

**January 13, 2004  
Porter Town Council Meeting  
Porter Community Building**

**President Jennifer Granat called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.**

**Clerk-Treasurer Carol Pomeroy took roll call with Mr. Paul Childress, Mrs. Sandy Snyder, Mrs. Sandy Boothe, Mr. William Sexton, and Mrs. Jennifer Granat present, also present was Street Department Head, Scott Guy.**

**The first order of business was the approval of the December 23<sup>rd</sup>, 2003 minutes. Mr. Sexton made a motion to approve with Mrs. Boothe making a second. Approved 5-0.**

**A draft of the minutes of the January 1, 2004 meeting was available to members of the audience. Mr. Sexton made a motion to approve with Mr. Childress making a second. Motion carried 5-0.**

**The Accounts Payable during the period of December 22-31, 2003 was presented for approval. Expenditures totaling \$16,769.86 were listed. Mr. Sexton made a motion to approve with Mrs. Boothe making the second. Discussion followed. Mr. Childress noted the biggest item was \$10,000.00 list as a payroll transfer. Mrs. Pomeroy stated this is routinely done to cover taxes and basically is a transfer in and transfer out which Mr. Childress recognized in another place on the voucher.**

**A motion to approve the payroll claim dated December 25, 2003 totaling \$47,987.49 was made by Mr. Childress and Mrs. Snyder made a second. Motion carried 5-0.**

### **AUDIENCE PARTICIPATION**

**Linda Hodges 470 E Oak Hill Rd stood and wished the new council and their team great success with the hope for a bright future for Porter. There was a round of applause from the audience.**

**Rita Newman, 315 Franklin said that she had been in touch with Mr. Huff who had an interested in the contents of the cornerstone of the 1913 Town Hall. She asked Police Chief John Lane the whereabouts of the contents. The Chief said at the moment he did not know but that Officer Jim Menn had been in charge. He would check into the matter.**

**Bill Cantrell, 371 Waverly Rd spoke on the Fire Hydrant charge relating his experiences as a previous homeowner in Salt Creek Commons in the 1980s. He said that the matter was taken before Judge Kickbush. His findings were that even if you don't provide water for everyone, you are entitled to impose the charge.**

### **REPORTS FROM TOWN OFFICERS & DEPARTMENTS**

#### **Clerk-Treasurer**

**Clerk-Treasurer Carol Pomeroy reported there was \$355,927.52 in the general fund and that included the \$300,000.00 from Redevelop Fund. Without that, the general fund would be \$55,927.52 and would not be enough to cover the monthly payroll and utilities of nearly \$100,000.00. She strongly stressed that the town of Porter is in a financial emergency and that all departments must show fiscal restraint. Mrs. Pomeroy suggested we do not repay the \$300,000.00 at this time. It is unclear of what our tax dispersement will be in February and it may be necessary to borrow additional funds.**

Attorney Dave Hollenbeck stated that interfund borrowing could only be done by December of the year (2003). He suggested that the Town Council make a motion to retroactively declare a financial emergency and to defer re-payment of the interfund borrowing from the Redevelopment Fund in the amount of \$300,000. Mr. Sexton made the motion and Mr. Childress seconded. Motion carried 5-0. Atty. Hollenbeck will make out the report for the State Board of Accounts. Relating to the seriousness of the matter, Mr. Sexton there will be absolutely no spending by department heads and that only emergency matters will be addressed.

### Attorney

Atty. Hollenbeck said that hopefully the Porter County auditor could finish up with the December tax bills by the end of January. There were 70,000 to be evaluated. They now have to start all over and tax bills may not be ready for May and November 10<sup>th</sup> payments that we are used to. He said that they County would probably not be out of the woods until 2005.

Atty. Hollenbeck has not been able to meet with Mr. Hearn (Porter's previous attorney) due to Hearn's involvement in a trial.

The Council requested that he draw up a letter to the previous council members requesting that any items issued to them during their term be returned to the Porter Town Hall. Mrs. Granat will give a list to Atty. Hollenbeck of the items that are missing. She said these items are town property and according to statute must be returned when they leave office.

The County Squires (anti-annexation group) would like the status of the Porter/Chesterton suit. Atty. Hollenbeck said based on his information "it is over". This is another item he will check with Mr. Hearn on its status.

### Police Department

Police Chief John Lane reported on the Public Auction held on January 10, 2004. About forty-five people attended and at total of \$2,266.00 was received.

There had been two donations to the department. \$1500.00 was given from the Westchester FOP and another \$500.00 from private citizens (Nicola and Darlene Manuzzi). He is looking into Digital Tape recorders.

### Fire Department

Fire Chief Louis Craig presented plaques to Police Chief John Lane for the wonderful job they did the past year helping the fire department.

He also presented one to the Public Works Director Scott Guy help provided by the Street Department.

### Public Works

Director Scott Guy said they are trying to resolve the problem at the Town Hall. He received four bids ranging from \$2000 to \$2500 for the sewer work. President Granat asked Atty. Hollenbeck since the original money came from the TIF fund for the building of the Town Hall, could the repairs also be taken out of that fund. Mr. Hollenbeck said the Council could recommend to the Redevelopment Commission that they pay for repairs. By consensus, the council recommended this procedure.

Mr. Guy announced that brush would be picked up beginning the week of January 19. If for any reason, a resident

is missed they should call the Street Department.

He thanked Police Chief Lane for running the auction last weekend in his absence. He also wanted to thank Louie Craig for his help last year.

Mr. Guy announced an opening for an unlimited Operator. Applications will be available at the Town Hall.

