

PORTER TOWN COUNCIL MEETING

JANUARY 22, 2008

President William F. Sexton called the meeting to order by leading the Pledge of Allegiance to the Flag. Present were Vice President Jon Granat, and Council members Michele Bollinger, Michael Genger and David Babcock. Also present were Clerk Treasurer Carol Pomeroy, Attorney Patrick Lyp, Police Chief James Spanier, Fire Chief Lewie Craig, Building Commissioner Art Elwood, Public Works Director Brenda Brueckheimer and Park Superintendent James Miller.

APPROVAL OF MINUTES: January 8, 2008

Genger made a motion to approve minutes as written with Babcock making the second. Vote 5-0.

APPROVAL OF CLAIMS:

Babcock made a motion to approve claims as presented in the amounts of \$69,518.89 and \$597,785.00 with Bollinger making the second. Vote 5-0.

COMMENTS FROM THE FLOOR:

None

CLERK TREASURER REPORT:

Pomeroy asked the council if the VFW could have poppy day on May 17th & May 18th, Council approved by consensus.

Pomeroy presented 45 new contractors for Council approval. Bollinger made the motion to approve the new contractors and Babcock made the second. Vote 5-0.

Pomeroy told the council that the loan from Redevelopment Commission was repaid in full with General Fund paying \$310,400 and Park Fund repaying \$27,000 for a total of \$337,400. She also noted that the Fire Fund still owed \$30,000 to the Rainy Day Fund but Debt Lease had repaid their loan back in full to the Rainy Day Fund.

Pomeroy presented Karl Cender's contract for Financial Consultant for 2008 with Genger making the motion to approve with Bollinger making the second. Vote 5-0. Granat made a motion to approve Haas & Associates contract for Engineering for 2008 with Babcock making the second. Vote 5-0. Sexton urged department heads and Pomeroy to move forward with the codification.

ATTORNEY REPORT:

Lyp told the Council that next meeting he would have the ordinance for WBEZ radio station. He also reminded the council that the Plan Commission has sent a favorable recommendation to the Council and that the council has a one time shot at negotiating commitments as part of the zoning petition.

POLICE DEPARTMENT REPORT:

Spanier at last meeting asked the council if they could move the phone lines from Verizon to Comcast because of significant savings of approximately \$50 per line plus free long distance. The council advised him to check into AT&T and report back. Spanier said that he had contacted AT&T and they do not offer the same service. Spanier said other departments were also interested in

switching also. Spanier said that also the internet would be 3 times faster than now but wireless would be better. Sexton said that WBEZ radio station offered free wireless internet to Porter last year but their petition was rejected last year, but since then WBEZ has a favorable recommendation from the Plan Commission this year and Sexton said he would contact them about offering it again this year. The Council advised Spanier to move forward with Comcast by consensus.

FIRE DEPARTMENT REPORT:

Craig stated that they are offering CPR training at the Fire Station on January 26 starting at 9:00am. The fee is \$15 for residents and they have to pre-register for the class.

Craig also asked for permission to apply for a 50/50 grant from the DNR in the amount of \$5000 and the Council agreed by consensus.

Craig also reminded landlords that they need to get their smoke detectors forms in by January 31st. The forms are available at the Police Station, Town Hall and the Fire Stations but must be returned to the Fire Station after completed.

PUBLIC WORKS DEPARTMENT REPORT:

Brueckheimer stated the lift station at Porter Avenue had recorded 4.96” of rain on January 7th & 8th this resulted in 2 overflows out of the 16 lift stations, one at Triangle lift station and at Porter Avenue left station. She thanked the Fire Dept for helping clearing storm drains and also thanked Elwood for finding a couple of rainspouts that were going into the sanitary system and warned residents that it is illegal to connect downspouts and sump pumps to the sanitary sewer lines. Brueckheimer asked permission to attend road school in March and August and the Council agreed by consensus.

Brueckheimer asked permission to hire 2 employees which the Council agreed that at this time she could hire 1 for the street department.

PARK DEPARTMENT:

Miller said that at their last meeting the Park Board appointed Zathoe Sexton as President and Becky Maranto as Vice President.

The Park Board is still working on the Park’s 5 year plan.

Miller said he would be attending Porter Cove’s Homeowners Association on February 4th in regards to the vandalism occurring at that Park.

Zathoe Sexton, President of the Park Board asked the Council to approve Miller to carry over 5 days of his vacation into 2008. She noted that the Park Board has given him permission to do so. Lyp advised the Council that Miller should write the reason why for some basis for approving the carryover and place in his file. Granat commented that in the new handbook it states that all requests must be in writing. Babcock asked why didn’t he take them and Miller said that he was hesitant to take them in case he was needed. Babcock stated that all employees should take their vacation and does not want this request again next year. Bollinger made the motion for Miller to carry over 5 vacation days over to 2008 and Genger made the second. Vote 5-0.

BUILDING DEPARTMENT REPORT:

Elwood said that Cricket cell phone has requested adding receivers to the existing tower on Highway 20 and 49 bypass.

OLD BUSINESS:

ORDINANCE 2008-02 amending Employee Handbook.

The ordinance corrected the years needed to receive 20 vacation days to read 10 years or more but less than 20 years plus eliminated employee tuition reimbursement and actually adopted by ordinance the Employee handbook. Granat made a motion to number and read by title only with Bollinger making the second. Vote 5-0. Babcock made a motion to suspend the rules with Granat making the second. Vote 5-0. Babcock made a motion to have 2nd reading by title only and adoption with Granat making the second. Vote 5-0.

