

**PORTER TOWN COUNCIL MEETING
June 28, 2005
PORTER TOWN HALL**

CALL TO ORDER

President William Sexton called the meeting to order at 7:30 p.m. by leading the Pledge of Allegiance to the Flag.

ROLL CALL Present were: Vice-President Sandi Snyder, Sandy Boothe, Paul Childress, Jennifer Granat, Atty. Patrick Lyp, Police Chief Jamie Spanier, Fire Chief Lewie Craig, Supt. of Public Works Karl Bauer, and Hesham Khalil of Haas & Associates.

APPROVAL OF MINUTES:

June 14, 2005 – Granat made a motion to approve, Childress seconded. Vote was unanimous.

CONSIDERATION OF CLAIMS:

Claims totaling \$106,158.85 -Childress had one question concerning the Park Board claims. He asked why they have to approve the claims when the Council has no control over the Park Board. Pomeroy said it has always been done that way. Sexton said this should be looked into. From the audience, Bud Tilden president of the Park Board said he always has the claims presented so that the entire Park Board is aware of the expenditures. Sexton said the Council approves the overall budget but not individual line item claims and that according to state statute it is up to the Park Board. Childress also questioned a \$2.50 charged to postage. Spanier said he had put the figure in the wrong column. Pomeroy said the bottom line is the same and she would move the amount to the right appropriation. Boothe made a motion to accept, Snyder seconded – Vote was unanimous.

Sewer Claims totaling 146,145.15, and Payroll Claims totaling \$45,933.74 were also presented - Childress made a motion to accept. Boothe made the second and the vote was unanimous.

PETITIONS & COMMENTS FROM THE FLOOR

Jennifer Klug of 302 Lincoln asked if NIPSCO had retired the line on Francis. Craig all work had been done and the loop was to have been completed earlier in the day. Craig said he would call and make sure the project was completed. She thanked all involved in solving the problem.

REPORTS

CLERK TREASURER – Pomeroy said the town had received a total of \$471,957.30 from the County and Hollenbeck personally delivered ISG check for \$602.50.

She also presented bids from three companies for purchasing a copy machine. Adams Remco bid \$8495.00, McShane \$8,480.00, Kramer and Leonard \$8,493.00. She has \$8500.00 to spend on the purchase. Saying she preferred the present company and their service, she asked the Council's pleasure. Childress made a motion to accept the McShane

bid and Boothe seconded. Childress also requested the present machine be moved to the Street Department when Pomeroy receives the new one. By consensus, all agreed. After a lengthy discussion as all members reviewed the bids, the Council chose the bid from Kramer and Leonard. The previous motions were both rescinded. A new motion was made by Granat and seconded by Childress. Sexton advised Pomeroy to proceed with the purchase.

ATTORNEY- Lyp advised the Council that a legal challenge is possible concerning the Zoning at Porter Beach. Melissa Cohen and Daniel Sawochka will likely file this challenge against the Building Commissioner before the July 15 deadline. They are charging that zoning irregularities and failure to take necessary precautions when excavating the two dunes will threaten the integrity of their adjoining property. He suggested the Council endorse reviewing the zoning regulations that govern Porter Beach as theirs is a unique problem. Lots are odd sizes at the beach and what was good in 1900 is not applicable now. Lyp had talked with an engineer in Beverly Shores and asked how they handle the zoning and will forward copies of their ordinances to the Council. Lyp also suggested that one way to handle the situation at Porter Beach would be to work with the residents and work out an overlay. Snyder motioned that the matter be sent back to the Plan Commission for review and if necessary, a public hearing is held. Granat seconded and the vote was unanimous.

POLICE – Spanier said he has received numerous complaints from citizens about fireworks being set off in Porter. They would like an ordinance this is easier to enforce and not so vague. Sexton agreed and the Council agreed by consensus to ask the Police Commission to review the matter.

Spanier said things continue to be busy at Porter Beach with twenty-four tickets being written in the past two weeks.

He and Bauer will be having a final pre-parade meeting on Wednesday. Mike Smith of Giggles and Steve Neitzel will sponsor the Midnight Parade and have made arrangements. Sexton asked if the Park Board had been contacted for permission to place a moon walk and other entertainment for children at the corner of Waverly and Lincoln. Bud Tilden of the Park Board said he thought it had been approved by Jim Miller. Insurance will cover it as part of the total parade. Spanier should advise Neitzel to make a call to the park board members for approval and report back to him. Two beer gardens are expected. Leroy's and Giggles will have theirs in the previously occupied Giggles building and the Village has applied for their license. The excise people have been notified and most likely attend in plain clothes. Klug asked and was told signs are being posted forbidding open containers. The same man power will be available as last year. Spanier distributed copies of the animal control ordinance recommended by the Police Commission. The Council would like to review it. Sexton will put it on the next agenda.

