

**PORTER TOWN COUNCIL MEETING**

**January 11, 2005**

**PORTER TOWN HALL**

President William Sexton called the meeting to order at 7:32 p.m. by leading the Pledge of Allegiance to the Flag. Present were: Vice President Sandi Snyder, Councilpersons Paul Childress and Jennifer Granat, Clerk Treasurer Carol Pomeroy, Attorney Dave Hollenbeck, Police Chief Jamie Spanier, Fire Chief Lewie Craig, Public Works Dir. Scott Guy, and Bldg Commissioner Bill Lewis.

**APPROVAL OF MINUTES**

Sexton asked for approval of January 4, 2005 minutes. Childress made the motion, Granat seconded. Vote was unanimous.

**CONSIDERATION OF CLAIMS**

The claims were paid at the January 4, 2005 meeting

**PETITIONS & COMMENTS FROM THE FLOOR**

Sexton asked that because of the number of residents present to limit their comments to two minutes each.

*Rita Newman*, 315 Franklin representing the Friends of Porter said that a display of the pictures of Porter would be in place by the January 21, 2005 meeting.

*Trudi Gallagher*, 201 Howe Rd spoke as President of the Redevelopment Commission asking for a workshop to be scheduled with the Town Council. By consensus, January 24 at 7:00 p.m. was chosen.

*Monte Moffett*, 1556 Admiral returned to voice his previous concerns on the proposed ordinance on RV parking. He said he had moved to his current location in Porter Cove 10 years ago because he looked into the rights of the property owners. He felt it was not appropriate to take away those rights after they had been established. He would like the ordinance to not limit placement to the rear of house on a pavement pad. He would like to continue to park his RV at the side of his home.

*Pat Duley*, 511 Pottawatomie said he felt the ordinance was too restrictive for people with many vehicles. He does store in his garage but the licensed trailers are in the yard.

*Norm Tapper*, 521 First St questioned why the ordinance did not consider the weight limit for vehicles. He suggested it should contain the number of pounds (10,000) that would be allowed for the vehicles.

*Dan Holbert*, 1555 Essex said he had read the ordinance and has a camper that he stores off site but the limit of only three days in 30 days to be parked at the residence is unreasonable. When planning for a vacation, it takes longer that that to prepare for the trip. He said he has no back yard to park in. He mentioned that Lowell has a similar ordinance but during May-September, recreational vehicles are allowed to park in residential area – winter months they are in storage. Fences would have to be approved through the Porter Cove Home Owners Association. He questioned what would be next – a ban on pickup trucks like in Homewood Ill. He said he paid for the vehicles, paid for the licenses, paid for the insurance and paid for the property he lives on. Holbert felt that he is entitled to do what he wants on that property.

An unidentified man in the audience asked if commercial vehicles are pickup trucks with signs on them. Sexton said they were but that if they were pickups and had magnetic signs that could be removed they would be allowed.

An unidentified woman asked what amount the fines would be, who would impose them and who enforce them. Sexton said the Building Commissioner would be the one to handle them and that no such fines had been discussed at this point.

*Judy Wilson*, 1351 Beam St questioned where the residents would come up with money for fences, cement pads and for the taxes they will incur.

*Marge Jaskolski*, 1125 Cardinal Ct, said that she was not going to put in a slab. She has three boats and cannot afford to do that. She said that it was unfair to the taxpayers.

*Harold Shelby*, 1471 Beam St, was strongly opposed to the ordinance. He said the Council was voted in and they could be voted out.

*Mrs. Price*, 1361 Sunset, was opposed to the ordinance (her remarks were inaudible)

*David McCorkel*, 1130 Wagner Rd, said he has two boats. One boat was parked beside the garage and the other right behind it. His house is on a slope making it impossible to park in the backyard. He feels that a few are causing the problem for the many. He suggested that going after the entire community, why not confront the people who are causing the problems.

