

FEBRUARY 4, 2019

The Common Council of the City of LaPorte met in regular session in the Council Chambers on Monday, February 4, 2019 at 6:00 p.m.

Pledge

Councilwoman Feikes led the Pledge of Allegiance.

Present: Scherer, Feikes, Cutler, Fettinger, Stabosz and Mrozinske

Absent: Cowgill

Minutes

Mayor Krentz stated each Council member received an advance copy of the minutes from the January 7, 2019 meeting and asked if there were any corrections or additions. Councilwoman Feikes moved to approve the minutes as presented; motion seconded by Councilwoman Cutler and unanimously carried.

Petitions & Comments

Robert Cichon, 3516 W. Small Court, stated he spoke in opposition regarding at previous meetings on the annexation on Fish Lake as R2A. He stated he has been doing some research and still has questions as to whether the City followed the appropriate rules on the annexation with regard to the changing of the zoning. Mr. Cichon stated he cannot find where this was ever presented and approved by the Plan Commission for a zoning change. He reported that what was presented and what was advertised are not the same. Mr. Cichon stated he just wants to make sure the proper procedures were followed.

Councilman Stabosz requested the City Attorney provide a memo to the Council on what steps were taken that established the legalities in regards to the annexation on Fish Trap Lake.

Ron Zimmer, 1407 2nd Street, addressed the Council regarding LaPorte Hospital and the decrease in value since it was taken over by CHS in 2016. He stated he is concerned the hospital will cut staff which in turn will decrease the quality of care for patients and in turn increase the fees.

Lisa Pierzakowski, Center Township Trustee, reported the Center Township Trustee's Office in LaPorte was open 24 hours last Tuesday, Wednesday and Thursday as a warming station during the frigid temperatures. She thanked the LaPorte City Police Officers who kept in contact with her office as well as LaPorte County who provided mats and cots so they had places for people to sleep. Ms. Pierzakowski reported they had eight people who were in and out during those days which shows her there is a homeless problem in the City. Ms. Pierzakowski stated she believes there is a homeless problem in LaPorte and there is a need for affordable housing.

Standing Committee Reports

Code Enforcement: Councilwoman Scherer advised Code Enforcement will not be meeting this Wednesday.

Park & Recreation: Councilwoman Feikes reported the Park Board met on January 16th at which time officers for 2019 were elected and will remain the same as 2018: Mitch Feikes, President, Nicole Messacar, Vice-President and Roberta Mumaw, Secretary. She reported the website for Fort LaPorte Fundraising Project has been launched and anyone who would like to donate to this project can do so at patronicity.com. Councilwoman Feikes reported the 2019 Red, Wine & Brew Fest will be held at Stone Lake Beach this year on July 3, 2019. The Board approved to close the beach and allow fireworks on that day. She reported the Park Board approved an additional appropriation in the amount of \$14,051.10 for work associated with the Clean Water Indiana Grant. Councilwoman Feikes stated due to scheduling conflicts, the February Board meeting has been moved from February 20th to February 13th, to be held at the Park Office at 4:00 p.m.

Traffic Commission: Councilwoman Feikes reported the Traffic Commission will be meeting tomorrow evening, February 5, 2019 at 6:00 p.m. at the Police Department.

BID Board: Councilwoman Cutler reported the Business Improvement District Board elected new officers for 2019: Paul Vincent, President; Thaddeus Cutler, Vice-President; John Spiggle, Treasurer; and Robin Clark, Secretary. She advised the next BID Board meeting will be held on Monday, February 11, 2019 at 5:00 p.m. in the Council Chambers.

Historic Preservation Commission: Councilwoman Cutler reported the Historic Preservation Commission approved no changes to their current officers for 2019. She reported discussions continued regarding a Proposed Permit Code Amendment involving COA's. Their next meeting will be held on Tuesday, February 19th at 5:00 p.m. to accommodate the City Council meeting at 6:00 p.m.

Urban Enterprise Association: Councilwoman Cutler reported the Urban Enterprise Association also approved no changes to their current officers for 2019. Angela Rose, the new Downtown Coordinator, was introduced and she gave her first report on overseeing the 80/20 Façade Grant Program. The demolition of 709-711 Maple Avenue should be completed by now or at least very close. The next meeting of the UEA will be held on Wednesday, February 20th at 4:00 p.m. at the GLEDC Offices.

