

TOWN COUNCIL MINUTES

MAY 9, 2007

President William F. Sexton called the meeting to order by leading the Pledge of Allegiance to the Flag. Present were Council members Sandi Snyder and Jennifer Granat. Also present were Clerk Treasurer Carol Pomeroy, Attorney Patrick Lyp, Police Chief James Spanier, Fire Chief Lewie Craig, Building Commissioner Brenda Brueckheimer, Park Superintendent James Miller and Public Works Foreman Stan Potter. Absent were Vice President Lorri Wickberg, Council member Paul Childress and Public Works Director Karl Bauer.

APPROVAL OF MINUTES:

Minutes of April 24th were not approved because Wickberg and Childress were absent.

APPROVAL OF CLAIMS

Claims in the amount of \$87,896.16 were unanimously approved. Vote 3-0

COMMENTS FROM THE FLOOR

Karen Pisowicz, 85 Ed McDashiwicz Dr. asked the Council what did the residents of Porter gain by giving a tax abatement to Signature Graphics, did they hire residents from the Town and how many. Attorney Lyp said that they filed a SB1 form in 2002 and it stated that there would be 15 more hires but the Town cannot force those employees to be hired from the Town. Pisowicz asked if they are granted \$20,000 abatement do the residents pick up the difference. Sexton said basically yes. Granat who was against the abatement in 2000 said that when the abatement was issued the footings were already poured. Granat asked Lyp if he had the signed SB1 that they were to have signed approximately 2 months ago. Lyp responded no. Granat asked if the Council could revoke the abatement. Lyp if certification is not received by a certain date they would be in non-compliance then there would be a hearing and they could revoke the tax abatement. Granat made a motion for Lyp to write a letter stating it is 2nd notice of non-compliance and request that they attend the May 22nd Council meeting. Snyder made the second. Vote 3-0.

Tim Winn of 215 Rankin Street. Asked if anything could be done with Andershock's Fruit market bays. They are filled with water and with mosquito season arriving something should be done. Sexton advised Brueckheimer to look into the problem and tell the owners that something should be done with the building also.

William Lopez of 1275 Essex Drive stated that a storm sewer has collapsed in Porter Cove and when would it be fixed. Stan Potter advised him that R.V. Sutton should be there soon.

CLERK TREASURER REPORT

Pomeroy advised the Council that during the clean up of the upstairs the minutes for the years 1957 to 1962 are missing and also minutes from 1990 and 1991. She does not expect to find them.

Pomeroy advised the Council that she knows the budget for 2007 will be cut by \$125,000 and hopes that it will be approved by June or July. Hopefully the Town will receive its first draw of tax monies by October. Pomeroy said that LR&S averages \$6,000 a month and MVH averages \$10,000 a month in tax revenue. The CEDIT fund has approximately \$177,000 of unappropriated monies and

should receive approximately \$126,000 in May or June for a Fund balance of \$303,000. The next CEDIT draw should be in November or December in the amount of \$189,000. Pomeroy told the Council that \$187,000 was appropriated in 2007 for infrastructure. She suggested that the Council use this money to fund the Oak Hill Lift Station project and take the remainder \$3,700 out of the Sewer Fund. The project is to take about 3 months to complete and by then Porter should have received the first draw for CEDIT. Snyder made a motion to use the CEDIT monies and sewer monies to start the project for Oak Hill Lift Station, Granat made the second. Vote 3-0. LGS Plumbing was awarded the bid. The LR&S Fund has approximately \$98,000 cash balance. LR&S appropriated \$66,406 for 2007. MVH Fund has appropriated \$103,000 for 2007. When the budget is approved the Council could do any additional appropriation for the \$98,000 for a grand total of approximately \$267,000. She suggested that they doing the bidding but wait until September to do the paving and sidewalks. She was told that would be too late because the asphalt plants shut down. Granat stated that Major Moves has about \$618,335 and the Rainy Day fund has \$159,943. This money could be used for loans until we receive our tax money. Sexton told Pomeroy to notify the Redevelopment Commission when the Town needs a loan.

Sexton prepared a spreadsheet of the Town's finances showing revenue versus balances. He said if the Town stays on track at the beginning of next year we should have \$1.7 million as a starting balance.

ATTORNEY REPORT

Lyp had not received the changes to the curfew ordinance and will have ready by next meeting. Granat asked why the Council is not reviewing the PUD ordinance for the Mineral Springs Villas since they approved the original ordinance. Lyp said that the changes were minor and the Plan Commission could approve the changes. There will still be the same number of units just with zero lot lines.

POLICE DEPARTMENT

Chief Spanier asked the Council for permission to join the N.W. Indiana Major Crime Task Force in the amount of \$500 and to take the money from LECED. Granat made the motion to join the above not to exceed the \$500, Snyder made the second. Vote 3-0.

Spanier and Brueckheimer also stated that Spring Clean-up of junk vehicles, overgrown lawns and any property violations is in process.

