

## TOWN COUNCIL MINUTES

JUNE 26, 2007

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

### APPROVAL OF MINUTES:

Granat made a motion to approve the June 12<sup>th</sup> minutes with Snyder making the second. Vote 5-0.

### APPROVAL OF CLAIMS:

Granat made a motion to accept the claims in the amounts of \$178,335.40 and \$215,997.65 and Snyder made the second. Vote 5-0.

### COMMENTS FROM THE FLOOR:

Nancy Hyatt of 1295 Essex Drive. Stated that she has made numerous phone calls to the Street Dept and left messages and asked Bauer why he hasn't returned her calls. He stated that he never received her messages. The reason that she was calling was because behind the residence of 1402 Essex someone has placed a decorative box around the storm drain. She wanted to know if the Town had placed it or a former resident. Hyatt said that the water will not drain because of this. The Council told her that they could remove the box. She also thanked Spanier for returning her calls to her in a timely fashion.

### CLERK TREASURER REPORT:

Pomeroy reported that she had attended the Redevelopment Commission meeting earlier and had requested a loan in the amount of \$480,000. that was granted. The Commission said that they could loan the money until after July 15<sup>th</sup> when a CD would mature. The money would go to the following Departments: Town Hall/Police \$310,400, MVH \$131,000, Fire \$11,600 and Park \$27,000. She also reminded department heads to only buy necessities and when tax money was received it would be paid back immediately.

Pomeroy also asked the Council to set a budget workshop for 2008. The Council advised department heads to increase the budget by 5% and have ready for the July 11<sup>th</sup> workshop at 6:00pm.

### ATTORNEY REPORT:

Lyp reported that he had been in contact with **Comcast** about removing the office from Chesterton. In the 1980 agreement it states that Comcast was to maintain a local office. Comcast is looking into this matter and will report back to Lyp by the next meeting. Lyp will also have an ordinance ready at the next meeting for banning parking on Oak Hill which was recommended by the Police Commission and also an ordinance for the Town's local violations.

### POLIC DEPARTMENT:

Spanier asked the Council for permission to hire 3 new part time radio dispatchers. Three dispatchers are leaving for various reasons. The Council agreed by consensus for the hiring. Spanier also reminded the Council that the Police Commission and Council have given him permission to hire Tawni Komisarick to

replace Lieutenant Ed Surgener, who is retiring. Tawni will replace Surgener when the money will be at the break even point.

#### PUBLIC WORKS DEPARTMENT:

Bauer reported that he has received 3 quotes for a **new chipper** with a 19” capacity with a drum style chipper Model Vermeer BC 1800 XL Brush Chipper. They are as follows: 1. Vermeer Sales & Service-Iowa for \$40,150, 2. Vermeer-Wisconsin for \$42,429 and 3. Vermeer Midwest, Inc for \$37,800. Bauer said that he can lease purchase and no payment will be due until next year. There will be no penalties if paid off early. Snyder made a motion to purchase pending review of the contract by Lyp, Wickberg made the second. Vote 5-0.

Bauer has developed a **tree trimming/removal request form** in triplicate to be filled out at the Town Hall before they will investigate any tree problem that is in public right-of-way. The Town office will keep 1 copy and street will be given the other 2 copies. After the tree has been investigated and any action needed will be noted and a copy will be returned to the Town Hall. Lyp advised Bauer that once the Town receives a compliant on a tree some action needs to be taken quickly because the Town will be liable for any damages. Sexton said that any trees that are removed should be replaced with another tree. Granat said that Jim Miller has excellent brochures on trees.

Bauer is also developing a request form to be filled out for holding tanks pumping which will be handled in the same procedure as above. Bauer asked residents to bag any grass clippings that are to be picked up by the Street Dept.

Bauer reported that all storm drains and sidewalks are fixed in Porter Cove. He also reported that the readings for sewer are good for this month.

**2007 paving project.** The Council accepted the bid of Reith-Riley for \$192,294 which includes a base bid of \$160,983 for paving Wood Street and portions of Wagner Road, Lincoln Street, Porter Avenue and Tremont Road. An Alternate bid of \$31,311 to seal, pave and/or reconstruct portions of Marquette Street, Mineral Springs Road, Johnson Street and Parc Aux Vaches in Baillytown subdivision which will also receive road shoulders. Childress noted that we do not have the money at this time since the Town has not received their tax money yet. Granat stated that if the roads are not repaired now they will only get worse and cost more money in the long run. The money appropriated for this project was to come from the following accounts: MVH \$101,000 and LRS \$66,000 and do an additional appropriation from LR&S for the remainder due. Snyder made a motion to borrow \$192,300 from the Major Moves Fund to do this project and repay the loan from MVH & LR&S when the Town receives their tax draw and the additional appropriation from LR&S, Wickberg made the 2<sup>nd</sup> and the vote was 5-0. Pomeroy was advised to apply for the additional appropriation for LR&S Fund.

