

**PORTER TOWN COUNCIL MEETING  
JANUARY 25, 2005  
PORTER TOWN HALL**

**CALL TO ORDER**

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

**ROLL CALL**

In attendance were: Vice President Sandi Snyder and Councilpersons Sandy Boothe and Paul Childress, Jennifer Granat, Attorney Dave Hollenbeck, Fire Chief Louie Craig, Building Commissioner Bill Davis, and Tim Haas of Haas and Associates. Police Chief Jamie Spanier after the meeting had begun.

**APPROVAL OF MINUTES:** Granat made a motion to approve January 11, 2005 minutes as written. Childress seconded. Vote was unanimous in favor.

**CONSIDERATION OF CLAIMS:**

Claims – January 1-21, 2005 - \$121,000. – Boothe made a motion to accept and Granat seconded. Under discussion, Childress

warned that if claims continue at this rate, there will be no money left. He asked that everyone put off purchases if not absolutely necessary. The motion was approved unanimously.

Payroll- January 15, 2005 -Childress made a motion to approve. Boothe Seconded. Approved unanimously.

Sewer - January 2005 - Childress made a motion to approve. Snyder seconded. Approved unanimously.

**PETITIONS & COMMENTS FROM THE FLOOR**

*Linda Hodges* of 470 E Oak Hill Rd expressed appreciation to the Friends of Porter for the pictures in the meeting room. She also complimented the Street Dept on the fine job done during the recent snowfall.

*Rita Newman* 315 Franklin said she personally would like to thank Street Dept worker Carl Copollo, who on his off time cleaned her sidewalk.

*Jennifer Klug* 302 Lincoln said that she had read in the paper that a settlement had been reached with the former town attorneys – Spangler, Jennings, and Bryant. Atty Hollenbeck said that the matter was still pending and nothing had been finalized.

*Carrie Ailes* – Dunes Meadow Subdivision said that she had been in touch with the Street Department on several occasions. She produced pictures of different times in the past when there was water in front of her house for 10-14 days after rain. She said then there were leaves and the drain was clogged. Ailes also had a picture taken before the meeting that showed 4-5 ft of snow piled in front of her house when neighbors were plowed out.

Sexton said when he and the former Building Commissioner had checked this out before there were sump pumps pumping into the street. Childress said he was the one who plowed the street in the subdivision and he could not get close because of cars in the road. She said she is not receiving mail because the mailman cannot get to the mailbox.

From the audience, *Karen Pisowicz* said that it is the homeowner's responsibility to shovel up to the mailbox. If

the street department tries to get close they will undoubtedly knock the box down.

Ailes wanted to know who is responsible if someone falls on the ice-covered street and walks. Hollenbeck said the simple answer is that if it is a natural accumulation of snow, there is no liability but if you do shovel and they fall, there is a liability.

Ailes said that neighbors to the north had water in their basement and they also have a problem.

Sexton said he and the current Building Commission Bill Davis would be out to look at as soon as possible. He asked Boothe to get someone out there to take care of the current problem.

#### CLERK TREASURER

Pomeroy said she had received the proposed budget back and the State had reduced it by \$51,763.00 and all were made in capital outlay. \$22,223.00 from MVH and \$29,540.00 for CCI. She had returned the notice with the Council's approval on January 20, 2005 with no amendments.

Pomeroy said she would like to thank Rita Newman, her husband Wade, and the Friends of Porter for the pictures. She said they were a nice touch and she appreciated the work that was put into the project.

She also sent a letter to the Redevelopment Commission requesting storage racks for upstairs to clean and organize documents from the previous years. Pomeroy had received an approximate bid from Menards for ten racks costing \$700.00. A quote from Global was less but with shipping it would be higher. She would like to go with Menards. She also received a quote for a color copier from McShane's for \$10,946.98 to buy outright or it can be leased for \$321.04 for 36 months. This lease can be extended at the end of 36 months. Pomeroy also said that Sexton is working on a proposal for the sound system in the meeting room totaling approximately \$10,000.00. This includes microphones, speakers, etc.

For the price of the copier it is not necessary to get bids, but Sexton would like this done. Pomeroy agreed. Childress said these requests need to go to Redevelopment and he would see that they be put on the agenda.

#### ATTORNEY

Hollenbeck had nothing to report except that he continues to do the day-to-day business of the town. Granat asked Hollenbeck what the procedure for removing the Hydrant User Fee from the resident's bills. She said there is a Budget Line Item for it. Hollenbeck said the Council needs to take action to amend the ordinance that created the User Fee. He said he would get a copy of the ordinance from Pomeroy and prepare an amendment for the next meeting.

Granat said the Council had received two proposed ordinances from the Storm Water Management Board for the MS4 Compliance. One ordinance is for the discharge and one for erosion control. They need to be passed by March 1, 2005. Sexton suggested it be tabled until the next meeting so that everyone can read the revised ordinances just received.

Childress asked if the policy had been drawn up on the delinquent sewer bills. Hollenbeck said he had gathered information and is putting it in memorandum form to get to the Council.

#### POLICE

Chief Spanier said that Porter has signed on with South Bend Regional Training Academy at a total cost of \$385. As many officers can attend as often as they want to go. Two policemen have already signed up. This move will save the town money.

