

**PORTER TOWN COUNCIL MEETING  
April 12, 2005  
PORTER TOWN HALL**

**CALL TO ORDER**

President William Sexton called the meeting to order at 7:40 p.m. leading the Pledge of Allegiance to the Flag.

**ROLL CALL** Present in addition to Sexton were Vice-President Sandi Snyder, Sandy Boothe, Paul Childress, Jennifer Granat, Atty. Dave Hollenbeck, Police Chief Jamie Spanier, Building Commissioner Bill Lewis, Supt. of Public Works Karl Bauer, Fire Chief Lewie Craig, and Park Superintendent Jim Miller.

**APPROVAL OF MINUTES:**

March 22, 2005 – Granat made a motion to accept the minutes as written. Snyder seconded. Vote was unanimous with Booth voting present as she was absent from the meeting.

**CONSIDERATION OF CLAIMS:**

Claims – March 16-31, 2005 – totaling \$50,307.42. Childress made a motion to approve the claims as presented. Granat made the second. Vote was unanimous.

Payroll Claims – March 31 2005 - Boothe made a motion to approve payroll for \$42, 770. 40. Childress made the second. Vote was unanimous.

Granat and Childress asked that Pomeroy provide department heads with a copy of the fund reports.

**PETITIONS & COMMENTS FROM THE FLOOR**

Bob Harris of 404 Franklin spoke on the level of noise at Porter Park. He asked if a noise ordinance could be put in place due to the noise from the Park. He said he had moved to Porter because of its quietness. As a neighbor, he said the noise from the car stereos and boom boxes is now personally invasive. He suffers from migraine headaches and over the last five years it has elevated to a level where he unable to even talk on his telephone. Council president agreed that previously it sounded as if a war was going on in the park. Porter Park Supt. Jim Miller said that parking is banned at Hawthorne in certain areas to discourage unwanted activity. Harris said that in Elkhart there is a strict noise ordinance and fines. He said that the officials he has spoken to in Porter indicated enforcement could be a problem. Harris said he had called the Police on one occasion and was told that the Policeman on duty said they had heard the noise. Police Chief Spanier said he was told that only the State Fire Marshal can enforce fireworks violations. Sexton said that the zoning ordinance needs to be researched to see what protection residents can have. Spanier asked if the town has equipment to monitor loudness. Hollenbeck said he'd

like whatever measures Porter takes to be backed up by a level of specificity that could stand up to the challenge. Sexton said he would donate a piece of equipment to judge the noise level. The matter will be placed on the April 26 agenda.

## **REPORTS**

**CLERK TREASURER** - Pomeroy asked the Councils pleasure on a request from Supporter of Military. They would like to stand in front of local businesses on May 28 from 9:00 to 2:00. Granat said this cause was supported by the American Red Cross. By Consensus, the Council agreed.

Pomeroy also received an application from the State Park Little League to have a parade for opening day. It would start for L A Bell and proceed down Woodlawn to the Little League Field on April 30. The time stated was 7:30 to 10:00 a.m. They are asking for a waiver on the 30 day filing permit for parades. Pending approval from the Public Works Supt Karl Bauer, Granat made a motion to approve the request and waive the 30 day waiting period. Boothe seconded. Vote was unanimous.

**ATTORNEY**- Hollenbeck reported on the Conversion of the Fire Hydrant fee with Indiana American Water Co. back to a town billing instead of residents bills, they need to take it before the Indiana Utility Regulatory Commission on April 15, 2005. Also in regard to linking the delinquent sewer bills with the water bill, Hollenbeck said Indiana Water said they have a draft agreement ready to forward to him and it should be ready for the next Council meeting. He had the agreement for the Woodlawn Avenue drainage project between Chesterton and Porter ready for distribution. The project will be divided equally. Without questions, he recommended adoption of this agreement and asked that Bauer take it to Chesterton for their signatures. Boothe made the motion to accept the agreement. Granat seconded. Vote was unanimous. Four copies were signed.

Hollenbeck had the Fire contract from the Westchester Twp Trustee's office totaling \$31,446.00 indicating an increase of \$1,497.00 over last year. Craig voiced his approval. Granat motioned to approve the contract and Snyder seconded. Vote was unanimous.

He said he would like to sit down with Craig and discuss the agreement between the town and Volunteer Firefighters. He has a few questions before finalizing the agreement.