### Building Commissioner

Mr. David Babcock – said his job has been a real hoot, so far. He has a three-page list of 105 contractors which is attached who have applied for licenses. All have met the requirements with the exception of Lawrence Trucking and Excavating. Mr. Childress made a motion to accept the 104. Mr. Sexton seconded. As soon as Lawrence Trucking and Excavating complies, they will be approved. Motion passed 5-0.

### OLD BUSINESS

CEDIT - discussion on the amount the town will receive. The previous council budgeted \$250,000 and Atty. Hollenbeck said a more realistic figure would be \$180,000. The new council is just starting to create a list for the distribution of the money. Atty. Hollenbeck said there is a lot of latitude for spending of this money. Suggestions were made for sewer improvement, sidewalk extension, water improvement cost and other capital improvement.

Mr. Childress stated there is already a grant for a trail up Waverly Road from Orchard Apts. to Hwy 20. It is for \$800,000.00 and the town needs to match 20% of that amount.

Mr. Sexton said there is also a grant pending for the completion of the Woodlawn sidewalks to and including Porter Park.

President Granat suggested setting up workshops to discuss CEDIT plans. Atty. Hollenbeck has a format on how to put the plan together. A workshop meeting was set for January 20, 2004 at 6:00 at Hawthorne Park.

### Hydrant Fee

President Grant produced a folder with information on the Fire Hydrant Fee –Ordinance 2003-03 with a letter from resident Tracy Frye as well as billing cost with rates according to the size of the line. Discussion followed with Atty. Hollenbeck saying that he needs to do more research on the project. He will contact Indiana American Water.

The Council also would like to know the amount they are receiving from Porter at this time. Fire Chief said we are currently awaiting hook up of five hydrants at Wagner Hills and that we are currently being charged for hydrants on East Oak Hill Road that Porter County owns.

### Animal Control

President Granat reported that she had met with Jay Craig (who is interested in the position of Animal Warden) and Police Chief John Lane. She listed that this matter goes back to August 3, 2003 when the previous council put the Animal Control issue on the agenda. On August 26, it did not appear on agenda. On September 9, Jim Menn was to check on the liability of having a Porter Animal Warden. On October 28, the discussion was about if it could effect our Workman's Comp. In December, Mr. Hearn notified them that an animal ordinance already existed. Nothing had been done since then at Council meeting.

Also in the package –was a copy of the Porter ordinance and an updated contract. Discussion followed and Mr. Sexton asked that Mr. Craig make his presentation he had prepared.

**Attached is a copy of Mr. Craig's presentation.**

**Beginning salary for Mr. Craig will be \$1500.00 compared to \$4000.00 for the Porter County Control.**

**Mr. Craig said due to the current financial crunch he would do the job for that low rate. Mr. Craig's father would help out when he was on vacation. He would also apply for a wild life permit to cover all types of animals plus have Dr. Larry Reed sign a contract to formalize aid that he would provide. Last year, the County had approximately 40 calls from the town of Porter.**

**From the floor :**

**Roger Abrams said he was definitely in favor of having Porter take care of their own.**

**Terry Gault asked if the animal had tags would it be brought home. Mr. Craig said no that the owner would have to go to Municipal Building to claim their pet.**

**Jennifer Klug raised the issue of a written contract with Westchester Animal Clinic and that she felt separate cages are a must. She also showed the Council several pictures from February 1993 showing mishandling of animals. Ms Klug insisted that the Animal Control be closely monitored.**

**The past Animal Control Warden said that back in those days, animals were kept in catchall places. Chief Lane said he would personally check on the animals.**

**President Granat said that we have been fortunate that no requests to pick up animals have been made so far this year and urged the Council to make a decision at this meeting.**

**Mr. Childress made a motion to establish the Animal Control in Porter with a cap of \$4000,00. Mr. Sexton made the second. Motion passed 5-0. The Council instructed Mr. Craig to begin immediately.**

## **NEW BUSINESS**

**Mrs. Granat asked the Council if they had any objections to withdrawing of Resolution 2004-01, which was the transfer of funds of \$300,000 from the General Fund to the Redevelopment Fund. There were no objections.**

**Mrs. Booth requested that February 14-15 be declared Poppy Day for the VFW Post 2511. The money collected is to help the disabled. The Council agreed by consensus.**

**Mr. Childress asked that the Council vote to have the Chesterton Tribune run all of the town's legal ads. President Granat asked for a motion to make the Chesterton Tribune our home town paper. Mr. Sexton made the motion and Mr. Childress seconded. Motion carried 5-0.**

**Mr. Childress also brought up a letter from Congressman Pete Visclosky's office offering a seminar (on grant requests due by February 6). The seminar will be January 15<sup>th</sup> at 10:00 a.m. Mrs. Snyder offered to attend.**

**He also requested setting up interviews for the town's appointment to the PCCRVC. By consensus, the interviews will be conducted on Monday January 19<sup>th</sup> from 2-6 p.m.**

**Mr. Childress would also like input on the Town of Porter website. Suggestions should be brought to the next meeting.**

**President Granat extended a thank you to all town employees for their help during the transitions.**

**Police Commission meeting January 14 – 5:30 at Porter community Building  
Storm Water Management meeting January 27, 5:30 at the Street Department**

**President Granat asked for a motion for adjournment calling for a 5-minute recess before the Redevelopment Commission meeting.**

**Meeting adjourned at 9:30 p.m.**

---

**Jennifer Granat, President**

---

**William Sexton, Vice President**

---

**Sandy Boothe**

---

**Paul Childress**

---

**Sandi Snyder**

**ATTEST:** \_\_\_\_\_  
**Carol Pomeroy, Clerk Treasurer**