

PORTER TOWN COUNCIL MEETING

April 27, 2004

Porter Town Hall

President Jenny Granat called the meeting to order at 6:38 p.m. with the Pledge of Allegiance to the Flag. Present in addition to Granat were: Vice-President Bill Sexton, Sandi Boothe, Paul Childress, Sandy Snyder, Attorney Dave Hollenbeck, Fire Chief Louie Craig, Police Chief John Lane, Superintendent of Public Works Scott Guy, and Building Commissioner Dave Babcock.

APPROVAL OF MINUTES:

Booth made a motion to accept the minutes. Childress seconded with the provision he could discuss them. Sexton called attention to page 6 –the second paragraph should read “in ordinance #751 that those are local lateral sewers under applicable laws are the financial responsibility of the property to be serviced.”

In the paragraph below, the first sentence should read, “When the grant was done for the sewers to be put in, there was a list made and people with diameter sewers would have their tanks pumped out.” On page 7 right before comments from the council, the word analysis should be replaced with “analyze”.

Childress asked for the correction in the next paragraph, it should read: “another ordinance #800”. Boothe added to her motion to approve the minutes as amended. Childress seconded. Motion carried 4-0.

CONSIDERATION OF CLAIMS: Claim docket for April 1-23, 2004 – before approving Sexton said that an adjustment in a paid bill for \$5.54 should be subtracted from total. Granat asked for approval of the claims totaling \$90,843.65.

Childress then asked questions concerning the fire works claim totaling of \$400.00 so the total claims would then be \$90,443.65. Granat again asked for a motion. Childress motion, Sexton seconded. Motion carried 5-0.

Sewer Claims April 1-23, 2004 totaled \$63, 983.18. Childress questioned a purchase order for \$113.35 for folders and binders from Kramer & Leonard. Childress also questioned Snyder on the cost of the telephone service that goes to lift stations. He would like to have that phone service included in the agreement Snyder has with the phone company. Purchase orders of more than \$100.00 are to be approved by liaison. By consensus, the amount of \$113.35 was removed from the sewer claim until it can be looked into.

Childress then made a motion to approve the sewer claims totaling \$63,869.81. Boothe seconded. Motion carried 5-0.

Payroll claims totaling \$44,499.02 were presented. Childress motioned, Sexton seconded. Motion carried 5-0.

PETITIONS & COMMENTS FROM THE FLOOR: None

REPORTS FROM TOWN OFFICERS AND DEPARTMENTS

CLERK-TREASURER

Pomeroy reported the CEDIT money (\$104,625.23) was received. This represented 85% of 1/2 of the draw of the first installment. She recommended to the council: \$10,000.00 Park Department (for lawn mower)

24,600.00 Fire Department (for fire gear)

24,600.00 Public Works (lift truck)

55,423.23 Police Dept (leaving a balance of \$18,574.77)

Atty. Hollenbeck advised the council the disbursement of the funds must be done at a public hearing for a legal appropriation of the money.

Pomeroy reported receiving a letter from the Duneland Festival Committee asking for donation for Fourth of July Fireworks. In previous years, the donation has been \$400.00. Sexton would be in favor due to the fact it is a community event. Sexton then made a motion. Boothe seconded. Discussion followed. Childress voiced felt it is a worthwhile cause but due to the lack of money is against the donation at this time. Snyder echoed his thoughts by saying if the money is not in our fund, the town should not donate. Granat asked if a lesser amount could be given. The dissenting council members said they would not agree with that either.

From the floor: Connie Goysich spoke in favor of the donation because it is not just for Chesterton but also for the whole community. It is a Tri-Town celebration. Bud Tilden stated he was chairman for thirteen years and it IS our country's birthday. Steve Nietzel agreed with Childress and Snyder saying that if the town is strapped, we need to start somewhere. Karen Pisowicz again suggested that just \$200.00 would not be a drain on the town's finances. It would be a neighborly thing to do. Linda Hodges spoke saying that she believed the Council when then said they have no money – they have asked the Department heads to cut back and they have. If you have no money, it is like a child spending all of their allowance and then not having any more to spend. You say sorry! Bruce Snyder asked if the town could be a vehicle for a collection from people for the fireworks. He would like the town to say we have no money but encourage residents to donate. The address of P.O. Box 712 Chesterton was given for donations.

