

**PORTER TOWN COUNCIL
MEETING
FEBRUARY 24, 2004
PORTER TOWN HALL**

The meeting was called to order by President Jennifer Granat at 6:30 p.m.

Present at roll call: Sandy Snyder, Paul Childress, Sandy Boothe, William Sexton, Jennifer Granat, Clerk/Treasurer Carol Pomeroy, Attorney Dave Hollenbeck, Chief of Police John Lanes, Fire Chief Louise Craig, Superintendent of Public Works Scott Guy and Building Commissioner Dave Babcock.

President Granat asked for a motion to approve the minutes of the February 10, 2004 meeting. Sexton so motioned and Childress seconded. The motion passed 5-0.

CONSIDERATION OF CLAIMS: Granat asked for approval of the Accounts Payable. Childress made the motion. Sexton seconded. Discussion followed: Sexton asked Fire Chief Craig about the repair to the pagers. The council wanted to know how they were paid for initially, and how much they cost monthly. The Chief said the Westchester Firefighters purchased the pagers for the Fire Department. There is no monthly fee as they are not regular pagers.

The Chief was also questioned about the cost of the Internet to fire department at \$69.00 per month when the Police Department cost is just \$30.00. The Council directed the Chief to check on the cost difference. Both are Verizon contracts.

Childress questioned the amount for the engineer that appears on page 13 in claims. The engineer fees refer to Highway Acres and General Engineer for attending the Town Council meeting. Granat explained these were bills that had been pending since the last Council.

Arrow contract – Hollenbeck will contact and report back to the Council

Claims for January Feb 1 to Feb 10 totaled \$120,810.71 Showing the amount of \$10,000 for Highway Acres Drainage and \$13,900 for demolition of the house at 344 Rankin

Roll call showed 5-0 approving the claims.

Sewer accounts payable – for 2/20 totaled \$81,451.70. Childress made a motion to accept and Boothe seconded. Motion to approve passed 5-0.

The payroll claims were presented totaling \$46,249.94 – for 2/15. Motion to approve made by Snyder, and seconded by Boothe. Motion passed 5-0.

PETITIONS & COMMENTS FROM THE FLOOR

Jennifer Klug of Lincoln St stated that at last Police Commission Boothe spoke on the necessity of a written contract with Westchester Animal Clinic. Boothe said she had cleared this through the attorney. Hollenbeck said it would be proper and that he did have the contract written and would have the signed agreement at the March 9,

2004 meeting.

CLERK-TREASURER

The town has received the tax draw from the County totaling \$178,655.07 the week prior to the meeting.

The disbursements were:	\$ 14,913.00	Debt Lease
	3,722.00	Fire
	110,000.00	General Fund
	27,951.00	MVH
	5,096.00	CCD
	9,658.00	Police
	953.00	Park
	<hr/>	
	\$178,655.00	Total

Pomeroy suggested that the Council repay the TIF fund \$300,000.00. This money needs to be repaid in June 30, 2004 and then we could borrow again and not have to pay it back until Dec. 30, 2004. Discussion followed – Sexton after payment of claims \$263,000 would be left in the general fund. Hollenbeck suggested that the Council pay back a portion of the money and that would trigger the Council rights to re-borrow. Childress pointed out that the Riverboat Revenue money (\$32,000.00) had not been transferred. This amount cannot be transferred as such.

Hollenbeck recommended that the discussion be held over until the next meeting. He will get together with Pomeroy and Council members to see exactly what the options are.

A special meeting was set up for Friday February 27, 2004 at 6:30 p.m. which would give at least 48 hours for notice for a public meeting.

Pomeroy then presented three claims that couldn't get on the docket from October, November and December. After discussion whether to pay the claims or hold them until the financial matters are settled on Friday. Childress made a motion to table the claims until Friday, Boothe seconded. The motion passed 5-0.

ATTORNEY

The State Board of Accounts has objected to the process of transferring the Riverboat Revenue sharing to the General Fund. The previous council had set it up as a separate fund instead of receiving into the general fund, which means there cannot be a transfer of any funds, however you can use the money directly by additional appropriations. What needs to be done is general fund expenditures should be picked out and then put a notice of a public hearing.

Discussion followed: Hollenbeck advised that \$31,400.00 in appropriations need to be taken out of the general fund and put in the Riverboat Revenue fund and pay them that way. The State Board of Accounts would approve appropriations

Childress questioned the Town Auction where the money was put in the MVH. The money is to be used for insulation. Hollenbeck said that appropriations would be approved as long as they are not from Real Estate Property Funds. Hollenbeck said this was a touchy subject because Porter County was against the gambling and now they are profiting. The County would only vote to legalize gambling if they could receive a portion of the revenue.

