

TOWN COUNCIL MINUTES

SEPTEMBER 26, 2006

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

APPROVAL OF MINUTES:

September 12, 2006, Snyder wanted minutes corrected on page 4 that Karl Cender not Karl Bauer was to help write the ordinance for the Capital Construction Fund. Sexton made a motion to accept the minutes as amended and Wickberg made the second. Vote 4-0.

APPROVAL OF CLAIMS:

Sexton made a motion to accept the claims as written and Wickberg made the second. Vote 4-0.

COMMENTS FROM THE FLOOR:

Earl Graves of Sunset stated that he smells fumes from Steel City Gas station. Fire Chief Craig said he was out there and the pipes were clean with no residue. He said that there was nothing out of the ordinary. He agreed to meet with Graves the next day to check it out again.

CLERK TREASURER REPORT

Pomeroy presented an ordinance for creating the Major Moves Fund. Sexton made a motion to number and read. Snyder made the second. **Major Moves Ordinance** was numbered **2006-14** and read. Vote 4-0. Sexton made a motion to suspend the rules and read by title only, Wickberg made the second. Vote 4-0. Snyder made the motion to adopt 2006-14 and Wickberg made the second. Vote 4-0.

Pomeroy also asked the Council to set the day and time for Halloween since the office is already receiving calls. By consensus the Council advised Chief Spanier to contact Chesterton and Burns Harbor as to when they are having Halloween and we will follow. Chief Spanier advised that he would do that.

ATTORNEY REPORT

- **Road Cut amendment.** Lyp spoke with Bauer and stated that as long as there is an expiration date written on the permit there is no need to do a

formal amendment. He advised Pomeroy to place a copy of the approved minutes with the current ordinance.

- Lyp has completed the letter to Verizon to collect for filling the hole at the corner of Oak Hill and Waverly Road, which Verizon left open. Bauer is to give him the address of the responsible person and he will mail out.
- **Indiana American Water Company.** Lyp advised the Council that Pomeroy and he were having a phone conference tomorrow and he will attempt to make changes to the Disconnect Agreement.
- **Capital Assets Ordinance.** Snyder made a motion to number and read. Sexton made the second, Vote 4-0. Capital Assets Ordinance 2006-15 was numbered and read. Sexton made the motion to read by title only and adopt, Wickberg made the second. Vote 4-0.

POLICE DEPARTMENT REPORT

Chief Spanier advised the Council the Police Commission has given a favorable recommendation to hire Officer Marty Gonzales. Spanier commented that he is a fine officer.

FIRE DEPARTMENT REPORT

Nothing to report.

PUBLIC WORKS DEPARTMENT REPORT

Bauer reported on the following:

- **Storm Water billing.** The Council advised him that Attorney Lyp and Pomeroy were talking to them tomorrow about this. Granat stated that the fee of \$4.00 was not high enough and should be recalculated.
- **Water main on Sunset Street.** Bauer stated that he is working with Indiana American Water Company as to the possibility of running a water main. There is approximately 2,225 feet. The Council advised him to move forward and keep them informed.
- **Porter Beach survey.** Bauer said is almost complete.
- **Oakhill and Waverly Road.** Bauer stated that there is a problem with standing water at that intersection and should be fixed before winter. Bauer said the drain pipes are too small and too shallow. Bauer says he has the money in MVH to fix the pipe and LR&S to fix the road. By consensus the Council agreed for Shem and Bauer to come up with a solution and report at next meeting.

- **Cardinal Court.** Shem stated that the plat for this donation was never recorded by the developer. This was once called Locust Avenue, which was recorded. Shem stated that it is .84 acres instead of 1.78 acres which is in Edgewood Acres. Sexton said this is a gift and not costing the Town anything.
- **Woodlawn Avenue.** Granat advised Bauer that the Town now owns the north side easement from Waverly Road to the first set of houses. Bauer said he would maintain.

PARK DEPARTMENT

No one present.

BUILDING DEPARTMENT REPORT

Brueckheimer reported that Larry Peterson is on leave of absence until the first of the year. She asked the Council if Bill Lewis could receive his monthly check since he is doing most of the work and if Lewis and Brueckheimer could divide his quarterly check 7.5% apiece. By consensus the Council agreed.

She also reported that there are 7 new contractors with all paper work in order to be approved, Sexton made the motion to accept and Snyder made the second. Vote 4-0.

Brueckheimer also reported that Bauer is doing the sewer inspections and asked him if he wanted to issue the road cut permits and Bauer said no the Building Department should continue the road cut permits. Brueckheimer will inform Bauer when road cuts are being done. The Council agreed by consensus.