**POLICE** – Spanier said that two of his men (Ed Surgerner and John Lane) had attended multiple classes in South Bend put on by the Federal Government. Mike Veal attended classes on Terrorist training in Hammond. There was no cost to the department.

**FIRE DEPARTMENT**- Craig had submitted a written report. Granat asked about the persistent smell of natural gas in the downtown area. Craig said when they receive a call, the department comes and flushes out the hydrants and the smell dissipates. This problem

has been going on for about three years and Craig said NIPSCO has retired some lines and repaired others but the source of the smell is right under Francis and Beam. When the hydrant was moved from one side of the street to the other, the smell started. Hollenbeck said that after receiving previous correspondence with NIPSCO, he would be glad to draft a letter to them addressing the issue.

**PUBLIC WORKS** –Bauer submitted a written report (see attached). He would like to revise ordinance 2001-07 after talking with Hollenbeck. Sexton would also like to review the ordinance. He asked that it be put on April 26 agenda.

Sexton said there is a DNR Flood Plan meeting in Merrillville on June 21 and he feels that at least two Council members should attend. He would also like members of the Plan Commission to attend.

Bauer suggested establish some rules for the TAC meetings between Jim Mandon and Department heads. He would like information forwarded at least two weeks prior to meeting so that all could review it and make sound judgments on the information.

**PARK DEPARTMENT** - Miller submitted a written report (see attached). He said that Building in April formerly known as Christmas in April has offered to spread 200 pounds of fibar playground material and will waterproof all treated lumber on the playgrounds on April 30. He presented drawings of the makeover of Hawthorne Park Community Building. Dave Kinel of Germotta and Kinel presented a detailed report on the project. Childress explained that only \$42,000.00 was allotted by the CEDIT money and if the project goes over, the Park would be responsible for the overage.

**BUILDING DEPARTMENT**– Bldg. Commissioner Lewis reported twenty-five new contractors bringing the total to 249 since January 1. Granat made a motion to accept with Boothe making the second. Vote was unanimous.

### OLD BUSINESS

**SNOW BAN PARKING ORDINANCE** – Granat said she thought it should be reevaluated and motioned to table it until further notice. Childress totally agreed and made the second. Vote to table was unanimous.

**2004 PARKING ORDINANCE** - The Plan Commission has returned to the Council with the RV, campers and boat portion of the outside storage deleted. Granat made the motion amend the town parking ordinance. Boothe seconded. Hollenbeck read the part of the ordinance in question. Vote was unanimous.

## **NEW BUSINESS**

**CHILD ABUSE PREVENTION MONTH PROCLAMATION - Snyder read the requested proclamation asking that Porter mark April as Child Abuse Prevention Month. By consensus, the Council agreed.**

**TIF DISTRICT EXPANSION – Boothe said some changes have been recommended and they are forwarding those changes to the attorney and town engineer for their input. She asked that the matter be put on the April 26 agenda for review. BZA and Plan needs to approve before coming to the Council. A public hearing should be May 12.**

**COMMENTS FROM COUNCIL –Granat congratulated Atty. Hollenbeck on being awarded Super Lawyer in the state of Indiana. He received a round of applause.**

**Hollenbeck talked to Jim Murphy at County about the taxes going out late again this year. They will be due May 20<sup>th</sup> this year and the auditor could get the settlement done by June 30 and Porter will receive their money on time.**

**He would like the town to do what it can to expedite development of the Lake Erie Land proposed Munson Place commercial park where the PCCRVC for the new visitor's center. By consensus, Sexton was authorized to send a letter to assure state official a sanitary sewer will service the site.**

**Sexton said the CEDIT money goes up about 6% each year and Porter would spend approximately 18% toward the expansion. This would take about three years to recoup that money. He suggested the Council take a good look at this. Granat said she had voted against the CEDIT but she can see that it could benefit the entire area and she is in favor of that. Sexton said there would be two Porter County appointees to the Airport Board. Childress said he wanted to wait until the whole system is laid out before he makes up his mind on the matter. He wants to make sure we are going to get something for the town before we put into the fund.**

**With no further comment, Granat made a motion to adjourn. Boothe seconded and meeting was adjourned at 9:15.**

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**President William F. Sexton**

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**Vice President Sandi Snyder**

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**Sandy Boothe**

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**Paul Childress**

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**Jennifer Granat**

**ATTESTED BY**

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**Carol Pomeroy, Clerk-Treasurer**

**This \_\_\_\_\_ of \_\_\_\_\_ 2005**