Hollenbeck suggested that at the Special meeting on Friday, the Council look to adding an appropriation for the insulation.

Secondly, from the State Board of Accounts – the money in the Park donation Fund of \$2,500.00 to be donated to the Park Operational Fund. The Donation Fund was set up for as a restrictive fund for improvements only. Pomeroy reported that the transfer had not yet been done.

Childress made a motion to rescind the transfer of funds from the Park donation fund to the Park Operational Fund. Boothe seconded. Motion carried 5-0.

Hollenbeck met with the previous town attorney Ed Hearn. The status of the suit of Chesterton against Porter in the matter of the 2003 annexation proposal revealed that it had been officially dismissed.

The house at 344 Rankin was demolished for a fee of \$13, 900. 00 and the town is now in receipt of a letter forwarded through Ed Hearne from John Duey who has a lien. He had acknowledge and agreed to destroy the house but stated he could have done it for less money. Hollenbeck will follow up on this matter.

There is also a pending issue on the Town Sign on the billboard on I-94. The owner may want the sign taken down. He will follow through with this also.

Personal injury matters have been taken over by the town's insurance carrier and he will address this at a later date.

Hollenbeck had received two ordinances from Police Chief Lane. One ordinance was in regard to prohibiting front yard parking. Lane would like the town code to include boats and watercraft. No fine or penalty is listed and a \$25.00 fee would be imposed. He would like to have the Council take under advisement.

Lane also feels the cost of making a copy videotapes is not sufficient and it should be \$250.00 – there is a second ordinance to charge this fee. He would like to have the council take this under consideration also.

Town has received a subpoena for the Eagle Services Corp who is serving H2O services. Hollenbeck has consulted with Supt. Guy and been brought up to date on the matter. The Town of Porter is not involved in this suit.

Lane has brought up the fact he would like to have a violations bureau where certain infractions could be handle locally. In the 1990s this was a common practice and when the State Board of Accounts declared they were not legal. Hollenbeck is looking into the reinstatement of this procedure throughout the county. Burns Harbor and Valparaiso are looking into this also.

The attorney fees from the previous council were also discussed with Ed Hearn. Hollenbeck stated he would get together and go over these fees from November and December.

POLICE

Lane presented a program called Cost Recovery, which would actually be a billing for services performed for accidents. 83% of accidents last year involved non-residents. With this Cost Recovery program the non-resident's insurance would be billed according to length of time at the accident scene. While police are at accidents concerning non-residents, they are not able to patrol the town. An example of ½ hour would generate \$101.00 for the department. This covers the officer's expertise and court appearances. Lane had attended a Chief's meeting and learned that other departments in the state (15) are considering this and Marian County is about to put theirs in place. Lane provided the Council with information and would like them to take this under consideration. He offered a sample ordinance.

Lane also approached the subject of false alarms. He has found an ordinance prepared in 1999 and was never presented to a Town Council. He would like the Council to consider this Nuisance Alarm Ordinance, which would (after multiple false alarms) begin imposing a fine on the perpetrator. He would like this put on the next agenda for a vote.

Lane made a presentation on the Explorer program he would like to implement. After distributing the guidelines, Sexton complimented Lane on the program but had concerns with previous experiences with young boys showing badges and presenting themselves as police. Lane that this would not happen in the future reassured Sexton. Lane said ideally they would like at least five teens and would take up to twelve. Childress made a motion to approve the Explorer program. Sexton made the second and the motion carried 5-0.

He reviewed the Child is Missing program which is a nationwide program. Much like the Amber alert, the program carries it one step further. If a child has strayed from home and is considered missing, within minutes of a call to the base, one thousand calls to homes in the immediate area can be made. There is no cost as the Foundation is entirely funded by Corporation dollars. By consensus, the Town Council gave their approval.

As part of the Police Department the newly formed Animal Warden, J.J. Craig spoke on his experiences since taking the job. He plans a monthly report in the future. Several animals were found wandering and returned to their owner. Two are still at the facility. He thanked Scott Guy and John Lane for helping him.

FIRE CHIEF

Chief Craig as the Council for permission to apply for the Homeland Security Grant. The application had to be submitted by computer by March 1, 2004. The second grant is a National Park Grant and it is a 90-10 grant, which is to be used for Wild land Firefighter gear.