OLD BUSINESS

- ✓ **Jason Casbon leave of absence.** Chief Spanier advised the Council that the Police Commission gave a favorable recommendation for Casbon's leave for 14 months to Iraq. Snyder stated that this is a commendable thing to do and the Council should honor his request. Sexton said that since the new handbook is not passed that the rule of no leave of absence to do another job is not in effect. Sexton made the motion to approve the leave for 14 months based on the current handbook but his vacation time would be frozen. Snyder made the second. Vote 4-0.
- ✓ **Hiring an Officer.** The Police Commission also made a favorable recommendation to hire another police officer after Casbon leaves since no date has been set yet. Sexton made the motion to hire another officer after Casbon is gone. Wickberg made the second. Vote 4-0.
- ✓ **Road cut amendment.** Sexton made a motion to put an expiration date of one year (1 year) on the road-cut permits and then they would have to pay another fee to have it extended. Snyder made the second. Vote 4-0.

- ✓ **Sewer Mirror Ordinance 2006-08 amended to read 2006-16.** Pomeroy made an error in numbering at the September 12, 2006 meeting. Snyder made a motion to renumber this ordinance from 2006-08 to 2006-16 and to have 2nd reading by title only. Sexton made the second. Granat asked if fines are levied will they go to Chesterton. Attorney Lyp stated yes because Porter is a customer of Chesterton. Granat also asked if the fine is challenged who they go to. Lyp also answered the Chesterton. Sexton stated that by state statute since Chesterton owns the system they do all inspection and receive all fines. Sexton also stated that if Porter does an illegal dump in heavy rains Bauer has to report it to Chesterton. **Vote 3-1** with Granat voting nay. Sexton made a motion to adopt Ordinance 2006-16 and Wickberg made the second. **Vote 3-1** with Granat voting nay.

- ✓ **Red Cross training.** Craig said that he has 2 CPR certified instructors that can do the training. Craig will set up the training.

NEW BUSINESS

- ❖ **PCCRVC 20TH ANNIVERSARY.** Granat told the Council that they have requested all communities in the County to donate to the time capsule. The time capsule is 12" X 24". Granat suggested since Porter was known for brick-making to include a miniature brick, list all elected officials and a brief history of the Town. The Council has until October 31 to respond and will decide at the next meeting.

- ❖ **CAPITAL COST CONSTRUCTION ORDINANCE.** Financial advisor Karl Cender presented this ordinance to the Council. This is an ordinance to recover some cost for purchasing sewer capacity from Chesterton. This is figured on historical wastewater and dedicated sewer lines. The ordinance is recommending new fees for connecting to sewer main in addition to tap-on fees. Tap-on fees are \$1,500 and for a 5/8" line the additional cost will be \$1,500 for a total of \$3,000. Snyder asked Cender if this fee could be lowered. Cender stated that this fee is based on buying all the capacity that Porter requested, if the Town foregoes some capacity then this could be amended. Granat asked Cender if this fee would apply to developers that have already been approved. Cender stated that this fee would be passed on to developers after this ordinance has been approved. Sexton said that these fees are in the middle for the State of Indiana, with the highest being \$5,600 and the lowest being \$1,250 and Chesterton's fees are higher than this. Granat asked Lyp if we could use Major Moves monies to purchase capacity from Chesterton and his reply was no. Major Moves monies is for road projects. Lyp said on page 4 of the ordinance to add all new users. Sexton made a motion to conduct a public hearing for the Capital Cost Construction Ordinance at the October 10th meeting, Wickberg made the second. **Vote 4-0.**

COUNCIL COMMENTS

Sexton said that he has made revisions to the new Employee Handbook and it will be ready for the next meeting.

Snyder suggested the Town to hire an Economic Development Coordinator using Major Moves monies to sell the Town for development, look for matching grants so that our money can multiply. Wickberg will look into and report back at the next meeting.

Granat said the Town still has an opening for Storm Water Board, Municipal Building Corp and Redevelopment Commission, with Granat's resignation to the Redevelopment Commission because the Council had agreed to have 3 Council members and 2 citizens, with Wickberg being appointed to the Commission it is now 4 Council members and 1 citizen. These appointments can be either Democrat or Republican for all 3 vacancies. Granat also apologized for cancelling the Executive session for September 18th because Childress was out of town and she felt all liaison should be present for evaluations.

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

Dated this _____ day of October, 2006.

Jennifer Granat, Vice President

Lorri Wickberg

William F. Sexton

Sandi Snyder

ATTEST: _____
Carol Pomeroy, Clerk Treasurer