*Linda Hodges*, 470 E Oak Hill Rd said she was against the ordinance and had been since it was first proposed when she was on the Police Commission ten years ago. She said there are many who have campers, pop-ups, etc and that is the only what they can vacation. They have little money and cannot afford to store those campers off site. It is an ordinance that will hurt family life and in this day and age, that is wrong.

An unidentified man said that he had circled the town and thinks there are more people to be affected by this ordinance than the Council thinks. He said there should be no more rules because the residents do not have the money for storage.

*Mr. Fronzak*, 898 Waverly said he was concerned with safety issues concerning this ordinance. If he had to put his vehicles in the back yard, it would mean backing them in off a busy road late at night. He said with the lake so close many people have more than one boat and to have to store them can be expensive.

*Russell Dahl*, 1400 Admiral spoke as President of the Porter Cove Residents Association and said his board had met on this issue. They support the present ordinance and are against the proposed one. They feel storage to the side of the homes is much less obvious.

*Chuck Doane*, 630 Franklin said that a few years back he had his boat parked in his drive and was told he needed to pour a slab and put it to the side of his house. Now the proposed ordinance wants another slab in the back for the same boat.

*Roy Olson*, 1451 Beam spoke about the retired people that have a motor home parked at their houses. They cannot afford to store them. Elderly people have worked all their lives to have a motor home to travel in and this ordinance would create a hardship on them.

*Jody Christensen*, 204 Wagner said she had no room for her vehicles in the back yard. Her yard is fenced in and would have to be torn down and is not wide enough to get a cement truck in to pour cement. She agreed that this would definitely be a hardship on the people of Porter.

Prior to the closing of this portion of the meeting, Monte Moffett spoke again. He thanked and complimented

the Council for listening to the people who came to voice their opinions on this matter. He said he was surprised at the many other reasons the residents had in protest.

Sexton closed the audience participation.

## **PUBLIC HEARING**

**Sewer Rate Increase – Ordinance 2004-20 - Sexton opened the public hearing and asked for the opponent's comments. Jennifer Klug, 302 Lincoln said she realizes the need for a rate increase but asked that the Council consider using CEDIT money to offset increases. Childress responded that with Chesterton's increase, Porter should be rising to 34% but by using money from CEDIT and other capital funds the rate would be 22.8%.**

Sexton asked for proponents and there were none. He closed the public portion of the meeting.

Sexton asked for a motion to approve and read by title only. Childress made said motion and Snyder seconded. Grant read Ordinance 2004-20 by title only and the increase was passed unanimously.

## **REPORTS FROM TOWN OFFICERS AND DEPARTMENTS**

### **CLERK-TREASURER**

Pomeroy had nothing to report

### **ATTORNEY**

Hollenbeck had nothing but the contract for legal services. When first brought in last year, it was decided the firm's fee would be \$17,500. This year it will be \$18,750 and the hourly rate will remain the same.

Granat asked that the Council move forward in the collection of past due sewer bills. Hollenbeck said he would meet with Carmen Lorenz (sewer clerk) and gather figures. He will then draft a letter and policy proposal.

Childress asked Hollenbeck about the Property tax replacement money that has not been paid from the County. Hollenbeck said he was unaware it had not been paid and would look into the matter.

### **POLICE DEPARTMENT**

Chief Spanier reported that the initial packet of the new software had been received and he hopes to have the entire system in place within two months.

### **FIRE**

Chief Craig asked that the residents put their addresses on their mailboxes using large reflectors. He also said that walkers and bikers should be wearing reflective clothing when on the streets. He then asked the Council's approval to apply for a matching grant through the DNR for communication equipment. By consensus, the Council approved.

### **PUBLIC WORKS**

Supt. Guy welcomed a new member to the Street Department – a baby boy to Aaron Kelly. He asked permission to order street signs costing under \$300.00. He said he was holding a Confined Space Seminar on Wednesday, January 19, 2005 at the Municipal Building on Beam St. The meeting will be from 9:00 a.m. until 11:00 a.m. and there is limited seating.

