

**PORTER TOWN COUNCIL MEETING
JULY 27, 2004
PORTER TOWN HALL**

President Jenny Granat called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance to the Flag. Present were: Vice President William Sexton, Sandi Snyder, Paul Childress, Sandy Boothe, Attorney Patrick Lyp, Police Chief John Lane, Fire Chief Lewie Craig, Public Works Dir. Scott Guy, Bldg Commissioner Dave Babcock and Clerk-Treasurer Carol Pomeroy.

APPROVAL OF MINUTES

Granat asked for approval of June 13, 2004 minutes. Sexton made the motion, Boothe seconded. Motion carried 5-0.

CONSIDERATION OF CLAIMS

Claims: July 1-20, 2004 totaled \$139,648.73. Boothe motioned to approve, with Sexton seconding. Childress questioned the procedure for the \$400.00 donation and the fact that two Police Cars were purchased and that according to the motion that all but one car was to be marked. Upon questioning, Chief Lane said there are four cars not marked at this time and he has no plans to mark them as two of them are going to be retired from service when their assigned police retire in the next two years. Sexton said to put numbers on them at once. Motion carried 4-1 with Childress voting no.

Payroll: ending June 28, 2004 totaled \$50,426.45. Childress made the motion to approve with Sexton making the second. Motion was carried 5-0.

Sewer claims totaled \$56,682.86. Boothe made a motion with Childress making the second. Motion carried 5-0.

PETITIONS & COMMENTS FROM THE FLOOR

Rita Newman of 315 Franklin representing the Friends of Porter said that a total of fifteen pictures will be given on loan to the Town Hall. Sexton again offered any pictures he has to help with the display.

REPORTS FROM TOWN OFFICERS AND DEPARTMENTS

CLERK-TREASURER

Pomeroy said she had received a partial Tax advance totaling \$130,587.55 leaving approximately \$392,027.00 as bottom line.

ATTORNEY

Atty. Lyp reported that the hearing on the Schoenfelt property has been rescheduled to August 9, 2004.

POLICE DEPARTMENT

Chief Lane reported there was no disturbance from the recent Village Street Dance. He had two reserves and two regular officers on duty. The department received no complaints.

FIRE

Chief Craig had nothing to add beside his written report. Sexton and Granat complimented him on his detailed report.

PUBLIC WORKS

Director Guy said that with recent storms, they would not be able to address the holding tank issue on July 30, 2004. This concerns Six Box Lane, Dune Meadows, Wagner Hills and West Oak Hill Road.

Brush clean up with continue is all areas of Porter.

Guy asked that the Council consider purchasing a Portable Flow Meter to investigate critical infiltration in sewer areas. It would run about \$5000.00. He is going to have a contractor in to demonstrate it to him. Childress said that even the sewer department has financial problems. Sexton asked for the minimal requirements for the software.

Dudley Street leading to and from Dune Acres has been washing away with all the rain. It will take \$1400.00 to have Bennett's Paving correct the problem. The Street Dept. is spending between \$300.00 and \$500.00 after each storm. By consensus, the Council gave permission for him to have the paving done. Childress voiced objection because of the lack of funds available.

Guy said clean up on Lincoln had begun with the help of Sherrill Newman and Chris Avery of the Street Department. Guy also had been in contact with the Railroad about a tree in that area.

Guy also had flyers available concerning mosquito problem.

BUILDING DEPT.

Commission Babcock had seven new contractors bring the total to 279. Snyder made a motion to approve the licenses, Childress seconded. Carried 5-0.

He had a letter from Chateau builders referring to the comprehensive plan that requires developers to build larger homes on previously platted lots. Mark I also complained to Babcock. They feel that under the previous plan they have built homes in certain areas with the smaller square footage. Now when the remaining vacant lots are sold, the restrictions are limiting their clients. Babcock suggested that they attend a BZA meeting and Plan Commission to discuss their concerns. By consensus, the Council would like it to return to the Plan Commission for recommendation. Granat would like it put on the next agenda.

He brought up Mrs. Schoenfeld's property on Bote` Drive. He reconstructed the problem, as he knows it. Lyp said that his opinion is that Babcock should not approve an occupancy permit until the ruling in August. Schoenfeld stood and offered her opinion on the matter. She feels that she has followed all the rules and should be issued the permit. Lyp refused to discuss it at a public meeting because of litigation pending.

Sexton asked about two complaints at Porter Beach about huts being built. They are 8 x 8 sheds in the public right-of-way. One has been there for some time and one was built on July 26, 2004. Babcock will check to see if they are in the public right-of-way and if they are he will have them removed.

OLD BUSINESS

INDIANA DUNES NATIONAL LAKESHORE

Tom Goldbin said he has no letter outlining procedures for acquisition of roads from the Lakeshore. They are exploring other alternatives for benefit of exchange. He will try to present the letter at a future date. Granat tabled until that time.

PARKING ORDINANCE

Lyp said that at the Plan Commission, several residents came with concerns about the definition of commercial vehicles. Lyp also has concerns about the definition of commercial vehicles in the ordinance. By consensus, the ordinance is going to be referred to the Plan Commission for input.

STEVE BRADY INSURANCE

Brady said he had been working on an updated insurance plan. The plan chosen is United Health Care which will cost the town \$19,560.00 per month as opposed to \$27,400.00. The medical insurance has a \$2,000 deductible which the Town will pick up the difference between the old deductible of \$950 and still

save an estimated \$100,000 a year. Even with a catastrophe there is a \$70,000 savings over last year.

The Plan also includes dental and vision insurance and prescriptions cards. Life insurance remains at \$25,000.00. Sexton made a motion to adopt proposal, Snyder seconded. Motion carried 5-0 and will go into effect August 1st. Department heads are to set up workshops with employees to have the new insurance explained to their satisfaction.

Snyder said that Brady will do an in depth job of caring for the town and it's employees and if something better comes along he will let us know.

NEW BUSINESS

SAND REMOVAL FROM BEACH and WOOD CHIP DISPOSAL

Granat explained that everyday the town of Porter is moving sand and everyday it is blowing back where it has been removed. Someone from the beach has been moving sand off the road but is not doing the town's parking lot. In the past, the sand has been taken to the municipal building and in some instances taken to resident's homes. The Lakeshore is not interested in the sand. After discussion, the council decided to remove the sand. A list will be kept at the Clerk-Treasurer's office for anyone interested in obtaining the sand. Porter Beach residents will be considered first. Other residents will come next. Lyp will look into the town being able to sell the sand. Guy has strong objections to selling the sand.

REVISED SALARY ORDINANCE

Granat explained that when the original salary ordinance was passed, there was not a 5% increase for one of the positions in the Street Department. Lyp read the ordinance and titled it 2004-10. Snyder made the motion, Boothe seconded. Vote was 3-2 with dissenting votes from Childress and Sexton. She asked for a motion to read the revised ordinance by title only for second and third reading. Boothe made the motion, Snyder seconded. Again the vote was 3-2 with Sexton and Childress voting no. Without unanimous approval it could not be read by title only. It will appear on the next agenda.

COMMENTS FROM COUNCIL

After thanking Shirley Babcock for the tray of sweets, Sexton made a motion to adjourn. Childress seconded. With no objection, meeting adjourned at 8:15 p.m.

President Jennifer Granat

Vice President William Sexton

Sandy Boothe

Sandi Snyder

Paul Childress

ATTESTED: _____
Carol Pomeroy, Clerk-Treasurer

This _____ day of _____ 2004