Sexton and Boothe rescinded their motion and second noting that it should be discussed at a later date.

Pomeroy announced that starting on May 1, 2004 the Town Hall will be opened from 9:00 a.m. to 12:00 p.m.

Childress questioned the procedure of transferring the Riverboat Revenue money to the General Fund. Hollenbeck explained it was all done with a journal entry transferred.

ATTORNEY:

Atty. Hollenbeck stated that Police Chief Lane provided each of the Council with a copy of a mutual aid agreement with National Lakeshore. Hollenbeck said from a legal standpoint it is in order. Chief Lane also brought the question of the Violations Bureau. After looking into the matter for several other clients as well, he said the consensus is that it is something worth putting back in motion. It may call for a trip to the General Assembly to accomplish this but he feels it will be worth it.

The town also received a flood plan management regulation document, which is under new business. His suggestion is that it be referred to the Plan Commission first

He reiterated that the CEDIT money must have a 10-day initial legal publication and the second is 7 days after that or three days before the meeting. The rest of the money will come in May and then again in November.

He will be reporting on the 344 Rankin St property. A Quiet title action has been filed. He is still investigating the NIPSCO issue.

Boothe asked if Hollenbeck had looked over the traffic and vehicle ordinance and he said he would have suggestions at the next meeting.

Granat asked for a motion to approve the mutual aide agreement with the Natl Lakeshore. Childress so moved: Sexton seconded. Motion passed 5-0.

POLICE

Police Chief Lane reported that since the meeting with his demonstration of the nitrous oxide tubes less have been found on the roadside. He is planning an open house for the Explorer's program on May 12, 2004 at 7:30 p.m. at the Police Station following the Police Commission meeting. He has a list of young people interested. Anyone between the ages of 14 and 20 can apply for the program.

Concerning the CEDIT money, he intends to use it for a program called Safe T that falls under the Homeland Security to build a radio network and should be in place by August.

He also discussed grant money (\$3000.00) that was available through the EMA. They will provide a rescue type suit. He wanted approval to recover the wages of an officer attending an eight-hour course. Lane would also like to purchase a projector and a power point presentation for training.

Snyder asked about the approved police cars and what dealer they had been purchased from. Lane said he had to go to Harbor in Michigan City. A dealer must be a fleet level dealer and Arnell was not. She also asked about the parking ordinance he had mentioned to the Attorney. Lane said that he would like to look into the amount of time a motor home, camper etc could be parked in front of a house. He would like to extend the time to a 7-day notice to address the problem due to the fact the current 72 hours, if over a weekend does not give residents time to address the matter.

Granat noted that the ordinance is in the Police Commission hands waiting for their recommendation.

Childress questioned the status of the Reserve Program. Lane said as soon as the Explorer's program gets off the ground, he would work on the Reserve Program.

FIRE

Chief Craig had nothing to report.

PUBLIC WORKS

Supt. Guy announced clean up week will be May 3rd through 7th. Brush pick up will continue pass this week if necessary.

He has submitted a road resurface list with just about all cost on it. He wanted the Council to review the list so work could be scheduled as money becomes available. Granat suggested that roads at the beach be checked, as some may be private roads.

From the floor: Linda Hodges asked about Wood St. She had brought the matter before the previous council before Guy was hired. It is not legal width for school buses, cars, and trucks to pass. Guy was not aware of the problem and said he would look into it.

Guy has listed the roads in order of priority.

From the floor: Roger Abraham complimented Scott Guy for his input on the Storm Water Management Commission and had saved approximately \$100,000 so far. He received a round of applause. Childress asked that all roads be mentioned on the road resurface list.

BUILDING

Commission Dave Babcock said he had twelve new contractors who had met all the requirements to work in Porter bring the total to 203. Childress made a motion to approve with Sexton making a second. Motion

carried 5-0.

OLD BUSINESS

Insurance Update – Sexton reported three proposals had been submitted. Pomeroy is collating the information. He and Snyder will review and make their recommendations to the Council.