FIRE DEPARTMENT

Craig said that the department has \$85,000 in CEDIT funds and he has asked the Redevelopment Commission for \$100,000 to purchase a new Rescue Truck. They have not given him an answer yet. He said a "plain jane" costs roughly \$167,000 and a fully equipped truck is about \$220,000. Craig said the 1975 truck has out used its purpose and needs to be towed back every time they use it. It has over 80,000 miles on it and it carries equipment for the Dive team. Snyder asked if he has checked into lease/purchase for the truck. Craig was told to research this and get back to them.

PUBLIC WORKS DEPARTMENT

Potter advised the Council that Karl Bauer was on vacation. Potter said they are in the process of mowing the roadsides and picking up brush. He also stated that the "sink hole" on Porter Avenue has been repaired and waiting for it to settle. The guard rail at Lincoln and Waverly road will be finished tomorrow. Sexton asked him to look into revising the curb at Town Hall instead of an angle make it an actual step.

PARK DEPARTMENT

Miller thanked the Rebuilding Together Duneland group that help spread 200 square feet of mulch. They did not help reseal the playground equipment because of all the rain. He is also waiting for Porter Cove playground to dry out.

BUILDING DEPARTMENT

Brueckheimer said there are 9 new contractors for a total of 249. Snyder made the motion to accept the contractors and Granat made the second. Vote 3-0. She said the Risk Management Committee has been rescheduled to May 23rd. Brueckheimer also said that the Risk Mgt. committee calls for doing criminal history checks for new employees and could also use to do peddler's checks also. Sexton says he uses the State Police site which charges \$14. Brueckheimer said all background checks would be charged to the department that uses it. Craig said they charge the volunteers to pay for this in case they leave before 30 days. Spanier asked if the State Police site is just for Indiana and Sexton replied yes, so not quite 100%.

OLD BUSINESS

WHEEL LOADER. Granat said she spent several hours checking the minutes about MVH using the CEDIT funds of \$48,000. She noted that the minutes of 10/10/06 asked the Council to approve the CEDIT schedule as written, which included the \$48,000 left for MVH in 2006. Also in those minutes Bauer asked to use the \$48,000 from CEDIT to purchase a dump truck which was approved, but because at the end of the year he used MVH funds instead to purchase. Granat could not find in any of the minutes where all departments lost their CEDIT money because of repaying Redevelopment Commission back the \$300,000 loan from the Town Hall. She also went to the street department with someone very knowledgeable with heavy duty equipment and had him inspect the old wheel loader. He advised her that it needed a lot of work and a new machine would be more productive because of the bigger bucket. The new machine also comes with a "claw" that would be very helpful. He also said that the new machine was a very good price and an excellent trade-in value. Granat felt it would be in the best interest of the Town to buy a new one based on the above information. Sexton noted that with a 3 year lease the trade in of \$13,000 would be the payment for the first year and the lease states that there is no penalty to payoff early. Sexton said we will have the money next year to pay it off. Granat suggested leasing and paying off early because it would cost \$8,000 in interest if not paid off early. Snyder agreed and stated that Sexton and Childress looked everything over. Snyder made the motion to move forward with the lease agreement with Roland Machinery, Granat made the second. Vote 3-0.

ORDINANCE 2007-04 amending ordinance 95-03 eliminating a waiver for \$5.00 garbage fee.

Granat made a motion to number & have 1st reading by title only. Snyder made the second. Vote 3-0. Granat made a motion to suspend the rules, Snyder made the 2nd. Vote 3-0. Snyder made the motion to adopt 2007-04 and have final reading by title only, Granat made the second. Vote 3-0.

PEDDLERS ORDINANCE.

Lyp had not received the changes to the ordinance made by the Police Commission. He will have at next meeting.

NEW BUSINESS

Sexton said he has received calls from landlords about sewer delinquencies. The landlords wanted to know if the Town could charge a deposit on sewer accounts. Lyp responded that the landlords should collect deposits for their tenants they are their obligation not the Town's. Pomeroy said that the contract with Indiana American states that they will not collect deposits for the Town.

Sexton also said that next year will be Porter's sesquicentennial. He asked for volunteers for a planning committee to call Town Hall. Craig also noted that October 2008 is the Fire Departments 100th year.

Gary Cutter of 326 Indiana asked the Council for permission to have a 4 mile Porter Brickyard inaugural race. He said there will be 150 runners and he would like to tie it to the Annual Taste of Porter if possible. He is seeking donations to buy t-shirts. The Council said he needed to fill out an application for the assembly, 30 days prior to the race. Cutter is not sure of a date as of yet.

Snyder made the motion to adjourn and Granat made the second. Vote 3-0.

Dated this _____ day of May, 2007.

William F. Sexton, President

Sandi Snyder

Jennifer Granat

ATTEST: _____
Carol Pomeroy, Clerk Treasurer