FIRE DEPARTMENT- Craig had traveled to Martinsville to sign the agreement with the DNR matching funds of \$3500.00 will come out of Craig's CEDIT fund. Craig said the Westchester Twp Advisory Board asked what Porter needed. As a result the Advisory Board will be donating to the Porter Dive Team (boat, motor and trailer totaling over \$21,000.00). Sexton instructed Pomeroy to write a letter of thanks to the Board.

Craig said he would sign the Fire Contract after the meeting.

PUBLIC WORKS –Bauer had been in contact with Lake Erie Land Co on the Munson Place project. They have agreed to update the pump station on Cardinal Court and to pay the tap on fee of \$189,895 within 10-14 days.

They were reminded to make sure the money is put in the construction account – where the tap-on fees should be deposited.

On US 20 and Oak Hill, Bauer had met with the State Hwy Department (Kickbush) and discussed what our former director was going to do and it will be handled the same way by running a pipe across 20 and drain it to the east.

The problem on the 20th Street cul-de-sac will be handled in house. Original pipes had been put in too high and that will be corrected.

Chesterton has put out the bids on the Woodlawn project after a meeting with them last Friday when the agreement was signed. Quotes will be opened at their meeting on the third Wednesday of the month. He and Hesham Khalil of Haas & Associates will be there with Chesterton's Steve Yagelski and John Schnadenberg.

Final approval by both towns will have to be done to begin the project which will last the rest of the summer.

Marquette Point is just about finished. The developer has finished up with the punch list. The pump station will be accepted as the pump down test has been done.

One bid has been received on In. Am Water at Porter Beach. Bids are due August 1st.

PARK DEPARTMENT – Jim Miller was not in attendance.

BUILDING DEPARTMENT- Lewis was not in attendance but eleven new contractors were presented bringing the total to 323. Boothe made a motion to accept them and Granat seconded. Vote was unanimous.

OLD BUSINESS

Granat asked that the Animal Ordinance be put on the next agenda for a first reading.

NEW BUSINESS

Visitor Center Permit Fees Lorelei Weimer of the Porter County Tourism board appeared to ask the Porter Town Council to waive the building permit fee of \$10,000.00. Bids opened the previous week were all above the estimated cost and another bid is slated for next month. She said if the fee were waived, money could be saved on their project. Childress said it has to be inspected by the town without any reimbursement so he feels the request is unacceptable. Childress feels Porter's rates are high and need to be looked at. Sexton agreed saying that the minimum should cover the inspection costs. He said other agencies have asked their permit be waived and it was denied. Weimer said the State demands they have qualified engineers on site at all time to oversee the project. Sexton asked Weimer to get the plans of the Visitor Center to Lewis so the cost of inspections could be made.

Executive Session – July 1st at 6:00

Open Meeting - July 1st at 7:00 or immediately following the Executive Session

Budget Workshop - July 6th – 6:00

Employee Manual Workshop Date – July 13 at 6:00 at the Town Hall

COMMENTS FROM COUNCIL-

Sexton said that each member had received a copy of the response to Christina Johnson for the MS4 co-ordination. The letter was written by Jim Mandon. The matter was reviewed and approved by the Storm Water Management Board. Sexton asked for received by consensus approval to place his signature as Council President on the letter.

Sexton then commended Matt Vctor of 334 Beam St on earning his Eagle Scout badge. A letter will be sent to Vctor who created a memorial garden at Lakeland Park in Burns Harbor which was the home of his former scout leader.

Sexton made the Council aware of Valparaiso creating a County Seat project with recycled materials which kicks off at the Courtyard Marriott on July 8th at 10:00 a.m. Sexton suggested the town get involved with this sculpture project.

He also received correspondence from IDEM concerning the closing of the Kingery Expressway at I 80 and 294. They suggest that anyone going west take 30 to 57 to I 80.

Childress wanted an appraisal for the Sewage Plant. Sexton said that could be determined after the executive session on July 1st. The Council needs to hear what the Attorney has to say. There is a cost of \$ 25,000. for the appraisal and there are still options open to Porter.

Boothe made a motion to adjourn. Snyder made the second and meeting was adjourned at 8:35 p.m.

President William F. Sexton

Vice President Sandi Snyder

Sandy Boothe

Paul Childress

Jennifer Granat

ATTESTED BY: _____
Carol Pomeroy, Clerk-Treasurer

This _____ of _____ 2005