

PORTER TOWN COUNCIL MINUTES

FEBRUARY 14, 2006

President Sandi Snyder called the meeting to order by leading the Pledge of Allegiance to the Flag. Present were Council members Sandy Boothe, William F. Sexton and Paul Childress, also present were Police Chief James Spanier, Fire Chief Lewis Craig, Public Works Director Karl Bauer, Building Commissioner Bill Lewis and Attorney David Hollenbeck.

APPROVAL OF MINUTES

January 24, 2006. Sexton made the motion to approve as written and Childress made the second. Vote 4-0.

January 28, 2006 Executive session. Sexton made the motion to approve as written with Childress made the second. Vote 4-0.

APPROVAL OF CLAIMS

Claims in the amount of \$62,704.66. Childress made the motion to approve and Sexton made the second. Vote 4-0

Payroll in the amount of \$54,568.26. Childress made the motion to approve and Sexton made the second. Vote 4-0

COMMENTS FROM THE FLOOR

Terry Medley 345 E. Beam Street. Presented the Council with a petition signed by 350 signatures seeking stricter animal control laws. Medley's dog "Tater" was attacked by 2 Mastiff dogs as Michael Medley was walking his dog on a leash at Hawthorne Park on January 30th. The Mastiff's dogs were running at-large when they attacked "Tater" who died the next day. The owner of the Mastiff's, Michael Howerton, was issued 2 tickets, \$40.00 a piece, for not having dogs on a leash. On February 10th, Police Chief Spanier gave Howerton a letter, based on a 2005 ordinance # 2005-07 , that states no person shall keep, maintain or have in his possession or control any vicious or dangerous domestic animal, the latter defined as one that has attacked or bitten another animal while off the property of its owner. Howerton has been given 30 days, from receiving the letter, to remove the dogs from Porter. The Medley's requested to have the ordinance named after "Tater". Sexton said the Town could amend the title to include the dog's name.

Jennifer Klug 302 Lincoln Street. Asked the Council if the Town of Porter has any recourse if Chesterton is put on the ballot to vote whether they become a city? Childress said that it is the residents of Chesterton that will vote on it and Porter does not have a say on the matter.

CLERK TREASURER

- Pomeroy asked the Councils pleasure for writing a check in the amount of \$52,970.09 to the Porter County Auditor? The Auditor claims that Porter was overpaid in 2005. Sexton stated that other Porter County municipalities received about 92 -95% of their estimated tax collections, while Porter received about 86%. Pomeroy said if she repays the approximate \$53,000. that the percentage drops to about 82%. Hollenbeck said that the overall shortfall could be because of all the successful appeals since the 2003 reassessments being paid in 2005. Sexton said that does not explain the loss of \$24 million in assessed valuation, one of the key factors in setting property tax rates. Childress made the motion to pay the claim to the Porter County Auditor and Sexton made the second. Vote 4-0.
- Pomeroy said she attended the Redevelopment Commission meeting earlier in the evening and requested a loan in the amount of \$300,000 which was granted.
- The Beach Permits are available at the Town Hall for 2006. Pomeroy reminded residents that their driver's license and car registration must have Porter as their residence in order to get the permit for \$5.00.
- Pomeroy also reminded residents that their sewer bills are to be paid at The First State Bank of Porter not at the Town Hall.
- Resolution 2006-02 was numbered and read and adopted to freeze all discretionary spending to preserve funds for emergency spending and daily bills. Childress made the motion to approve and Sexton made the second. Vote was 4-0

ATTORNEY

- ❖ **Delinquent sewer bills.** Hollenbeck said he can file civil action against delinquent sewer accounts. Childress made the motion to start the process of litigation against the delinquent customers and Sexton made the second. Vote 4-0.
- ❖ **Indiana American Water Co.** Hollenbeck said he would bring information for turning water off for delinquent sewer customers at the February 28th meeting.
- ❖ **Municipal Building Corp.** Hollenbeck said he would contact Al Raffin, President of the Corp. to straighten out the billing for the purchasing the police generator.

