

TOWN COUNCIL MINUTES

FEBRUARY 24, 2009

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

APPROVAL OF MINUTES

Granat made a motion to approve the minutes as written and Genger made the second, vote 5-0.

APPROVAL OF CLAIMS

Granat made a motion to approve the claims in the amounts of \$89,013.38 and \$168,614.54 as presented and Babcock made the second, vote 5-0.

COMMENTS FROM THE FLOOR

Rita Newman of Franklin Street and a member of the Friends of Porter stated that for the 4th of July celebration the Friends of Porter will help organize the parade and events at Hawthorne Park and will not be involved in the July 1st fireworks at Lake Michigan. She asked the Council to again waive liability insurance and the parade permit and Genger made a motion to waive the insurance and parade permit and Granat made the second, vote 5-0. Newman stated the Bill and Zathoe Sexton will again sponsor a golf outing for the 4th of July celebration she noted that this was a major fundraiser last year. She also stated that Ron Trigg will also take pictures. Basically, the same schedule will be followed this year with a teen dance on July 3rd; the parade will be July 4th with festivities at Hawthorne Park on the 4th and 5th.

Sherrill Newman of Franklin Street noted that last years celebration cost about \$20,000 but some of these costs can be eliminated this year.

Renee Vasquez of Franklin Street and employed by the Mad Bomber Fireworks told the Council to be prepared to have a back-up plan since Lake Michigan can be unpredictable and offered to assist the Town with the fireworks. He said that lake show fireworks performed at Navy Pier and Michigan City are done within the breaker walls which is much calmer.

CLERK TREASURER REPORT

None

ATTORNEY REPORT

Lyp gave the Council the proposed ad to run for hiring a Town Engineer. He noted that the Council may add or delete. He noted that there is a March 24th deadline to accept applications but the Council could hire before the deadline if they chose to do so. Babcock noted that he would like the ad to read a registered Engineer is preferred but not necessary.

STORMWATER VACANT LAND BILLING

Lyp informed the Council that at an earlier meeting of the Stormwater Board that they are willing to let homeowners combine 2 or more connecting parcels if they chose to do so. Owners of vacant parcels are now receiving a monthly fee of \$4.00 for each parcel. A parcel is if you receive a tax bill then you are billed the \$4.00 for each tax bill that you receive. Lyp noted that in the early 1940's when the Town started to set up property lines for some unknown reason they put a diagonal line which runs from Francis Street and Franklin Street diagonally to Beam Street. There are 6 properties which have a diagonal line running through their property which they receive a separate tax bill. Some of these diagonal pieces of property are as small as 10X10 feet. Lyp noted that the Stormwater Board has approved of waiving the \$4.00 fee for these properties and will fix in-house. Any other resident that has connecting multiple parcels for example at Porter Beach where lots are 20 X 175 feet the resident will have to come before the Stormwater Board with their recorded plat that they have combined the parcels and then the Stormwater Board will waive the \$4.00 on the additional lots. Each resident will be considered on an individual basis.

POLICE DEPARTMENT REPORT

Chief Spanier stated that have hired a full time radio dispatcher, Amanda Martus. He noted that they are very happy to have her.

PUBLIC WORKS REPORT

Brueckheimer reported that she had attended a 2009 Stormwater Drainage conference and found it very informative. While at that conference the Town had overflowed at Triangle and Porter Avenue lift stations.

She also noted that she has received calls on leaf and brush pickup. Leaves can be bagged and call the Street Department and leave your name and address and they will pick them up. Right now they are not scheduling pickup until the plows are removed from the trucks when snow is over.

Engineer Warren Thiede of Haas & Associates said that he has received verbal approval to proceed with a pre-engineered report tied to Porter's application for \$4.5 million state revolving loan to upgrade the sewer collection system and lift stations by consensus the Council agreed for him to continue.

PARK DEPARTMENT REPORT

None

BUILDING DEPARTMENT REPORT

Elwood presented 6 new contractors and Babcock made a motion to approve and Genger made the second, vote 5-0.

Elwood also stated that he is doing daily inspections at Comfort Inn building site. He noted that he shut down the site again because the Contractor had hired workers that could not speak English. He said that labor laws state that at least one person has to be capable of speaking English in case of an accident. He also noted that they did not have green cards and asked them to leave. All workers left because no one could produce a green card.

OLD BUSINESS

ABLE DISPOSAL REFUSE CONTRACT

Attorney Lyp presented Able's contract that he had reviewed and approved. Able Disposal has merged with Allied Waste, the contract that the Council approved for 2009 thru 2011, and presented the Attorney with a new contract with the same rates and language. Granat made a motion to accept Able's contract for \$13.78 for 2009; \$14.45 for 2010 and \$15.15 for 2011 and Babcock made the second, vote 5-0.