**Sewer System.** Shem Khalil of Haas & Associates reported about Chesterton allocations of Porter exceeding their allotted daily capacity for 3 consecutive months which resulted in a temporary halt on issuing new permits for construction of homes, which was lifted later for 3 months by Chesterton. Shem stated that there was a malfunctioning meter in Porter Cove that led to false flow readings. Debris was found in the system that caused the wastewater to back up giving a false reading. He is now in the process of correcting these readings which would lead to a credit adjustment of payment to Chesterton. They have installed a monitoring system.

**Woodlawn & Waverly Road.** Delta 3 has been cleaning the sewer lines in the downtown area was also instructed to clean the Woodlawn sewer lines to the sewer plant. The cutter blade broke in the line because of concrete and bricks that were found in the line, this section will need to be excavated to remove the debris. Shem is waiting on a price.

**Agreed Order from IDEM.** Shem said that not all allegations are true from IDEM and the Town needs to negotiate because some areas have been fixed. Lyp said that the Town has 30 days to give IDEM a proposed action and how they are going to fix and pay for the sewer problems. By consensus the Council gave Shem permission to apply for a SRF (State Revolving Fund) grant or low interest loan to upgrade the sewer system.

**PARK DEPARTMENT:**

Miller reported that someone dumped a truck load of brush at the pole barn in Hawthorn Park. He filed an incident report with the Police department. He thanked the Police for finding the guilty party and having them return and removed the brush.

Arts & Crafts summer program has between 35 to 48 kids attending this year. Jill Bucy and her 2 assistants from last year have returned and are doing a good job.

The Valparaiso University/Community Band played at the Millennium Gazebo on June 20<sup>th</sup> from 7pm to 8pm. Their performance was excellent with approximately 100 people in attendance.

American Legion Post 503 donated \$1,000 to the Park Department. Miller stated that the Park Board approved that some of this money to be used for the Arts and Craft summer program and wanted to spend the rest at their discretion. Snyder made a motion to approve the Park Board to spend the \$1,000 donation at their discretion, Wickberg made the second. Childress felt that the Park Board needs to identify exactly how this money is going to be spent. Vote 4-1 with Childress voting nay.

**BUILDING DEPARTMENT:**

Brueckheimer asked the Council's permission to offer to have an autograph session at the Town Hall for the Munchkins of the Oz Fest if the Oz Fest approves. The Council agreed by consensus.

Brueckheimer stated that she is in the process of taking care of 3 properties in Dune Meadows that has over grown grass. The properties are in foreclosure and she is having trouble contacting the responsible parties. Lyp advised her to contact the lending companies and they should take care of the problem.

**OLD BUSINESS:**

**Zoning Ordinance 2007-07.** The Council had a Public Hearing on June 12<sup>th</sup>. Childress made a motion to have 1<sup>st</sup> reading by title only, Granat made the 2<sup>nd</sup>, vote 5-0. Childress made the motion to suspend the rules, Granat made the 2<sup>nd</sup>, vote 5-0. Childress made the motion to have final reading by title only and to adopt; Snyder made the 2<sup>nd</sup>, vote 5-0.

**Fireworks Ordinance 2007-09.** Granat made a motion to have 2<sup>nd</sup> and final reading by title only and to adopt; Childress made the 2<sup>nd</sup>, vote 5-0.

**Curfew Ordinance 2007-11.** Childress made a motion to have 2<sup>nd</sup> and final reading by title only and to adopt; Granat made the 2<sup>nd</sup>, vote 5-0.

NEW BUSINESS:  
None.

Snyder made a motion to adjourn and Granat made the second. Vote 5-0.

Dated this \_\_\_\_\_ day of July, 2007.

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William F. Sexton, President

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Lorri Wickberg, Vice President

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Sandi Snyder

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Jennifer Granat

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Paul Childress

ATTEST: \_\_\_\_\_  
Carol Pomeroy, Clerk Treasurer