

TOWN COUNCIL MINUTES

JULY 10, 2007

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

APPROVAL OF MINUTES – July 10, 2007

Wickberg made a motion to accept minutes as written, Granat made the second. Vote 3-0.

APPROVAL OF CLAIMS:

Granat made a motion to accept claims in the amount of \$92,519.98 as presented, Wickberg made the second. Vote 3-0.

COMMENTS FROM THE FLOOR.

Tim Winn of 215 Rankin Street suggested to the Council to place either a 3-way stop sign or cross traffic does not stop at all railroad crossings on Lincoln Street. He said it is very confusing for some motorists. Council will take under consideration.

Sherrill Newman of 300 Franklin Street asked why it is taking so long to remove a decayed tree that is in town right-of-way. She has filed the correct paperwork and recently during a storm a limb fell between two school buses. Wickberg, Public Works liaison, will check with Bauer on the progress. Sexton thanked her for her assistance in directing the cleaning in right of way on Lincoln Street. Newman said that they have only worked one day and they need to take care of the poison ivy at Lincoln and Wagner Road. Newman hopes that they continue to complete the job. Granat presented the Council with a tree replacement policy that she hopes will be implemented when taking down trees in public right of way. This policy was placed on the next agenda.

CLERK TREASURER

Pomeroy said that the Town has received a Spring advance from County in the amount of \$205,407.09.

Pomeroy presented 2 resolutions for the Council to approve. Granat made a motion to number and approve by title only resolution 2007-02 a loan from the Rainy Day fund to Debt/Service fund in the amount of \$23,100 Wickberg made the second. Vote 3-0. Wickberg made a motion to number and approve by title only resolution 2007-03 an additional appropriation in the amount of \$1,150.00 for Park Donations.

ATTORNEY

Rupcich, standing in for Patrick Lyp, said that Lyp is still working with Comcast as to why they closed the office in Chesterton. Lyp will report as soon as he gets any answer.

POLICE DEPARTMENT

Spanier said he has received an application from the Village Tavern for an assemblage permit for a street dance on July 28th that would benefit the Fire Department. The time would be from 6:00pm to Midnight. Their insurance is in order. Granat made a motion to approve with Wickberg making the second. Vote 3-0.

Spanier also received an application for an assemblage permit for the Taste of Porter for August 25th which would run from 11:00am to 7:00pm. Their insurance is in order. Wickberg made the motion to approve and Granat made the second. Vote 3-0.

Spanier also asked the Council for permission to order bulletproof vests for the officers. They are in the last year of their grant that will pay half the costs and does not want to risk running out of time. The other half of the cost will be paid by money received from a settlement for defective vests from several years ago. Since they did not spend this money in the year that they received this settlement an additional appropriation needs to be done. While he understands that we cannot do an additional appropriation before our budget is approved he would like to start this process now so that they will not lose their grant money. The Council agreed by consensus to proceed and will have a public hearing at the next meeting and if the DLGF does not approve the additional appropriation at this time to take the money from the CEDIT fund.

Spanier also asked to spend half of the \$28,567 allotted Police Cedit money or \$14,283 to purchase stop sticks, cameras, memory cards for the new software, flashlights and computer equipment. He would also like to use some of the money that was budgeted for tasers for a software upgrade for the phone system. This upgrade would have the capabilities of voice mail and phone trees with individual officer mailboxes and would cost about \$1,500 plus programming. He would like to get as many items on his Cedit list as possible while still staying within the half range of the money. With the exception of the phone system upgrade he would only purchase items on the list and when the Town receives more money would then spend the other half allotted.

FIRE DEPARTMENT – nothing

PUBLIC WORKS DEPARTMENT – nothing

PARK DEPARTMENT

Miller stated that Hawthorne Park rentals have exceeded last years totals so far and is rented for every weekend for the rest of the year. The Park program is running well and the staff is doing an excellent job.

BUILDING DEPARTMENT

Brueckheimer said she has 7 new contractors to be approved for a grand total of 270. Granat made the motion to approve with Wickberg making the second. Vote 3-0.

Brueckheimer also prepared a brochure for the Council to look over for Code Enforcement.

OLD BUSINESS

Ordinance 2007-12, a loan from the Redevelopment Commission. Wickberg made a motion to number and read by title only with Granat making the second. Vote 3-0. Granat made a motion to suspend the rules and Wickberg made the second. Vote 3-0. Wickberg made a motion to have final reading and to approve by title only, Granat made the second. Vote 3-0.

Ordinance 2007-13, no parking on Oak Hill Road. Spanier stated that this would be a tool to use instead of towing cars and this would not go into effect until signs are posted. Granat made a motion to number and have first reading by title only with Wickberg making the second. Vote 3-0.

NEW BUSINESS

Vacant Alley at Porter Beach.

Attorney Bob Welsh representing Ray Cahnman asked the Council to have a public hearing on July 24th on this matter, which the Council agreed. Cahnman petition is asking to vacate a 14 foot wide and 101 feet long alley west of his home at 311 Duneland Drive to build a 2 car garage. Cahnman owns a parcel west of the alley that is not big enough to build on and plus the parcel need to be connected to the property that his house is located on. Welsh noted that the southern half of the alley has already been vacated previously which has an easement for public egress and ingress and for utilities. Cahnman would also do the same for this vacation. Welsh has consulted with the TAC members and they had no problem with this vacation. He also consulted with James Mandon, Town Planner and Attorney Patrick Lyp who stated for the Council to set the public hearing and then they would proceed to the Plan Commission. Sexton noted that there is stairs leading from the top of the dune to the bottom for public use. Attorney Rupcich advised the Council to proceed with Public Hearing. Attorney Welsh said that he would advertise for the Public Hearing.

Porter Beach Permits.

Sexton said that he has received a request to limit the 1st month of selling permits to Porter residents only. Granat asked if they had filled out a written request and Sexton stated no. Granat said the policy has always been on a first come first serve basis and feels that's how it should stay. It took 4 ½ months to sell out. Brueckheimer, also Code Enforcement Officer, stated that last weekend was the busiest in

1 ½ years and Porter's lot did not fill up until 1:00pm. She feels that the parking lot could be expanded and 100 more parking permits could be sold to generate more money for the Town. Wickberg agreed that she has never seen the lot full and to sell more tickets. Chief Spanier felt that if the Town limited selling tickets to Porter residents only in the first month could lead to an enforcement issue. Sexton noted that there use to be a road that connected to Duneland Drive

and feels that the base is still there to expand the parking lot. By consensus the Council agreed to expand the lot and leave the distribution of tickets the same. They also want to place this issue on the August 14th meeting about increasing more parking permits.

Mineral Springs Bond Reduction.

Janet Gough representing developer Larry Gough, contractor for the Mineral Springs Villas, asked the Council to reduce the infrastructure bond by \$101,000. Sexton asked what percent has been completed and approved since they (the Council) did not have any documentation. She did not have any verification, by consensus the Council agreed to place this on next agenda. Sexton advised her to bring an itemized list of things that have been completed.

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

Dated this _____ day of July, 2007.

William F. Sexton, President

Lorri Wickberg, Vice President

Jennifer Granat

ATTEST: _____
Carol Pomeroy, Clerk Treasurer