

PORTER TOWN COUNCIL MINUTES

MARCH 13, 2007

President William F. Sexton called the meeting to order by leading the Pledge of Allegiance to the Flag. Present were Council members Sandi Snyder, Jennifer Granat and Paul Childress. Also present were Clerk Treasurer Carol Pomeroy, Attorney Patrick Lyp, Police Chief James Spanier, Fire Chief Lewis Craig, Building Commissioner Brenda Brueckheimer and Public Works Director Karl Bauer. Absent was Vice President Lorri Wickberg.

APPROVAL OF MINUTES OF: February 27, 2007

Granat made a motion to approve the minutes as amended and Childress made the second. The minutes were corrected to read Oak Hill instead of Oak Hil and Attorney Dave Beach instead of lawyer. Vote was 4-0.

APPROVAL OF CLAIMS:

Childress made a motion to approve claims in the amounts of \$102,530.47 and \$76,704.34 as submitted and Granat made the second. Vote 4-0.

COMMENTS FROM THE FLOOR:

Gary Cutter of 326 Indiana presented the Council a picture of Porter children that ran a grudge race between area Fire Departments and Police Departments at Sunset Farms. There was a misunderstanding of who could compete even though they won they were disqualified. The Council graciously accepted.

Delinquent Sewer Bills: Carl Robinson of 580 N. 3rd St. asked the Council to waive the 10% late fee for all the residents (8) that live on that Street because they said that they did not receive their sewer bill that was due October 21st. The Council agreed by consensus to waive the late fee of 10%.

CLERK TREASURER REPORT:

Pomeroy said that the annual Easter Egg Hunt is scheduled for March 31st and starts at 10:00am at Hawthorne Park. The age groups are 1-3, 4-6 and 7-9. Prizes will be awarded.

ATTORNEY REPORT:

Lyp has approved the Peddlers license and gave a recommendation to the Council to give to the Police Commission for their review and recommendations.

Lyp also advised the Council that the Plan Commission is making minor changes to the Zoning Ordinance to advert future law suits to the Town.

POLICE DEPARTMENT:

Chief Spanier thanked Porter Hospital for donating surplus computers to the Police Department.

FIRE DEPARTMENT:

Chief Craig had no report.

PUBLIC WORKS DEPARTMENT:

- Director Bauer stated that he had ordered brochures regarding explanation of the MS4 program.
- Bauer also presented the Council with specs for a **wheel loader** that Childress had reviewed prior to the Council meeting. Lyp stated that he would advertise and so that the Council could open at the March 27th meeting.
- **Mineral Springs and Beam Street Lift station** needs repair because 4 gates are not opening and 2 check valves are broke. The Council advised Bauer to seek bids for repairs.
- **Vacation of Center Street Ordinance 95-12-2007.** Bauer was advised to see if there would be any problems in vacating this street, which he found no reason not to vacate. In 1995 the Council had approved to vacate Center Street with an Ordinance numbered 95-12. In a chain of events that occurred the Ordinance was given to Attorney Rupich to record at the recorders office which he did not do and there was an error in recording the next Ordinance that was also numbered 95-12. Attorney Greg Babcock, who represented the Daniel Norris family in 1995 and is also representing them now, has asked this Council to approve this vacation. Lyp wrote an Ordinance which Childress made a motion to ratify and number the new Ordinance 95-12-2007 and Snyder made the second. **Vote 4-0.**
- Bauer is working on sign inventory for the Town Code book.
- Bauer will have a paving and sidewalk list next meeting.
- Dune Meadows curb has been fixed.

BUILDING DEPARTMENT:

Brueckheimer said she has received and accepted 13 new contractors. Snyder made a motion to accept and Childress made the second. **Vote 4-0.**

Brueckheimer said that she was appointed to head the Risk Management program and that next month she will have a report for the Council.

OLD BUSINESS:

- ✓ **Taxi-cab Ordinance 2007-01.** Granat made a motion to have second reading and adoption and Snyder made the second. **Vote 4-0.**
- ✓ **Signature Graphics tax abatement.** Lyp asked if any one representing them was present and no one was. To review in 2000 Signature Graphics was given tax abatement on the basis that they would hire an additional 15 employees and file the annual forms to Porter County and the Town. On the CF1 form that was filed in 2002 they had hired 3 of the 15 employees and have not filed this form since. Robert Welsh their attorney told Lyp that someone would be present tonight and explain if they have or have not hired the needed employees. Lyp advised the Council that they had two choices to revoke the tax abatement or to honor it. If they are going to revoke the abatement they (Town Council) needs to have a hearing to determine if Signature Graphics is non-compliant, which will be held at the March 27th meeting. Childress made the motion to have the hearing and Granat made the second. **Vote 4-0.**
- ✓ **Vacation of Center Street.** See above.

NEW BUSINESS:

Internet service to PCCRVC at Munson Place.

Sexton said he has talked to Lorelei Weimer of the PCCRVC and Tom Godfrey of Lake Erie Land Company, the developer. Weimer has contacted Comcast Internet and they have reduced the price of bringing internet service to the PCCRVC building to \$7,800. Sexton feels that the Town should help pay for this with a 3-way split which would be approximately \$2,800 apiece. He stated that the Town would be able to re-coop this money by charging other companies that would also tap-on to this service. Sexton thinks this will help bring other businesses to that area and in return more jobs. Childress said it is the developer's responsibility to provide infrastructure to the Town. Lyp said it is not in the zoning book and the Town is not obligated to pay for this. A resident told the Council to check into Verizon internet and Sexton said it is not available from them either at this point. Snyder made a motion to share the cost with PCCRVC and LEL to get internet access to Munson Place and to develop a recovery plan to re-coop these costs for the Town, Sexton made the second. Vote Childress, no; Granat, no; Snyder, yes; Sexton, yes. Vote 2-2 tie. Pomeroy was asked to vote, she tried to ask a question and was told she could not, and was told to vote. Pomeroy abstained because of lack of information. Lyp was asked to draw up a plan on how the Town would be able to re-coop these costs and report at the next meeting, and Childress stated that he may reconsider if this is do-able.

COUNCIL COMMENTS:

Sexton: Reminded the Council that there was a meeting 3/19 at 6:00pm at the Porter County Administration Bldg. Also, a NIRPC meeting 3/29 at 5:30pm.

Granat made the motion to adjourn and Childress made the second.

Dated this _____ day of March, 2007.

William F. Sexton, President

Sandi Snyder

Jennifer Granat

Paul Childress

ATTEST: _____
Carol Pomeroy, Clerk-Treasurer