

FEBRUARY 19, 2019

The Common Council of the City of LaPorte met in regular session in the Council Chambers on Tuesday, February 19, 2019 at 6:00 p.m.

Pledge

Councilwoman Cutler led the Pledge of Allegiance.

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

Absent: Mrozinske

Minutes

Mayor Krentz stated each Council member received an advance copy of the minutes from the February 4th Council 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 Vaughn, 505 A Street, addressed the Council regarding the proposed flooding of the Woolen Factory on A Street. Mr. Vaughn stated in 2017 he was told the City would be redirecting water into the Woolen Factory property. He advised he spoke with Jerry Jackson and was told his property would be flooded and then was told the City would fill in his property which he declined. Mr. Vaughn gave a brief history of the area. He reported he has an environmental background and is concerned about the runoff into the proposed basin from the area that will have contaminants. Mr. Vaughn stated legally the City cannot flood his property nor can they intentionally cause his property to be harmed. He stated depending on the toxicity of the water the City is talking about pumping over there, there could be hazardous substances in there that could impact his property which could lower property values. Mr. Vaughn reported he was told anyone in the area that would be affected by this project would be notified by the City and to date he has not received any correspondence or notifications from the City. Mr. Vaughn stated he is a little frustrated when he heard on the radio this morning on his way to work that the Woolen Project was moving forward. Mr. Vaughn inquired when the new Stormwater Fee that is supposed to fund these projects is going to take place. Roger Galloway, Clerk-Treasurer, stated the Utility Billing Office is working through some billing issues and hopefully the fee will be on the next water bill.

Councilman Stabosz asked Mr. Jackson if he could provide to the Council if there were any alternatives to the drainage problems Mr. Vaughn is referring to and if so what the costs are.

Donna McCleery, 135 W. McClung Road, reminded the Council that they serve the people of LaPorte, not the Mayor or the Redevelopment Commission. Ms. McCleery reported there was a four day notice to close Hoelocker Drive and the Council voted 4-3 to closed and it

was blocked off. She stated now that Dunes Volleyball has built their building, there are buses and cars parked all along there because they do not have enough parking when they have an event. She stated that was poor planning and if you are going to allow Dunes Volleyball use it then it should be opened up for everyone. Ms. McCleery stated changing Clear Lake Boulevard to one-way was also poor planning as it should be going the other direction. She stated the bike/walking trails along Clear Lake can't be used because of all the goose droppings. Ms. McCleery advised she has 20 people lined up who are willing to go around the City to get signatures on petitions to open up Hoelocker Drive and put Clear Lake Boulevard back the way it was. She stated the Council needs to give those streets back to the people of LaPorte.

Craig Beckwith, 227 Grandview Avenue, stated he agrees with Ms. McCleery. Clear Lake Boulevard is going the wrong direction and why would you put a median there. He stated the Council doesn't listen to the citizens.

Jacqi Euler, 501 Treemont Street, reported she was asked by a few concerned citizens of LaPorte to come before the City Council requesting they consider amending the City's Animal Ordinance to include cold weather issues. Ms. Euler stated with the recent extreme cold weather this area endured a couple weeks ago, there were many animals left out in the cold and unfortunately when concerned citizens called the Animal Control Department they were told there was nothing that the City could do as the owners were not violating any City Ordinance. Ms. Euler advised Michigan City updated their Ordinance last year which she provided a copy to the Council. She asked the Council to consider amending the City's current Ordinance to address cold weather.

Councilman Stabosz asked Ms. Euler if she sees the Michigan City Ordinance as a model Ordinance. Mr. Euler stated she would like to see it stronger as she believes anything below thirty-two degrees is too cold for animals to be out in the cold for any long periods of time.

Councilman Stabosz inquired if the City has a committee that would address this type of Ordinance. Joanne Layman, Deputy Clerk-Treasurer, stated that would fall under By-Laws & Ordinances.

Andrea Renner Miller, 609 Vine Street, stated she is going to expand a little bit on what Ms. Euler just said. Ms. Renner stated she believes it is important that the City has an Ordinance that is specific to this issue, including adequate shelter. She advised she assists Ms. Euler on her webpage and they see the City being vilified as well as the local police who have their hands tied. She stated unfortunately the general public has their own ideas and as we all know sometimes that is not necessarily the right idea. Ms. Renner reported she herself was a Councilperson for twelve years and she understands that this will take some time, but she encouraged the Council to pursue changing the City Ordinance and make it stronger to protect our animals.

Councilman Stabosz asked if there are accurate reports of animal deaths due to cold weather. Ms. Renner stated she is not aware of a report that would have accurate information as there are probably many that are not reported.

Standing Committee Reports

Park & Recreation: Councilwoman Feikes reported the Park Board met on February 13th at which time the annual report was formally accepted by the Board. She reported the Board approved the addition of a travel baseball coordinator who will oversee the “Wreckers” travel baseball. The Board approved to hire an outside sales rep that would be paid on a commission basis to help promote youth sports. For more information about the position, you can visit the City of LaPorte Park and Recreation Department’s Facebook page. Councilwoman Feikes reported everything is on track for the Fort La Play Porte June build and donations are still be accepted for the next three weeks through Patronicity. Currently they have raised \$24,000 of the \$50,000 needed for the project. She reported the Board extended the contract with Beechwood Golf Pro, Kyle Cashmer through 2019 and gave permission for him to attend the PGA Spring Conference. Also, it was announced Mark Schreiber will be attending a sports surface seminar on March 12th in Elmhurst, IL.