Craig reminded there is no open burning – this includes small enclosures. Campfires are allowed unless there is a complaint filed and then the department must put it out.

By consensus, the council approved his request to apply for the grants.

From the floor, Dan Dickey spoke. He is a former participant in the program at the Police Station and wanted to thank the Council for passing the Explorer program.

From the floor, Porter resident Dale Brewer volunteered her help to Chief Craig for applying for the grants.

PUBLIC WORKS

Guy assured he was scouring the web for grants and at this time he could not find any but will proceed.

Guy wanted to assure the Town Council that the position of the Animal Warden at the St Dept has not interfered with his department and he considers the program a success.

He is currently patching potholes and will continue to do so throughout the thawing season. Residents are urged to call if they have a sighting.

Guy requested that the council approve the insulation for the pole barn at a cost of \$1500.00. Granat told him to put on the list for Friday's meeting.

He asked for and received permission by consensus to attend Road School in Lafayette on March 9-11 at a cost of \$200.00. He was also given permission to use the town vehicle.

Guy urged residents to be a good neighbor and get extra rollout containers from Able. Spring clean up will be scheduled in April.

Sexton asked about repairs of a sinkhole east of Waverly on Woodlawn. Guy had already been in touch with Mike Wilson from Chesterton and was assured he would look into the matter.

BUILDING

Babcock reported he had five new contractors, which brings the total to 157 since January 1, 2004. Bonds and insurance are in order. Sexton made a motion to approve the contractors. Snyder seconded. Motion carries 5-0.

OLD BUSINESS

None

NEW BUSINESS

Dale Pflughaupt presented an insurance packet detailing the town's insurance (health, life, auto, workman's comp, liability). Sexton questioned that the insurance was brokered out to an insurance company in Kokomo. Downey Insurance is an access to Employers Mutual. He also asked about the HSA that is a government account put on by Anthem Insurance. This is set up for clients to make payments that can evolve year to year. Discussion followed. The Council wanted a comprehensive list of exactly what coverage they had. The policies are to be reviewed in October 29, 2004. Sexton expressed his wish to shop around to get the very best for the town at the least cost.

When questioned by Snyder, Pflughaupt said he had been with the town since January 2000. The rates increased last year 9%.

Boothe inquired about vision, dental and life insurance. The town has \$25,000.00 policy on each town employee. Cost of the coverage is just \$1.00 per employee. Granat asked that the council review the material and insurance be put on the agenda in October.

Leonard Sullivan spoke on March being Mental Awareness Month. He presented packets and posters to the Council and the Clerk-Treasurer. There are currently in excess of 54,000,000 people with physical and mental disabilities in the USA. He urged the town to look into voting process. Voting booths are not accessible for the handicap. Sullivan asked the town for a resolution declaring March Mental Awareness Month. Childress made a motion to title and read resolution 2004-01. Sexton seconded the motion. Motion carried 5-0. Sexton made a motion to read by title only, seconded by Sexton.

A motion was then made by Childress to adopt the resolution. Boothe seconded and it carried 5-0.

Amend Ordinance 1994-06 Beach Parking Permit Fee

To issue a special parking permit for smelt fishermen during March, April and May, Sexton made a motion to number and read ordinance 1994-06-and Boothe seconded. Carried 5-0. Sexton made a motion to suspend the second and third reading and read by title only with Snyder seconding. Motion carried 5-0. Childress made a motion to adopt said ordinance. Snyder seconded and vote was 5-0 approval. The permit bumper stickers were displayed.

Finalize/Approval CREDIT Plan

Hollenbeck distributed two pages of the Capital Improvement Plan. Three items need to be included are total estimated cost, other source of funding, and schedule for the multiyear plans. See attached

Childress offered to make corrections on printed copy. (I.e. Porter Cove Park years) Childress then read the distributions - over a three-year period.

Police Dept.	\$ 74,000.
Fire Dept.	\$ 74,000.
Park Dept.	\$ 74,000.
Public Works	\$ 74,000.
Infrastructure Improvements	<u>\$442,531</u>
Total	\$738.531

Projects were read by Childress - See Attached

Boothe made a motion to approve with Snyder seconding. The motion passed 5-0.

Hollenbeck told that the EDIT money will be hopefully be received in the next 2-3 weeks. Distribution of part or all of the money will be coming in 4-6 weeks.

Meeting adjourned at 8:26 p.m.

Jennifer Granat, President

William Sexton, Vice President

Sandy Boothe

Paul Childress

Sandi Snyder

ATTEST: _____
Carol Pomeroy, Clerk Treasurer