Guy asked during the periods of snowfall residents move their cars off the streets to allow plows through.

### **BUILDING DEPT.**

Lewis said that a total of 129 contractors had renewed their licenses so far in 2005. He is in the process of

upgrading the list. Granat made a motion to accept the total with Snyder making the second. Vote was unanimous.

## OLD BUSINESS

**Fire Chief Appointment -** Sexton asked the Council's pleasure on the appointment. Granat made the motion to re-appoint Chief Louie Craig. Childress seconded. The vote was unanimous.

**Second reading – Parking - Ordinance 2004-22.** Sexton asked that the audience please refrain from comments while the Council was discussing this matter. Childress said while the ordinance had many good points, he would like it sent back for at least three parts of it. He wanted the Side Yard versus the Back Yard issue, the surface for parking, commercial vehicle weight, better definitions, and the number of recreational vehicles specifically addressed. Childress then made the motion to return it to the Plan Commission for their attention. Snyder seconded.

**Under discussion –** Granat said that perhaps the RV issue could be decided by acreage. She said she felt the entire section was too stringent. The problem is that people were parking large campers etc on streets and blocking drives and sidewalks. The main issue is the commercial vehicles. The vote was unanimous to send the ordinance back to the Plan Commission for revisions.

Snyder said she has been a member of the Plan Commission working on the wording of the document with the others. She thanked all who came to the meeting and presented their thoughts. The speakers had opened her eyes to several issues she had not even thought of. Snyder said she believed in the public forum and the fact that so many turned out to give their input really impressed her. She said that the Plan Commission will meet again on this matter. The Plan Commission meets on the third Wednesday of the month at 7:30 p.m. She urged everyone to watch the paper for the meeting on the Parking Ordinance.

**Schedule Workshop – Employee Handbook** By consensus, the council agreed to meet on January 31 at 6:00 p.m. for final input on the handbook.

## NEW BUSINESS

**Dune Acres Fire Protection Agreement -** The agreement presented is for five years and the wording is the same as the previous agreement. Cost has increased 5%. Craig said he has approximately 7-8 calls a year to Dune Acres. Childress made a motion to accept the contract and Snyder seconded. Vote –unanimous.

## COMMENTS FROM COUNCIL

Granat spoke on the Lakeshore Financial group who will be presenting an alternative retirement plan for employees. She said that anyone receiving a paycheck from the town would be eligible. Informational letters were distributed with checks and need to be addressed by January 14.

Craig said that he would like the Council to look into health care insurance for retired employees. This savings plan is not beneficial to the older employees who have fewer years left to work. Health care is an issue for older people and he would like the town to consider this matter.

Granat asked Pomeroy to look into the cost of a Credit Card to be used for town employees when attending schooling, seminars, workshops etc. She would like the card to be available and employees will turn in receipts to Pomeroy who will keep records. Sexton stressed that receipts are necessary for the State Board of Accounts and that if there is no receipt, the employee will be responsible for the bill.

Granat said that the Yost class would be coming to the Town Hall on Friday January 14 at 10:00 a.m. weather permitting to look at the government in progress.

Tim Haas of Haas and Associates was asked about the Woodlawn Drainage situation. He said he had sent the final revisions to Chesterton and was waiting for a reply. He said Porter should reach an agreement before the pipes go into the ground on long term maintenance. He said he had also spoken with

**Indiana American Water about the unfinished Porter Beach water issue, which still has a lot of work to be done. The initial estimate for the project was \$500,000.00. The remainder will be done in phases.**

**With no further business, Sexton asked for a motion to adjourn. Snyder made the motion and Childress seconded. Meeting was adjourned at 8:40 p.m.**

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**President William Sexton**

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**Vice President Sandi Snyder**

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**Paul Childress**

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**Jennifer Granat**

**ATTESTED:** \_\_\_\_\_  
**Carol Pomeroy, Clerk-Treasurer**

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