Sewer Study Update

Sexton and Childress had a meeting with Cender & Co. and Haas & Assoc. who are in the process of doing the study. Childress is working on a policy concerning delinquent accounts as soon as he receives more information from Carmen Lorenz. He asked that it be put on the agenda for the next meeting.

Disbursement CREDIT Monies Hearing

Sexton said the hearing must be advertised on April 28 to make the deadline of the next meeting date on May 11, 2004. Childress made a motion to accept the disbursement as stated by Pomeroy.

There was a 5-minute adjournment due to the President becoming ill.

Upon resuming, Vice-president Sexton asked for a second on the previous motion. Boothe seconded Childress' motion. Motion carried 4-0.

NEW BUSINESS

Fourth of July Parade

Boothe reported that she had been researching ordinances of surrounding areas hoping to establish some rules and regulations for the parade. Since the communities are all involved in the drug and alcohol awareness. She feels that without some type of ordinance to control the situation there could be an outcome of disaster. Boothe has talked to Michigan City Police Dept. and was able to get a copy of their ordinance and she had in turn given to Atty. Hollenbeck. Chesterton Police Chief George Nelson supplied her with a copy of what they use for their offenses. She had also contacted Indiana Excise, Lt Greg Ditchley (sp) for his assistance and they have no problem in helping with the situation. She also wanted to make the bars aware that the excise men would be here and if they found minors in their establishments, they would be held responsible.

Boothe feels that a small fee of \$25.00 for a permit would lessen the chance for disaster. No one would be permitted to start or enter the parade without this permit issued ten days prior to the parade.

Calculating the number of entries would also help to control the number in the parade. Each bar should have a bouncer at entrance to maintain control of patrons.

Scott Guy brought up the amount of clean up on the day following the parade. With the town short of cash, it is not feasible to have town workers do this job.

Childress asked who would take responsibility for the parade. He feels the town should not be in charge of the event. There should be an organization to take responsible or we should not allow the parade to continue. Sexton asked Lane for police input on the situation. He said the entire police staff is working with the exception of one officer. With the reserve program, he would use any and all of them. He agreed with Childress someone has to be in charge of parade.

Snyder spoke against the parade saying friends and neighbors had reported to her about the parade. Having never attended, she was relying on their description. She felt with the alcohol and nudity that the parade should not be held at midnight. A parade should be held during the daylight hours or at 6:00 p.m. She felt with the drug and

alcohol problems in our community, it would be hypocritical for the Council to condone this parade. She also questioned the amount the town has to pay to allow the parade in town. She felt strongly the time of the parade could not be at midnight. Snyder said the parade could then be a family affair. If it is not good for my children it is not good for me.

Sexton said the parade had never been billed as a family event. We have an open bottle law that applies to bottles in cars. He feels that the parade should continue but it needs to be under control. He mentioned people being injured and resisting help from the police. He said that 5,000 coming to the downtown is a good thing as long as it is a positive experience.

Lane brought up the viewers encroaching the parade route. He had tried to separate the family area from the bar area.

Discussion by the residents from the floor:

Speaking for the parade - Steve Nietzel

Joe Goysich

Roger Abraham

Bud Tilden

Nancy Whisler

Speaking against the parade in present form –

Karen Pisowicz

Jennifer Klug

Sherrill Newman

Bruce Snyder

Sexton said discussion will continue on the Parade at the next meeting. Sexton tabled the talk of the Taste of Porter except to announce a meeting would be held at Hawthorne Community Building at 6:00 on Thursday April 29, 2004.

COMMENTS FROM COUNCIL

Boothe read comments from resident Earl Graves on the homecoming of their son, Jerry who has served in Iraq. He will be returning on the 10th of May and Boothe asked for and received permission to thank Jerry Graves for serving his country.

ADJOURNAMENT

Boothe made a motion to adjourn with Snyder seconding. Meeting adjourned at 8:35 p.m.

President Jennifer Granat

Vice-President William Sexton

Sandy Boothe

Sandi Snyder

Paul Childress

ATTESTED: _____
Carol Pomeroy, Clerk-Treasurer