

PORTER TOWN COUNCIL MINUTES

JULY 22, 2008

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

APPROVAL OF MINUTES

Granat made a motion to approve minutes as written with Bollinger making the second. Vote 5-0.

APPROVAL OF CLAIMS

Genger made a motion to approve the claims for \$268,004.88 and \$222,664.02 as presented with Granat making the second. Vote 5-0.

COMMENTS FROM THE FLOOR

None

CLERK TREASURER REPORT

Pomeroy advised the Council that she would be advertising the budget and have the Public Hearing on August 26th. Pomeroy introduced an ordinance that she asked the Council to number and approve for clarifying sewer billing language. Granat made a motion to number and read by title only Ordinance 2008-11, 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 2nd and final reading with Genger making the second. Vote 5-0. Pomeroy also stated that there were 6 new contractors with all approved paperwork, Babcock made a motion to approve and Bollinger made the second. Vote 5-0.

ATTORNEY REPORT

Lyp introduced an ordinance for the Council approval regarding the Technical Advisory Committee (TAC) to abide by the open door policy advertising, keeping minutes and open to the public. Granat made a motion to number and read by title only Ordinance 2008-12 with Babcock making the second. Vote 5-0. Genger asked Lyp if the public should be able to comment and Lyp stated that it says may that it would be up to the discretion of the TAC committee.

POLICE DEPARTMENT

None

FIRE DEPARTMENT

None.

PUBLIC WORKS DEPARTMENT

Brueckheimer reported one overflow for the month at 348 gallons at Porter Ave lift station. She also reported a 12 inch sewer line broke on Lincoln Street and is repaired. Brueckheimer also noted that they are treating mosquito larvae throughout the Town. She also asked residents not to have any standing water and to please empty buckets, tires etc because the smallest amount of water can breed thousands of mosquito larvae. Warren Thiede of Haas & Assoc. asked the Council if he should attend a meeting on August 5th of the replatting of Hunter's Glen Subdivision and the Council advised him not to attend.

PARK DEPARTMENT

Zathoe Sexton, President of the Park Board noted that they had submitted their budget for 2009. She also stated that she has resigned from the Park Board and the Council should look for a replacement for her.

OLD BUSINESS

Lyp presented an **Ordinance 2008-13 for business registration**. Granat made a motion to number and read by title only and Babcock made the second. Vote was Genger and Bollinger no and Granat, Babcock and Sexton yes. Ordinance approved by 3-2 vote. It was noted that Lyp amend the ordinance to take out in Section 2 apartment complex. Genger and Bollinger were concerned about private cell phone numbers and contact information could be made public. They did both agree that the fire and police department should have this information but the general public no. Granat felt that this information should be available for protection of the police department and fire department. Genger asked if this could be made voluntary and Spanier stated that companies would not fill out application. Lyp noted that some information could be supplied by the business owner on a voluntary basis but it is to their advantage to provide it if there is an after hours emergency.

TRUCK ROUTE

Lyp was asked to prepare an ordinance to rescind the truck route of Wagner Road and Lincoln Street and to ban all large trucks from traveling through the downtown area except for trucks that are delivering to local businesses.

NEW BUSINESS

Damon Tsouklis of Cender & Company presented new sewer rates of 30% to be effective this year and another 30% increase for next year. Without this increase the Town could face a \$350,000 shortfall. The reasons for this increase to offset Chesterton's rate increase to the Town. The second rate increase is for the Bond for about \$4 million to upgrade Porter's sewers and lift stations which is mandated by IDEM over the next five years. Sexton said that the bond could be reduced by \$380,000 if the developers of the Iron Triangle make good on their pledge to donate this amount to the Town for sewer upgrades. The first rate increase for a typical family using 5,000 gallons would be \$12.30. and the second rate increase for the same amount would be \$12.30. The Council noted that these increases are because the sewers have been completely neglected over the last 30 years. Babcock said that the Town is still looking into options of selling the sewers but reminded everyone no matter who owns the sewers these upgrades still need to be done to be compliant with IDEM. Granat asked if all the sewers were inspected and could there be a major break in the sewers that the Town if not aware of. Brueckheimer agreed that there could be unforeseen sewer failure. Tsouklis stated that he would advertize and have the public hearing at next meeting.

REDUCTION OF LETTER OF CREDIT FOR LAKE ERIE LAND COMPANY

The Plan Commission sent a favorable request to reduce the letter of credit. Genger made a motion to reduce the letter of credit from \$963,044.00 to \$119,090.55 and Babcock made the second. Vote 5-0.

STOP SIGN AT THE CORNER OF HAGEMAN AND FRANKLIN STREET.

Chief Spanier noted that IC codes control the criteria for a 4 way stop sign. He said he would do a study and report back.

COUNCIL COMMENTS

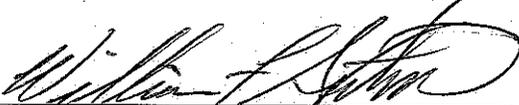
Sexton said that the State has approved a law that the President of the Council can appoint a youth under the age of 18 to be an adviser to the Council regarding youth issues. Sexton asked for them to write a letter requesting to be appointed.

Sexton asked residents to apply for a Republican seat on the Park Board with the resigning of Zathoe Sexton.

With great sorrow Sexton submitted his letter of resignation to the Council effective August 31st unless someone is appointed from the caucus beforehand. Sexton said sometimes people's lives and priorities change. He apologized that his feelings did not become apparent before his re-election. Genger said he regretted him stepping down that he has been a wealth of information for the Council and a good example to the Town.

Granat made a motion to adjourn with Bollinger making the second. Vote 5-0.

Dated this 12th day of August, 2008.



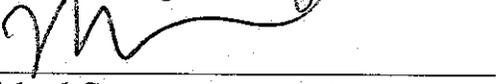
William F. Sexton, President

Jon Granat, Vice President



Michele Bollinger

David Babcock



Micheal Genger

ATTEST: 

Carol Pomeroy, Clerk Treasurer