TRUCK ROUTE

Martin stated that schedules with Chesterton and himself have been conflicting and he has not met with Chesterton yet to get their input on this matter. Martin suggested keeping the truck route for local delivery for the time being. Babcock asked James Smith of Able Disposal if he could talk with drivers about cutting through the downtown area to go to his plant. Smith agreed to speak with them.

Ordinance 2009-01 amending fees for pictures.

Granat made a motion to number and read Ordinance 2009-01 by title only Babcock made the second, vote 5-0. Granat made a motion to suspend the rules and have second reading by title only Babcock made the second, vote 5-0. Granat made a motion to have final reading by title only and to approve the ordinance; Babcock made the second, vote 5-0. Ordinance passed.

Ordinance 2009-02 amending language for video tapes.

Genger made a motion to number and read Ordinance 2009-02 by title only and Babcock made the second, vote 5-0. Genger made a motion to suspend the rules and have second reading by title only; Babcock made the second, vote 5-0. Genger made a motion to have final reading and to approve the ordinance; Babcock made the second, vote 5-0. Ordinance passed.

NEW BUSINESS

Ordinance 2009-03 RE-ESTABLISHING CCD FUND

Granat made a motion to number and read by title only Ordinance 2009-03, Genger made the second, vote 5-0. Granat made a motion to advertise and have a public hearing on March 10, 2009 at the next Council meeting; Babcock made the second, vote 5-0.

Ordinance 2009-04 amending Salary Ordinance for 2009

Granat made a motion to number and read by title only the salary ordinance raising Maintenance/Mechanic from \$16.00/\$18.00 to \$16.00/\$19.00 Genger made the second, vote 5-0. Genger made a motion to suspend the rules and Granat made the second, vote 5-0. Granat made a motion to have final reading and adopt, Babcock made the second, vote 5-0. Ordinance passed.

Eagle Scout Adam Nault

Bollinger read a letter commending Adam Nault of Troop 928 of becoming an Eagle Scout. Adam's project was to construct a 10' boardwalk bridge with railings and stairs at the Heron Rookery which is part of the National Lakeshore. This project was completed December 6, 2008.

Fireworks contract

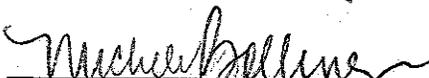
Genger stated that he is comfortable with Melrose Pyrotechnics because of their experience doing water shows at Navy Pier and Michigan City. He also noted that they have also have done firework displays in Chicago for the White Sox. Granat asked if the event could take place in Town he noted that the contract did not state for how long or what type of aerial display. Bollinger said that a committee is being formed which includes the Chesterton/Duneland Chamber of Commerce and the PCCRVC. She noted that Chesterton and Burns Harbor will also be asked to participate and they have already accepted a donation for \$1,000. Genger made a motion to accept the contract with Lyp's approval of the contract and Martin made the second, vote 4-1 with Granat voting nay.

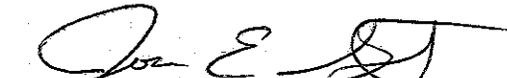
Heather Ennis of the Chesterton/Duneland Chamber of Commerce.

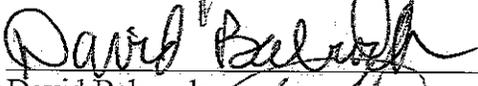
Ennis asked the Council to contribute \$1,000 towards a \$175,000 study for economic development which will be done by Roger Brooks in April. Ennis stated that the PCCRVC and the Porter County Economic Development Alliance will pay the bulk of the study. She is asking smaller towns to pay according to size. She said that the study would take approximately 6 to 8 weeks to complete. Genger said earlier at the Redevelopment Commission meeting that A.J Monroe has recommended that the Town donate to this study. Genger made a motion to pay the \$1,000 from the CEDIT fund to help finance this study and Granat made the second, vote 5-0.

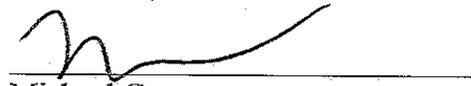
Babcock made a motion to adjourn and Genger made the second, vote 5-0.

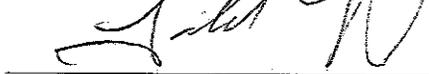
Dated this 10th day of March, 2009.

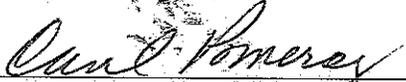

Michelle Bollinger, President


Jon Granat, Vice President


David Babcock


Micheal Genger


Todd Martin

ATTEST: 
Carol Pomeroy, Clerk Treasurer