

## TOWN COUNCIL MINUTES

AUGUST 8, 2006

President Paul Childress called the meeting to order at 7:30 p.m. by leading the Pledge of Allegiance to the flag. Present were Vice President Jennifer Granat, Council members, William F. Sexton, and Sandra Snyder. Attorney David Hollenbeck, Lewis Craig, Fire Chief, James Spanier, Police Chief, Brenda Brueckheimer, Building Commissioner and Karl Bauer, Public Works Director.

Childress announced the resignation of Sandy Boothe, effective August 1, 2006, she has already notified the County Clerk and County Chairman.

### APPROVAL OF MINUTES

Granat made a motion to approve the July 25, 2006 minutes as written, Sexton made the second. Vote 3-0 with Snyder voting present.

### APPROVAL OF CLAIMS

Granat made a motion to accept claims as presented in the amount of \$77,533.77, Sexton made the second. Vote 4-0

### COMMENTS FROM THE FLOOR:

- Zathoe Sexton, 351 Waverly Road and Park Board President. Asked the Council if the Park Board could have Ordinance 2004-05, Parade and Assemblage ordinance amended? She stated the Park Board has no say when things are done in the Park. What if an incident occurs such as a wedding and the Town Council schedules the Art Fair? This could cause a real problem. She asked if the Park Board could approve a permit before the Town Council if it pertains to the Park? She was advised to meet with Hollenbeck after the meeting and then Hollenbeck would modify the ordinance.
- Barbara Suarez, 378 Lake Vista Court, stated that the roads in Woodlake Springs are flooding. A new home was built at Lake Vista & Spring View and he has planted grass and covered it with straw. When it rains the straw washes down the road to their cul-de-sac and blocks the storm drain and her yard floods. She has talked to new home owner and he said that the problem is behind him at the Springwood cul-de-sac that there are no storm drains there so it floods and then washes down between the 2 houses and comes to his yard and floods and then proceeds to their cul-de-sac and floods. Sexton advised Bruckheimer to investigate the and look at the plot to see if things were graded properly.
- Carl Dahlin, Porter Beach, stated that he has met the new Code Enforcer, Brenda Bruckheimer, and feels that she should be made a full time employee. She is doing a great job and should be compensated accordingly.
- Mr. & Mrs. Waller, Tremont Road, asked permission to tap-on to the Town's sewer line even though they reside in the County. They are 650' from our sewer line. Dave Rearick, their attorney, said that they live just North of the Town and their property is adjacent to Porter but in the County. The Waller's have received a mound sewer permit from Porter County but would like to connect to Porter. Childress said that they could be annexed into the Town with no problem. The Waller's stated that they do not want to do

that since they have horses. Sexton said that that is no problem that they could be annexed with a PUD and the animals would be no problem. Mrs. Wallers said that it is too expensive and Childress said it is not if it is a voluntary annexation. Waller's stated again that they do not want to be annex into the Town. Childress said he has a problem with someone wanting the Town's services but does not want to be part of the Town. Sexton instructed them to meet with Bauer and Shem and they would take it under advisement and be put on next agenda.

- William Cantrell, Waverly Road, said he attended the Art Fair and everyone missed the tree that was taken down. Childress said he is taking trees down on his property and is willing to give a tree to the Park. Sexton said that the Art Fair did a bang-up job cleaning up the Park after the Fair. They should be commended.

### **CLERK TREASURER REPORT**

Pomeroy said that the Town had received \$612,840.08 in a tax advance from the County.

Pomeroy also asked again to hire a part-time employee. Granat said that she does not think it should be a Utility Clerk but a receptionist. She is in favor of hiring a receptionist part time for 30 hours at \$8.50 this would be a good start. Sexton asked Bauer if he could forward his calls to the Town Hall? Bauer said that Craig said no but he is sure that the phone company could do this. Sexton said that the clerk could answer the phone for the street department. Granat said that that was the idea when the phone system was installed was to network all phones but of course not the police or fire calls. Childress said he had no problem with hiring someone for \$8.50 an hour and not to exceed 30 hours a week and not to exceed \$13,000 for the year and Sexton added without benefits. Snyder stated that she wanted a better job description so there are no questions of what they are to do. Pomeroy said that she already did that and Snyder said to add the description of answering the Street Dept. calls. Pomeroy asked the Council if she had to wait until next meeting to hire and Sexton said no just give them an updated job description. The Council agreed by consensus that Pomeroy could advertise for new help and hire at the rate of \$8.50 an hour and not to exceed 30 hours a week.