## FIRE DEPARTMENT

Chief Craig asked permission to use money from the National Park Fund grant to purchase three helmets for a total of \$490.00. By consensus, the Council agreed. Childress brought up the fact that the money is not listed in appropriations and needs to be. He suggested a total of \$550.00 (the entire amount of the grant) be appropriated to the Fire Department for equipment. An appropriation needs to be published for a hearing at the next meeting. Granat said the helmets couldn't be ordered until the appropriation is passed.

## PUBLIC WORKS

Scott Guy was not in attendance and there was no report

## BUILDING DEPARTMENT

Building Commissioner Davis said thirty-one addition contractors had provided the necessary paperwork bringing the total for the year to 160. Granat made a motion to accept the new contractors and Boothe seconded. Passed unanimously.

He had received an invitation from the DNR to attend a National Park Program in Indianapolis on February 15, 2005 at no cost.

## OLD BUSINESS

**Animal Control Ordinance** - Boothe and Granat had contacted Porter County Animal Control and spoke to the Director Sandy Odle. They were very impressed with what they saw and heard. Granat recommended that the town go back to county based on experiences in the past two weeks. She had given a copy of the 2003 contract to each member. Granat would like permission to talk to Odle about prorating their \$4000.00 fee. Odle would then take that proposal to the Commissioners. Porter would remain a temporary holding facility for no more than 48 hours. She does have questions about what does happen if they do not pick up in the 48 hour maximum. She asked if this would nullify the contract. Hollenbeck said that dispensation in the contract usually means euthanasia. Granat asked for direction from the Council. Sexton said this needs to be explored. Hollenbeck said he could provide a copy of the Valparaiso ordinance just past the night before. Childress brought up the cost because only \$5000.00 was budgeted. If \$4000.00 needs to be paid to County and \$1000.00 for the two town workers to be inoculated, Childress said this could be a 'budge buster'. Hollenbeck said Valparaiso has him looking at some revenue for their control such as licensing, etc.

**Water Expansion** - Haas said that he had spoken with Indiana American Water who would design any extensions for the Porter Beach area. The cost quoted was \$500,000. and with only \$113,511, the IAWC representative said it would not be worthwhile to even look into the extension. Haas said that the National Park Service is considering an extension of their new water line from Wabash to the Lakeshore's Parking area for restrooms. He felt this would be a help to Porter. Sexton asked Haas to investigate just what \$113,511.00 could do in the area.

Waterlines in the Dunes Forest area are also still on the agenda at a cost of \$147,311.00.

When Haas was asked about the aging sanitary sewers on Porter Ave in downtown Porter, he said he would have estimates ready for the Redevelopment Commission on Feb. 8, 2005.

Haas said it was imperative to add at least one chart recorder at a cost of \$3500.00 on the Porter Ave lift station billing meter. Childress said the chart recorder; sewer rehabilitation and lift station upgrade should be presented to the Redevelopment Commission.

## NEW BUSINESS

**Snow Ban Parking Ordinance** – Boothe said she has been working on this ordinance and has a rough draft. Because it had just been distributed to the Council, she asked that they review it and make suggestions. She will also give a copy to Spanier and Hollenbeck for their advice. .

Snyder asked that the Council consider hiring a company to organize all ordinances, past and present and put them into a Municipal Code. She knows of a firm that provides this service and she thinks it will be beneficial to the town. Granat said she know there are many documents upstairs that need to be organize. Sexton said that she should get the cost of such a project and bring it back to the Council at the next meeting. Hollenbeck said he was familiar with the company, as he has worked with them in Valparaiso. They codify all ordinances and keep them current

**COMMENTS FROM THE COUNCIL-**

Boothe said she was really pleased of the work that the Street Department did during the previous storm. She said they never stopped until they were done, working 24/7s even on the weekend.

Sexton said there is an IAC training even coming up on May 10<sup>th</sup> that Pomeroy should attend for Clerk Treasurers. On March 15-16,2005 there is a Legislative Conference. Also there is a workshop on the political aspects of annexation, which they do not need to attend. He feels the Council definitely should have representation at the Ethics in Local Government workshop on March 24, 10-3 at the Omni Center in Indianapolis. Sexton is definitely planning to attend. Granat said there is a possibility she can attend, as did Boothe.

Childress voiced his objections to the new governor of Indiana for recent actions concerning the proposed 1% increase in income tax saying it would be for just one year. He also objected to the proposal of house bill 1188 which he feels eliminates the BZA, Plan and Redevelopment Commissions. Sexton said the bill does not apply if the individual towns can prove that these commissions are necessary for the current level of service. Childress offered to write a letter expressing the town's objections for that portion of the bill. Sexton did not disagree but said to keep in mind that there will be revisions. Childress felt the letter might benefit those revisions. By consensus, he was given permission to draft such a letter.

With no other business, Sexton asked for a motion to adjourn. Childress made such motion and Boothe seconded. Meeting adjourned at 8:40 p.m.

---

President William Sexton

---

Vice President Sandi Snyder

---

Sandy Boothe

---

Paul Childress

---

Jennifer Granat

ATTESTED BY \_\_\_\_\_

Carol Pomeroy, Clerk-Treasurer

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