

TOWN COUNCIL MINUTES

February 12, 2008

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

APPROVAL OF MINUTES:

Bollinger made a motion to adopt the minutes as written and Babcock made the second. Vote 5-0.

APPROVAL OF CLAIMS:

Babcock made a motion to approve claims as presented in the amount of \$104,414.50 and Genger made the second. Vote 5-0.

COMMENTS FROM THE FLOOR:

None

CLERK TREASURER REPORT:

Pomeroy asked the Council for permission to write off 2 outstanding checks that needed to be cleared off the books they are as follows:

1. Check #12149 dated 1/21/05 to Chesterton Tribune for \$28.51
2. Check #37101 dated 8/30/05 a deposit return for the Park for \$50.00

Bollinger made the motion to remove the outstanding checks and Babcock made the second. Vote 5-0.

Pomeroy also told the Council that the Fire Dept. paid back the loan \$30,000 to the Rainy Day Fund. All loans from 2007 have been repaid.

Pomeroy also presented a Resolution 2008-01 to be adopted for credit cards authorization, the Council agreed by consensus

POLICE DEPARTMENT REPORT:

Spanier stated that Comcast will start installing the new phones next week.

Spanier also asked Council for approval to spend a donation of \$5,000 for 3 radar detectors. The anonymous donor specified that the money be used for radar detectors only. Genger made a motion to move the \$5,000 to donations line item 210-001-221 and to spend the money for 3 radar detectors and Bollinger made the second. Vote 5-0.

FIRE DEPARTMENT REPORT:

Craig reminded all landlords that they need to fill out the smoke detector forms out. They were due January 31st.

PUBLIC WORKS DEPARTMENT REPORT:

Brueckheimer was absent due to illness and Warren Thiede of Haas & Associates was present for Oak Hill Pump Station change order. Warren reminded the Council that Item #1 for concrete driveway in the amount of \$2,420 and Item #2 for gravel parking lot in the amount of \$1,970 had previously been approved by the Council. Warren is seeking approval of item #3 for conduit in the amount of \$1,410, item #4 for fencing in the amount of \$1,266 and item #5 an extension of the contract date due to several issues beyond their control. They want the completion date as May 1, 2008. Babcock made a motion to pay the above for a grand total of \$7,066.00 and Genger made the second. Vote 5-0.

Babcock stated that he would like the Council, Redevelopment Commission, Storm water Board Public Works Director and Building Commissioner to have a workshop early next month. He will notify Pomeroy the date and time so that it can be advertised.

PARK BOARD REPORT:

Nothing

BUILDING COMMISSIONER REPORT:

Elwood said that there were 35 new contractors to be approved to make the grand total of 197. Granat made a motion to approve the new contractors and Babcock made the second. Vote 5-0.

OLD BUSINESS:

TRAILS OF PORTER: Ordinance 2008-03

Karen Tallian representing B & R Development presented the written commitments that the Council requested at last meeting. Tallian noted that they (B&R) would pay \$1,842 per lot as a cash payment as each phase is approved rather than up front. Tallian also stated that the density of this subdivision is equal to or less than any other subdivision in Porter. Lyp stated that they (B&R) need to go to the Plan Commission and there will be a second opportunity to review the commitments. James Mandon, Town Planner stated that all requested changes have been done and all department heads endorse this PUD as by far the best proposal for this site. He also stated that all department heads pushed them for as many concessions as possible and they feel this is the best compromise for this PUD. and on also noted that they did a traffic study by a reputable company and they said there will be no problems with traffic because of adding the 2 turn lanes while doing phase 1. Mandon also noted that drainage to the west will be improved. Granat asked why the Plan Commission gave an unfavorable recommendation; Lyp said that the Plan Commission did not believe the traffic study. He noted this was an odd vote for the Plan Commission. The first vote to deny was defeated 4-5. The next vote to send with no recommendation was a 4-5 vote. The third motion was to send to Council with a negative recommendation was 5-2. Bollinger stated that she toured the homes that B& R have built and they are in the \$180,000 to \$220,000 range and she feels they are reasonably priced and added that the ponds and walking trails are a plus for this subdivision. Granat asked if the repairs to the lift station have to be completed before houses connect to the sewer. Thiede responded no that IDEM wants the Town to prove that the infiltration and inflow has been reduced. Bollinger made a motion to approve the above ordinance and Babcock made the second. Vote 4-1 with Granat voting nay. Motion passed.

Ordinance 2008-04 amending Ordinance 2006-02 .

Adopting new forms and fees so that the Town can monitor storm water control for new construction and additions. The permit fee is \$200 plus a \$10 fee per lot. Genger made a motion to number and read by title only and Bollinger made the second. Vote 5-0. Babcock made a motion to suspend the rules and Bollinger made the second. Vote 5-0. Granat made a motion to have final reading and adoption with Bollinger making the second. Vote 5-0.

Ordinance 2008-05 PUD Tremont Place for WBEZ Radio Station.

They are requesting to locate a 595 foot FM transmission tower in the South West corner of Tremont Road and US Highway 20. The Council has received a favorable recommendation from the Plan Commission. They are in the process of buying 21 acres at the corner of Hwy 20 and Tremont Road and will have closing on March 3rd. The tower will sit on 5 acres in the southwest corner. The remaining 16 acres will be open for commercial or light industry which would maximize the property's potential. Babcock made a motion to number and read by title only the above ordinance, Granat made the second. Vote 5-0.

NEW BUSINESS:

Porter County Convention, Recreation and Visitor Commission Executive Director Lorelei Weimer updated the Council on their marketing efforts to promote tourism. She presented the Council with a resolution to oppose the merger of Porter County and Lake County tourism bureaus. Babcock made a motion to number and read Resolution 2008-02 with Bollinger making the second. Vote 5-0.

FIRE DEPARTMENT ACCIDENT AND DISABILITY INSURANCE:

James Anton of Anton Insurance presented several coverage options to the Council which ranged from \$5,452 to \$12,000 a year. Anton stated that the coverage is based on 25 volunteers but that number can fluctuate somewhat. Anton noted that all options meet or exceed the limits required by the State. The Council by consensus chose Plan 4 in the amount of \$5,452 which will be paid out of the Fire Fund. They also noted that if the volunteers wanted to choose another higher coverage option that the monies would be deducted from their pay at the end of the year.

Craig also reminded landlords to have their smoke detector forms filled out and returned by February 29th or face enforcement action. He noted that it is due by January 31st.

Dated this _____ day of February, 2008.

President William F. Sexton, President

Jon Granat, Vice President

Michele Bollinger

David Babcock

Micheal Genger

ATTEST: _____
Carol Pomeroy, Clerk Treasurer