POLICE

Spanier will give a report later in the agenda on purchasing police cars.

FIRE

Nothing to report

PUBLIC WORKS

- **Woodlawn** – a new section of sewer main has been installed. The restoration work will be done in the Spring along with the repair of Woodlawn.

- **Sign inventory** the Street Dept. is currently updating the street sign inventory
- **Dump truck** has arrived. It is a Chevy 3500 with a V plow snow blade and with a stainless steel salt spreader.
- Bauer has inspected all of the regulated drains in Porter along with the County Surveyor. They are Peterson, Munson, Kemper and Gustafson. There is 4.7 miles of regulated drains in Porter

BUILDING COMMISSIONER

Bill Lewis said there were 42 new contractors getting licenses, the total is 222 contractors for the year.

Porter Cove issue is resolved.

OLD BUSINESS

- ✓ **Erosion Control Ordinance 2006-02.** Boothe made the motion to number and have first reading by title only. Childress made the second. Vote 4-0.
- ✓ **Illicit Discharge Ordinance 2006.** Boothe made the motion to number and have first reading by title only. Childress made the second. Vote 4-0.
- ✓ **Oak Hill Lift Station Phase II.** Shem of Haas & Assoc. stated that the engineering cost for the final design would be \$8,000. Sexton made a motion to do all phases of the list down to and including the geotechnical portion, Boothe made the second. Vote 4-0. See attached.
- ✓ **Department heads and Consultants.** The Council approved the following appointments:
 - **Police Chief** - James Spanier
 - **Fire Chief** – Lewis Craig
 - **Public Works Director** –Karl Bauer
 - **Building Commissioner** – Bill Lewis
 - **Attorney** – David Hollenbeck of Bachley, Tabor, Bosik & Hartman
 - **Town Planner** – James Mandon
 - **Town Engineer** - Haas & Associates
 - **Financial Advisor** – Cender & Company
- ✓ **Weekly recycling.** After much discussion Sexton made a motion for the Attorney to write an ordinance and to advertise for a Public Hearing on February 28th raising the monthly fee per household \$1.00 per month, Boothe made the second. Vote 4-0.

NEW BUSINESS

- ❖ **Purchase Police Cars.** Chief Spanier would like to purchase 2 Dodge Chargers fully equipped for \$53,964 and 1 Ford Taurus for \$13,999. He would like to pay for these from the budgeted Cumulative Capital Development Fund (CCD) and also use the \$8,000 check from the insurance company that was reimbursed for the wrecked police car. Sexton made a motion to approve buying the 2 Dodge Chargers but not to pay or take delivery before June 2006 and to use the \$8,000 check from the insurance

company and take the remainder monies from the CCD fund, Childress made the second. Vote 3-1 with Boothe voting no because she also wanted to buy the Taurus which was denied.

- ❖ **Resolution 2006-01 – feasibility study Highway 20 and Waverly Road.** The Police Commission has recommended the above resolution to the Council for IDOT to conduct a feasibility study to modify the traffic signal at Hwy 20 and Waverly Rd. for safety purposes. Sexton made a motion to have first reading and Boothe made the second. Vote 4-0.

COUNCIL COMMENTS

Snyder received a request from the VFW for the Council's permission for the VFW to have a Poppy Sale on May 20th & 21st. Consensus of the Council was 4-0.

Shem of Haas & Associates told the Council that he had received a letter from Howard Engineers regarding **Cardinal Court Lift Station Improvements** (see attached) and their concern about additional wastewater allocation from Chesterton. Sexton said he would talk to Chesterton about the additional capacity needed for Phase A & B.

Sexton made a motion to adjourn and Boothe made the second. Vote 4-0.

Dated this ____ day of February, 2006.

Sandi Snyder, President

Sandy Boothe

William F. Sexton

Paul Childress

ATTEST: _____
Carol Pomeroy, Clerk Treasurer