Airport Authority: Councilman Fettinger reported the Airport Authority met on February 13, 2019. He advised every year the Airport leases the land around the Airport for farm use which is advertised in the LaPorte Herald-Argus. He advised they received \$241 per acre in 2018. The next Airport meeting will be held on Wednesday, March 13, 2019, at 5:15 p.m. at the Airport.

Police Department: Clerk-Treasurer Galloway advised he attended the Police Merit Commission meeting and two officers will be receiving accommodations.

Second & Final Reading 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 read an Ordinance for the second and final time by title only; motion seconded by Councilwoman Cutler 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 by title only.

Councilwoman Scherer asked if this Ordinance pertains to what Mr. Vaughn talked about earlier. Mr. Jackson advised part of the temporary loan is for the purchase of three (3) properties that are very low, much lower than Mr. Vaughn’s property. He advised the three properties suffer from flooding and sanitary sewer issues and all three are willing sellers. Mr. Jackson stated this will not fund the construction of the basin. He reported the Woolen Mills is 8.6 acres and can be used to solve flooding problems on B and A Streets by the bus barns without flooding the neighbors. Mr. Jackson reported this was prompted because NIPSCO is planning on expanding their substation. Councilwoman Scherer asked Mr.

Jackson if has talked with any of the property owners in this area. Mr. Jackson reported he has not as they are still in the early stages of the overall project. Mr. Jackson stated Mr. Vaughn's concern about stormwater quality would be addressed as it would have to be treated before it can be discharged into a low area. Councilman Stabosz inquired if there were secondary alternatives to handle this situation. Mr. Jackson reported this is the low spot in the whole area so it is the natural spot to look at and it can easily handle the small amount of stormwater without causing problems for the neighbors. He reported the alternative is to build underground storage and pump to the combined sewer which would be much more expensive. He stated he does not see a need to spend the extra money when it can be done at a lower cost, achieve the goal and not impact the neighbors.

Councilman Stabosz asked Mr. Vaughn if he is concerned about this project. Mr. Vaughn stated there are 8.6 acres but it isn't all low lands and if there isn't a concern about his land being flooded why was he told in 2017 that it was.

Councilman Stabosz stated in order to gather more information, he moved to table the Ordinance. The motion died for a lack of a second.

Motion/Vote – Adopt Ordinance 1-2019

Councilwoman Feikes moved to adopt the Ordinance as presented; motion seconded by Councilwoman Scherer and carried by the following roll call vote:

Ayes: Scherer, Feikes, Cutler, Cowgill and Fettinger

Nays: Stabosz

ORDINANCE 1-2019

ORDINANCE AUTHORIZING THE BORROWING OF FUNDS FROM THE SEWER DEPARTMENT BY THE STORMWATER DEPARTMENT TO SUPPLEMENT THE STORMWATER CONSTRUCTION PROJECT

Introduction of a Resolution of the Common Council of the City of LaPorte, Indiana, Approving Various Matters in Connection with the Lease of a Fire Station

Councilwoman Feikes moved to read a Resolution in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilwoman Feikes read a Resolution of the Common Council of the City of LaPorte, Indiana, Approving Various Matters in Connection with the Lease of a Fire Station in its entirety.

Mayor Krentz stated this Resolution is to approve various matters in connection with a lease for a new fire station. He advised representatives from Umbaugh & Associates are present and asked if they would like to address the Council.

Andy Mouser, Umbaugh & Associates, stated he along with Jason Semler were present to give the Council a little more information regarding the construction of a new fire station and the funding associated with that project. Mr. Mouser stated in the packet he provided

to the Council prior to the meeting, contains preliminary costs and funding, preliminary amortization schedules, estimated tax rate impact and current outstanding obligations secured by property taxes. He advised although the Resolution stated 2.3 million for 18 years, they expect the bonds to actually be somewhere between 1.8 and 1.9 million and only for 13 years. He stated the Resolution gives a little cushion but they don't anticipate it being that high. Mr. Mouser advised this will keep the City's current debt tax rate level with no increase anticipated. Mr. Mouser answered questions from the Council.

Motion/Vote – Adopt Resolution R-3-2019

Councilman Stabosz moved to approve the Resolution as presented; motion seconded by Councilwoman Cutler and unanimously carried.

RESOLUTION R-3-2019

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LAPORTE, INDIANA,
APPROVING VARIOUS MATTERS IN CONNECTION WITH THE LEASE OF A FIRE STATION**

Councilman Stabosz stated after conferring with Councilman Mrozinske he would like to defer item #9 to a future meeting.

Other Business

Motion/Vote – Remove Rental Dwelling Registry Ordinance Off the Table

Councilwoman Cutler moved to remove the Ordinance Creating a Rental Dwelling Registry off the table; motion seconded by Councilwoman Feikes and unanimously carried.

Motion/Vote – Adopt Ordinance

Councilwoman Scherer moved to adopt the Ordinance as amended; motion seconded by Councilwoman Feikes.

Councilman Stabosz stated although he supports the Ordinance he was not aware that the Council was going to remove it from the table and asked if it could be read again in its entirety.

Councilwoman Cutler stated her intent was to have it removed from the table and then vote against it as she believes it needs to be reworked.

The motion to adopt was defeated by a unanimous nay vote.

Councilwoman Scherer congratulated her son Andrew on being promoted to Captain in the United States Air Force.

Mayor Krentz informed the Council the Tree Commission will be giving a brief presentation at the next Council meeting.

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: March 4, 2019