORDINANCE 2006-01**

The Police Commission sent the Council a recommendation to accept the Noise Ordinance as written. Childress made a motion to number and read the ordinance by title only. Sexton made the second. The Ordinance was numbered 2006-01 and read by title only. Vote 5-0. Discussion followed with Granat's displeasure with the Plan Commission for not sending a recommendation to the Council following a group workshop which included the Police Commission, Plan Commission and Town Council and she sees that as problematic. Snyder also a Plan Commission member, explained that the Plan Commission did not have a problem with the ordinance as long as it did not interfere with the noise ordinance in the zoning book, but since they were assured that it wouldn't there was no vote. Snyder said she would make the Plan Commission aware of this. Sexton made a motion to suspend the rules and have 2<sup>nd</sup> and final reading by title only. Boothe made the second. Vote 3-2 with Childress and Granat voting nay. Since the vote was not unanimous it will go to the next meeting.

### **PCCRVC – LORELEI WEIMER**

Gave a presentation and slide show to inform the Council the results of a study by an outside consultant on how the county can better maximize future tourism. According to the results the biggest county draw is the Indiana Dunes National Lakeshore and the Indiana Dunes State Park, yet the visitors are only staying 2 to 6 hours because of a perceived lack of other things to do. The state of Indiana recently announced it plans to solicit proposals to build and operate an inn at the Dunes State Park. Weimer estimated that if only 5% of the Indiana Dunes visitors would stay 2 nights in Porter County that \$20 million in revenue could be realized. In November 2006 the new visitor's center is slated for dedication. Weimer advised the Council that the visitor's center is planning an innovative stormwater system for its grounds using swales and rain gardens. Once the design is completed the town will be provided with plans for final approval. Sexton asked Weimer to correct PCCRVC's literature to state that the state park is in Porter not Chesterton.

### **JOHNSON STREET DRAINAGE ISSUE**

Cathy Gillotti 835 Johnson Street, provided the Council with pictures and drawings of how to get the water to Peterson Ditch. After a moderate rain her property and 4 other neighbors property floods. She said the standing water is a health hazard, especially in the summer when mosquitoes breed. Sexton stated that the Town has a Stormwater Board now and he has forwarded the information to them. They have asked if she would attend their next meeting which is February 28<sup>th</sup> @ 5:00pm. She advised that she would attend.

**COUNCIL COMMENTS**

Sexton advised the Council of an IACT meeting February 7<sup>th</sup> in Crown Point, if any want to attend please advise him.

Sexton also discussed Bill #1001 which caps property taxes and urged residents to write letters of support. Also Bills #245 & #1279 which address franchise of Comcast, to write letters of opposition. Childress also showed his interest in Bill#1001 and felt that Bill 245 & Bill 1279 had no effect on the Town of Porter.

Granat said that the Police Commission would like the Council to put on the next agenda a resolution for a delayed signal for Waverly Road & Highway 20.

Snyder said she would write a letter to Burns Harbor in response to their rezoning from I1 Industrial to R1 Residential. See attached for description. The Porter Town Council is not opposed.

Snyder also advised that the Employees Handbook meeting was cancelled and would be scheduled at a later date.

Granat made the motion to adjourn at 8:55pm and Boothe made the second. Vote 5-0.

Dated this \_\_\_\_\_ day of February, 2006.

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Sandi Snyder, President

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Jennifer Granat, Vice President

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Sandy Boothe

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William F. Sexton

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Paul Childress

ATTEST: \_\_\_\_\_  
Carol Pomeroy, Clerk Treasurer