ALLIED WASTE/REGIONAL INDUSTRIES

Granat and Babcock toured Allied Waste plant on January 19th and were impressed with their operation. Allied Waste has bought Regional Industries earlier in the month and will honor their contract with the Town of Porter through 2008 at the same rate that Regional was charging. There is no provision in the contract to extend into next year. Allied will also pay the 25% of the money they receive selling Porter's recyclables. Allied takes the recyclables to Illinois to sell. Granat made a motion to transfer Regional Industries contract to Allied Waste for the remainder of the year, Babcock made the second. Vote 5-0.

NEW BUSINESS:

PCCRVC – Lorlei Weimer could not attend this meeting and asked to be placed on the February 12th agenda.

PUD- TRAILS OF PORTER- ORDINANCE 2008-03

Lawyer Karen Tallian representing developers Bob Gorgei and Rich Brennan presented a rough draft of a PUD Ordinance to the Council for the Trails of Porter subdivision of 190 lots. Tallian stated that this is a unique piece of property which totals 64 acres of farmland plus an additional adjoining 5.15 acres that will be used for off-site park. She said that this development has been in the works for a couple of years with many changes. To start with Gorgei & Brennan committed to donating \$1,833 per lot to help finance the bike trail that was going to go around the subdivision. This money was to help pay for the bike trail going over the Norfolk Southern railroad tracks. Later this bike trail changed routes because the railroad would not give permission to cross over.

Tallian noted that 78 of the 190 lots would back up to a pond which will be deep enough to have fish in it. There will also be a walking trail around this pond and through the subdivision. The 5.15 acres that will be used for park will be contiguous with 6.25 acres of wetland park for a total of almost 11.5 acres of continuous parks. She stated that the zoning for this PUD R-3 could have up to 600 living quarter as a 4 units apartment buildings. The density is 1/3 of the density that could be allowed. The density of this subdivision is 2.75 per acre compared to Porter Cove which is 2.83 per acre and Marquette Point which is 2.9 per acre. The price range of these homes would be \$180,000 to \$220,000 which would add \$34 million to the Town's assessed valuation. They have committed to donating \$1,833 for each lot to help upgrade the Porter Avenue lift station. This subdivision will also bring water and sewer to the area and would improve storm water runoff.

Matt Keiser of the Duneland Group is the project manager for this subdivision said that there has been a traffic study and they will build 2 right turn lanes, one on Old Porter Road for southbound

traffic onto Mineral Springs Road and one on Mineral Springs Road for westbound traffic onto Old Porter Road. Attorney Lyp and Tallian are to negotiate at what point these turn lanes would be developed. Babcock asked Keiser if sump pumps could be built into the storm system which Keiser said yes they would be. Genger asked Lyp if limitations or additional conditions could be added to the ordinance, which Lyp replied yes. Genger asked if President Lorain Bell of the Plan Commission and Town Planner James Mandon could come to the next meeting and give their input since the Plan Commission gave an unfavorable recommendation to the Council. Sexton noted that the TAC members gave a favorable recommendation. Sexton also asked Tallian to fix the ordinance to show 190 homes instead of the 191 shown. Lyp told Tallian to spell everything out in the new commitments and ordinance when they would pay the \$1,833 per lot, when they would donate land to the Park, when they would add the right turn lanes. Lyp suggested to the council to read by title only and number this draft ordinance. Babcock made a motion to number and read by title only and add the approved amendments and deadlines for the above commitments, Bollinger made the second. Vote 5-0.

STORM WATER FEES:

Storm water President Edward Pilarski asked the Council to have Lyp draft an ordinance establishing permit fees so that the Storm Water Board could implement and monitor storm water and have control over new construction on parcels greater than 1 acre and the permit would be included on building permits for new construction. The Stormwater Board suggests \$200 plus \$10 per lot. This cost would help defray the cost of inspections and monitoring the site when building. The Storm Board is regulated under the MS4 stormwater law that is mandated by the federal government and needs more control over construction sites. The Storm Water Board is mandated to improve stormwater discharges into the Little Calumet River. If contractors do not comply they could be fined up to \$2,500 a day. Art Elwood, Building Commissioner and code enforcer, and Brueckheimer would overlook the building site to make sure that the contractors are complying. The Council by consensus asked Lyp to amend Ordinance 2006-02 to include these fees and permits which would be included with building permits.

SEWER RATES:

Karl Cender, Financial advisor for the Town, was asked by the Council to make a sewer rate study. Cender stated that the bonds for the sewer department will be paid off in July 2008. The last sewer rate increase was in August 2005. He noted that the Town has an agreed order from IDEM to comply with which in effects states that the Town needs to fix lift stations and sewer lines that have stormwater infiltration. He noted that the study will take a few months to do and he will look at revenue versus expenditures for operations, replacement, maintenance and capital needs.

COUNCIL COMMENTS:

Genger suggested that the Council should look into hiring an economic developer coordinator that would uphold the Town's Comprehensive Plan.

Bollinger made a motion to adjourn and Babcock made the second.

Dated this _____ day of February, 2008.

William F. Sexton, President

Jon Granat, Vice President

Michele Bollinger

Michael Genger

David Babcock

ATTEST: _____
Carol Pomeroy, Clerk Treasurer