### **ATTORNEY REPORT**

Hollenbeck said he nothing to report until later in the meeting. Granat stated that she had received calls from a Porter Beach resident asking why they could not get a Porter Beach Parking permit for \$5.00 even though their drivers license or car registration did not say the Town of Porter? Granat stated that Ordinance 2004-04 states that in order to gat a Beach permit that you need to be a "resident" and that your drivers license and car registration must say the Town of Porter to get a permit for \$5.00. She asked Hollenbeck to define "resident" which his reply was that there are many ways to define a resident legally. He said that the Council has the right to define a "resident" anyway that they want. Snyder asked why do we need to give a definition at all, leave it the way it is and that is our definition. Hollenbeck said he can change the ordinance if the Council wants. By consensus the Council agreed to leave as is.

### **POLICE DEPARTMENT**

Chief Spanier again asked the public to call the Police Dept. immediately if they see something suspicious not to wait until the next day. He also stated that the new police cars are getting between 15 1/2 to 19 1/2 miles per gallon.

## **FIRE DEPARTMENT**

- ✓ Chief Craig said that Porter County has received a grant from Homeland Security and they are buying 7 dry suits for the diving team and will train them. Also, he is going Westchester Twp and is asking them to buy dive equipment and 2 ATV's with trailers with balloon tires in the amount of \$23,000. He will use the ATV's to fight grass fires and to travel the 3 miles of beach when needed. There are places they need to go and trucks can not be used.
- ✓ Craig asked the Council about signing fire contract. The Council agreed to put on next agenda.
- ✓ The Street dance for the Fire Dept was a success they made \$1,439.00, the most they ever made.

## **PUBLIC WORKS DEPARTMENT**

- Bauer said he is working with the Porter County Solid Waste District looking for a compost site for the whole County to use.
- The 5 flow meters have been calibrated and working fine. He gave a copy of the report to Chesterton.
- Bauer met with Chief Ranger Mike Bremer in regards to the gate at Porter Beach. They have come up with a solution for a better gate.
- Triangle Lift Station has had major problems and he would like to totally replace it. It is a major left station since 4 other stations flow into it.
- Haas is working on the spec's for the 2006 paving project and will be taking core samples of the roads at a cost of \$3,100. and this is to be paid out of LR&S.

## **BUILDING COMMISSIONER**

Brueckheimer reported 4 new contractors for a total of 320. Sexton made the motion to accept and Granat made the second. Vote 4-0

Granat stated that the Council received a letter from a resident stating what a great job Brueckheimer is doing. Granat also praised her for providing worksheets and doing follow-ups on everything. Granat also recommended that she be compensated for her efforts. Sexton also stated that this should be a full time position and recommended that the 2007 budget should be arranged for this position. Childress said that he would meet with Pomeroy to compensate her for her efforts this year.

## **OLD BUSINESS**

- ❖ Specs & Standards Manual. Childress asked the Council if they saw any problems with this. He stated that he read it 3 times and saw no problems, Sexton made a motion to number resolution 2006-07 and read. Snyder made the second. Vote 4-0
- ❖ Storm water billing. Hollenbeck stated that Bauer had contacted him to see if Porter County could do the MS-4 billing of their real estate taxes. Hollenbeck talked to James Murphy and he stated that there were 2 hurdles that needed to be overcome, 1. that all communities are doing the MS-4 billing and that County would need to offer to each community with different rates and 2. the tax bill would need to be redesigned and the cost of this figured into it. There is a precedent already set because the Solid Waste Management District has County doing their billing and collecting monies and this is not a tax. They also pay County to do this. Hollenbeck did not know if other Counties were doing this and Shem said LaPorte County does this billing for communities. Murphy is to get back to Hollenbeck. He will report next meeting.