Airport Authority: Councilman Fettinger reported the Airport Authority met on January 9, 2019 at 5:15 p.m. at the Airport at which time the Civil Air Patrol stopped by. He reported they have three full-time pilots that provide emergency services such as emergency transmitter location in the case of a lost aircraft, they participate in quarterly search and rescue missions and exercise, they sponsor cadet programs for 12-18 year olds (out of their Valparaiso office) and currently their 20 members meet the second and fourth Sunday at the LaPorte Municipal Airport. Councilman Fettinger reported one of the Airport's 2019 capital projects is to pursue the reconstruction of aprons and taxiways which will all be paid with Federal money. He reported in December there was a fatal accident at the Valparaiso Airport. The Airport Board will be reviewing their Accident Preparedness Plan to make sure the Airport has the best policies and practices in place. Councilman Fettinger reported 27% more jet fuel was sold in 2018

than the previous year. The increase is due to the fact that there are a lot more aircraft using the Airport. He advised a Flight School is being planned with an Open House tentatively scheduled for February 16th from noon until 2:00 p.m. He suggested those who are interested check the Airport's website for the final details. The next Airport meeting will be held on February 13, 2019 at 5:15 p.m. at the Airport.

Redevelopment Commission: Councilman Stabosz reported there is an agenda item on tonight's agenda that pertains to the Redevelopment Commission. He advised the Redevelopment Commission met on January 7th and approved their Resolution as the Plan Commission also approved a Resolution that pertains to the agenda item. He reported the matter before the Council consists of adding certain specified parcels to the Plan's Acquisition List. Councilman Stabosz stated he will defer to the City Planner for additional information when this is presented later in the meeting.

School Board Liaison: Councilman Mrozinske reported the School Board will have their regular scheduled meeting on Monday, February 11, 2019 at 6:00 p.m. at the Educational Services Center.

Two-Year Old Checks

Roger Galloway, Clerk-Treasurer, advised the Council that checks issued by the City are good for two years. He stated at the end of the two-year period, State Statute requires him to present a list of outstanding checks that are two-years old. Mr. Galloway stated at this time he is requesting the Council authorize the list of checks presented to them, be re-deposited into the accounts where they were originally written.

Councilman Stabosz asked if this represents a waiver by these people of getting this money. Joanne Layman, Deputy Clerk-Treasurer, stated not necessarily. She reported when possible, the City tries to contact these vendors to inquire if the invoice for which payment was written is still open. On the list that was provided there were two checks that were either lost or never received and the invoice is still outstanding. Those checks will be re-issued. There were four on the list which were duplicate payments.

Councilman Mrozinske inquired about the check that was issued to the City. Ms. Layman reported the previous Utility Bookkeeper issued a check to cover an NSF for a utility account and the check was written for the wrong amount. In correcting that error she failed to have the original check voided. The issue with the NSF was resolved the following month. Councilwoman Cutler inquired about the outstanding checks issued to Drew Gesse for the Business Improvement District. Ms. Layman reported she talked with Mr. Gesse last summer and inquired if he still had the checks. He stated he was not sure and was told to check and if not to contact the Clerk-Treasurer's Office and we would void them and re-issue. Ms. Layman reported she has not heard from him. She advised the Council once these checks are authorized to be re-deposited into the accounts where they were written, if someone contacts the City inquiring about payment, we would require them to sign a form stating that they never received the payment and the check will be re-issued.

Motion/Vote – Approve Two-Year Old Checks

Councilman Mrozinske moved to approve the list of two-year old checks and authorize the Clerk-Treasurer to re-deposit them back into the fund from where they were written; motion seconded by Councilwoman Feikes and unanimously carried.