- ❖ Sewer Agreement with Chesterton. Hollenbeck, Bauer and Shem met with Chesterton in June to work out the technical aspects and they resolved all Engineering concerns and Bauer's implementing concerns. The penalty language needs to be clarified but Hollenbeck does not feel this will be an issue. The problem is the cost of \$4.98 per gallon and what is the basis for this cost. Hollenbeck received a letter from Chesterton's Attorney, Mr. Lukmann that Chesterton's cost is \$4.00 and a markup of .98cents. Karl Cender has tried to contact John Julian of Umbaugh & Assoc. but has not reached him yet, so does not know how they reached that amount. Childress stated that Porter is requesting 380,000 gallons capacity not the original of 175,000 gallons. Cender is requesting a listing of all positions with details and wants to know if the MS4 is included or not in their figures. Cender feels that the market value must be fair and reasonable. Sexton stated that Porter is in no position to make a counter proposal until Cender makes his analysis of the \$4.98 charge. Childress wants to know what it cost Chesterton to do the expansion and feels this is a fair discussion. Cender also stated that Chesterton also received expansion. Cender was told to proceed to get their cost.
- ❖ Capital Assets. Tabled until next meeting
- ❖ Hjelm Road name change. Attorney Lyp was to provide the process on how to change the name of a road. Pomeroy stated that she called him but he had not responded at this time. Hollenbeck said that in order to start the process you need to contact the U.S. Post Office and sign off any changes. Childress asked if the Council could just vote on this? Hollenbeck responded yes. Sexton made the motion to leave Hjelm Road its current name and not to make the name change. Snyder made the second. Vote 3-1 with Childress voting no.

#### **NEW BUSINESS**

- 2007, 2008 & 2009 CREDIT SPENDING PLAN. Granat feels the town should get out of debt with this money. Sexton also agreed that it is more important to use the bulk of this money to get the Town out of debt. Childress wanted to know if the line items for each department should be reduced. Sexton said to use \$300,000. to apply towards the loan from the Redevelopment Commission. The Fire Dept. should receive \$85,700, Park Dept. \$85,700, Police Dept. \$85,700, Public Works \$50,000. and Town Hall \$30,000. The Town Hall will use the money to improve the meeting room sound system, recording devices and the acoustics. The Council agreed by consensus.
- Granat told the Council that she was contacted by a resident requesting water on Sunset Lane. Bauer was instructed to contact Indiana American Water Company to see what it takes to get water there.
- Bonar Group Porter Beach survey. Rich Hudson from Bonar presented the Council with an update of their survey determining right of ways and easements. He plans to be done by the end of the year. Bauer asked the Council to approve paying claims for Bonar Group and by consensus they agreed.
- Animal Shelter Contract. Granat made a motion to accept the 2007 Porter County animal contract, but to delete #5 from the contract, in the amount of \$4,371.00. Snyder made the second. Vote 5-0.

**COUNCIL COMMENTS**

Snyder thanked the Council and residents for their flowers, cards and condolences in the recent passing of her Mother.

Sexton instructed Pomeroy to contact Pastor Jerry Rhine from the Methodist Church in Chesterton for their volunteer work for the Town. Each Dept. was instructed to let Pomeroy know what they would like done.

Granat wanted to thank Sandy Boothe for her work as a Council member. Granat said that Boothe was not quoted in the paper that much but she was very dedicated and hard-working. She did a lot of work behind the scenes and should be recognized. Boothe had spearheaded the parade ordinance, open container ordinance and helped with departments. She gave 110%. Hollenbeck asked if he should write a resolution for her and Childress said yes. Snyder thought a letter would be sufficient. Hollenbeck said he would take care of it.

Sexton made a motion to adjourn and Snyder made the second.

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

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Paul Childress, President

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Jennifer Granat, Vice President

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William F. Sexton

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Sandi Snyder

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