2018 Annual Investment Report

The Clerk-Treasurer reported on an annual basis the State requires the Clerk-Treasurer to present to the Council an Annual Investment Report. He stated before the Council tonight is a list of the City's investments for 2018. The City currently has ten funds invested in the State's Hoosier Fund. The interest rate at the beginning of 2018 was 1.1% and as of January 22nd the interest rate is 2.42%. Mr. Galloway reported the City earned \$67,664.05 in interest in 2018 and has been investing in the Hoosier Fund for seven years. He reported the interest earned on the City's checking accounts for 2018 was \$70,958.00. The average interest rate at the beginning of 2018 was .10% and at the end of the year the City was earning on average 1.0%. Total interest earned on all accounts was \$138,622.05.

Motion/Vote – Accept the 2018 Annual Investment Report

Councilman Stabosz moved to accept the 2018 Annual Investment Report; motion seconded by Councilwoman Cutler and unanimously carried.

Introduction of a Resolution of the Common Council of the City of LaPorte, Indiana, Approving an Amendment of the Declaratory Resolution and Economic Development Plan for the Thomas Rose Industrial Park Economic Development Area

Councilman Stabosz moved to introduce a Resolution; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Stabosz read a Resolution of the Common Council of the City of LaPorte, Indiana, Approving an Amendment of the Declaratory Resolution and Economic Development Plan for the Thomas Rose Industrial Park Economic Development Area in its entirety.

Mayor Krentz asked Beth Shrader, Director of Community Development and Planning, to come forward and give the Council a little background information and answer questions.

Ms. Shrader stated this Resolution is the third step in multi-step process that is required to amend the Economic Development Plan for the City's TIF II which includes the Thomas Rose Industrial Park and some areas adjacent to that. The purpose of this Resolution is to allow for the acquisition of about 25 acres of land, which is currently farm land, which the Redevelopment Commission wishes to make a stormwater project that would benefit TIF II. Ms. Shrader explained the Redevelopment Commission cannot purchase the land until it is included in the acquisition list of the Economic Development Plan for TIF II. Ms. Shrader reported she forwarded to the Council a couple weeks ago the Resolution adopted by the Redevelopment Commission which gives a little more detail as well as a map of the property they are proposing be purchased. She reported in addition to this they are proposing expanding the scope of permissible projects, which includes different types of utility projects that would serve or benefit the allocation area to avoid having to go through this process again for a similar type of project. Ms. Shrader stated the Redevelopment Commission approved Certain Amendments to the Declaratory Resolution and Economic Development Plan, which in turn was approved by the Plan Commission. She

stated if the Council approves the Resolution tonight a notice of public hearing will be set for the Redevelopment Commission sometime later this month.

Councilman Stabosz asked if the City is capped in the amount of territory that we can add to a TIF. He asked if this is something we need to be mindful of, that there is some type of maximum change to what the State will allow. Ms. Shrader stated this does not add to the allocation area, it simply adds a parcel to the acquisition list which serve the TIF. She stated this will not expand the footprint of the TIF area. Councilman Fettinger stated this will benefit everyone in the area by allowing them to have a greater footprint within the allowable area. Ms. Shrader stated that is correct. Jerry Jackson, Director of Wastewater, reported many years ago the City separated the First Ward and that water goes into a basin near Whirlpool (now American Licorice) where it then goes under the tracks and into a basin on Darlington Street. He reported the City also separated the whole Darlington area, but then there is no outlet for that area. Mr. Jackson reported there was nowhere to put that stormwater but back into the combined sewer system. This project will allow for that stormwater to be taken off the combined sewer system, so this not only is a benefit to the TIF District but also the City's combined sewer system.

Motion/Vote – Adopt Resolution R-1-2019

Councilwoman Feikes moved to adopt the Resolution as presented; motion seconded by Councilwoman Fettinger and unanimously carried.

**RESOLUTION R-1-2019
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LAPORTE, INDIANA,
APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND
ECONOMIC DEVELOPMENT PLAN FOR THE THOMAS ROSE INDUSTRIAL
PARK ECONOMIC DEVELOPMENT AREA**

Introduction of a Resolution to Create a New Fund, Declare a Fund Dormant, and Transfer the Remaining Dormant Fund Balance to the Newly Created Fund

Councilman Mrozinske moved to introduce a Resolution; motion seconded by Councilman Fettinger and unanimously carried. Councilman Mrozinske read a Resolution to Create a New Fund, Declare a Fund Dormant, and Transfer the Remaining Dormant Fund Balance to the Newly Created Fund in its entirety.

Clerk-Treasurer Galloway reported this Resolution is to comply with the State of Indiana with regard to separating monies received from the State to a MVH Restricted Fund for the purpose of construction, reconstruction and preservation of streets. He stated the City is already using the fund number the State has instructed us to use for the newly created fund so in order to comply with their directive, the Major Moves Fund (203) must be declared dormant and move those funds to a newly created fund number 523 and then create the new MVH Restricted Fund 203.

Motion/Vote – Adopt Resolution R-2-2019

Councilman Stabosz moved to adopt the Resolution as presented; motion seconded by Councilman Fettinger and unanimously carried.

RESOLUTION R-2-2018

**RESOLUTION TO CREATE A NEW FUND, DECLARE A FUND DORMANT, AND TRANSFER
THE REMAINING DORMANT FUND BALANCE TO THE NEWLY CREATED FUND
(Major Moves & MVH Restricted Funds)**

Introduction of an Ordinance Authorizing the Borrowing of Funds from the Sewer Department by the Stormwater Department to Supplement the Stormwater Construction Project

Councilman Fettinger moved to introduce an Ordinance for the first time; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Fettinger read an Ordinance Authorizing the Borrowing of Funds from the Sewer Department by the Stormwater Department to Supplement the Stormwater Construction Project in its entirety.

Mayor Krentz requested Jerry Jackson, Director of Wastewater, come forward and give the Council an explanation of the details for this Ordinance.

Mr. Jackson reported the City has a couple stormwater needs and with the Stormwater Utility just up and running there aren't any monies to do these two projects. The first is to replace the storm sewer around the perimeter of the new hospital at Tyler and State Streets. He stated there is some urgency on this project because the section that is being replaced is essentially within the hospital project. The existing and replacement storm sewer will lie underneath the treelawn and curb, within the hospital's work area. Mr. Jackson advised the hospital is designing storm water storage facilities that will be connected to the new storm sewer. Mr. Jackson reported a couple years ago the City acquired the old Woolen Mills on A Street across from the school bus barns. He stated that property happens to be the low point for essentially all the letter streets. Mr. Jackson reported the City acquired that property for the purposes of a storm basin. There are several properties right along the perimeter of that property that have problems with ground water infiltrating into their basements because that area is already wet, the sanitary sewers are in bad shape and there are no storm sewers in the area. Mr. Jackson stated there are two phases in the A Street Storm Basin Project. The first is to solve the local problem on 7th Street, A Street and B Street and the second part of the project which will not get done for several years is to separate the lettered to numbered streets. Mr. Jackson stated the plan is to purchase some of those properties that are having flooding and sanitary sewer problems and the reasons for the urgency on those is that he has some willing sellers who would very much like to sell their property. Mr. Jackson informed the Council NIPSCO wants to buy some property from the City to expand their substation. He reported the City will realize some income from the sale of property to NIPSCO which is why there is a Section 4 in the Ordinance. Mr. Jackson answered questions from the Council on both projects.

Mayor Krentz stated the second and final reading of this Ordinance will take place at the next regular Council meeting.

Other Business

Councilwoman Scherer announced the Salvation Army has a new program that begins today for free income tax preparation provided by Volunteer Income Tax Assistance (VITA). To qualify your household income for 2018 would need to be \$66,000 or less and you can have your taxes done free. They are open Monday through Wednesday, 9:00 a.m. to noon and 1:00 p.m. to 3:00 p.m.

Councilman Mrozinske inquired if the Memorandum of Understanding between the City and County is on the Board of Works agenda. Nick Otis, Attorney for the City, stated it is. Councilman Mrozinske inquired if the City knows how much the clean-up and construction will be on that property. Mr. Otis stated no, in fact we don't know if there is necessarily going to be any by the City.

Adjourn

There being no further business, Councilwoman Feikes moved to adjourn; motion seconded by Councilwoman Cutler and unanimously carried.

Approved: _____
Mark A. Krentz, Mayor

Attest: _____
Roger A. Galloway, Clerk-Treasurer

Approved: February 19, 2019